

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

REF NO: AB/136/19/L

LOCATION: 31 Maltravers Street
Arundel
BN18 9BU

PROPOSAL: Proposed internal and external alterations including replacement of selected windows and doors and new ground floor terrace to provide more flexible family living accommodation and a lower ground floor annex.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks listed building consent to perform both internal and external alterations to the host dwelling, including replacement of joinery. It also seeks to create a new ground floor terrace, and an annex to the lower ground floor.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The application site affronts the street scene to its front elevation, with walling to its rear garden elevations.
SITE CHARACTERISTICS	The site is a Grade II Listed Building.
CHARACTER OF LOCALITY	The site is within Arundel Conservation Area.

RELEVANT SITE HISTORY

AB/135/19/HH	Proposed internal and external alterations including replacement of selected windows and doors and new ground floor terrace to provide more flexible family living accommodation and a lower ground floor annex. This application may affect the setting of a Listed Building and may affect the character and appearance of the Arundel Conservation Area
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Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The Conservation Officer has no objection to the proposal, and recommends conditions be applied, requiring further details of some materials to be submitted. Full comments are available online.

C.A.A.C. - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted, the relevant conditions will be recommended.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Within Arundel Conservation Area

Grade II 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.

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).

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 no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

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.

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:

- Site Location and Site Block Plan - 4120 - GA001 PL - 09.2019
- Proposed Site Block Plan - 4120 - GA015 PL-1 - 12.2019
- Rear Elevation as Proposed - 4120 - GA 502 - PL 2 - 09.2019
- Outbuilding Elevations as Proposed - 4120 - GA 514 - PL - 12.2019
- Flank Elevation to Rear As Proposed - 4120 - GA 513 - PL - 11.2019
- Front Elevation As Proposed - 4120 - GA 501 - PL 1 - 09.2019
- 1F Plan Proposed - 4120 - GA 305 - PL 2 - 09.2019
- Roof Plan Proposed - 4120 - GA 3017 - PL 1 - 09.2019
- GF Plan Proposed - 4120 - GA 304 - PL 3 - 09.2019
- Attic Plan Proposed - 4120 - GA 306 - PL 3 - 09.2019
- Basement Plan Proposed - 4120 - GA 303 - PL 1 - 09.2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for creation of an external wall opening, and the proposed gate have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building/extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the joinery of the proposed development (including all windows (and their glazing systems), internal and external doors, skirting boards, and cupboard doors) have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to

achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the external staircase of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.

- 6 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the internal staircase of the proposed development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.

- 7 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials, finishes and proposed methods to be used for the sandblasting, associated with the proposed development have been submitted to and approved by the Local Planning Authority and the methods and materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.

- 8 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials, finishes and treatments to be used for the external railing of the proposed development have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity, and character and appearance of the Listed Building, by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 and HER DM3 of the Arun Local Plan.