

**Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition of a
Listed Building**

REF NO: LU/102/21/L

LOCATION: Winterton Lodge
Goda Road
Littlehampton
BN17 6SY

PROPOSAL: Reinstatement of the collapsed flint wall so that it matches the existing flint boundary wall which extends around the perimeter of the site.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The proposal is for reinstatement of the collapsed flint wall, approximately 4860mm, within a shared boundary with Hale Lodge to the east. The wall is cobble faced with pebble upper courses, 2 Ogee headed doorways with red brick and rubbed brick arches, 5 buttress support the wall in the collapsed vicinity. The height of the wall varies between 2400-2600mm and thickness is 250mm.

The works involve removing debris material and excavating new footings in the collapsed area. New strip foundation will be provided and finish flush with the existing wall. It is proposed that 30m of the wall will be repointed as some of the mortar is in disrepair.

SITE AREA N/A

RESIDENTIAL DEVELOPMENT DENSITY N/A

TOPOGRAPHY Predominantly flat.

TREES None affected by the development. There is a large TPO tree on the north-western corner of the site.

BOUNDARY TREATMENT A flint pebble decorated wall which wraps part of the northern boundary of the site, the entirety of the western and eastern boundaries and part of the southern boundary.

SITE CHARACTERISTICS Existing wall (east boundary) is approximately 3m high and comprises cobble flints on the road frontage divided by vertical red brick quoins. Approximately 4.8m of the flint wall on the east boundary has collapsed; temporary hoarding between collapsed section.

CHARACTER OF LOCALITY Predominantly residential on edge of Town Centre. Winterton Lodge is a Grade II Listed Building located on Goda Road in a residential area which forms part of the Littlehampton (East Street) Conservation Area. The building is on the east side of

Goda Road and south of East Street. Winterton Lodge was built during the 18th century and the original house is cobbled faced with brick dressings, quoins and upper courses. It features sash windows and a slate roof. The building has been subdivided into retirement flats and there have been modern two, three and four storey extensions to the building since the 1980s.

RELEVANT SITE HISTORY

LU/325/11/L	Application for Listed Building Consent to replace existing wood framed windows with PVCu units of the same design.	ApproveConditionally 06-01-12
LU/39/09/L	Application for Listed Building Consent to replace white timber windows and pair of doors in matching PVCu	ApproveConditionally 14-04-09
LU/8/09/L	Application for Listed Building Consent to replace existing windows & french doors with white PVCu frames & double glazed units to match like for like (Excluding the Listed Wing)	ApproveConditionally 18-03-09
LU/349/08/L	Listed Building Consent for the general repair of the boundary wall and replacement of the deteriorating sand stone coping stone with re-constituted stone, the design and appearance to match the existing.	ApproveConditionally 08-04-09

Noted.

REPRESENTATIONS

Littlehampton Town Council: Supports the application.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

Class 'B' Road

Listed Building Grade II

Tree Preservation Order

Designated Conservation Area

DEVELOPMENT PLAN POLICIES[Arun Local Plan 2011 - 2031:](#)

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
ENVDM4	ENV DM4 Protection of trees
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Littlehampton Neighbourhood Plan has been made and there are none relevant policies to the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it does not cause harm to the significance of the heritage assets or its setting and it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Listed Building Consent is sought to reinstate the collapsed flint wall so it matches the existing flint boundary wall which extends around the perimeter of Winterton Lodge. The works involve removing the debris material and excavating new footings in the collapsed area. New strip foundation will be provided and will finish flush with the existing wall. The adjoining area of the collapsed wall will be made good to allow for a solid connection between the existing and new flint wall. Where possible flint will be reused and reinstated and a lime mortar used to match the existing wall mortar. The buttress sections will be built to match the existing including matching colour bricks and there will be a new brick or concrete half round capping to match the existing wall.

It is necessary to consider the proposals against the relevant development plan policies which in this case would be HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

HER SP1 affirms that designated heritage assets including listed buildings, structures and their settings; and Conservation Areas will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance.

HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additional proposals should protect the setting of these buildings.

LISTED BUILDING AND HERITAGE

Paragraph 189 of the NPPF advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any heritage assets affected, including any contribution made by their setting.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 193 that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

Paragraph 193 of the NPPF reflects the requirements of Section 16(2) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant listed building consent for any works, the Local Planning Authority or the Secretary of State shall have special regard to the desirability of preserving the building or its settings or any features of special architectural or historic interest which it possesses.

The proposal would involve the reinstatement of the collapsed flint wall in order to put the wall back into an acceptable state of repair. It is proposed that matching materials will be used for the reinstatement

works to ensure that the new section of wall matches the existing. The proposal would therefore preserve the historic character and qualities of the wall and would ensure that it does not cause any harm to the appearance and character of the Conservation Area or setting of Listed Building.

The Littlehampton East Street Conservation Area is characterised by significant lengths of flint boundary walling and their reinstatement has been identified as an opportunity to improve and enhance the wider conservation area.

Therefore the application is considered to not cause harm to the significance of the heritage assets or their setting and the proposed works are considered to be not only acceptable but necessary.

The Conservation Officer have been consulted, no response received.

SUMMARY

The proposal would not cause harm to the significance of the heritage assets or its/their setting therefore listed building consent should be granted subject to conditions. The wall is in need of repair. If repairs are not undertaken, further deterioration will occur which may ultimately result in collapse of further part of the wall. The works are therefore necessary to ensure the continued presence of the wall which is an important boundary to the Listed Building and an important feature in the Conservation Area.

It is therefore, recommended Listed Building consent is granted subject to the conditions set out below.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

Dwg No 106, Proposed Plan;

Dwg No 107, Proposed Elevation;

Dwg No 108, Proposed Wall Section A-A;

Elevation drawings from the Structural Engineer showing the existing and proposed flint wall:

55473/01 Wall Elevations Existing and Proposed;

55473/02 Details

Method Statement explaining the proposed works, prepared by SHW Partnership LLP, dated March 2021.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No development shall be carried out unless and until precise details of the proposed materials have been submitted to and approved by the Local Planning Authority and so approved shall be used in the walling repairs.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies HER SP1, HER DM1 and HER DM3 of the Arun Local Plan.

- 4 The/reconstruction/making good/of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials must be with the written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF.