

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

REF NO: AB/110/18/L

LOCATION: 61 Maltravers Street
Arundel
BN18 9BQ

PROPOSAL: Application for Listed Building Consent for annex and car port located within the stable yard. This application may affect the character and appearance of Arundel Conservation Area

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is to; 1) demolish the existing garage, half of which has a flat roof (derelict) and half of which has a pitched red tiled roof. 2) construct a flat roofed car port with a green roof. 3) attached to 2) construct a zinc roofed annexe building containing a covered passageway and stairway, multi use 'studio' (shown as a living room), store room and a car port ancillary to the main dwellinghouse. 4) renovate the flint and lime retaining wall which forms the rear wall of the annexe and rises above it. 5) timber clad the eastern boundary breeze block wall of the stables yard. 6) replace the concrete surfaced parking area with a coarse sand/gravel surface and brick edging. 7) replace the vehicular access gate from Tarrant Street with an electronic gate.
SITE AREA	266.7 sq.m.
TOPOGRAPHY	Sloping from north to south with the area subject to this application on a flat area at the level of Tarrant Street at the bottom of the slope created by excavation and the insertion of a 4.5 metre retaining wall
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Flint and lime wall to the north and south boundary walls. Breeze block wall to the east wall.
SITE CHARACTERISTICS	The 'stable yard' site is part of the garden area of a listed terraced building at 61 Maltravers Street currently used for the garaging and parking of vehicles. It is located 5 metres beneath the garden level beneath a retaining wall and has level access to Tarrant Street via an undercroft under residential flats at no. 50 Tarrant Street.

A red tile roofed garage and a flat roof steel roof structure remain with the rest of the area being concrete surfaced outdoor yard.

The adjacent neighbouring properties on Tarrant Street whose rear elevation face the stable yard and retaining wall properties in this area only have with a yard area for outdoor amenity space rather than a full garden associated with them.

CHARACTER OF LOCALITY

A primarily residential area, although with some business uses along Tarrant Street to the south, close to the town centre of Arundel within the Conservation Area.

RELEVANT SITE HISTORY

AB/109/18/HH	Proposed annex and car port located within the stable yard. This application may affect the character and appearance of Arundel Conservation Area. This application affects the setting of a Listed Building.	
PAA/108/18/	Proposed gym/studio space in the rear yard	
AB/43/97/L	Application for Listed Building Consent for reconstruction of garaging with storage over	ApproveConditionally 10-09-97
AB/42/97	Reconstruction of garaging with storage over	ApproveConditionally 10-09-97
AB/75/96	New garage roofing & doors	Refused 13-02-97
AB/76/96/L	Application for Listed Building Consent for erection of double pitched roof over existing flat roof and fitting of doors, for use as a garage (existing)	Refused 13-02-97
AB/68/91/L	Application for Listed Building Consent for reconstruction of garaging with storage over	ApproveConditionally 18-09-91
AB/64/90	Reconstruction of garaging with storage over	ApproveConditionally

A variety of previous applications for garaging in the area of the proposed application have been submitted and final schemes approved.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer

The proposed site is a low-level courtyard space for a large property located on Maltravers Street. Access to the site is directly from Tarrant Street, via an opening within a terrace of mostly three storey houses. Whilst the site is located away from the host dwelling, it is still in close proximity to a number of listed buildings. Development will still have the potential to affect the settings of listed buildings and the character of the conservation area.

At present the site consists of the remains of a derelict structure, identified by the agent as forming part of a stable yard. I note that the proposal is to retain as much of the historic structures as possible, and to incorporate them in to part of the proposal. Such a concept is supported.

The proposed design appears to draw upon a concept of a garage/stabling block through the use of simple facade treatment and the incorporation of a series of closing garage style doors. This concept reflects the existing character of the site, along with the previous use. The success of such an element of the design will depend upon the detailing of the window/doors. It is suggested that the glazing should be set back so as to create a shadow line, which reduces the impact of the glazing.

The location of the structure in a small courtyard context means that the materials chosen can be more modern in appearance, whilst still reflecting those found in the local area. I note that the aim is to use zinc, a biodiverse green roof, brick, grey timber cladding and a feature flint wall to the rear of the studio space which imitates the existing retaining wall which it conceals. It is assumed that the latter reference to a feature wall will be located within the new element of the building itself.

The retention of the boundary walling where possible is supported. I also note that works of repair are proposed to part of the retaining wall for structural reasons. Whilst this element of the proposal is considered acceptable, we will need to understand the details of how the new section of walling will look. Details should be provided for by way of condition.

The breeze block wall is not appropriate for its locations and I note that the proposal is to treat this with

cladding.

The cladding appears to cover most, but not the entire wall. Details of the cladding, its colour and how the remainder of the wall is to be treated should be provided for by way of condition.

The existing concrete ground surface is of no significance to the character of the space, and its replacement is acceptable. The use of coarse sand/gravel edged with retaining bricks is acceptable, subject to details which can be provided by way of condition.

The Design and Access Statement refers to the fact that a new electric gate is to be installed at the entrance off Tarrant Street, the design of which is to be in keeping with the surroundings. Details of this gate should be provided to the council in order to ensure that it is appropriate for the street-scene and the neighbouring heritage assets.

I note that the turning area is to be covered with the same roof as the main structure. Would such a space become an additional parking space?

Overall, it is considered that the proposal is acceptable, subject to the provision of the additional information.

Conditions

If minded to approve the application, the following conditions are suggested

- Details of the coarse sand/gravel, and the retaining bricks for the hardstanding/turning area
- Details of the replacement section of the retaining wall, including the new gate to be inserted.
- Details of the cladding for the courtyard wall, its colour and how the remainder of the wall is to be treated.
- Details of the gate to be used on the Tarrant street access point should be provided to the council in order to ensure that it is appropriate for the street-scene and the neighbouring heritage assets.

COMMENTS ON CONSULTATION RESPONSES:

Conditions relating to the approval of details and materials would be applied to the associated householder application AB/109/18/HH

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

LB GRADE II

CLASS C ROAD

CONS AREA

NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

HERSP1 HER SP1 The Historic Environment

[Arundel Neighbourhood Plan 2014 POLICY1:](#)

The Presumption in Favour of Sustainable Development

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

ADS	The Arundel Design Statement by Arundel Town Council
SPD2	Conservation Areas

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.

Policy 1 - Presumption in favour of sustainable development of Arundel Neighbourhood Plan has been taken into account in the assessment of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) 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 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 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

Policy HER DM1 states that proposals affecting statutory Listed Buildings will be required to;

- a. Preserve or enhance the historic character, qualities and special interest of the buildings;
- b. Be necessary and not detrimental to the architectural and historical integrity and detailing of a Listed Building's exterior;
- c. Protect the architectural and historical integrity and detailing of a Listed Building's interior;
- d. Protect the special interest of buildings of architectural or historic interest; and

e. Protect, and where possible enhance the setting of the building

Furthermore the policy adds that 'The Local Planning Authority will support proposals for alternative uses for Listed Buildings which retain their structure and preserve character and setting where the change will provide for the long term conservation of the structure and fabric of the building.'

Policy HER DM3 states that consent will be granted for proposals that preserve or enhance the character and appearance of the Conservation Area.

The Arundel Design Statement sets out planning guidelines for alterations and conversion of buildings within the Conservation Area which seek to retain the structure and appearance of the original historic buildings, and seeks high quality design, materials and detailing as well as protecting the wider appearance of the Conservation Area.

The proposal has been considered by the Council's Conservation Officer who has identified that the alterations and extensions would not harm the character and integrity of the listed building subject to the provision of details regarding the hard landscaping/ timber cladding/ flint and lime retaining wall and a proposed new electric gate cited within the Design and Access Statement. .

The alterations are not considered to have a detrimental effect on the heritage asset and immediate environment.

The proposed scheme does not significantly affect any of the listed features nor adversely affect the setting of the main dwelling house 61 Maltravers Street nor the setting of 48-52 Tarrant Street which are also Listed Buildings.

It uses high quality materials and an attractive design is considered to enhance the listed buildings it is surrounded by and to ensure re-use of a derelict area of the garden of the Listed Building. In addition it retains a number of features of heritage value including a prominent flint and lime retaining wall.

The use of parts of listed buildings for alternative uses which contribute to the maintenance of the historic fabric of listed buildings is considered to accord with policy HER DM1 of the Arun Local Plan.

The scheme is a result of careful analysis via the design and access and heritage statements. The scheme does represent additional built form however this is commensurate with the existing scale of the built form that currently exists and is considered to preserve and enhance the appearance and setting of nearby Listed Buildings. It would have a limited visual impact on the Conservation Area and as such that the proposal can be described as preserving the historic character, qualities and special interest of 61 Maltravers Street and the setting of 48-52 Tarrant Street and the wider Conservation Area. The proposal would balance amendments to the appearance of the outbuilding and rear yard with policy objectives to preserve and re-use the garage building and yard in the long term.

The proposal is therefore considered to comply with policy HER DM 1, HER DM3 of the Arun Local Plan and the Arun Design Statement and the listed building consent 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 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;

Proposed Sections dwg.no. 17104/01 dated July 2017.

Proposed Block Plan dwg.no. 17104/3 dated July 2017.

Proposed Plans and Visualisations 17104/02 dated July 2017.

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.