

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

REF NO: AB/107/20/L

LOCATION: 63 High Street
Arundel
BN18 9AJ

PROPOSAL: Listed building consent for alterations to previously approved rear windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to vary the design and appearance of a number of windows in the rear elevation of the property.
SITE CHARACTERISTICS	Terraced 4 storey property. Painted rendered elevations to front elevation. Brick on other elevations. Plain tile roof. Early C18. Pitched tile roof with projecting eaves rendered over, catslide behind. 2 ranges of double-hung sash windows with glazing bars all late C18, except for north window on 1st floor, which is early C18. Late C18 projecting shop window with glazing bars, to north of door. Doorway up 4 ashlar steps, dentilled pediment taken on consoles, frieze with Chinoiserie basketwork motif. 6-panelled door, partly glazed. 1 planked door, and 1 window to basement. Basement was formerly used as a boutique and ground floor as a wine bar. Upper floors residential. Rearward projection of building is single storey. Existing timber conservatory is of no particular merit.
CHARACTER OF LOCALITY	Town centre comprising predominantly retail, restaurant and residential uses. Both adjoining properties are in restaurant use with residential above. Castle wall opposite. Town Hall to rear

RELEVANT SITE HISTORY

AB/103/13/L	Application for Listed Building Consent for the removal of the secondary rear internal timber staircase, plus a rear external attached brick and tiled outhouse and associated ancillary storage areas. Dismantling and removal of the existing rear conservatory and its replacement with a new enclosure for a sitting room, with elevated partly glazed roof terrace over, with alterations to an existing adjacent sash window frame. The removal and closure of one rear ground floor timber casement window, the alteration/ replacement of two further ground floor windows to form two pairs of french doors and the creation of a new first floor external door onto a new	ApproveConditionally 22-11-13
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external staircase at the rear of the property. The removal of recently installed internal partitions, ceilings, doors and fixtures, associated with the previous use at ground floor level and existing redundant fire precautions and shower rooms at first floor level, prior to the general refurbishment of the accommodation, including minor alterations to recently installed steps within the main internal staircase at second floor level.

REPRESENTATIONS

Arundel Town Council - No objection.

Arun District Conservation Area Advisory Panel - No objections.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - The revised windows have a neutral impact and do not cause harm to the heritage asset or the Conservation Area.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CLASS C ROAD

CONS AREA

LB GRADE II

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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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.

No policies in the Arundel Neighbourhood Plan are considered relevant to this application.

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 windows being replaced being of an acceptable material and style and given their location at the rear of the building away from public view. This application is retrospective and the windows and doors applied

for have already been installed.

The application is recommended for approval 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 development hereby approved shall be carried out in accordance with the following approved plans.

South East and South West elevations dwg.no. PS01 dated Sep 2020
South East and South West elevations dwg.no. PS02 dated Sep 2020.

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