

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

REF NO: AB/56/21/L

LOCATION: 61 Maltravers Street
Arundel
BN18 9BQ

PROPOSAL: Listed building consent for the addition of 1 No. conservation rooflight.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Listed building consent for the addition of 1 No. conservation rooflight. The new roof window will be the Fakro FWP/C 22 Conservation Escape Roof Window - 660mm x 780mm. This addition will not be seen from any elevation as it is positioned between the roof pitches.
SITE CHARACTERISTICS	Nos 59 & 61 along with the railings to their front are a Grade II Listed Building. They are late C18. terraced houses of red brick, eaves cornice with modillions of cyma recta shape and a hipped slate roof. Both houses are 3 storeys with 3 ranges of double-hung sash windows with glazing bars on 1st and 2nd floors, 2 on ground floor. No 61 has a porch with Tuscan columns and pilasters, and a 6-panelled door with semi-circular fanlight in panelled reveals. It also has a 2 storey extension with a pitched slate roof and brick modillion eaves cornice, and attractive red brick chimney. Iron railings with urn finials.
CHARACTER OF LOCALITY	The listed building is also located in the Arundel Conservation area. The Arundel conservation area is expansive, encompassing the historic core of the town, castle and the cathedral. One of the principal attractions of Arundel is its wealth of buildings representing architectural form and style through progressive periods, which form a cohesive and contained hillside town. Leading westwards from High Street, Maltravers Street is carved into the hillside and has a raised carriageway on the northern side. The building which is the subject of this application is located on the southern side of the road and compliments the variety of attractive buildings found in this particular part of the town. The conservation area contains a number of designated and non-designated heritage assets all of which contribute towards the historic character of the town.

REPRESENTATIONS

Parish Council: No objection

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conversation officer: The application is considered to not cause harm to the significance of the heritage assets or their setting. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

POLICY CONTEXT

Designation applicable to site:

Grade II Listed Building

Conservation Area

DEVELOPMENT PLAN POLICIES

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

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DDM1	D DM1 Aspects of form and design quality
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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

PRINCIPLE

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 189 of the NPPF requires the LPA to firstly identify the significance of the heritage asset affected by a proposed development. The property is Grade II Listed and is of some significance. Paragraph 190 of the NPPF requires the LPA to consider the significance of the impact upon that heritage asset. As the addition will attach to an existing extension, the proposal is acceptable. Subject to the submission of materials the application is considered to not cause harm to the significance of the heritage assets.

The proposal is for an additional roof window into the northern pitch above one of the second floor bedrooms. It is noted from the Design and Access and Heritage Statement that the intention is that the window will enable access to the roof for maintenance purposes. The location of the roof window is such that it will be hidden between roof pitches and not visible from the surrounding roads. The design also appears to be of a conservation standard, which is positive. It is therefore considered that the proposal is acceptable and will not cause harm to the various heritage assets identified.

Following comments from the Conservation officer it is not considered the proposal would harm the significance of the heritage asset and as a result is in accordance with HER DM1 and HER SP1, in that it is considered to protect and enhance the special historic and architectural character of the building. The proposed development is deemed to accord with relevant development plan policies and as such is recommended for approval subject to the following conditions.

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 At all times during the progress of the work hereby approved adequate measures shall be taken to protect the remaining part of the Listed Building from collapse and/or structural damage.

Reason: To preserve the character and appearance of the Listed Building in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 3 The development hereby approved shall be carried out in accordance with the following approved plans:

Location plan &
Heritage Statement
Proposed rooflight & second floor plan: drawing no 102

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

- 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 HER DM1 of the Arun Local Plan and the NPPF .