

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

REF NO: LU/140/19/L

LOCATION: 15 South Terrace
Littlehampton
BN17 5NZ

PROPOSAL: Listed building consent for the propping canopy & supporting timber posts,
demolition & reinstatement of balcony.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Listed building consent for the reinstatement of the balcony.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A.
SITE CHARACTERISTICS	The property is a listed, late C18/early C19 terraced house; 3 storey, with attic and basement with area. The neighbouring properties are also listed buildings.
CHARACTER OF LOCALITY	The area is a conservation area.

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Parish Council - No objection.

C.A.A.C - No objection

It should be ensured that the proposed details of the balcony are submitted to the LPA in order to ensure that they are like for like.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. It will be conditioned that the proposed materials will match that of the existing balcony.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer -

The application relates to the front balcony at 15 South Terrace. This property is a listed building, and it sits within a conservation area (Littlehampton Sea Front). It is a late C18/early C19 terraced house; 3 storey, with attic and basement with area. The neighbouring properties are also listed buildings.

Similar to other properties within the terrace, it has been wholly painted a cream colour. The windows are sliding sash with their glazing bars intact. The terrace forms an attractive group overlooking the green area to their front elevations.

The proposed works essentially amount to a like for like replacement of the balcony. The only difference that I can identify is the fact that a galvanised steel beam (which will be clad in wood), will replace an existing wooden one.

The information provided indicates that as much of the existing historic fabric will be saved and re-used. Such an approach is acceptable. However, I note that references are made that materials will be replaced where necessary. It should be noted that in such circumstances, materials must be replaced on a like-for-like basis.

I also note that reference is made to powder coating the existing balustrade. Such an approach is not acceptable on a listed building. Instead the existing material should be painted. This issue should be clarified.

Apart from the above issue, 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 section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), when determining the application.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The applicant was contacted and confirmed that the painting of the balustrade is an acceptable alternative.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Listed building

DEVELOPMENT PLAN POLICES

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

HERDM1 HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

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 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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The key policy is deemed to be HER DM1 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.

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

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 and email:

- Location Plan - 19052 - 001 - APR'19
- Photos and Key plan - 19052 - 004 - APR'19
- Repairs to balcony - Existing and proposed front elevations plans - 19052 - 003 - APR'19
- Repairs to balcony - Existing and proposed floor and section plans - 19052 - 002 - APR'19
- Email confirming the painting of the balustrade - 19052 - 15 South Terrace, Littlehampton - 24/06/2019 - 13:26

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.