

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

REF NO: LU/41/20/L

LOCATION: 20 Western Road
Littlehampton
BN17 5PG

PROPOSAL: Application for Listed Building consent for removal of stud wall on the first floor and joist strengthening works.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks Listed Building consent for the removal of a stud wall on the first floor, and joist strengthening works.
SITE CHARACTERISTICS	Number 20 Western Road is an Early-mid 19th century, Grade II two-storey Listed Building. It has a slate roof with Horsham slabs at base. It is pebble fronted with red brick dressings on ground floor, whilst the 1st floor is red brick with modillion eaves cornice. The front elevation of the building indicates that it has been adapted and changed over time. Windows are wooden sliding sash to the front elevation. The building appears to have been adapted and changed over time, the result being that the interior contains some modern fabric.
CHARACTER OF LOCALITY	The building is also located within the Littlehampton (Seafront) Conservation Area. The Conservation Area contains the older terraced properties along South Terrace. North of these, smaller properties in short rows along Western Road and along Norfolk Road contrast with the larger properties along the front. It is considered that the building is of historic and aesthetic (fortuitous) significance.

RELEVANT SITE HISTORY

LU/132/19/L	Application for Listed Building Consent for external repairs to fabric of building, upgrading of internal elements, relocation of boiler flue & repainting rear render white from yellow.	ApproveConditionally 09-09-19
LU/131/19/PL	External repairs to the fabric of the building. Upgrading of internal elements and relocation of boiler flue. This application affects the character or appearance of Littlehampton Sea Front Conservation Area.	ApproveConditionally 26-07-19

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

The Council's Conservation Officer:

In this instance it is considered that the removal of the internal wall will not harm the character of the building, as it would result in the removal of what is believed to be modern material, whilst at the same time returning the space to a previous appearance.

Likewise, it is noted that the structural works are required in order to ensure the stability of the building. Therefore, on this basis, the works are considered to be acceptable.

Conclusion

On balance the proposal is 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).

Conservation Area Advisory Committee - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary
Within Littlehampton Conservation Area
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

[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 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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

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

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:

- First Floor Existing Proposed - 60006 - January 2020

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.