

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

REF NO: R/1/26/L

LOCATION: Land to the north of Rustington Convalescent Home
Sea Road
Rustington
BN16 2LZ

PROPOSAL: Listed building consent for the demolition and reconstruction of the western elevation of the laundry building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes a like for like re-building of the western 'wing' of the building.
	The Heritage Report has noted the slender walling and poorer durability of this part of the building as the reason why this section has recently failed during a storm. It is proposed to rebuild this section of the building such that its external appearance, scale and position is a like for like replacement. It is proposed to rebuild the internal and structural elements with modern methods of construction.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	None.
SITE CHARACTERISTICS	Listed Building, set within a wider residential development. To be converted to residential apartments.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

R/91/19/L	Application for Listed Building Consent for the reuse of laundry building to provide six apartments, minor alterations to the Carpenters House and the Cottage.	ApproveConditionally 24-07-19
R/72/24/DOC	Approval of details reserved by condition imposed under reference R/258/18/PL relating to condition 4 - schedule of materials and finishes.	DOC Approved 29-05-24

R/94/19/PL	Application for Variation of Condition 2 imposed under R/258/18/PL to enable amendments to the design of the new build dwellings and to provide an additional four residential units, including three new build units and an additional apartment within the Laundry Building.	Withdrawn 05-12-19
R/258/18/PL	Variation of conditions 2 & 3 imposed under R/187/16/PL relating to amended phases (phase one amended to the conversion of the laundry building, cooks house & dairy & works to the Convalescent Home and phase two amended to the erection of the new build dwellings).	ApproveConditionally 15-04-19
R/187/16/PL	Variation of conditions 2, 3, 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 & 24 imposed under R/83/15/PL to allow for scheme to be brought forward in two phases.	App Cond with S106 14-11-16
R/83/15/PL	Redevelopment of land to the rear of Convalescent Home to provide 26 new dwellings, reuse of laundry building to provide five apartments, reuse of both the cooks house & carpenters house to provide two dwellings with refurbishment works and first floor rear roof extension to the main house to create 4 additional patient bedrooms.	App Cond with S106 21-10-15
R/85/15/L	Application for Listed Building Consent for conversion of laundry building to provide 5 apartments, conversion of both the cooks house & carpenters house to provide 2 dwellings with refurbishment works to the main house.	ApproveConditionally 19-06-15

Noted.

REPRESENTATIONS

Rustington Parish Council - No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Neutral impact.

- A map-based assessment has identified two heritage assets of relevance to this proposal: the Convalescent Home and the Laundry Building.
- Works are required to the Laundry Building due to long-term lack of maintenance and recent poor weather leading to structural failure. The building forms part of the Rustington Convalescent Home (Grade II) and was built in 1897 in a Neo-Caroline style with distinctive historic features.
- The applicant proposes to replicate the existing structure and detailing, reusing original materials where possible.
- Any new windows or doors must be of appropriate historic design and materials; modern alternatives referenced in a previous discharge application are not acceptable. Further details in this respect should be secured by condition.
- The application covers only the western elevation; any additional works elsewhere on the building will require separate consent.
- The overall heritage impact is considered neutral due to faithful reinstatement.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built-up Area Boundary

Grade II Listed Building

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERSP1 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 Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan 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 72(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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

Policy HER DM1 relates to listed buildings and states that proposals must preserve and, where possible, enhance the historic character, qualities, and special interest of the building. Proposals must not be detrimental to the historic integrity of the building's exterior or interior and should, where possible, enhance its setting.

Paragraph 207 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The applicant has submitted a Heritage Report which assesses the significance of the building. It states that the Laundry Building is a two storey structure constructed of brown brick with red dressings and white painted wooden eaves. The report notes that the western elevation features a two storey extension positioned asymmetrically on the gable end of the main laundry. This elevation also has an apron parapet at roof level with bollards. The building was designed with functionality in mind, incorporating large openings and durable internal finishes to prevent water damage and allow for efficient drying. The report concludes that the building's historic interest derives from its use and function as a Victorian laundry, while its architectural interest stems from its grouping with other buildings on the site as a secondary building alongside the Convalescent Home.

Paragraph 208 of the NPPF relates to the authority's identification and assessment of the significance of a heritage asset, the weight given to its conservation, and the balancing of this against the public benefits of the proposal. The building is considered to be of both architectural and social significance.

Due to storm damage and prior neglect, a section of the western elevation has collapsed. The proposal seeks to rebuild this section of the building on a like for like basis. Original materials are to be reused wherever possible, with matching materials used where salvage is not feasible, while the internal structure will be upgraded to meet modern construction standards. This approach will preserve the building and enable its conversion to residential use, supporting its long term retention.

The Conservation Officer notes that this application relates solely to the rebuilding of the western elevation, including the installation of new windows in this area. Minor concerns have been raised regarding the potential use of inappropriate modern window and door materials. The Design Statement appears to suggest that the windows will match those approved for the Phase Two development; however, Phase Two relates to a new building on the site, and such windows would therefore not be appropriate for this historic structure. In any event, details of the openings can be secured by condition.

The partial reconstruction of the building on a like for like basis, including the reuse of materials where possible, will maintain the building's external appearance and will not adversely affect the significance of the asset or its setting. Although the subdivision of the building into dwellings will result in some loss of its historic functional integrity, this has been approved under a separate application and will support the long term preservation of the building.

Overall, subject to conditions, the proposal is acceptable. It will have a neutral impact on the significance

of the listed building and is considered to accord with Policy HER DM1 of the ALP and the relevant paragraphs of the NPPF.

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:

1. Location Plan
2. Block Plan
3. Laundry Building Proposed Plans and Elevations LB501
4. Laundry Building General Arrangement Details 5279 / 64 P1
5. Materials schedule

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy HER DM1.

- 3 Prior to the commencement of any works affecting existing or proposed windows, doors, or other openings, full details shall be submitted setting out details of proposed windows and doors be submitted to and approved in writing by the Local Planning Authority. Particular care

should be taken to reproduce the historic style and material of the timber window frames and casements, the arrangement of glazing bars, the set-back of the frames from the external wall face, the window cills and the colour, texture and form of masonry arches over the openings.

The details so approved shall be used in the construction of the part of the building.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with Arun Local Plan policy HER DM1 and the NPPF.

- 4 The reconstruction of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials or those material specified in the Material Schedule, must be with the written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the building for the future in accordance with Arun Local Plan policy HER DM1 and the NPPF.

- 5 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with Arun Local Plan policy HER DM1 and the NPPF.

- 6 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 Arun Local Plan policy HER DM1 and the NPPF.