

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

REF NO: AB/112/17/L

LOCATION: 77 Maltravers Street
Arundel

PROPOSAL: Application for Listed Building Consent to for a first floor side extension.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application seeks listed building consent for the construction of a first floor side extension to the north-east of the host dwelling. The proposed extension will measure approximately 1.19m in width, 5m in depth, with a maximum height of approximately 5.1m. The proposed extension will be situated approximately 3.1m behind the primary elevation of the host dwelling.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

The primary elevation of the property abuts the pavement with the rear and side boundaries consisting of flint and brick walling of approximately 2.5m in height and mature planting.

SITE CHARACTERISTICS

The application site is occupied by a Grade II Listed Building and is a semi-detached two storey dwelling with a rendered primary elevation and a slate roof. The application site is also situated within the Arundel Conservation Area.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and features historic properties of various design and styles.

RELEVANT SITE HISTORY

AB/111/17/HH	First floor side extension. This application affects the character & appearance of the Arundel Conservation Area.	ApproveConditionally 06-11-2017
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Planning permission granted for the development under reference AB/111/17/HH.

REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Conservation Officer

Listed Building Officer

Consultations responses received:

Conservation Advisory Committee:

Objection

- A slanting pitched roof should be considered as alternative to the flat roof, in sympathy to the quality of the existing building.

- Other examples provided by agent do not set precedent for proposed works.

- Should the Council be minded to approve the proposed extension I would suggest the following;

- 1] Remove the existing, inappropriate, timber doorway and framework located at the back of pavement and relocate in line with the proposed extension. This would re-open the gap between Nos 75 and 77, thereby improving the street scene and providing visual separation between the two buildings which differ in appearance. This would also enhance their different character and improve their setting.

- 2] A large scale drawing of how the top edge of the flat roof will be treated at its north and south ends needs to be submitted as part of the application. So too should materials and finishes.

- 3] It may be better to reverse the layout of the shower/bathroom to allow the window to be installed on the north (street) elevation, in order to reduce the solid mass of the extension as seen from the street.

Conservation Officer:

The application aims to achieve an additional bathroom to first floor. The proposal within the plot is set back from the street frontage/building plane of the terrace. The new structure would be supported via steel supports in the existing alleyway between two private residences. There are several instances in Arundel of the small alley between houses being infilled or built over as is proposed in this instance.

The proposal itself, and its supporting structure would be invisible from the public realm as it is located well behind an existing gate. Thus, it is considered that the proposal is non-intrusive and does not adversely affect the Conservation Area, or the setting of a listed building.

The building is Grade II listed. To achieve the room, a section of the west elevation would be removed. While this loss is regrettable, it is considered justified to achieve the proposed scheme.

It is noted that in pre-application discussions with the Dr Whightman, that it was recommended that the existing gate/door opening be repainted to eggshell in white or a darker tone.

I do not object to this proposal, subject to the comments above.

Comments on Consultation responses:

Comments noted. The proposal has been considered by the Council's Listed Buildings Advisor

at pre-application stage and no objection has been raised by the Council's Conservation Officer in relation to this application. However, conditions have been included as part of this recommendation report requiring the submission of details concerning materials and the finish of the roof.

POLICY CONTEXT

Designation applicable to site:
Listed Building Grade II
Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings
HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taken place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

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. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne;

Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. The written Ministerial Statement of 13 December 2016 confirms that relevant policies for the supply of housing in Neighbourhood Plans should not be deemed to be out of date where all of the following circumstances arise;

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The Arundel Neighbourhood Plan has been made but there are considered to be no relevant policies to the determination 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 proposal is considered to comply with this criteria in that it is not considered to materially affect the character or the setting 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

The proposed development has been considered by the Council's Conservation Officer who has raised no objection in relation to the proposed scheme. Whilst, it is acknowledged that the proposal will result in the loss of a section of the western elevation, it is considered justifiable to achieve the proposed development.

Therefore, it is considered that the proposed development will accord with policies HER DM1 and HER SP1 of the emerging Arun District Local Plan and paragraphs 132 of the National Planning Policy Framework.

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.