

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

**REF NO:** BR/121/19/L

**LOCATION:** The Bandstand  
The Promenade  
Bognor Regis

**PROPOSAL:** Listed building consent for the reinstatement of missing pieces of ornamental metalwork; redecoration of entire structure; removal of yellow brick plinth and step, and reinstatement with red brick; relocation of entrance gate from south elevation to west elevation; infilling of open east and west sides with new railing to match existing; removal of existing lighting and provision of new; fitting of horizontal ceiling; removal of concrete floor finish; laying of new non-slip tiles in geometric pattern; fitting of Perspex sheeting at high level to prevent rainwater penetration.

<b>SITE AND SURROUNDINGS</b>
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DESCRIPTION OF APPLICATION	Listed building consent for the reinstatement of missing pieces of ornamental metalwork; redecoration of entire structure; removal of yellow brick plinth and step, and reinstatement with red brick; relocation of entrance gate from south elevation to west elevation; infilling of open east and west sides with new railing to match existing; removal of existing lighting and provision of new; fitting of horizontal ceiling; removal of concrete floor finish; laying of new non-slip tiles in geometric pattern; fitting of Perspex sheeting at high level to prevent rainwater penetration. Following the deferral of the application a ramp to allow wheelchair access has been added. Further details of paint colours, bricks and flooring materials and an access ramp have been provided.
BOUNDARY TREATMENT	The promenade is in on a higher level than the road to the north (The Esplanade), with a wall approximately 1.2m high with railings on the edge of pavement, with the beach running along the southern side.
SITE CHARACTERISTICS	Bandstand on Bognor Regis promenade.
CHARACTER OF LOCALITY	Built up area, mix of residential and commercial use.

<b>RELEVANT SITE HISTORY</b>
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BR/120/19/PL	Application under Regulation 3 of the Town & Country Planning (General Regulations) 1992 for the reinstatement of missing pieces of ornamental metalwork; redecoration of entire structure; removal of yellow brick plinth and step, and reinstatement with
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red brick; relocation of entrance gate from south elevation to west elevation; infilling of open east and west sides with new railing to match existing; removal of existing lighting and provision of new; fitting of horizontal ceiling; removal of concrete floor finish; laying of new non-slip tiles in geometric pattern; fitting of Perspex sheeting at high level to prevent rainwater penetration.

BR/151/06/L	Application for Listed Building Consent to attach flexible rope light to the verticle ribs of the Bandstand roof	ApproveConditionally 28-06-06
BR/146/94	Application under Regulation 3 of the Town & Country Planning General Regulations 1992 to reinstate S W timber boarded ceiling including the installation of 8 no recessed downlighters. To reinstate cast frieze to roof eaves above gutter.	Deemed Perm Cnd 10-08-94
BR/147/94/L	Application under Regulation 13 of the Planning (Listed Building & Conservation Areas) Regulations 1990 for Listed Building Consent to reinstate S W timber boarded ceiling including the installation of 8 no recessed downlighters. To reinstate cast frieze to roof eaves above gutter.	ApproveConditionally 10-10-94
BR/47/92	Application under Regulation 4 of the Town & Country Planning General Regulations 1976 to dismantle and remove Bandstand from site to refurbish and replace missing details as necessary to re-assemble on existing site with new roof to existing detail	Deemed Perm Cnd 13-04-92
BR/48/92/L	Application under Regulation 13 of the Planning (Listed Building & Conservation Areas) Regulations 1990 for Listed Building Consent to dismantle and remove Bandstand from site To refurbish and replace details missing as necessary. To re-assemble on existing site with new roof to existing detail.	Apprvd Cond by DCLG 08-05-92

Site history noted.

## REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bognor Regis Town Council

Objected on the grounds of design, appearance and visual impact with particular concerns over the fitting of Perspex sheeting to The Bandstand; insufficient design details were provided.

#### **COMMENTS ON REPRESENTATIONS RECEIVED:**

The agent addressed the comments of Bognor Regis Town Council and of the Conservation Officer and provided amended plans showing the omission of the originally proposed Perspex sheeting behind balustrading to form windbreaks, also ensured that the proposed Perspex sheeting at high level will not be readily visible and would be easily removable on a future occasion in order that the work can be fully reversed.

#### **CONSULTATIONS**

Conservation Officer

Estates Manager

Engineering Services Manager

Engineers (Drainage)

Engineers (Coastal Protection)

#### **CONSULTATION RESPONSES RECEIVED:**

Conservation Officer:

The proposal is to repair the structure, whilst restoring certain elements and generally refurbishing it, the existing general layout of the site would be retained. The access into the bandstand would be altered slightly with the pedestrian gate relocated from the south elevation to the west two open sides to the east and west infilled with new balustrading to match existing, missing railings and ceiling details will be reinstated. The existing step on the west elevation will be retained. Such a proposal will have a positive impact upon the listed building.

It is not clear from reviewing the information why the location of the gate is to change. Scant information has been provided regarding the Perspex sheeting and it is not clear how it will be fixed to the structure, if a permanent element of the structure, or removable. The size of the panels and how the horizontal timber boarding will to be fitted below the roof structure is unclear as well.

Based on the information provided details of the proposed red bricks to be used to replace those used for the brick plinth will need to be provided. All of the colours to be used should be agreed with the LPA.

A copy of this assessment and of any new information which comes to light during alterations and construction should be offered to the Historic Environment Record of Arun District Council.

2nd response following addition of ramp and further details:-

I note that revised plans are proposed for the bandstand. These plans are partly provided to include additional detailed design information (to remove the need for Discard any conditions), as well as providing an access ramp.

The additional details related to the design information includes the proposed colours that the bandstand

will be painted, along with details of the tiled floor. Having had the opportunity to view these details, it is considered that they are suitable for the structure and will not harm it. In fact, the proposed colours are an improvement on the existing colour scheme. The proposed red brick will satisfactorily replace the existing yellow coloured ones.

The only area of concern is that of the introduction of the access ramp. Whilst the concept of ensuring access for all is supported, it is also problematical. The nature of a large ramp around approximately one quarter will potentially dominate the elevation of the structure and cause harm. I note that every attempt has been made to reduce its impact through the use of a basic pallet of materials and a simple handrail. However, it is considered that it will have a detrimental impact upon the heritage significance of the bandstand. Such impact will need to be weighed against the benefits that may result from its construction. These are varied and include greater access for all, and ensuring its long-term use.

#### Conclusion

The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2018). As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

#### **COMMENTS ON CONSULTATION RESPONSES:**

Comments noted. The agent provided amended drawings addressing the comments of Conservation Officer and has answered his questions and all the requirements of Conservation Officer were conditioned.

- Relocation of access gate. The Bandstand has previously been disassembled and re-assembled and is not in its original location.
- The new timber boarding will be fitted to existing horizontal metal framework and would have a painted finish.
- Materials and paint colours have been specified and are considered acceptable.
- The public benefits from increased access and improved structure outweigh the less than substantial harm caused by the ramp.

<b>POLICY CONTEXT</b>
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Designation applicable to site:

Within Built Up Area Boundary  
Grade II Listed Building  
Class C Road

#### **DEVELOPMENT PLAN POLICIES**

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

- |        |  |
|--------|--|
| DDM1   | D DM1 Aspects of form and design quality |
| HERDM1 | HER DM1 Listed Buildings                 |
| HERSP1 | HER SP1 The Historic Environment         |

[Bognor Regis Neighbourhood Plan 2015 Policy 1](#)      Delivery of the Vision

#### **PLANNING POLICY GUIDANCE:**

- |      |                                    |
|------|------------------------------------|
| NPPF | National Planning Policy Framework |
|------|------------------------------------|

**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.

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.

Bognor Regis has a "made" Neighbourhood Plan and the relevant policy is 1.

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 16(2) 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 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."

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Grade II Listed Building.

**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 application seeks Listed Building Consent for reinstatement of missing pieces of ornamental metal work, reinstatement of yellow brick plinth with red brick, relocation of entrance gate, replacement of existing lighting with a new one, fitting of horizontal ceiling, laying of new non-slip tiles and fitting of Perspex sheeting at high level and the provision of access ramp. It will be necessary to consider the proposals against the relevant development plan policy which in this case would be HER DM1 of the Arun Local Plan and the NPPF.

HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additional proposals should protect the setting of these buildings.

**LISTED BUILDING AND HERITAGE**

Paragraph 189 of the National Planning Policy Framework (NPPF) advises that in the determination of applications, the local planning authority should require an applicant describe the significance of any

heritage assets affected, including any contribution made by their setting. The applicant has submitted a heritage statement in support of the proposals which includes a description of the listed building and concludes that the proposals could be considered sympathetic to the listed building.

When considering the impact of the proposal upon the significance of a designated heritage asset it is identified under paragraph 193 that a great weight should be given to the asset's Conservation (and the more important the asset, the greater the weight should be) irrespective of if the potential harm amounts to substantial harm, total loss or less than substantial harm to the significance of the designated asset.

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.

The proposed works would involve the reinstatement of missing pieces of ornamental metal work, reinstatement of yellow brick plinth with red brick, relocation of entrance gate, replacement of existing lighting with a new one, fitting of horizontal ceiling, laying of new non-slip tiles and fitting of Perspex sheeting at high level. This Perspex sheeting will be clear and would barely be visible from ground level. It will be fixed in a manner to enable removal on a future occasion to ensure the work is entirely reversible. It is considered no harm is caused to the heritage asset.

Given the scale, a nature and a necessity of the proposed development and the way how it would be implemented it is considered, that the proposed works would protect the architectural and historical integrity and detailing of a Listed Building and therefore they are considered to be acceptable.

The addition of the ramp results in less than substantial harm to the building however it is considered the benefits that arise from the addition of the ramp - greater access to the building are such that the harm to the heritage asset is acceptable. It is also considered that the ramp is easily removable and so the harm is potentially reversible.

## SUMMARY

Following the comments received by the Conservation Officer and Bognor Regis Town Council the revised drawings were provided. Therefore it is considered that the proposed alterations of the Bandstand, a Listed Building Grade II, would not have less than substantial harm adverse on its appearance, character or historic fabric, therefore the listed building consent should be granted but the increased accessibility and improvements to the structure are public benefit that overcome the harm.

The additional plans have resulted in an additional notification to the Town Council. It is therefore recommended that the decision is issued at the end of the notification period (or sooner if a response is received from the Town Council) by the Head of Planning in consultation with the Chair of Committee.

<b>RECOMMENDATION</b>
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### 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:
- Location & Block Plan
  - DRW 824/01 'Existing Site Layout Plan
  - DRW 824/03 Rev C
  - DRW 824/04 'Proposed Floor and Roof Plan & Elevations' Rev F
  - DRW 824/05 'Proposed South & North Elevations Railing Replacement Repair Details'
  - DRW 824/06 'Proposed East & West Elevations Railing Replacement Repair Details'
  - DRW 824/07 'Proposed reflecting Ceiling and Lighting Plans'
  - DRW 824/11 Proposed ramp
  - DRW 824/12 Proposed colour scheme
  - External materials covering letter dated 18/12/19
  - Octagonal Floor tile layout received 18/12/19

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.