

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

REF NO: LU/344/20/L

LOCATION: 9 South Terrace
Littlehampton
BN17 5NZ

PROPOSAL: Listed building consent to appropriately strengthen & repair the building fundamental structural fabric, prior to the reinstatement of approved finishes permitted under application reference number LU/104/20/L.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
BOUNDARY TREATMENT	N/A
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. The front elevation is painted with timber sliding sash windows, French doors, and a metal crittall window to the front dormer. There is an attractive timber hooded balcony, similar to those on the neighbouring houses. It is considered to be of architectural significance.
CHARACTER OF LOCALITY	The building is 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. The oldest buildings consist of a number of three storey Georgian and Regency properties built in pairs and short rows as part of a longer terrace. These are domestic in scale and as each pair or group was built individually, there is a variety of detail but without the loss of harmony.

RELEVANT SITE HISTORY

LU/104/20/L	Listed building consent for the removal & replacement of damaged building fabric following significant water ingress from a roof leak.	ApproveConditionally 15-07-20
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Relevant site history noted.

REPRESENTATIONS

Littlehampton Town Council:
No Objection

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officers Comments:

A significant amount of works are proposed in order to make the building structurally sound. It appears that these structural issues came to light when implementing another Listed Building Consent. I have to point out that I am not a structural engineer, but the level of works required in this particular case, along with the information contained within the structural report clearly indicate that these works are essential to protect the stability and structure of this Listed Building. It would also appear that the intention is to protect the historic fabric where possible and undertake the works in a considered way. As a consequence, I am of the opinion that the works are acceptable from a listed building perspective.

Conclusion

The application is essential to protect the stability and structure of this Listed Building and considered to not cause harm to the significance of the heritage asset. 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:
Within the Built Up Area Boundary
Grade II Listed Building
Within the Conservation Area

DEVELOPMENT PLAN POLICIESArun Local Plan 2011 - 2031:

DSP1	D SP1 Design
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.

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.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the NPPF requires such information to be provided in order to assess the impact of the proposal upon these assets. 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 setting or any features of special architectural or historic interest which it possesses.

In this instance, it is considered that the proposal does not cause harm to the Listed Building to which it affects, nearby Listed Buildings, or the Conservation Area in which it is sited. This is due to the proposed repointing being predominantly reparative and using material of which matches the host dwelling. Furthermore, whilst the upgrading of the rear doors may not be undertaken as advised by the Conservation Officer (involving slimmer glazing units) as this alteration relates to a modern element of the Listed Building, it cannot be considered to cause harm to its historic fabric. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

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 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:
- Heritage Statement
 - Design and Access Statement
 - Proposed Ground and First Floor Plans 001 Rev B
 - Location and Block Plans 203076/03
 - Schedule of Works
 - Proposed Second and Third Floor Plans, Roof Plans 002 Rev B
 - Report
 - Party Wall Details
 - Elevations
 - Crack Stitching Cavity Wall
 - Building Preservation and Energy Conservation
 - Wall Details
 - Reconnecting a Cracked Internal Wall

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 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.