

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

REF NO: LU/256/17/L

LOCATION: 12 River Road
Littlehampton
BN17 5BN

PROPOSAL: Application for listed building consent to remove 1st floor partition to create large sitting room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks listed building consent for the removal of a first floor partition wall to create a larger sitting room.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Detached 2 1/2 storey grade II listed building with brick elevations.
CHARACTER OF LOCALITY	Predominantly residential characterised by mainly older style terraced dwellings of varying design and age. Generally 2 storeys in height.

RELEVANT SITE HISTORY

None.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer:

The proposal is to remove a partition to first floor in a listed building. The application / heritage statement do not make an Assessment/Statement of Significance of the proposed works. However the Structural Engineers report states the wall is non-loadbearing, so no intrusion would be made to ensure structural stability.

From the plan form, it is unlikely that the wall to be removed is original, given the location of windows, the fireplace and general symmetry of the space.

There is therefore no objection to the removal of the wall, subject to all skirtings, cornice, dado, door and architrave be retained where possible and like for like making good of such details.

Conservation Area Advisory Committee:

No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Grade II listed building

DEVELOPMENT PLAN POLICES

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings

HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place.

The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

The Littlehampton Neighbourhood Plan has been made but there are considered to be no 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."

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

The proposal has been considered by the Council's Conservation Officer who has identified that the proposed wall is not load bearing and as such no intrusion would need to be made to ensure structural

stability. It is also considered that the proposed wall is unlikely to be original, given the location of windows, fireplace and general symmetry of the space. Therefore, no objection has been raised in relation to the removal of the wall.

However, it is identified that all skirting, cornice, dado, door and architrave should be retained where possible and like for like making good of such details.

Therefore, it is recommended that listed building consent is granted subject to the below 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 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 internal alterations hereby granted listed building consent shall be carried out in accordance with the following approved plan:

· Proposed First Floor Plan - Proposals 02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 Upon completion of the work for which Listed Building Consent is hereby granted any damage

caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with the National Planning Policy Framework.