

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

REF NO: AB/24/22/L

LOCATION: Flat 67 High Street
Arundel
BN18 9AJ

PROPOSAL: Listed building consent to convert the first floor Restaurant into 3 No bedrooms and remove one bedroom on the second floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to convert the first floor restaurant into 3 No. bedrooms and remove 1 No. bedroom from the second floor. The ground floor restaurant is to remain as such.
SITE CHARACTERISTICS	Flat 67 High Street is connected to 1 Maltravers Street. These form a Grade 2 listed building that is an attractive and prominent feature on the junction at High Street and Maltravers Street. Currently, the first and ground floor of Flat 67 act as a local restaurant. Flat 67 is of 3 storeys and features an attractive stuccoed regency design to the exterior.
CHARACTER OF LOCALITY	The area is predominately residential although set in the town centre and falls in the Arundel Conservation Area. The Conservation Area is expansive, encompassing the historic core of the town, castle and the cathedral. 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. This Grade 2 Listed Building is one such building that contributes to the identity of the town centre.

REPRESENTATIONS

Arundel Town Council (ATC) - Object:

- May not be compliant with building regulations as there does not appear to be any bathroom / washing facilities for habitation purposes.

COMMENTS ON REPRESENTATIONS RECEIVED:

Compliance with building regulations is not a planning consideration. This concern may be picked up by building regulations and addressed at a later date.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee (CAAC) - No Objection:

- No external alterations are proposed. As such, the Panel consider that there will be no impact on the character or appearance of the conservation area.

Arun District Council - Conservation Officer Comments:

- A number of alterations interior and exterior have been conducted at this site, including the areas affected by this proposal.

- The proposal ensures that the alterations are fully reversible and the spaces can be opened up at some point in the future. This is a positive feature and capable of making the proposal acceptable.

- The proposed new doors should reflect those found elsewhere in the listed building and further details should be provided regarding them. This can be achieved by way of condition.

- On balance, the application is considered to not cause harm to the significance of the heritage asset or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

- The existing space is not currently used and lying vacant, which is not a positive treatment of a listed building. The proposal for this space to form accommodation will ensure that it is used and therefore maintained.

COMMENTS ON CONSULTATION RESPONSES:

This report does not consider the impacts of the proposal on the Conservation Area as it is a Listed Building Consent application. Comments noted and recommended condition attached to require submission of details of materials and finishes to be used for new internal doors, so as to ensure they are representative of those already found within the building.

POLICY CONTEXT

Grade 2 Listed Building.

Conservation Area.

2km Buffer for Site of Special Scientific Interest.

Built-up Area Boundary.

Town Centre Retail zone.

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERSP1 HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPG National Planning Practice 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, The South Inshore & South Offshore Marine Plan 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."

The proposal is considered to comply with these criteria in that it does not 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 be weighed in the balance with the Development Plan.

CONCLUSIONS

Policy HER DM1 relates to listed buildings and state that proposals must protect, preserve and if possible, enhance the historic character and integrity of the building.

Policy HER SP1 of the Arun Local Plan, relates to the need for proposals to conserve or enhance the historic environment of the District. Developments likely to prejudice designated or non-designated heritage assets are to be refused. The proposal is compliant with this policy in that it brings no harm to, and conserves both relevant heritage assets.

The proposed alterations are to be internal and are present in settings that have undergone many alterations prior to this application. The alterations preserve the historic character, qualities and special interest of the building and do not effect the exterior. The internal alterations are acceptable as they are alterations to the modern fabric of the building that have also undergone alterations prior to this proposal. These alterations are also fully reversible and sensitively designed, utilising appropriate materials for the internal walls. It is not noted what the new doors will be constructed of and as such, a condition is attached to ensure the materials are appropriate, reflecting those already found within the building. The proposed works accord with policies HER DM1 of the Arun Local Plan.

Paragraph 194 of the NPPF requires the Local Planning Authority (LPA) to ensure the applicant/agent describes the significance of the heritage asset affected by a proposed development. This has been achieved by submission of a Heritage Statement that accurately identifies No. 67 High Street as a Grade 2 Listed Building.

Paragraph 195 of the NPPF requires the LPA to identify and assess the significance of the impact upon the heritage assets related to the application. No. 67 High Street is one building which has now been

subdivided into a house and separate restaurant. It is of the early 19th Century and was later altered in the 20th Century. It is a mixture of two or three storeys with stuccoed elevations with moulded eaves cornice, under a hipped slate roof to 67 High Street. It is of high architectural and historical significance. Having identified that the significance of the heritage asset is its architectural and historic design, in agreement with the Conservation Officers comments, the proposal will give no harm to the character of the heritage asset or its setting.

The proposal is compliant with Development Plan policies HER DM1 & HER SP1 of the Arun Local Plan and relevant Paragraphs 194 & 195 of the National Planning Policy Framework. As such, it is recommended for approval subject to the following conditions and informatives.

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:

- Second Floor Bedrooms Proposed Plan 67HS/2022/03/ A
- Proposed First Floor Plan 67HS/2022/02
- Block Plan 67HS/2022/04

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

2 Prior to the installation of the new internal doors, details of the design and materials to be used for the new proposed internal doors shall have been submitted to and approved by the Local

Planning Authority. The details so approved shall be used in the development and maintained as such in perpetuity.

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