

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

REF NO: AB/10/20/L

LOCATION: The White House
25A King Street
Arundel
BN18 9BJ

PROPOSAL: Listed building consent for the removal of internal spiral staircase from ground floor to basement, reinstating floor, re-opening of original internal brick steps to basement.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Listed Building consent is sought for internal works to remove a modern spiral staircase and re-instate the original internal staircase from basement to ground floor
SITE CHARACTERISTICS	A listed building which is a terraced cottage formerly part of the Ship Inn
CHARACTER OF LOCALITY	The site is located within the Arundel Conservation Area in a mixed primarily residential area.
None relevant to this area	

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council
Arun District Conservation area Advisory Panel - No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - No objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

CONS AREA

LB GRADE II

NO PUBLIC SEWER

PD RESTRICTION

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

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 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

There are no relevant policies that relate to listed building consents in the Arundel Neighbourhood Plan.

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

The proposal relates to the removal of an internal spiral staircase, re-instatement of the floor and of an internal staircase linking the ground floor to the basement.

The Conservation Officer has stated ' The application is considered to not cause harm to the significance of the heritage asset.'

Para 192 of the NPPF requires account to be taken of the desirability to sustain and enhance the significance of heritage assets by putting them to a viable use consistent with their conservation. The proposed improvements to the Listed Building would accord with this. The development would make a positive contribution to local character and distinctiveness as required by para 192(c) of the NPPF. Indeed it would improve the internal space to be better used by the future occupiers and would maintain the building in the long term by providing more useable space. Paragraphs 193 - 196 require optimum use for public benefits. It is considered that there is public benefit accruing from the alterations which would assist in the long term retention and use of the building. With regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) The proposal does not harm the appearance of the Listed Building and the proposal is therefore considered to comply with policies HER SP1 and HER DM1 of Arun Local Plan.

The proposal as it is internal only would have no impact on the Conservation Area.

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:

Ground Floor Layout & Proposed Basement Plan Dwg.no. 25AKS rev 1 dated 27/02/2020.

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.