

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

REF NO: AB/117/25/L

LOCATION: 38 Maltravers Street
Arundel
BN18 9BU

PROPOSAL: Listed building consent for addition of pergola and irrigation tank to approved landscaping scheme Ref: AB/115/24/HH and AB/116/24/L.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above.

SITE CHARACTERISTICS

38 Maltravers Street is a Grade II listed building located within the Arundel Conservation Area. Dating from the mid-18th century, with later 19th-century alterations, the building is notable for its architectural and historical interest. It features a distinctive split-level arrangement due to the rising topography of the street, resulting in two entrances—one at street level and another accessed via a raised pavement at first-floor level.

The south (front) elevation is constructed in brown-red brick with grey headers and spans three storeys plus attic. Architectural features include mullioned and transomed windows with ornamental leaded glazing, Pulborough stone sills, and a lean-to porch with decorative timber brackets. The north elevation is built in nodular flint with red brick dressings, and the building retains a mid-18th-century staircase internally. The roof is pitched and tiled, with projecting purlins, ornamental bargeboards, and a red brick chimney.

The raised pavement, independently listed, dates to circa 1849 and contributes to the building's significance. It is constructed in brick with stone quoins and forms part of a longer raised carriageway along the north side of Maltravers Street.

The garden walling, considered part of the curtilage listing, is built in a mix of flint and brick and is partially visible from neighbouring roads.

CHARACTER OF LOCALITY

The Arundel Conservation Area encompasses the historic core of the town, including Arundel Castle and the cathedral. It is characterised by a strong historic and architectural identity, with a cohesive hillside townscape and a rich mix of 18th and 19th-century buildings. Maltravers Street, in particular, is carved into the hillside and features a tight historic grain of

residential properties, many of which are listed. The area benefits from sympathetic street fittings and retains a high degree of aesthetic and historic integrity.

RELEVANT SITE HISTORY

AB/116/25/HH	Addition of pergola and irrigation tank to approved landscaping scheme Ref: AB/115/24/HH and AB/116/24/L. (This application may affect the character and appearance of the Arundel Conservation Area).	
AB/107/25/S73	Variation of condition following the grant of AB/115/24/HH relating to amendments to the sauna and garden room (condition 2 - approved plans).	ApproveConditionally 14-10-25
AB/67/25/DOC	Approval of details reserved by condition imposed under reference AB/115/24/HH relating to condition number 3 - proposed brick wall - height and brick bond details and condition number 4 - sample panel of flint work.	DOC Approved 16-07-25
AB/115/24/HH	Landscaping works to rear garden. Including replacement of low level retaining wall and steps between different garden levels. Construction of garden room and sauna. (This application may affect the character and appearance of the Arundel Conservation Area).	ApproveConditionally 07-02-25
AB/116/24/L	Listed building consent for landscaping works to rear garden. Including replacement of low level retaining wall and steps between different garden levels. Construction of detached garden room and sauna.	ApproveConditionally 07-02-25
AB/50/24/DOC	Approval of details reserved by condition imposed under reference AB/2/24/L relating to condition 3 - details of the first floor window on the west elevation serving the boot room.	DOC Approved 21-06-24
AB/2/24/L	Listed building consent for changes to the finishes schedule permitted under AB/88/23/L, a new window with replacement glass, replacement & altered stair joinery, a new lower ceiling to bedroom 2, reconstruction of the	ApproveConditionally 19-03-24

partition wall between bedrooms 3 and 4, new window boards and linings, raising ceiling collars on the third floor and pointing repairs and fitment of chimney pots / cowl to un-terminated flues.

AB/88/23/L	Listed building consent for structural strengthening works including replacement of beams at ground floor level over dining room and first floor level over drawing room, removal of additional floor boarding and plaster finishes to facilitate timber treatment and installation of tanking system to pantry and WC.	ApproveConditionally 27-10-23
AB/85/23/DOC	Approval of details reserved by condition imposed under AB/32/23/L relating to condition 3-method statement on how floorboards are to be lifted safely, details of replacement fireplaces, details of all new internal doors, details of any new joinery and timber flooring, details of how new ventilation will be introduced in the boiler cupboard and what it will look like and details/methodology for how non-breathable paint would be removed.	DOC Approved 27-10-23
AB/31/23/HH	Internal alterations and repairs to exterior elevations. (This application may affect the character and appearance of the Arundel Conservation Area and a Listed Building).	ApproveConditionally 19-05-23
AB/32/23/L	Listed building consent for internal alterations and repairs to exterior elevations. (This application may affect the character and appearance of the Arundel Conservation Area).	ApproveConditionally 19-05-23

Relevant planning history noted.

REPRESENTATIONS

Arundel Town Council - No response received.

Conservation Area Advisory Panel - No objection.

1 No. letter of objection on the basis of:
- Long length of works and loss of parking.

It is noted that the above objections are not considered planning matters.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:**CONSERVATION OFFICER**

The proposal is for an alteration to a recently approved scheme for the addition of a pergola and an irrigation tank. Both elements would look to be acceptable, both being appropriately designed and located. They are therefore thought to not cause harm to the conservation area or the listed buildings as a result of development in their setting.

The application is considered to not cause harm to the significance of the heritage assets.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Grade II Listed Building.
Conservation Area.

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
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, The South Inshore & South Offshore Marine Plan 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.

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 72(1) of the Act states:

REPORT_1011(ODB)

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

HERITAGE

The NPPF (2024) sets out several steps when considering impacts on heritage assets. Paragraph 207 requires applicants to describe the significance of heritage assets affected, including any contribution made by their setting. Paragraph 208 requires Local Planning Authorities to identify and assess the particular significance of the heritage asset that may be affected by a proposal. Paragraph 212 states that 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. The Local Planning Authority must then consider the level of harm associated with the proposal and decide whether there is any harm and if so, whether this is 'less than substantial harm' or 'substantial harm'.

The applicant has provided a Design, Access and Heritage statement which contains information in accordance with paragraph 207. The proposal seeks the construction of a pergola and irrigation tank to the rear garden of 38 Maltravers Street.

The pergola and irrigation tank are appropriately designed and sited. The proposals would not, therefore, result in harm to the setting or significance of the listed building and the proposals are in accordance with policies HER SP1 and HER DM1 of the Arun Local Plan and the NPPF.

SUMMARY

The proposal is considered to not cause harm to the setting of the Listed Building, therefore the proposal would be in accordance with Arun Local Plan policies HER SP1 and HER DM1 and the relevant sections of the NPPF.

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

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:

Location and Block Plan Rev A.
Proposed Pergola Elevations and Details Rev A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy HER DM1.
- 3 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with Arun Local Plan policy HER DM1 and the NPPF.