

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

REF NO: AB/121/20/L

LOCATION: Old Bank House
1 High Street
Arundel
BN18 9AD

PROPOSAL: Listed Building Consent for internal alterations to facilitate the change of use of existing building from office (Class E) to residential dwelling (Use Class C3) .

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal will create 1 No. four bedroom house with a small courtyard to the rear. The dwelling will be formed converting the existing building most recently used as offices with minor changes to the design. Consideration has been given to maintain all existing windows and doors in order to facilitate the change of use. The internal layout will be altered slightly in order to make provision for the use as a residential dwelling.
BOUNDARY TREATMENT	The premises is located on the back edge of the pavement.
SITE CHARACTERISTICS	Old Bank House is a late C18 terraced house which is located on the High Street with southern and western elevations facing on to the High Street. The elevations are of brick construction and there is a brick modillion cornice. It has a hipped slate roof along with a red brick chimney. It is of 3 storeys with attic and basement. The site is formally known collectively with no 1 as the Old Bank House. The building has timber sash windows with dormer windows on the top floor. The building forms a pair with number 3 High Street (which is not identified as being listed) and together they form an office building at the present time. The properties are joined by connecting corridors on the ground and second floors
CHARACTER OF LOCALITY	Town centre location comprising a mix of residential, retail, restaurant and commercial uses.

RELEVANT SITE HISTORY

AB/18/15/L	Application for Listed Building Consent for internal alterations	ApproveConditionally 07-08-15
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REPRESENTATIONS

Arundel Town Council - No Objection

Conservation Area Advisory Panel - Objection

Arundel is designated a Local Service Centre and the application site lies within the primary retail frontage for the purposes of Policy RET SP1 of the Arun Local Plan. Policy EMP DM1, paragraph 2, of the Local Plan aims to protect existing employment sites, including B1 uses.

The mix of commercial, business, office, restaurant and retail uses at ground floor level within the historic core of the town is an essential part of its character, viability, vitality, importance as a service and employment centre for the local population, and as a visitor attraction. The proposal to change the use to residential will conflict with Local Plan policies and will impact adversely on the character of the Arundel Conservation Area. The grant of planning permission could also set a precedent.

The Design, Access and Heritage Statement supplies no convincing evidence that any type of office use is no longer viable or whether or not retail or restaurant uses would be viable in this location.

In the absence of any convincing evidence concerning the viability or otherwise of appropriate office, retail or restaurant uses, the proposals conflict with Local Plan policy. In addition, it conflicts with the relevant paragraphs of the NPPF and policies contained in the ADLP relating to the protection of the character and economic viability of conservation areas.

COMMENTS ON REPRESENTATIONS RECEIVED:

Policies RET SP1 and EMP DM1 are not relevant to considerations in respect of determination of this application for listed building consent.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No Objection

The building has been subject to a full modern refurbishment in previous years and the introduction of fire doors and fire proofing works have removed a lot of the period detailing. However, the building is still considered to be of architectural and historic significance.

The centre of Arundel contains a mixture of uses, including residential, offices and retail. The change of use will ensure that the building remains in use and is maintained to an appropriate level. However, the loss of an office use within the town centre is unfortunate as it would result in a reduced mixture of uses.

A number of internal alterations are required including the relocation of walling and the introduction of new kitchen and bathroom facilities. It is not clear if existing fire doors are to be replaced, and if they are, what with? The loss of modern material is acceptable, especially if it is to be replaced with something more in keeping with the age and style of the building. Details of the internal joinery such as doors and skirting boards etc. should be conditioned.

The relocation of some internal walls are of a scale which will not harm the significance of the building. The introduction of new bathrooms and kitchen would be into rooms currently used as offices and will require the introduction of new plumbing/electrics into these spaces. It is not clear how the drainage will be dealt with from these new rooms. It should not be via the elevations which present

themselves to the public domain. Likewise, care must be taken when installing new pipework and cables so that limited historic fabric is lost. The level of alteration, subject to the comments raised above is acceptable.

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

Environmental Health - No Objection

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. Conditions requested are imposed.

POLICY CONTEXT

Designation applicable to site:

Listed Building

Within Built Up Area Boundary

Conservation Area

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

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.

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

POLICY BACKGROUND

Policy HER DM1 sets out criteria which proposals which affect Listed Buildings must meet in order to be acceptable. These include preservation or enhancement of the building and its setting. Policy HER DM3 seeks to ensure that development will only preserve or enhance the character of the Conservation Area or its setting. Policy HER SP1 states that planning permission will be granted for development that conserves or enhances the historic environment.

IMPACT ON HERITAGE ASSET

The application includes a heritage statement (within the Design and Access Statement) in accordance with Paragraph 189 of the NPPF which requires applicants to describe the significance of any heritage assets affected. The level of detail should be proportionate to the asset's importance. Paragraph 190 states that Local Planning Authorities are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking into account any necessary expertise. The comments of the Conservation officer have been sought. There is no conflict between the heritage asset's conservation and any aspect of the proposal as set out below. The proposal would largely impact secondary internal fire doors and addition of new walling, the removal of historic fabric would be limited. The appearance of the building would be largely unaltered. There is no conflict between the heritage asset's conservation and any aspect of the proposal. The proposal therefore accords with para 190 of the NPPF.

Paragraphs 193 - 196 of the NPPF 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) which 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, the proposal does not harm the appearance of the Listed Building and the proposal is therefore considered to comply with policy HER DM1 of Arun Local Plan.

The building is readily visible within the conservation area but given that the changes proposed are internal they have limited impact on the character or appearance of the area. There is therefore less than substantial harm to the heritage asset and the proposal ensures its conservation accords with para 193 of the NPPF which states that great weight should be given to the heritage asset's conservation.

Given that the proposal relates mainly to internal changes to the relatively modern interior of the building, they would result in less than substantial harm to the Listed Building and its setting. This harm when weighed against public benefits is acceptable. The proposal to create an additional residential unit of accommodation secures its optimum viable use in accordance with para 196 of the NPPF.

The proposal will sustain and enhance the heritage asset and put it to a viable use consistent with its conservation and maintenance in the long term. It does preserve important elements of the building such as the external windows and doors which is supported.

The proposal does not therefore adversely impact on the conservation of the heritage asset or its setting or result in harm and therefore accords with policies HER DM1, HER DM3 and HER SP1 of Arun Local Plan and the NPPF.

SUMMARY

It is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore it is recommended that Consent is granted.

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:
Location Plan 200042 01A
Block Plan 200042 02A
Site Plan 200042 03A
Proposed Floor Plans 200042 06A
Proposed Third Floor and Roof plans and Elevations 200042 08

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER SP1 of the Arun Local Plan.

- 2 Prior to installation of any of the following items precise details of the materials and design

shall be submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the details so approved: replacement joinery including fire doors and skirting boards and drainage and electrical systems from bathrooms/kitchen. .

Reason:

In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with HER DM1 of the Arun Local Plan and the NPPF.