

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

REF NO: AB/38/17/L

LOCATION: 15 Maltravers Street
Arundel

PROPOSAL: Internal alterations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposed alterations are as follows
(internal unless otherwise stated) ;

Lower Ground Floor

- New door opening to external steps to side of building (external) .
- New door in partition wall to Utility Room
- Removal of kitchen

Ground Floor

- Creation of new ground floor wc.
- New door and stairs to hallway from wc linking to new kitchen
- New kitchen in music room.

First floor

- new door opening in bedroom 2 ensuite and block up existing door (partition wall)

Second Floor

Conversion of bedroom 7 to new ensuite bathroom to bedroom 3 and separate laundry room with a new partition wall in between.
New door into ensuite bathroom of bedroom 4 and block up existing door (partition wall).

Third Floor

- New skylight (external)
- Additional ensuite bathroom to bedroom 6 and new hallway (new stud work walls).

SITE AREA

N/a

TOPOGRAPHY

Sloping from the front of the house to the rear.

TREES

None affected by the proposed development.

BOUNDARY TREATMENT

A black painted iron railing fence to the front. A 2 metre brick wall bordering the rear garden.

SITE CHARACTERISTICS

The site is situated within the Arundel Conservation Area and is occupied by a Georgian three storey town house constructed from brick with rendered side elevation and a slate roof. The property is a Grade II Listed Building.

CHARACTER OF LOCALITY

The character of the locality is predominantly residential and features properties of various designs and styles.

RELEVANT SITE HISTORY

None relevant.

Listing Details;

1792/3 [d. from deeds]. Red brick. flipped slate roof. Red brick chimneys. 3 storeys. Brick modillion eaves cornice. 3 ranges of double-hung sash windows with glazing bars. One 6-panelled door in west range, with semi-circular fanlight, and plain brick concentric arches. Porch added in 1930's [ex.inf. former owner]. 2 storey wing to west, with slate lean-to roof with ashlar coping. 1 range of double-hung sash windows with glazing bars and one 4-panelled door.

REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Consultations responses received:

Conservation Area Advisory Committee - No objections.

Conservation Officer - No comments received.

Historic Buildings Officer - Pre-application advice given that the scheme would be supported in principle subject to final drawings.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

ADOPTED LOC PLN

LB GRADE II

CLASS C ROAD

CONS AREA
NO PUBLIC SEWER

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7

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

The Form of New Development

HER DM1 Listed Buildings

HER DM3 Conservation Areas

HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE

NPPG
NPPF

National Planning Practice Guidance
National Planning Policy Framework

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 may be 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. The Examination into the submitted plan was commenced but is currently suspended whilst Arun District Council addresses matters raised by the Inspector.

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 is taking place 10 April 2017 to 5pm on Tuesday 30 May 2017. 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 may also be material consideration to take into account.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used are material considerations in the determination of this planning application. The emerging Plan was submitted in January 2015 and the examination is currently suspended. The examination is due to re-commence in summer 2017 following publication of modifications to the Plan.

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

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 and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. 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.

No policies in the Arundel Neighbourhood Plan are considered relevant to 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 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

The proposed alterations are predominantly internal with two external alterations including a skylight in the roof and a cellar door at lower ground floor level which accesses street level up a stair case with railings at the side. Neither external alteration is visible within the street scene.

The proposed alterations do not affect the listed features of the property (see planning history above) The alterations are generally to partition walls and involve the creation of new bathrooms and a laundry room which only affect previous partition walls and previous modern minor alterations to the building.

The exception to this is the ornate plasterwork in the music room which is being converted to a kitchen. Extensive discussion took place at pre-application stage with the historic buildings officer to ensure this was protected in the conversion. A condition would be applied to protect the ornate plasterwork.

No further comments have been received from the historic buildings officer or conservation officer.

No objection to the proposal have been received from the Conservation Area Advisory Committee or Arundel Town Council.

The proposals would preserve the features of special architectural and historic interest the Listed Building possesses and would preserve the character of the Conservation Area.

The proposal is considered to accord with policy GEN 7 of the Arun District Local Plan and policy HER DM1, HER DM3 and HER SSP1 of the emerging Arun District Local Plan.

The application is therefore recommended for approval subject to the following conditions

HUMAN RIGHTS ACT

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 works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation

report

Areas) Act 1990.

- 2 Internal doors/architraves/window shutters/ceiling mouldings/fireplaces/chimneys/staircases must not be removed or altered without the prior written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the Listed Building and its features of architectural interest in accordance with the National Planning Policy Framework.

- 3 All new partitions shall be scribed around the existing architectural features affected, including all ornamental plaster mouldings, ceiling cornices, picture rails and skirtings.

Reason: To enable the partitions to be removed at a future date without detriment to the special architectural or historic interest of this listed building in accordance with the National Planning Policy Framework.

- 4 Upon completion of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good to the satisfaction of the Local Planning Authority.

Reason: To preserve the special character and appearance of the building for the future in accordance with the National Planning Policy Framework.

- 5 The undermentioned features of the building shall be protected or carefully removed for preservation and shall be reinstated as part of the building upon completion of the work for which consent is hereby granted.

The decorative plasterwork on the walls and ceiling in the conversion of the ground floor music room to a kitchen.

Reason: To ensure that the features of merit are preserved for the future and to retain the character and appearance of the Listed Building in accordance with the National Planning Policy Framework.