

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

REF NO: AB/4/22/L

LOCATION: Mews House
London Road
Arundel
BN18 9BH

PROPOSAL: Listed building consent for the conversion of loft to habitable use including installation of 3 x dormers and roof terrace, addition of rendering, and alterations to fenestration/openings.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application proposes the removal of the shallow pitch roof and its replacement with a steeper, taller equivalent to provide an additional storey above the existing first floor including two small dormer windows to the north elevation (front) and 1 larger dormer window to the south (rear) elevation. Additionally it is proposed to utilise the existing flat roofed extension to provide a roof terrace to the western elevation, a new first floor window to the northern elevation is proposed and rendering of the eastern elevation.
BOUNDARY TREATMENT	To the front of Mews house is a stone-built boundary wall, which extends from neighbouring properties, and further along the road. The remaining boundary treatment for the property consists of close boarded fencing.
SITE CHARACTERISTICS	Residential Grade II Listed Building
CHARACTER OF LOCALITY	Residential. Part of the Arundel Conservation Area
Noted.	

REPRESENTATIONS

Arundel Town Council - Objection

- The property is in a prominent position in the town and although the roof alterations may be sympathetic to the street scene, the submitted plans do not give a great deal of detail into the proposals.
- The glass roof terrace will be in a very prominent position. The current existing roof terrace is at the rear of the building and less conspicuous.
- The proposed development, by virtue of its unsympathetic design and prominent location is considered to have an unacceptable and incongruous impact upon the character and appearance of the host dwelling as well as that of the immediate locality contrary to policy HER DM1 of the Arun Local Plan.
- The proposal involves harm to the Grade II Listed Building, the setting of nearby heritage assets, and the Conservation Area. Therefore, the proposal conflicts with policies HER DM1 and HER DM3 of the Arun District Local Plan. It also fails the public benefit test, as set out in Paragraph 196 of the National Planning Policy Framework.

Arun Area Conservation Advisory Panel (AACAP) - Objection

- Likely originally served as an ancillary structure and purpose to Tower House; therefore probably dating to the first two decades of the 19th Century. Its heritage significance lies in its age, original function, and architectural design and style. It also contributes to the historical significance of London Road.
- This building is readily seen in the London Road street scene and forms part of the settings of several nearby listed buildings and structures : namely the adjoining Tower House and its boundary and garden walling (Grade 2), the gateway to St Nicholas Church (Grade 2), Arundel Cathedral (Grade 1), and the boundary walls to St Nicholas and Arundel Castle (both Grade 2).
- Mews House is included in the Council's List of Buildings of Character (Local List) and must be considered, at the least, as a non-designated heritage asset. The applicant has applied for Listed Building Consent for the proposed works for the possibly correct assumption that the building falls within listed building controls by reason of S(1)(5) of the Listed Building Act 1990.
- Very unfortunately the original vertically sliding painted timber sash windows have been replaced with 2 upvc ones the building still makes a positive contribution to the character and appearance of the conservation area.
- The intended new 'mansard' roof is not only oddly asymmetrical but simply does not suit the particular design of the property.
- The formation of a screened roof terrace next to it will exacerbate the incongruous nature of the proposals which will materially detract from the appearance of the building, the settings of the adjoining and nearby designated heritage assets and the character and appearance of the conservation area.
- The proposals will also alter the scale and nature of the building, detracting from its heritage significance as an historical ancillary, modest, and visually subservient structure to Tower House.
- What is welcomed, and which would materially improve the appearance of the property, is the applicant's intentions as stated in the application forms to, if possible, replace the upvc windows on the street elevation with painted timber vertically sliding sash windows. The use of slimline double glazed panes in any replacement painted multi-paned vertically sliding sash timber windows could well be appropriate in this particular instance.

ADC Conservation Area Officer - Less than substantial harm.

- Both the neighbouring terrace, and this building that the existing roofs are low and predominantly hidden behind a parapet so that they are not clearly seen from the road to the front. In introducing the additional floor and new roof space, the proposal would alter the scale and nature of the building so that it no longer was visually subservient. Such a feature would be clearly visible from the road to the front and would not reflect the general appearance of the neighbouring terrace, and would be harmful.
- The creation of a screened roof terrace next to it will exacerbate the incongruous nature of the proposals which will detract from the appearance of the building and be clearly seen from the road to its front and in the context of the neighbouring heritage assets.
- These elements are considered to be harmful.
- The intention for the works on the northern elevation is to remove the door and ship-lap panelling on the single story extension (linking the house to Tower House), retain the window and render the wall. This seems appropriate and would be an enhancement in this particular area of the building. It is thought that the existing appearance of the shiplap is not appropriate or a style/material associated with this particular building, or its neighbour. This particular element is therefore acceptable.
- The eastern elevation is identified by the applicant as being a way of enhancing the appearance of this particular elevation. As it is repeated on the neighbouring house, this elements seems to be acceptable.
- If matching the other existing windows on this elevation would not cause undue harm and would be acceptable. I note the applicants' intentions are to replace all of the windows on the northern elevation (if budget permits) with timber double glazed sash windows. These would need to be vertically sliding and have the slimline double glazed units in them. Such an approach would improve the appearance of the building

2 Neighbouring letter of objection

- The proposed roof terrace is not in keeping with the existing adjacent buildings e.g., St Wilfrid's Priory, the Parish Church of St Nicholas and the Cathedral of Our Lady and St Philip Howard. The proposed new roof terrace at second floor level, on the north and west side of the house overlooking London Road and Tower House Gardens, will be more prominent and obtrusive. Its siting and appearance will adversely affect the visual amenities of the Conservation area.
- The proposed roof terrace would be overlooking my garden and the windows of my dining room and bedroom and I would suffer a loss of privacy.
- Residents and visitors do not have a "right to a view", but we do have the right to a "Visual Amenity" which the proposed planning alteration will affect in this Conservation area.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Grade II Listed Building

Within Conservation Area

Locally Listed Building

DEVELOPMENT PLAN POLICIES

[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 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."

The proposal is considered to conflict with these criteria in that it is considered to harm the special architectural or historic interest this Listed Building possesses

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

Policy HER DM1 relates to Listed Buildings and state that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Not be detrimental to the historic integrity of the buildings exterior or interior and where possible enhance the setting of the building.

HERITAGE ASSET

Policy HER DM1 relates to listed buildings and state that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Not be detrimental to the historic integrity of the buildings exterior or interior and where possible enhance the setting of the building.

Chapter 16 of the NPPF paragraphs 194, 195, 197, 199 and 202 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and its weight against public benefits of the proposal.

The property is located within the Arundel Conservation Area which contains a number of other heritage assets. This area of the town contains a combination of buildings, with the oldest dating back to the medieval period (which have been restored at various times), buildings from c1800, along with some small-scale infill housing development which was constructed in the late 20th century. Tower House/1 London Road form an attractive early C19, imposing property that plays a significant role in the street-scene with Mews house being historically ancillary, and visually subservient to it. The other listed structures associated with it are of a similar character and form part of a strong developed group. The application property is viewed as part of this attractive group.

It has been proposed to remove the existing low pitched slate roof which is currently hidden behind the visually significant parapet wall and replace it with a steeper roof configuration. Likewise, the existing the new roof structure will be inset from the edge of the roof and be positioned behind the parapet wall edging the roof. Two small pitched roof dormer windows will be introduced to the northern elevation and one larger pitched roof dormer will be included to the southern elevation. To the western elevation the roof will not be set behind the parapet and will instead spring from the outside skin of the wall, this is to allow a door to be provided onto a new terrace above an existing flat roof at the property. In addition to this a new window will be inserted to the north elevation at first floor level and the eastern elevation will be rendered.

Paragraph 194 and 195 require the Applicant and Local Authority to assess the significance of any heritage assets affected. As noted by the Conservation Area Officer, the applicant has provide a Heritage Statement but it has not gone into great enough detail to assess the significance of the asset. The

building is considered to be architecturally and historically significant. The ADC Conservation Area Officer has described the proposed increase in height of the roof to be no longer visually subservient to the host dwelling. This element is therefore considered to be harmful.' Although it is not agreed that the proposed increase in height of the roof structure will be visually dominant over the existing building, it is agreed that the features ancillary to these works, namely the dormers and roof terrace are an incongruent features that do not sympathetically relate to the host dwelling. The other proposed works including the addition of a first floor window and rendering of the North (part) and eastern walls are acceptable.

Overall in relation to para 195, the works are considered to represent less than substantial harm to the heritage asset.

Where harm is identified, para. 202 require the Local Authority to weigh the application against the public benefits of the proposal. In this instance a small public benefit can be gained to the local economy through the works, however this short term benefit will not outweigh the long term harm to the Listed Building and as such this conflicts with the NPPF and Policy HER DM1 in that the proposed works will harm the architectural and historic fabric of the Listed Building.

SUMMARY

The proposed development is deemed to conflict with the relevant development policies and as such is recommended for refusal subject to the following conditions and informatives.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposal by means of its awkward design and appearance will be incongruent and

AB/4/22/L

harmful to the historic and architectural fabric of the Grade II Listed Building in conflict with policy HER DM1 of the Arun District Local Plan.