

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

REF NO: AB/132/13/L

LOCATION: 14 Maltravers Street
Arundel

PROPOSAL: Application for Listed Building Consent to create a new En-suite shower room on second floor and insertion of 1no. skylight window

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 600 square metres.
TOPOGRAPHY	The site slopes down towards the road of Maltravers Street from north to south.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open to front. Brick and flint walling around the rear boundaries at over 2m in height.
SITE CHARACTERISTICS	The site comprises a Grade II Listed 2 1/2 storey end of terrace property in the centre of Arundel town. It has white painted flint and brick elevations with a pitched tiled roof. Two small dormers are set in the front roofslope. There is an elevated rear garden and two rooflights in the rear west-facing roofslope.
CHARACTER OF LOCALITY	Predominantly residential in character, surrounding properties are of historic character and appearance. Window heights to front and rear of surrounding properties are notably varied.

RELEVANT SITE HISTORY

AB/188/03/L	Application for Listed Building Consent for part demolition of boundary wall to form a new vehicular access, forecourt, colonnade, balcony over kitchen and replacement of existing modern kitchen windows with 3 timber sashes and a set of French doors.	Refused 14-01-2004 Appeal: Dismissed 05 10 2004
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AB/34/11/L	Application for Listed Building Consent for construction of a knapped flint/brick headers lime mortar wall of 23m long at 1.9m high. This is to be rendered and pebble-dashed on north face (allotments) and have a brick-on-edge coping.	ApproveConditionally 02-06-2011
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REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Provided that the skylight is of Conservation grade.

Comments on Representations received:

Noted. A condition is recommended to be placed on the Consent in order to secure a Conservation standard rooflight and will also accord with the comments made by the Historic Buildings Advisor (see below).

CONSULTATIONS

Conservation Officer

Listed Building Officer

Consultations responses received:

Historic Buildings Advisor

No objection.

Please condition details of roof light which must be a Conservation type.

Conservation Area Advisory Committee

No objection. Conservation quality windows to be used.

Comments on Consultation responses:

Comments noted. A Condition will be recommended to secure a Conservation standard rooflight.

POLICY CONTEXT

Designation applicable to site:

Listed Building Grade II

Conservation Area

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [AREA2](#) Conservation Areas

Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections (February 2014):	HER DM1 Listed Buildings HER DM3 Conservation Areas
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PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

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."

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.

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

This application applies for Listed Building Consent to create a new en-suite at second floor level in the property. The existing internal struts of the building are marked for retention and so there will be no detrimental loss to the historic form or noteworthy features set out in the listing certificate as a result of these works.

The proposed skylight window will be situated in the rear west-facing roofslope and in this location will not be readily seen from the road of Maltravers Street or any other public vantage point. The dimensions are small at approximately 0.5m x 0.8m and will not be the sole rooflight in this part of the building. However, a condition is recommended to be placed on the consent requesting that the proposed rooflight is of Conservation standard in response to comments made by the Town Council, Historic Buildings Advisor and the Conservation Area Advisory Committee.

The proposal is considered sympathetic to the historic appearance of the property and is therefore considered to respect the character and integrity of the Listed Building.

The application is therefore 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 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, a neutral impact has 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.

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 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: drawing number 13563/03 (Location and block plans) dated December 2013, 13563/01 (Existing second floor plan) dated November 2013 and 13563/02 (Proposed second floor plan) dated November 2013.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.

- 3 The rooflight hereby approved shall be of Conservation standard and type. Details to be submitted and agreed by the Local Planning Authority prior to the commencement of any works.

Reason: To secure appropriate and quality design for the character and appearance of the Listed Building in accordance with the National Planning Policy Framework.

- 4 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 the National Planning Policy Framework.