

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

REF NO: AB/76/21/L

LOCATION: 54 Tarrant Street
Arundel
BN18 9DN

PROPOSAL: Listed building application for alterations to fenestration and installation of 4 x new rooflights and waterproofing system to basement and outbuilding.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Installation of internal waterproofing system to rear Basement, Garden Room and Studio. 4 new and 2 replacement conservation area rooflights to workshop outbuilding and new and replacement windows throughout including slimline double glazing and acoustic glass to some windows.
BOUNDARY TREATMENT	The property is situated up to the highway.
SITE CHARACTERISTICS	Early 19 century property over 4 storeys, including a basement. Built in red brick with a hipped slate roof. The Grade II Listed property is currently residential property.
CHARACTER OF LOCALITY	The area is predominately residential although set in the town centre and falls in the Arundel Conservation Area. The 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.

RELEVANT SITE HISTORY

AB/75/21/HH	Alterations to fenestration and installation of 4 x new rooflights and waterproofing system to basement and outbuilding. This application may affect the character and appearance of the Arundel Conservation Area and the setting of a listed building.	ApproveConditionally 23-08-21
AB/101/18/L	Listed building consent to replace 2 No. front bay windows.	ApproveConditionally 17-12-18
AB/24/80/LB	Listed Building Application To Alter Window To Glazing Bars To Match Existing Bay	ApproveConditionally 28-03-80

AB/98/78/LB

Listed Building Application For Replacement Of Front Bay

ApproveConditionally
13-09-78

Noted.

REPRESENTATIONS

Arundel Town Council - Objection

- Double glazing will cause harm to the CA in conflict with policy

Arun District Conservation Area Advisory Panel - Objection

- repairs to historic fabric , undertaken to historic building standards, welcomed
- concern relating to double glazed units to high level windows and thicker glazing bars, however rear windows no effect to CA. No detailed report relating to condition of windows.

Historic England - No comment

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted - following negotiation only one window will be double glazed (basement)

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The new window and the works to windows 1a and 1b are acceptable as it allows for the retention of an original feature. It is considered the installation of the conservation rooflights in the roof of the studio will not cause harm to either the character or appearance of the conservation area or the listed building itself. Likewise, the installation of the W.C will not cause harm, subject to the details of the new internal door and other joinery details. There is the potential for the two top rear windows to be altered to include the new double-glazed units, whilst the front facing, and all other rear windows should remain as single glazed. It should not be seen as an opportunity to replicate elsewhere in the building, nor as a precedent for use in other buildings. The chimney, I would like for it to be confirmed if it is to be repaired or rebuilt and details provided accordingly i.e. if it is to be rebuilt, what materials will be used, brick bond, etc. such information could be provided for by way of condition,

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

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 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 no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

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.

Chapter 16 of the NPPF paragraphs 194, 195, 197, 199 and 196 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and the its weight against public benefits of the proposal.

HERITAGE ASSET

Para 194 of the NPPF requires the applicant to identify the significance of the listed building affected by the proposed development. The property is listed and in the Conservation Area and as noted by the Conservation Officer it is one of the last remaining coach houses in the CA therefore has some aesthetic significance.

Para 195 requires the LPA consider the significance of the impact upon that heritage asset. Largely the works will either retain the historical fabric, such as in the case of the waterproofing system, or they will repair it.

The works to the rear of the property in the basement will not disturb the historical fabric of the building as the waterproofing system is to be built on top of the existing internal walls. There is to be some digging out of the dirt floor and levelling of other areas however this is considered acceptable as it will renovate a dilapidated area of the building preserving it for future use.

The new window openings and infill glazing of W1B, W2, W3 and W4 are to the rear of the property and do not have a harmful affect on the conservation area. As the windows will be matched in styling to existing frames and design this is deemed acceptable.

It looks like W3 has historically been a larger window by the positioning of the brick quoins. Windows W10, W11 (rear), W12 (front) and W13 (side) have conflicting information relating to their replacement. The plans state new frames with acoustic glass whereas the window condition report and photos state new frames, no mention of glass except for W13. W13 has stained glass and the loss of this would be considered unacceptable. Acoustic glazing would appear unnecessary in these windows as they are either to the rear or side elevation, and at first floor level or above, a condition could be added to ensure they remain single glazed. Similarly, it is felt that the glass of W13 should be retained or replaced like for like.

To the front, acoustic single glazing has been proposed for W5 which sits at ground level adjacent to the highway, given its location this is acceptable. Windows W6, W7 (rear), W8 and W9 (front) are to have frames replaced and it had been originally proposed that they will be replaced with slimline 12mm double glazing. The replacement glazing bars are to be slightly bigger. Concerns have been raised by the ADCAAP and ATC relating to the effect of the double glazing on the historic significance of the building and its setting in the conservation area. It is agreed that double glazing to the front elevation should be resisted and that its effect on the conservation area would be to cause harm.

During the life of this application it has been agreed with the applicant's agent that reference to slimline double glazing be removed from the application. It will be conditioned that all windows except for W5 be replaced like for like with single glazing. The replacement of the two standard rooflights to the rear Garden Room and Studio with 6 conservation rooflights is seen in a positive light, this will not harm the significance of the listed building.

Proposed works to the chimney are currently unclear as further investigations will need to be carried out once scaffolding is erected. The works over the lifetime of the chimney will of course be necessary to ensure the continued protection of the roof and aesthetics of the building, so in principle this is acceptable. It will be conditioned that details of the repairs or rebuild works must be accepted in writing by the council once the precise details are known.

The other alterations to timber lintels and joinery are not expected to harm the significance of the building.

It is concluded that all the works will cause less than substantial harm to the listed building and its setting. If there is less than substantial harm on the heritage asset, it is necessary under para 202 of the NPPF to weigh this against the public benefit of the proposal. It is considered that the continued use and protection as a residential dwelling which is one of the last remaining coach houses in the conservation area outweighs harm caused by the works. As such the works are considered to accord with policies HER DM1 and HER DM3 of the Arun Local Plan and the NPPF.

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 new joinery work shall match exactly the materials, dimensions finish and profiles on the existing original work.

Reason: To ensure that the internal and external appearance of the building is satisfactory in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 2 The openings and windows hereby permitted shall match in all details those existing, particular care being taken to reproduce the style and material of the timber window frames and casements, the arrangement of glazing bars, the set-back of the frames from the external wall face, the window cills and the colour, texture and form of masonry arches over the openings. Except for Windows 1B (which will be double glazed), 4 (obscure glazed with toughened glass) and 5 (acoustic reducing toughened glazing) all other windows will be single glazed to match existing.

Reason: In order that the architectural and historic interest of this Listed Building is safeguarded in accordance with HER DM1 of the Arun Local Plan and the NPPF.

- 3 Upon inspection of the chimney, any remedial works/rebuild of stack along with a method statement and a schedule of materials shall be submitted to and approved in writing by the Local Planning Authority. No works to the chimney shall proceed unless otherwise agreed.

Reason: To enable the Local Planning Authority to exercise the necessary statutory control over works likely to affect the character of the Listed Building in accordance with policy HER

DM1 of the Arun Local Plan and the National Planning Policy Framework.

- 4 The making good of the building to complete the execution of the works for which consent is hereby granted shall be carried out as far as may be practicable with original materials. Any variation from the original materials must be with the written approval of the Local Planning Authority.

Reason: To preserve the appearance and special character of the building for the future in accordance with HER DM1 of the Arun Local Plan and the NPPF.