ARUN DISTRICT COUNCIL

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
Application for Listed Building Consent for Alterations, Extension or Demolition of a Listed Building

DECISION NOTICE

Application Ref: LU/204/13/L

1 **To Addressee**

Bernard Love and Partners
8 Love Lane
Romsey
Hampshire
SO57 8DE

2 **Site Address**

The New Inn
5 Norfolk Road

BN17 5PL

3 **Description of Development**

Application for Listed Building Consent for demolition of derelict and dangerous outbuilding

4 In pursuance of their powers under this Act and Regulations the Council **REFUSE** to grant Listed Building Consent for the works as described in the application and plans for the reasons stated.

1 The demolition of the building would result in the loss of an important and historic asset and it has not been satisfactorily demonstrated that this is an appropriate alternative to repair and restoration. The proposed demolition therefore conflicts with the aims and objectives of the National Planning Policy Framework (NPPF), aprticularly para. 132 which instructs that 'significance (of heritage assets) can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Case Officer: Mr J Smith

Date of Decision: **2 September 2013**

Karl Roberts
Assistant Director Planning & Economic Regeneration

Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO LISTING BUILDING AND CONSERVATION AREA APPLICATIONS
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol BS16PN. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the district in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If the applicant is aggrieved by the decision of the local planning authority:-
a) to refuse to vary or discharge the conditions attached to a listed building consent or a conservation area consent; or
b) to add new conditions consequential upon any such variation or discharge,

He may appeal to the Secretary of State in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Planning Inspectorate at the address referred to above. The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).