

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

REF NO: AB/53/22/L

LOCATION: 2-4 Arundel Post Office And Delivery Office
High Street
Arundel
BN18 9AA

PROPOSAL: Listed building consent for a replacement boiler flue.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks Listed Building consent for a replacement boiler flue.
SITE CHARACTERISTICS	The post office (2-8 High Street) is part of a Grade II Listed Building. The Listed Building consists of a terrace with a red brick ground floor, and a timber- framed first floor, with rendered nogging. Pitched tile roof. Red brick chimneys with much cornicing, 2 storeys and attics. it was originally constructed in 1895, the East bay on Mill Road elevation was added 1932. All ground floor windows tripartite mullioned casements with lead glazing bars and hoodmoulds. 1st floor jettied; with windows grouped under gables, 3 each on north and south elevations, 1 at each corner, and 5 on west elevation, All windows mullion and transom casements, some on coved oriels. There are a number of shops within the building, including the post office. It is of architectural and historical significance.
CHARACTER OF LOCALITY	The building forms a focal point on the corner of High Street and Mill Road and is located within the Arundel Conservation Area. The Conservation Area contains many Listed Buildings and historic shop frontages, a number of which are in the immediate local area. Buildings front directly onto the pavement and form a cohesive, attractive group.

REPRESENTATIONS

Arundel Town Council (ATC) - No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Arun District Council - Conservation Officer Comments:

- The proposal is for a larger replacement boiler flue that is required in order to meet current code/regulations. The location of the flue is such that it would not be clearly visible from the immediate area and therefore not cause harm. It would appear that the flue would be a black colour, but it is recommended that if this is not the case that it should be a requirement of any consent.

Conclusion - The application is considered to not cause harm to the significance of the heritage assets.

COMMENTS ON CONSULTATION RESPONSES:

It is agreed that although the proposed flue is larger than the existing, it remains mostly hidden from the wider street scene and would have minimal views from the rear. The proposed material is stainless steel, consistent with the existing flue. It would remain of a similar appearance and have minimal views however, it has been requested and conditioned that it is to be of a black coloration to better blend with the building on the associated planning application for this development.

POLICY CONTEXT

Grade 2 Listed Building.

Conservation Area.

2km Buffer for Site of Special Scientific Interest.

Built-up Area Boundary.

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.

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 comply with these criteria in that it does not harm the character or the setting of the Grade II Listed Building.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

PRINCIPLE

Policy HER DM1 relates to Listed Buildings and state that proposals must protect, preserve and if possible, enhance the historic character and integrity of the building. In agreement with the Conservation Officers comments, the proposed flue will not harm the Listed Building or the setting of nearby Listed Buildings and as such, preserves the historic character of the building and its locality.

Policy HER SP1 of the Arun Local Plan, relates to the need for proposals to conserve or enhance the historic environment of the District. Developments likely to prejudice designated or non-designated heritage assets are to be refused. The proposal will give no harm to the Listed Building or the setting of the nearby Listed Buildings.

Paragraph 194 of the NPPF requires the Local Planning Authority (LPA) to ensure the applicant/agent describes the significance of the heritage asset affected by a proposed development. This has been achieved by submission of a Heritage Statement that accurately identifies all relevant Heritage Assets and the impact of the proposal on these assets.

Paragraph 195 of the NPPF requires the LPA to identify and assess the significance of the impact upon the heritage assets related to the application. The site is part of a Grade 2 Listed Building within the Arundel Town Centre. There are multiple Listed Buildings within the locality. The Grade 2 Listed Building in question is of historic and architectural significance. In line with the Conservation Officers comments, given the nature, scale, discrete design and that there are minimal views from the wider street scene, there will be no harm on any of the Listed Buildings relevant to this application.

The proposal is compliant with Development Plan policies HER DM1 & HER SP1 of the Arun Local Plan and relevant Paragraphs 194 & 195 of the National Planning Policy Framework. As such, it is recommended for approval 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) 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 **INFORMATIVE:** For avoidance of doubt, an application for advertisement consent must be submitted for the branding of the fascia sign and hanging sign and is not permitted under this permission.
- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.