

Development Management – Delegated Officer Report

Application Number: AWDM/0118/26

Recommendation: REFUSE

Site: 9 Warwick Road Worthing West Sussex BN11 3ET

Proposal: Application for Listed Building Consent for internal changes including new staircase to basement, walls to utility, chimneys opened up, removal of ground floor wall and creation of front door lobby, sliding door at first floor, second floor bathroom and removal of walls and external enclosure of part of second floor balcony to create orangery

Application Number: AWDM/0117/26

Recommendation: APPROVE

Site: 9 Warwick Road Worthing West Sussex BN11 3ET

Proposal: Enclosure of part of second floor rear terrace to create orangery

Date of Site Visit: 05/03/2026

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings

9 Warwick Road is an early 19th century mid terrace property arranged over 4 floors and finished in a smooth stucco under a slate roof. The building possesses a fine level of architectural quality with the entrance steps rising to a 6-panel door with architrave detailing set around the door aperture which also hosts a fanlight above.

The first floor possesses a cantilevered balcony with canopy which is consistent along the whole terrace, with the second floor being a more modest affair hosting 2 3 over 6 sliding sash windows before the elevation terminates with a parapet. The final level is a subterranean level accessed both via an external set of steps and an internal access.

The significance of the terrace and no 9 is derived from high aesthetic and historic values, being an example of the early speculative developments of the Georgian and Regency period along the south coast, which included similar developments in Brighton, Portsmouth and Hastings. This extends to not only external appearance but also the internal arrangement of no9.

The building, with number 1-15, is Grade II listed with the following official list entry

“WARWICK ROAD 1. 5406 (East Side) Nos 1 to 15 (consec) TQ 1502 NW 5/18 20.6.75. II GV 2. Early C19. 3 storeys and basement with area. 2 windows each. Stuccoed. Cornice and parapet. Wooden balconies with canopies on the 1st floor. (Those at Nos 7, 10 and 13 missing). Round-headed doorways in moulded frames up

3 steps with semi-circular fanlights and 6-panel moulded doors. Some glazing bars missing.

Nos 1 to 15 (consec) form a group.”

The site is within Stene Gardens Conservation Area.

Proposal

The proposal seeks Listed Building Consent for a number of works that include the installation of a new staircase to basement, the removal of walls to utility, the chimneys opened up (being the breast is removed and hollowed out), removal of ground floor wall and creation of front door lobby, sliding door at first floor, second floor bathroom and removal of walls and external enclosure of part of second floor balcony to create orangery.

Householder consent is required for the external second floor orangery which would enclose part of the existing rear balcony.

Relevant Planning History:

07/0772/FULL - Reinstatement of front balcony and canopy, replacement windows and front railings.

STATUS: Conditional Consent 14th August 2007.

07/0773/LBC - Application for Listed Building consent for the reinstatement of front balcony and canopy, replacement windows and front railings, re-rendering of front elevation and internal alterations.

STATUS: 14th August 2007.

Consultations

DGC Heritage Consultant: Objection less than substantial harm

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confers a statutory duty to LPAs when considering whether to grant listed building consent, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

It should also be noted that the restrictions and requirements of listed building consent apply to the building in its entirety, whether that be internal or external, with legislation referring to preservation of architectural and historic interest.

The LPA's duties are reinforced within Section 16 of the NPPF, Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value.

These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

As such, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Other elements held within Section 16 will also be considered as will Local Policy.

In respect of the stairs to the basement level, it was noted during the site visit that these particular stairs were later replacements and not particularly well constructed. The principle of replacing these stairs is acceptable but would be subject to conditions for large scale and highly detailed joinery drawings.

However much if not all of the other aspects are considered to seriously erode the character of the early 19th century building and is wholly unacceptable. Much of the proposed relates to the removal of walls and the formation of new spaces by rearranging internal partitions.

In respect of all of these aspects within the proposed, they would result in a serious erosion of plan form of the building. As Historic England's advice note 2 states:

The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases (whether decorated or plain, principal or secondary) and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations.

In this instance the plan form has been largely retained and is still legible contributing to historic character and sense of place, when considering this against legislation the proposed removal of walls will not preserve architectural or historic interest, nor where the proposed causes less than substantial harm, is there an adequate mitigation that is clear and convincing or in the public interest. Moreover, the removal of the walls could have unforeseen impacts upon the structure given that many buildings of this period are regarded as quite flimsy.

Similarly, the removal of the façade that forms the chimney breast at basement level (supporting legs will remain) to merely accommodate a cupboard is harmful and wholly unacceptable. If storage is required, perhaps considering an understairs arrangement at basement level. The removal of chimney breasts is without justification or public benefit and is unacceptably harmful.

In reference to the proposed orangery, where it makes use of a more modern element, it is in a considerably elevated position and is not of a realistically practical size, whereas the harm in heritage terms may only be modest, other planning matters may make it unacceptable.

Given the majority of the proposed causes unjustified harm to the building, the council should not consider amendment but issue a clear refusal of Listed Building Consent.

The proposal does not consider the architectural and historic interest of the building adequately and subsequently a scheme that is wholly contrary to the duty to preserve has been proposed.

Turning to local policy, DM24 of the Worthing local plan requires proposals to be of a high quality, respecting its context and demonstrating a strong sense of place.

It goes on to state that development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Where proposals may result in harm to a designated asset a Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

It also makes clear that Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. Therefore it is clear that the proposal fails to accord with that policy.

In conclusion and having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal by virtue of design, appearance, loss of plan form and loss of historic fabric and features would not preserve the architectural and historic interest of the Grade II Listed Building and fail to comply with policy DM24 of the Worthing Local Plan and paragraphs 135, 213 and 215 of the NPPF. The decision has been issued in accordance with paragraph 139 of the NPPF which states that: Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Historic Buildings and Places:

HB&P have reviewed the documentation provided and raise the following concerns to the elements of the proposal that undermine the special historic and architectural significance of this grade II listed heritage asset.

The main concern is the removal of the internal walls to the ground floor. Given much internal modernisation has already taken place, increased importance is placed on the historic planform.

While we understand the desire for open plan living, this is excessive and completely erases the historic planform and ability to interpret the original way the house functioned. It also involves considerable structural alterations to support the levels above and the impact of this on the remaining structure and historic building fabric has not been considered. The presence of an entry hallway also indicates the original

desired status of the house when it was constructed (as opposed to workers terraces where this feature was omitted). We would accept the opening up of the rear room of the main house body to the stair (with an appropriate down stand to mark the proportions of the room) to allow a wider room, but the remaining walls the enclose the front principal room should be retained.

The second concern is the opening up of the two chimney breasts. They are evidence of the original layout and functionality of the house, as well as being important structural elements. They should be retained, and preferably reinstated as an important historical feature, and not destroyed.

It's also unclear why doors/doorways are being replaced with sliding doors, a feature not compatible with a heritage asset of this age.

There is no concern with the replacement lower stair, and it is hoped the balustrade will match those on the upper levels.

We defer to the advice of your conservation officer on all other matters.

The Georgian Group:

Firstly, the proposed removal of the partition dividing the hallway from the front and rear rooms at ground floor level has not been adequately assessed within the accompanying Heritage Statement. The applicant has not identified or evaluated the contribution this partition makes to the historic plan form and significance of the building. Its removal would further erode the legibility of the historic layout, which is an important component of the special architectural and historic interest of this Grade II listed building.

Secondly, the proposed insertion of an en-suite at second floor level would alter the historic plan form and adversely affect the proportions of the front and rear rooms, as well as diminishing the primacy of the chimney breast. This intervention would result in harm to the building's significance.

Your authority should take this harm into consideration when determining the application for Listed Building Consent.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the decision-maker, when considering whether to grant listed building consent, to have special regard to the desirability of preserving the listed building, its setting, and any features of special architectural or historic interest which it possesses.

Neighbour Representations

None received.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM24

Planning Assessment:

The main consideration for the listed building application will be the impact on the special and architectural qualities of the listed building.

In terms of the householder application, works to improve dwellings are acceptable in principle subject the impact on the conservation area and residential amenity.

Listed building

The application proposes numerous changes to the listed building internally with changes made to the layout of the rooms, the types of doors, the chimney breasts and the provision of a dual access bathroom at second floor. The proposal is considered to cause less than substantial harm to the building. As set out in the Conservation consultant's comments above, much if not all of the other aspects are considered to seriously erode the character of the early 19th century building and are wholly unacceptable. The proposals result in both the loss of historic plan form and architectural features which provide historic interest. The comments are reiterated in the responses from both The Georgian Group and Historic Buildings and Places. Both organisations expressed concern with the proposals noting the harm the proposals would cause to the listed building.

In accordance with the NPPF and policy DM24, the public benefits of the scheme must be weighed against the harm. The internal alterations benefit the applicant only and there are no public benefits associated with the proposal.

It is noted that no objection was raised to the replacement staircase but given the numerous other changes which are unacceptable, the application is recommended for refusal.

Visual Amenity and conservation

The main consideration is the impact of the proposed orangery on the building and wider Steyne Gardens Conservation Area. The orangery would be seen in views from Denton Gardens to the east. There are examples of other enclosed orangery style extensions to the rear of the Warwick Road properties such as at number 7 where it is provided at first floor. Numbers 1 and 4 have extensions at the same height as the proposed, at second floor. It is not clear whether these benefit from planning permission or listed building consent, but they form part of the character of the terrace. The rear is mixed in character and is readily visible from Denton Gardens due to the rear projections abutting the park edge. The rear differs from the uniformity of the front elevation which would not be affected here.

The proposed structure lacks detail in terms of materials and construction. A condition to provide sections and details is included to ensure the proposal preserves the appearance of the conservation area.

Residential Amenity

The orangery is located at second floor level in proximity to neighbouring windows at 10 Warwick Road. At one-metre-deep it does not appear to project within 45 degrees of the neighbouring window on the plan. While the structure appears to project within 45 degrees of the first floor window on the elevation the shallow depth and glazing are not considered to cause an undue loss of daylight or sunlight to this window or sense of enclosure.

A condition will be included to ensure the northern glazing remains obscure glazed to protect amenity.

Recommendation:

REFUSE LISTED BUILDING CONSENT for the reason:

The proposed development by virtue of design, appearance, loss of plan form and loss of historic fabric and features would fail to preserve the architectural and historic interest of the Grade II Listed Building and therefore fails to comply with policy DM24 of the Worthing Local Plan and paragraphs 135, 213 and 215 of the NPPF.

APPROVE HOUSEHOLDER for the following reasons:

1. Approved plans
2. Standard time limit
3. Notwithstanding the approved plans, this decision grants permission for the external orangery structure only. All other internal aspects shown on the plans do not form part of this permission.
4. Details of joinery and materials
5. Northern glazing to be obscure glazed

Informative

- Refused following discussion on site (LBC)
- Approved without discussion
- The applicant is advised that should they wish to implement the householder consent they will be required to apply for listed building consent for this element of the proposal prior to any works being undertaken.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Louise Prew

Date: 17/03/2026

Authorised by: Jo Morin

Date: 18.03.2026