

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

REF NO: AB/127/20/L

LOCATION: Bay Tree House
16 Tarrant Street
Arundel
BN18 9DJ

PROPOSAL: Listed building consent for satellite dish to internal valley, retention of existing neighbour's TV aerial & removal of redundant tv aerial to east chimney.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks Listed Building Consent for a satellite dish to the internal valley, retention of existing neighbour's TV aerial & removal of redundant tv aerial to east chimney.
SITE AREA	N/A.
TOPOGRAPHY	The application site is higher at its Northern side when compared to its Southern side.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The building directly abuts the street on its Eastern side, and has a garden wall on its Southern side.
SITE CHARACTERISTICS	The site is populated by a Grade II Listed building.
CHARACTER OF LOCALITY	The area is a Conservation Area.

RELEVANT SITE HISTORY

AB/29/20/L	Listed building consent for variation to the current consent (AB/69/19/L) including a reduced cornice profile to front dormers, installation of internal emergency fire curtain to kitchen screen, formation of internal landing window, installation of new external grade timber French doors, sidelights to west elevation & part glazing of new internal doors to rear hall.	ApproveConditionally 08-06-20
AB/115/19/DOC	Approval of details reserved by condition imposed under ref AB/69/19/L relating to Condition Nos 3 - external brickwork, 4 - balustrading, 5 - proposed joinery and 6 - proposed fire surround and skirting boards.	DOC Approved 19-12-19

AB/69/19/L	Extension of existing conservatory. Replacement of dormer windows and damaged guttering. Removal of defective render exposing the original brickwork. Reinstating the interior manner sympathetic to its status as a Grade II Listed dwelling. Reinsitatement of infilled window, replacement windows, installation of sun tunnels, replacement flat roof, internal/external refurbishment and alterations to entrance gate/steps.	ApproveConditionally 06-09-19
AB/68/19/HH	Extension of existing conservatory. Replacement of dormer windows and damaged guttering. Removal of defective render exposing the original brickwork. Reinsitatement of infilled window, replacement windows, installation of sun tunnels, replacement flat roof, external refurbishment and alterations to entrance gate/steps.	ApproveConditionally 06-09-19

Noted.

REPRESENTATIONS

Parish Council - No objection.

- The proposal is welcomed.
- There will be no harm to the character or appearance of the Conservation Area.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

The Council's Conservation Officer - Support.

Bay Tree House is a late 18th Century Grade II Listed Building which is located within the centre of Arundel. It is a four-storey house on the Northern side of Tarrant Street, at the apex of Bakers Arms Hill. The building is faced with red brick, under a hipped tile roof. Chimneys are constructed with red and grey bricks. There is a plain stringcourse at eaves level, with a parapet masking the roof.

The Building is also located within the Arundel Conservation Area. Arundel is located astride the banks of the River Arun, north of the urban coastal area. One of the principal attractions of Arundel is its wealth of buildings representing architectural form and style through progressive periods, which form a cohesive and contained hillside town. Tarrant Street is identified within the conservation area statement as being both narrower, and livelier than, the near-by Maltravers Street.

The imposing frontage of the building is enhanced by the manner in which it is situated at an elevated level and approached via a flight of steps (with terraced gardens on either side) which lead up from

Tarrant Street. The building and area are considered to be of historic and aesthetic (fortuitous) significance.

The application relates to the provision of a satellite dish to an internal valley, retention of existing neighbour's TV aerial along with the removal of redundant tv aerial to east chimney. This proposal will not only reduce the clutter of aerials and satellite dishes on the listed building, but also those visible on the street-scene. Such a proposal is considered positive and capable of support.

As a consequence, it is considered that the proposal will not harm the various heritage assets and the application should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary
Within Arundel Conservation Area
Listed Building

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings
HERDM3 HER DM3 Conservation Areas

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.

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

PRINCIPLE

The key policies are deemed to be HER DM1 and HER DM3 of the Arun Local Plan. Additionally, the National Planning Policy Framework.

HERITAGE IMPACT ASSESSMENT

Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission, for development which affects a listed building or its setting must have regard to the desirability of preserving the building or its setting. Section 72 of the same act applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited, or neighbouring listed buildings. This is due to the minor scale of the proposed alterations. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

SUMMARY

Following the comments from the Conservation Officer, it is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore should be approved, 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

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 permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location and Block Plan - 170 - SD 101 - June 2019
- Proposed Roof Plan - 1070 - SD 113 - October 2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policies HER DM1 and HER DM3 of the Arun Local Plan.