

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

REF NO: AB/147/17/L

LOCATION: Crown House
Crown Yard
River Road
Arundel

PROPOSAL: Listed Building Consent for replacement of 3No. ground floor windows.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal is retrospective and relates to the provision of 2 no aluminium top hung casements double glazed and one timber vertical sliding sash double glazed which have been installed in the side ground floor elevation of the property.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	None
SITE CHARACTERISTICS	Cream painted elevations with black aluminium top hung casement windows adjacent to public footpath.
CHARACTER OF LOCALITY	Town centre location. Mix of retail/commercial and residential uses.

RELEVANT SITE HISTORY

AB/52/15/L	Application for listed building consent for the erection of a new fence alongside the existing parking space.	ApproveConditionally 30-06-15
AB/6/92/L	Renewal of unimplemented Listed Building Consent AB/114/86/L for conversion into accommodation unit with shop and one self-contained shop unit.	ApproveConditionally 25-03-92

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Objection - The Committee objected on the grounds that the aluminum windows would represent an uncharacteristic and alien feature in this building which is one of the oldest in Arundel and is located along a well-used passage from the Crown Yard car park to the High Street. As such the development

detracts from the character and appearance of the Arundel Conservation Area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Agreed

CONSULTATIONS

Conservation Officer

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Objection.

The property is Grade II Listed, and within Arundel Conservation Area.

The application is for retrospective consent for replacement of 3no. Ground Floor windows. It is noted that the application form and documents give 'existing' as that which has been installed as of 1.10.17 and not for those which existed prior to this date.

Photographic evidence suggests a mix of 1no wooden fixed pane with top hung casement, 1no. metal casement (eg Critall style), and 1no. wooden vertical sliding sash. All windows painted black, within black painted timber sub-frames.

The proposal is to replace with 2no. aluminum double-glazed fenestration and 1no wooden vertical sash, double glazed.

Use of double-glazing is not supported in such situations, given the listed status of the building, and more especially given the prominent location of the windows in question. The use of metal frames here is also not supported in conservation terms.

It is therefore concluded that the application cannot be supported on heritage grounds.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Grade 2 Listed Building

Within Designated Conservation Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

AREA2 Conservation Areas

[Publication Version of the Local Plan \(October 2014\):](#)

HER DM1 Listed Buildings

HER DM3 Conservation Areas

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 District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Main Modifications to the Arun Local Plan (2011-2031) are presently out for Public Consultation over a six week period starting on Friday 12 January 2018 until 5pm on Friday 23 February 2018.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. 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).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton. close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The relevant policy in the Arundel Neighbourhood Plan has been taken into account in the consideration of this application.

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 conflict with these criteria in that it is considered to materially affect the character of the Grade II Listed Building and 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

The double glazed nature of the windows and the use of aluminium are not sympathetic to the character and appearance of the Listed Building and are readily visible in the Conservation Area. They do not enhance the appearance of the building or the Conservation Area generally and conflict with policy GEN7 of Arun District Local Plan which refers to principles of development that (ii).. responds to identified characteristics .. and respects and enhances local distinctiveness!

The proposal also fails to respect or enhance local distinctiveness, and is detrimental to the street scene.

Arun DC Policy AREA2 Conservation Areas - Planning permission will be granted for development which preserves or enhances the character or appearance of the Conservation Area or its Setting.

It is considered that the proposal fails to enhance the character of the Conservation Area or its setting .

Arun Local Plan 2011-2031 Policy HER SP1 the Historic Environment - the council will grant planning permission for development proposals that conserve or enhance the historic environment of the District. Sections a)Conservation Areas b)Listed Buildings and Policy HER DM1 Listed Buildings states Proposals affecting listed buildings will be required to: a) ..preserve character ..e) - protect and enhance the setting of the building...The proposal is considered contrary to these objectives.

Paragraph 137 of the NPPF states that a new development within a conservation area and the setting of a listed building should 'enhance or better reveal the significance of a designated heritage asset'

It is considered that the proposal does not adequately fulfil this criterion, and is contrary to:

NPPF Paragraph 132 which requires great weight to be given to the conservation of designated heritage assets and notes that significance can be harmed or lost through unsympathetic development within their settings.

As the proposal conflicts with the above policies and guidance it conflicts with Arundel Neighbourhood Plan (ANP) policy 1 where bullet point 1 states that development will not be approved where other relevant policies in the Development Plans indicate otherwise.

The application is therefore recommended for refusal for the following reason

RECOMMENDATION

REFUSE

- 1 The use of double glazing and aluminium windows adversely affects the character and appearance of the Listed Building and the character and appearance of the Conservation Area in conflict with the National Planning Policy Framework, policy 1 of the Arundel Neighbourhood Plan and policies HER SP1 and HER DM1 of the emerging Local Plan and GEN7 and AREA2 of Arun District Local Plan.