

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

REF NO: LU/104/20/L

LOCATION: 9 South Terrace
Littlehampton
BN17 5NZ

PROPOSAL: Listed building consent for the removal & replacement of damaged building fabric following significant water ingress from a roof leak.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE CHARACTERISTICS	The building is a Grade II Listed, 3 storey terraced house from the late C18/early C19. It consists of 3 storeys, attic and a basement. It is painted with timber sliding sash and casement windows, French doors, a metal crittall window to the front dormer. There is an attractive timber hooded balcony.
CHARACTER OF LOCALITY	The building is also located within the Littlehampton: Seafront Conservation Area, which contains a number of attractive buildings associated with the development of the town as a seaside resort. Of relevance to this application is the fact that the older terraced properties within the conservation area are those along South Terrace either side of Norfolk Road.

RELEVANT SITE HISTORY

LU/105/20/L	Listed building consent for external repair works & minor alteration to hidden valley roof arrangement	
LU/72/11/DOC	Application for approval of details reserved by condition 5 of planning application LU/311/10/L	DOC Approved 28-03-11
LU/348/10/	Erection of wrought iron railings at front of property	ApproveConditionally 06-12-10
LU/311/10/L	Application for listed building consent for proposed internal alterations to remove non loadbearing walls, increase width of an opening, remove arched alcoves, remove one door opening, remove external fire escape	ApproveConditionally 07-12-10

staircase & removal of a redundant chimney.
Replacement of wrought iron railings and a central
heating system

Relevant site history noted.

REPRESENTATIONS

The Town Council's Planning and Transportation Committee considered this matter at its meeting held on Tuesday 26th May 2020 and had no objection to the application subject to the advice and guidance of the Conservation Area Officer on any works that might be approved and carried out.

Arun District Conservation Area Advisory Panel:
No Objection

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun Conservation Officer:

The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Littlehampton Sea front Conservation Area

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

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.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) of the Planning (Listed Buildings and 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 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS**PRINCIPLE**

The key policies are deemed to be HER DM1 and HER DM3 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

SUMMARY

Following the comments from the Conservation Officer, it is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore should be approved, subject to the following conditions.

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 development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Proposed Plans & Elevations - 203076/03/LBC
 - Finishes Schedule

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 of the Arun Local Plan.
- 3 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.