

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

REF NO: AB/46/22/L

LOCATION: 2 Maltravers Street
Arundel
BN18 9AP

PROPOSAL: Listed building consent for the installation of 1 no. externally lit hanging sign and 1 no. externally lit informative sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks listed consent for the installation of 1 no. externally lit hanging sign and 1 no. externally lit informative sign.
SITE CHARACTERISTICS	The site is occupied by a mid C19 terraced house which have red brick on the ground floor, with black brick stringcourses and voussoirs. The first floor is timber-framed with rendered panels.
CHARACTER OF LOCALITY	The area is mixed in use with residential properties and Arundel High Street in close proximity.

RELEVANT SITE HISTORY

AB/47/22/A	1 No externally illuminated hanging sign & 1 No externally illuminated informational sign.
AB/44/22/PL	Change of use of building from residential (C3) to a mixed use of residential and art gallery (Class E). This application affects the setting of listed buildings, affects the character and appearance of the Arundel Conservation Area and is in CIL Zone 2 (Zero Rated) as other development.

REPRESENTATIONS

Arundel Town Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:**CONSERVATION OFFICER**

Listed Building Consent is required for any internal or external alterations to the Listed Building. In this instance that would be for the attachment of the information panel and light and the new hanging sign. Likewise, the information panel and light, along with the new hanging sign are considered to be acceptable. When installing the signage and lighting the applicant should stick to the principles of reversibility so that no part of the installation leaves a permanent scar. This means using methods like only fixing into mortar joints and not the brick.

However, the painting of the oak front door is problematical. The existing door looks like the other two front doors on the Maltravers Street frontage which are of unpainted oak, and which appears entirely appropriate to the late C.19 Tudoresque style. This is supported by the fact that they are identified within the listing description. Changing the finish of the door would be out of character with the original design for the elevation and would conflict with the other oak doors. Such an impact would be harmful and not capable of support.

Unfortunately, whilst the majority of the application is acceptable, one element is not, that of the alteration to the front door. This element causes harm to the listed building. Therefore, the proposal is such that the impact can be described as causing less than substantial harm.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted and addressed in the conclusion. The application excludes the painting of the door.

POLICY CONTEXT

Built up area boundary
Grade II Listed Building
Conservation Area

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
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, 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.

The revised Arundel Neighbourhood Development Plan was made on 15/01/20 and its policies are referred to in this report.

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

The application concerns external works to a Grade II Listed Building. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building, and preserve its setting.

Policy HER DM1 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, because the listed building is significant heritage asset proposals should protect the setting of these buildings.

Para 194 requires the LPA to firstly identify the significance of the heritage asset affected by a proposed development. The heritage assets are of architectural and historic interest.

Para 195 requires the LPA to consider the significance of the impact upon that heritage asset.

The town centre contains number of uses including residential, restaurant and retail. The information panel and light, along with the new hanging sign are acceptable. When installing the signage and lighting the applicant should stick to the principles of reversibility so that no part of the installation leaves a permanent scar. This means using methods like only fixing into mortar joints and not the brick. However, the painting of the oak front door is problematical. The existing door looks like the other two front doors on the Maltravers Street frontage which are of unpainted oak, and which appears entirely appropriate to the late C.19 Tudoresque style. This is supported by the fact that they are identified within the listing description. Changing the finish of the door would be out of character with the original design for the

elevation and would conflict with the other oak doors. Such an impact would be harmful and not capable of support.

Unfortunately, whilst the majority of the application is acceptable, one element is not, that of the alteration to the front door.

Following the comments of the Conservation Officer the agent has confirmed that the door will no longer be painted and will remain as existing. This addresses the concern raised and as such would not result in harm to the Listed Building.

The adverts would not harm the significance of the heritage asset and as a result is in accordance with HER DM1, in that it is considered to protect and enhance the special historic and architectural character of the building.

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 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 HER DM1 of the Arun Local Plan and the NPPF .