

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

REF NO: AB/30/20/L

LOCATION: 39 High Street
Arundel
BN18 9AG

PROPOSAL: Listed building consent to re-paint the window frames & door frames on the outside of the building, along with the hanging sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to re-paint the window frames, the door and the hanging sign.
BOUNDARY TREATMENT	The building directly abuts the street scene.
SITE CHARACTERISTICS	Number 39 forms part of a group with 37 - 41a, High Street. The building dates to the 16th or 17th century and was re-fronted in brick in the 18th Century. It formed part of the Crown Inn, which played an important role in the of the town. Even though the building has been sub-divided to create a number of smaller units of accommodation, the group still reads as a single and imposing building; it occupies a prominent position in the High Street and contributes to the character of The Square.
CHARACTER OF LOCALITY	The building is also sited within the Arundel Conservation Area, with a number of other listed buildings in the immediate area. Buildings front directly on to the pavement and form a cohesive, attractive group. Further, this part of the conservation area is characterised by historic shop frontages and other commercial uses. As such there are many signs existing within the street scene of varying designs and scale.

RELEVANT SITE HISTORY

AB/60/19/PL	Change of use of the first & second floors to offices (B1 Businesses). This application may affect the character & appearance of the Arundel Conservation Area & may affect the setting of listed buildings.	ApproveConditionally 30-09-19
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Noted. During the application process, the applicant submitted plans which added signage to the front of the building. Due to the fact that these plans were submitted so late in the process, and that the signage was also involve applying for an Advertisement Consent application, it was decided that these should form a separate application.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Parish Council - No objection.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

The Council's Conservation Officer - No objection.

Number 39 forms part of a group with 37 - 41a, High Street. The building dates to the 16th or 17th century and was re-fronted in brick in the 18th Century. It formed part of the Crown Inn, which played an important role in the of the town. Even though the building has been sub-divided to create a number of smaller units of accommodation, the group still reads as a single and imposing building; it occupies a prominent position in the High Street and contributes to the character of The Square.

The building is also sited within the Arundel Conservation Area, with a number of other listed buildings in the immediate area. Buildings front directly on to the pavement and form a cohesive, attractive group. Further, this part of the conservation area is characterised by historic shop frontages and other commercial uses. As such there are many signs existing within the street scene of varying designs and scale.

The proposal is to re-paint the window and door frames on the exterior of the building, along with the hanging sign, a dark blue colour. It is assumed that the proposed repainting of the windows and doors includes all of those currently painted red. Such a colour choice seems to be acceptable in this particular context, and on balance, the proposal will not harm the listed building, neighbouring listed buildings or the conservation area. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.

You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Conservation Area Advisory Committee - No objection.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary
Within Arundel Conservation Area
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 72(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.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited, or neighbouring listed buildings. This is due to the colour choice being acceptable for this parade of shops, and is also suitable within the wider appearance of the street scene. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

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:

- Block & Location Plan - 3712.EX.01 - 13.05.19
- Proposed Paint Colour photo

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.