

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

REF NO: AB/41/21/L

LOCATION: Herricks
School Lane
Arundel
BN18 9DR

PROPOSAL: Listed building consent for the repair and painting of the exterior walls, doors and windows to the front and rear elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Painting of exterior walls: from light blue to cream, windows: white and front door: blue to Oxford Blue.
BOUNDARY TREATMENT	The external walls of the property form its boundaries.
SITE CHARACTERISTICS	The property is located abutting the pavement in a prominent corner position on the junction of School Lane and Tarrant Street. It is a 3 storey Grade II listed dwelling.
CHARACTER OF LOCALITY	Site forms part of the Arundel Conservation Area. Various styles of property surround the site from modern flatted development to other listed properties.

Noted.

REPRESENTATIONS

Conservation Officer - No harm caused to the significance of the heritage asset.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Conservation Area
Listed Building
2km Buffer Zone SSSI

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings
HERDM3 HER DM3 Conservation Areas
HERSP1 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 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.

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 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

Policies HER DM1 and HER DM3 relate to listed buildings and conservation areas and state that proposals must protect and if possible, enhance the setting of each.

Chapter 16 of the NPPF paragraphs 189, 192, 193 and 196 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and the its weight

against public benefits of the proposal.

EFFECT ON THE SETTING OF A CONSERVATION AREA AND HERITAGE ASSET

The property is a grade II listed building, a subdivided public house. Its western (front) elevation abuts the highway and the rear elevation is located on a shared access alley to the rear of the property. No structural changes are proposed only the repainting of the walls, windows and front door.

Paragraph 189 of the NPPF requires the applicant to consider the significance of the impact on the asset. As the colour changes are though appropriate for the location and style of the building and no alterations to the fabric of the building are proposed, it is considered, in line with the conservation officers comments, that the proposal provides no harm to the conservation area.

If there is no harm to the heritage asset, it is necessary to determine the proposal under the relevant policies within the development plan.

It is considered that the works do not harm, and in fact enhances the the heritage asset in accordance with policy HER DM1(e) of the Arun Local Plan and that the repainting of external walls, windows and door does not harm the character to the conservation area in accordance with HER DM3(f)

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 Areas) Act 1990.

2 The development hereby approved shall be carried out in accordance with the following approved plans;

- Existing and Proposed Front Elevation
- Existing and Proposed Rear Elevation

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM1 and HER DM2 of the Arun Local Plan.

3 INFORMATIVE: This consent does not purport or be deemed to grant consent for any buildings or structure within the curtilage of the Listed Building for which a separate application for planning permission is required under the provisions of the Town and Country Planning Act 1990 (as amended).