

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

REF NO: AB/29/19/L

LOCATION: 15 Maltravers Street
Arundel
BN18 9AP

PROPOSAL: Listed building consent for the rearrangement of modern internal walls in lower ground floor.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The Listed Building consent seeks to rearrange the ground floor internal arrangement of rooms.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is open plan to its front elevation.
SITE CHARACTERISTICS	The property is listed at Grade II.
CHARACTER OF LOCALITY	The property is within Arundel Conservation Area.

RELEVANT SITE HISTORY

AB/52/18/HH	Lowering kerb for crossover access	ApproveConditionally 30-07-18
-------------	------------------------------------	----------------------------------

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council
Parish Council - No objection.

C.A.A.C - No objection.
- Precise details of the new openings should be submitted and agree with the LPA.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. The Conservation Officer requests a similar condition, and therefore it will be applied.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection.

The proposal is for internal alterations to the basement of the property. The property is listed at Grade II and is located within the Arundel Conservation Area. The alterations are predominantly internal which mean that the impact upon the listed building is of interest in this case.

A very helpful document has been provided regarding the building and its historical development. This identifies that the north facade of Carleton House and the adjoining coach house, which is separately Listed, are of special architectural interest and importance to the nation for their design and as an example of a Georgian dwelling and associated coach house. Parts of the south elevation and elements of the interior, including the spiral staircase and some of the chimneypieces, are also original features but the interior spaces have all been modified in the recent past except at ground floor level.

Whilst the property has developed over time, it appears as if only modern fabric will be affected by the proposal. The revision to the layout will open up the front part of the basement, whilst still allowing a number of uses to operate in a fairly small area. It is therefore considered that it will not harm the character of the building and deemed to be acceptable.

However, the level of detail provided with the application is such that additional information will need to be supplied before works can be undertaken. It is suggested that details of the new window to the front elevation will be required, along with details of the glazed wall and doorway, and any new internal doors.

The application is considered to not cause harm to the significance of the heritage asset. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, the contents of section 66/72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), along with these comments.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Listed Building

Conservation Area

DEVELOPMENT PLAN POLICES

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

HERDM1 HER DM1 Listed Buildings

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice 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 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 policy is deemed to be HER DM1 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.

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 Plans - 191503/02 - AF - Feb 19
- Lower Ground Floor Plans, Existing and Proposed - 191503/01 - AF - Feb 19

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 shall take place unless and until details of materials to be used for the proposed front window, the glazed wall and doorway, and any new internal 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 extension.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy D DM1 of the Arun Local Plan.

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.