

Planning & Heritage Statement

SITE ADDRESS: 39 HIGH STREET, ARUNDEL, BN18 9AG



APPLICATION TYPE: PLANNING PERMISSION

ON BEHALF OF: MR SAM JENNINGS

MAY 2019

Client: Mr Sam Jennings

Site Location: 39 High Street, Arundel, BN18 9AG

Job History:

Version	Date	Author	Checked	Notes
V1	30/05/19	PJ	Client	
V2	05/06/19	PJ	LC	

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1.0 INTRODUCTION & SUMMARY

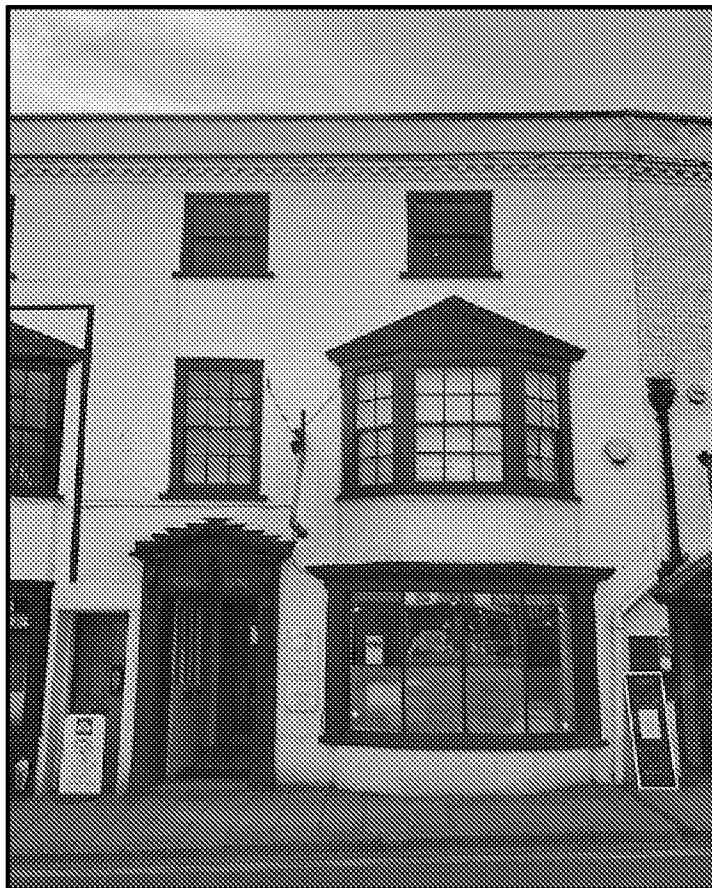
- 1.1 This statement is submitted on behalf of Mr Sam Jennings in support of the application for planning permission relating to the site, 39 High Street, Arundel, BN18 9AG.
- 1.2 Planning permission is sought for *a change of use of the first and second floors to B1 offices*. The application is retrospective as the change of use has occurred.
- 1.3 The application site is Grade II Listed, under List Entry 1263834, which incorporates the terrace of properties 37 and 37a, 39, 41 and 41a High Street, Arundel. However, as the proposal involves only a change of use and no physical alterations, it is considered that listed building consent is not required.
- 1.4 This statement should be read in conjunction with the application forms, biodiversity checklist, validation checklist and drawings provided by Deacon and Richardson Architects.
- 1.5 The application drawings are:
- 3712.EX.01 – Existing plans
 - 3712.EX.02 – OS data (Site plans)
 - 3712.EX.03 – Approved drawings
 - 3712.PL.01 – Proposed plans
- 1.6 This statement demonstrates that planning permission should be granted for the proposal. It provides an analysis of:
- The site and area
 - Relevant planning history
 - The proposed development
 - Local planning policy
 - Loss of the existing use(s)
 - Provision of B1 office space
 - Impact on the character of the building and the Arundel Conservation Area

1.7 It will be shown that:

- There is uncertainty over the lawful use of the upper floors of the building. So the change of use from both a C3 and A1 use has been justified in this case.
- The B1 use is successfully operating from the site and thus serves a local economic need. Moreover, B1 offices is an appropriate use of this part of the upper floors with regard the mix of town centre uses and the character of the area.
- The significance of the listed building and Arundel conservation area are preserved.

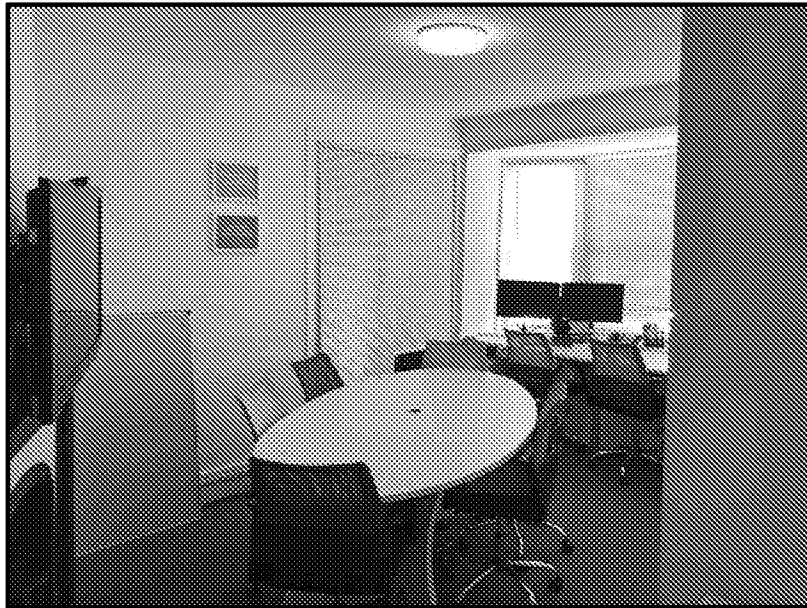
2.0 SITE DESCRIPTION

- 2.1 39 High Street is an attractive three-storey mid-terraced property in Arundel's historic town centre. Originally built with a timber-frame at the turn of the 16th Century it was re-fronted in the 18th Century in brick, which has been painted white. The simple elegant proportions include a parapet roof. The front door has a gabled hood over. It has three-light canted bay windows at ground and first-floor. There are four Georgian pattern sash windows at second floor. The second floor is wider than ground and first floors as the upper level of the building extends over neighbouring no37.
- 2.2 The building was Grade II Listed in 1974, under list entry 1263834. This is a group listing incorporating the immediate neighbours in the terrace, no37, 37a, 39, 41 and 41a.



(39 High Street, Arundel)

- 2.3 Internally the building is arranged as follows. To ground floor is a lobby with open shop unit to the front. The lobby accessing a corridor which leads to a WC and staircase. At first floor there is a WC on the half-turn of the stairs and a larger landing. Off this is a kitchen and office room. At second floor are four office rooms accessed via a long landing area.



(Office room at first-floor)



(Office room at second-floor)

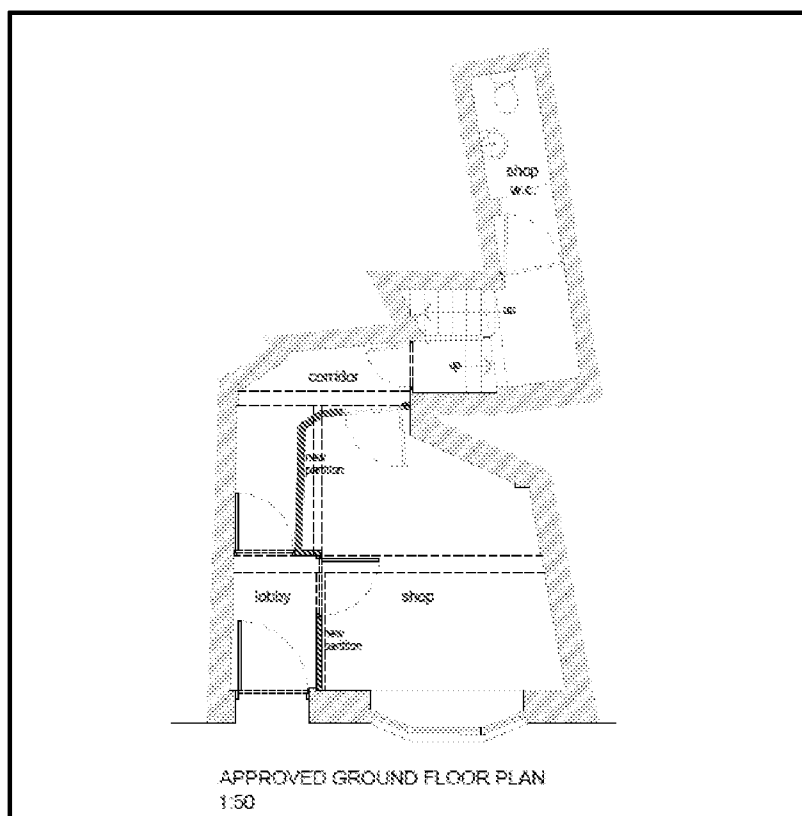
- 2.4 There is some uncertainty about the current lawful use of the first and second floors of the building, please see Planning History section below for full analysis. The ground-floor unit of the building is occupied by a financial advisor in an A2 (Professional Services) use. There is no doubt about the lawfulness of an A2 use on the ground-floor as it is permitted development to move between A1 and A2 uses. The five rooms on the first and second floor are each in B1 – Office use.
- 2.5 The site is in the heart of Arundel town centre and sits amongst an attractive collection of varied historic buildings. There is a vibrant mix of shops, cafes, restaurants and public houses in the immediate vicinity. This location forms part of the defined primary retail frontage of Arundel. This historic centre and adjacent Castle and grounds form the Arundel Conservation Area. This part of Arundel town centre is outside of the South Downs National Park.



(Aerial view of the site and area: GoogleEarth)

3.0 RELEVANT PLANNING HISTORY

- 3.1 The following applications, relating to 39 High Street, Arundel are listed on Arun District Council's online planning register.
- 3.2 *AB/127/14/DOC – Application for the approval of details reserved by condition imposed under AB/98/14/L relating to conditions 4 and 5 – colour and fixing of sign.* This application was approved on 22nd December 2014.
- 3.3 *AB/98/14/L – Application for listed building consent for the attachment of a sign on the front elevation of the property.* This application was approved on 30th September 2014. These two applications relate to a small sign at ground-floor to the right-hand side of the bay window. A hanging sign at first floor was noted through the application as being in situ.
- 3.4 *AB/31/14/PL – Internal alterations to change use of the first and second floors from residential (C3) to Retail (A1).* This application was approved on 27th May 2014. Notably with regard this application, *AB/31/14/PL* was originally submitted as a change of use to B1 offices. However, that Applicant took advise that a B1 use would not be financially viable so the description and proposal was amended at the onset.
- 3.5 *AB/32/14/L – Associated listed building consent application for internal alterations to change use of the first and second floors to retail (A1).* This application was approved on 23rd May 2014. The internal alteration comprised the creation of a lobby area at ground-floor. This alteration has been carried out in accordance with the approved plans.

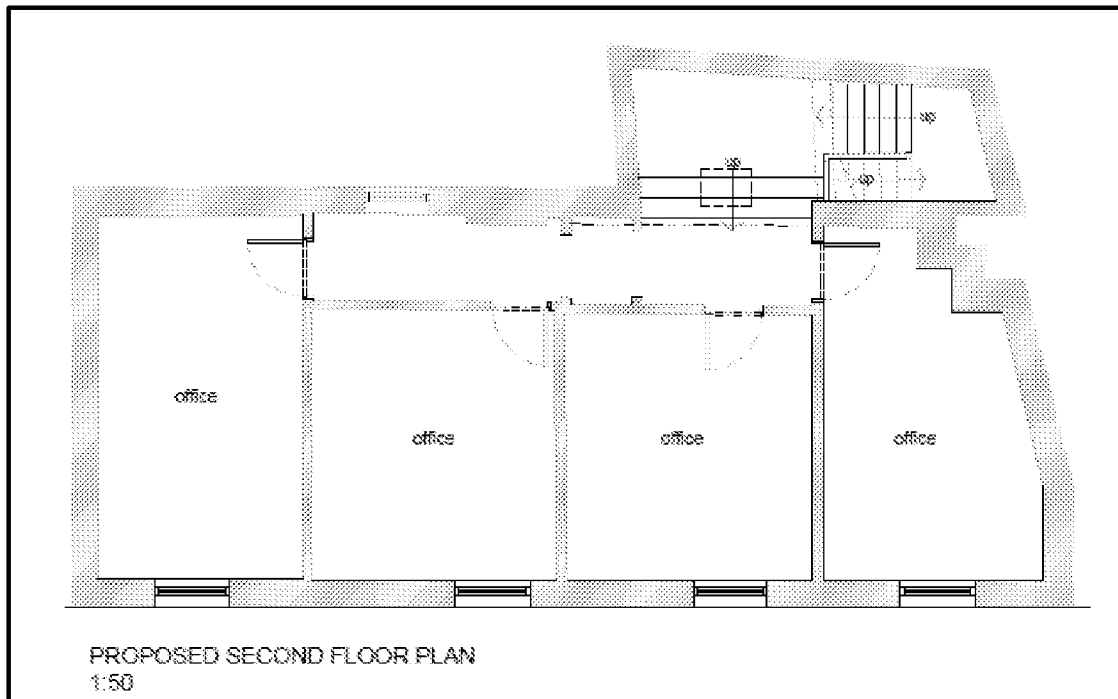


(Ground-floor layout approved under AB/32/14/L)

- 3.6 However, the approved retail use of the first and second floors has not been implemented. Since 1st August 2015 the upper floors of 39 High Street have been occupied as B1 offices. The companies who occupied the respective rooms in 2015 remain in occupation, which demonstrates the viability of a B1 use at this site.
- 3.7 As the physical works permitted have been carried out but the permitted change of use has not, we are uncertain as to the current lawful use of the building. The physical works were clearly inherent in the change of use, but as the actual change of use has not occurred the upper floors arguably remain lawfully in C3 use. Consequently, this submission will address the provision of B1 office space here against the loss of both C3 and A1 uses.

4.0 PROPOSED DEVELOPMENT

- 4.1 The proposed development at 39 High Street is the change of use of the first and second floors to B1 offices. As above it is unclear whether this represents a change from C3 or A1 use.
- 4.2 Each of the five office rooms are currently occupied. Four local companies currently operate from the first and second floor. The kitchen and WC are shared between the offices.
- 4.3 There are no external or internal alterations proposed as part of this scheme.



(Extract proposed second floor plan)

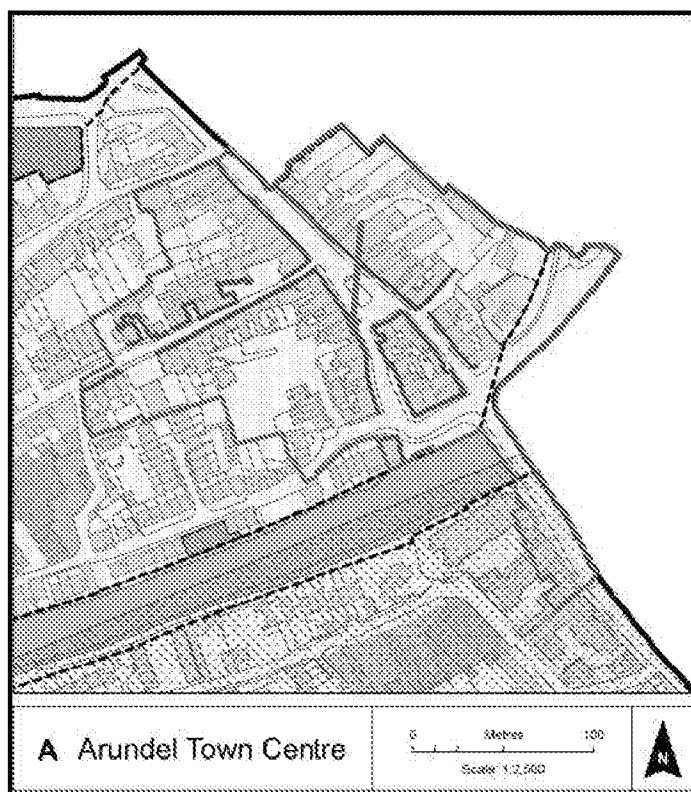
5.0 RELEVANT PLANNING POLICIES

5.1 The following policies of the Arun Local Plan 2018 are relevant to this application:

EMP DM1: Employment land Development Management – confirms the Council will seek to protect and enhance existing employment sites and premises to maintain a good supply of commercial sites to meet economic and business needs. The policy states existing employment sites and premises will be protected where there remains a reasonable prospect of employment use. It continues that changes from B class uses will be resisted. Regarding office development the policy directs new offices to town centres.

RET SP1: Hierarchy of town centres – seeks to maintain the hierarchy of centres in Arun by supporting and promoting measures which reinforce their role in meeting community needs and providing a focus for a range of activities including: retail, leisure, commercial, office, tourism, cultural, community and residential.

RET DM1: Retail Development – states that within primary retail frontages A1 uses will be permitted, as will A2 and A3 uses provided a concentration of non-A1 uses does not occur, a window display appropriate to a shopfront is retained, and no detrimental effect is caused to local amenities. The policy continues that within principal shopping areas proposals for the re-use of vacant floorspace on upper levels for residential, commercial and community purposes will be permitted, provided the use does not inhibit business needs for workspace and there is no adverse impact on local amenity. The policy map extract below confirms 39 High Street is within the primary retail frontage of Arundel.



(Extract Policy Map 2)

HER DM1: Listed Buildings – requires proposals affecting listed buildings to preserve or enhance the historic character, qualities and special interest of the building. Schemes are to be necessary and not detrimental to the architectural or historical integrity and detailing of the listed building's exterior or interior. The policy further confirms the Council will support proposals for alternative uses of listed buildings which retain their structure and preserve their character and setting, where the change will provide for the long-term conservation of the structure and fabric of the building.

HER DM3: Conservation Areas - The supporting text confirms changes of use will be assessed in relation to their effect on the character and appearance of the area, including traffic generation. Where a mix of uses is deemed an important element of said character, the maintenance of an appropriate mix is required. The policy text requires proposals to preserve or enhance the character and appearance of the conservation area. Traditional features such as shopfronts should be retained and view into or out of an area should not be harmed.

- 5.2 The following policies of the Arundel Neighbourhood Plan 2014 are relevant to this application. It is understood the Neighbourhood Plan is in the process of being reviewed. However, these policies are referenced for completeness:

Policy 14: Arundel Town Centre – supports proposal for new A1 uses in new or existing frontages. It resists proposals for changes of use of existing A1 frontages in the primary shopping frontage until a time where 80% of the frontage is in A1 use.

Policy 15: Business uses – supports the development of B1 uses within the built-up area boundary provided: the loss of an A1 shop or community facility does not occur; harm is not caused to residential amenity; and the site is located outside of flood zone 3.

6.0 PLANNING ASSESSMENT

- 6.1 It is understood that the main considerations in this proposal are: the loss of the existing use; the provision of B1 offices; and the impact on heritage assets. These considerations are assessed below.

Loss of existing uses

- 6.2 As noted above, it is unclear whether the lawful use of the first and second floors is C3 or A1. If the unit is considered a C3 dwelling, the loss of such has already been approved under *AB/31/14/PL*. As there are no policies in the Local Plan explicitly restricting the loss of a dwelling here, a change of use from C3 should remain acceptable in principle in this case. Furthermore, the unit has not been in C3 use for at least five years. Therefore, no reduction in the local housing stock would occur through this proposal.
- 6.3 If the use is considered A1, it is important that the unit has never been used as retail and thus the proposal has no impact on the provision of shops in Arundel town centre. The site's location within the primary retail frontage is acknowledged here. Yet traditionally retail frontage relates principally to ground floor units, which are unaffected in this scheme. The Officer Report for *AB/31/14/PL* notes that the character of the locality is '*Predominantly retail at ground floor. Mixed uses above on upper floors.*' This is recognised as the character of the town centre, meaning there is no conflict with Neighbourhood Plan 14 in this regard.
- 6.4 Despite being in A2 use the ground floor unit retains a traditional and attractive shopfront with display window and thus positively contributes to the town centre streetscape. The ground floor unit is not a consideration of this application, as it is permitted development to move between the A1 and A2 use classes. However, its use and appearance shows accordance of the building with policy RET DM1 and attests to the acceptability of the loss of A1 at the upper floors.
- 6.5 For these reasons, the loss of the existing use, whether C3 or A1 is considered acceptable.

Provision of B1 office space

- 6.6 An important consideration in this application is that the upper floors of 39 High Street have been occupied as B1 offices since 2015. Local companies are successfully trading from the building. This demonstrates the suitability of the upper floors as offices. The unit is therefore an existing employment premises. Policy EMP DM1 seeks to protect employment premises where there remains a reasonable prospect of employment use. The policy further resists the loss of B class uses. That the upper floors have been occupied as offices for four years clearly demonstrates such a prospect remains. The existing employment site at 39 High Street is one that contributes to the local economy and should be supported.
- 6.7 Policy RET SP1 recognises that a range of activities, including offices, play a key part in reinforcing the ongoing vitality of town centres. Whilst policy RET DM1 confirms the re-use of upper floors in the principle shopping frontage will be supported where it does not inhibit business needs. Through their office occupation the first and second floors are meeting a local economic need and thus comply with Local Plan objectives for a town centre.
- 6.8 As no existing shop is lost and no harm is being caused to residential amenity the provision of B1 office space here also accords with Neighbourhood Plan policy 15.

Impact on listed building and conservation area

- 6.9 No alterations are proposed to the listed building at 39 High Street. As such the architectural and historic integrity of the building is preserved in accordance with policy HER DM1. The policy, and policy RET SP1, further allows for alternative uses of listed buildings that allow for the long-term conservation. It is generally accepted that the best way to preserve the integrity of a listed building is to keep it in suitable use. The proposal accords with this strategy.
- 6.10 The recognised character of Arundel town centre and conservation area includes a mix of uses at upper floors. An office use is an appropriate town centre use. Moreover the shopfront at ground floor is retained and views into and out of the conservation area are protected. Thus, the scheme complies with the requirements of policy HER DM2.

7.0 HERITAGE CONSIDERATIONS

7.1 Paragraph 189 of the NPPF 2019 states:

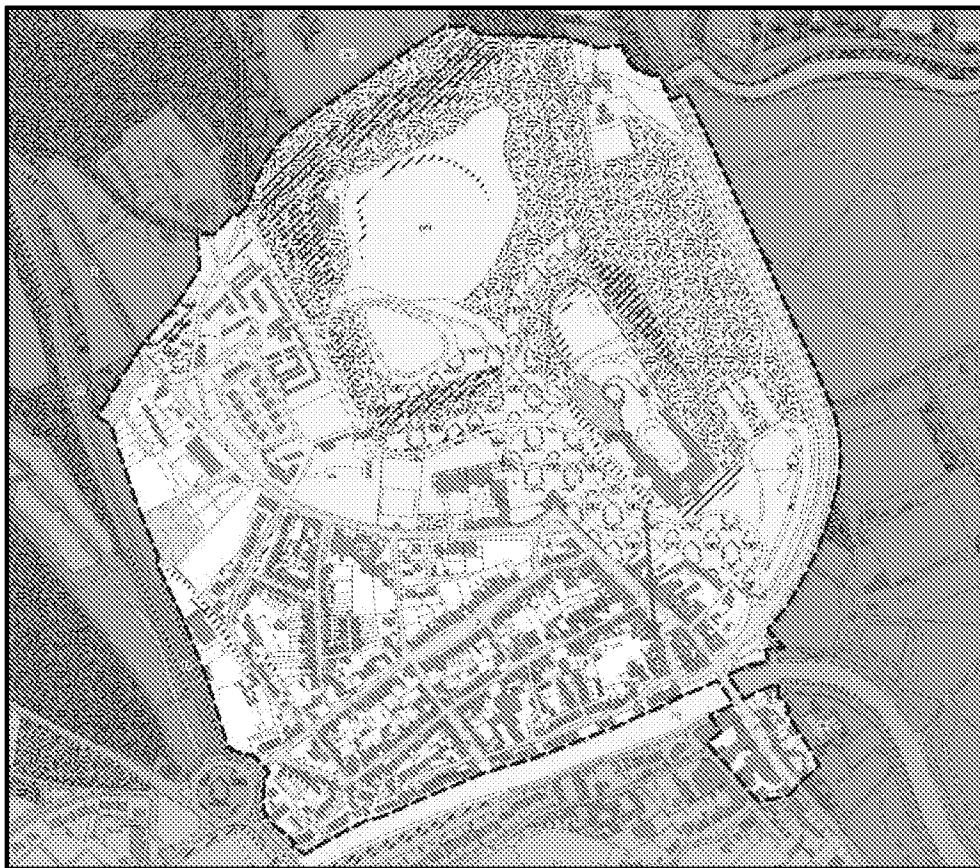
“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

7.2 To address these requirements this Heritage Statement is submitted to support the application for planning permission. The heritage assets relating to the site are described and their significance identified. The impact of the development on the heritage assets and a justification for the development in respect of heritage is provided.

The Heritage Assets

7.3 39 High Street, Arundel is a Grade II listed building in a group listing along with its terraced neighbours, under list entry 1263834. The historic significance of the building derives from its elegant architectural detailing and proportions.

7.4 The site is located within the Arundel Conservation Area. The designated area comprises the historic core of Arundel and the adjacent castle and grounds. The area comprises a collection of attractive historic properties on strong building lines within an intimate urban grain. There is a traditional mix of town centre uses within the conservation area.



(Extract Arundel Conservation Area map)

Heritage Impacts

- 7.5 No physical alterations to the building are proposed as part of the application. Consequently, there would be no impact on the appearance or fabric of the listed building. Similarly, there would be no impact on the appearance of the Arundel conservation area.
- 7.6 The proposed B1 office use has been shown above to be an appropriate and traditional town centre use for the upper floors of a building within the conservation area.

Justification for works

- 7.7 For these reasons the proposal is considered to preserve the character and appearance of both listed building and conservation area. The statutory test of Section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore passed.

8.0 CONCLUSIONS

- 7.1 Planning Permission is sought for *a change of use of the first and second floors to B1 offices* at 39 High Street, Arundel, which is Grade II listed building.
- 7.2 The upper floors of the building have been positively occupied as B1 offices since August 2015.
- 7.3 Due to the uncertainty over the implementation of the previous grant of planning permission at the site, it is unclear whether the lawful use of the upper floors is C3 residential or A1 retail. It has therefore been shown that the loss of either of these uses is acceptable in this case.
- 7.4 The provision of B1 office space here has been shown has been shown to be acceptable with regard local business needs, the range of activities in the town centre and the character of the area. The scheme therefore complies with policies EMP DM1, RET SP1 and RET DM1.
- 7.5 No alterations are proposed to the fabric of the building and no impact would be caused to the appearance of the site or surrounding conservation area. As such the requirements of policies HER DM1 and HER DM2 are met.
- 7.6 The scheme has been shown to be acceptable on heritage grounds as the special character of both listed building and Arundel conservation area are preserved.
- 7.7 For these reasons Arun District Council is respectfully requested to grant Planning Permission for the proposal without undue delay.