

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

REF NO: AB/82/20/L

LOCATION: 83 Tarrant Street
Arundel
BN18 9DN

PROPOSAL: Listed Building consent to split bathroom into 2 to form en-suite and separate shower room, alter position of front en-suite shower room, change ground floor kitchen in to bedroom with en-suite, reconfigure staircase leading to basement & improve headroom, reduce level of floor slab to increase headroom & convert garage & storage area within basement into habitable accommodation to form open plan kitchen & living room with separate WC and games room, infill garage door opening with full height glazed doors, changes to fenestration, form external light well to front and replacement of existing windows to front and rear.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks Listed Building Consent to split bathroom into 2 to form en-suite and separate shower room, alter position of front en-suite shower room, change ground floor kitchen in to bedroom with en-suite, reconfigure staircase leading to basement & improve headroom, reduce level of floor slab to increase headroom & convert garage & storage area within basement into habitable accommodation to form open plan kitchen & living room with separate WC and games room, infill garage door opening with full height glazed doors, changes to fenestration, form external light well to front and replacement of existing windows to front and rear.
SITE CHARACTERISTICS	Nos 83 and 85 Tarrant Street form a Mid C18 Grade II Listed Building. the pair were formerly one house. North elevation of red brick and grey headers (Flemish bond). East elevation tarred beach flint. South elevation rendered. West elevation tile-hung. There is a hipped tile roof with red brick chimneys.
CHARACTER OF LOCALITY	The property is in the Arundel Conservation Area. 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/65/14/L	Application for Listed Building Consent to repaint the rear elevation	ApproveConditionally 08-08-14
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AB/10/02/L	Application for Listed Building Consent to replace one upvc double glazed sliding sash window in 1st floor bathroom by timber double glazed sliding sash window of similar dimensions	ApproveConditionally 05-03-02
AB/62/93/L	Application for Listed Building Consent to remove wooden squares on canopy over front door and replace with timber moulding to match existing	ApproveConditionally 01-11-93

Noted.

REPRESENTATIONS

Arundel Town Council - Objection.

- The proposal would result in a loss of a garage parking space.

No representations received from occupiers of nearby dwellings.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Car parking is not a consideration of a Listed Building Consent application as only the impact on the building can be considered.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - No objection to the proposed works, and has requested conditions be applied to request further details.

Conservation Area Advisory Committee - No objection. Concerns about double glazed.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Within Arundel Conservation Area

Grade II Listed building

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

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 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

The key policies are deemed to be HER DM1 and HER DM3 of the Arun Local Plan. Additionally, the National Planning Policy Framework is of relevance.

HERITAGE IMPACT ASSESSMENT

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the NPPF requires such information to be provided in order to assess the impact of the proposal upon these assets. Paragraph 193 of the NPPF reflects the requirements of Section 16(2) of the Planning (Listed buildings and Conservation Areas) Act 1990 (as amended) which identifies that when considering whether to grant listed building consent for any works the local planning authority or the Secretary of State 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.

In this instance, it is considered that the proposal does not cause harm to the Listed Building to which it affects, nearby Listed Buildings, or the Conservation Area in which it is sited. This is due to the acceptable nature of the proposed works, and the fact that they are done in a way sympathetic to the designation of the dwelling. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

SUMMARY

Following the comments from the Conservation Officer, it is considered that the application is in accordance with the relevant policies in the Development Plan, and therefore should be approved, 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

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 development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans and the agent's email of 23/09/2020 confirming that the floorboards of the ground floor dining room will be re-used:

- Proposed First Floor Plan - DRW NO 6
- Proposed Ground Floor Plan - DRW NO 5

- Proposed Lower Ground Floor Plan - DRW NO 4
- Proposed Rear Doorset Elevation - DRW NO 12
- Site Plan - DRW NO 14
- Proposed Front and Rear Windows Section - DRW NO 13
- Proposed Elevations - DRW NO 8
- Proposed Front and Rear Windows - DRW NO 11

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.

- 3 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the internal doors have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 of the Arun Local Plan.

- 4 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the replacement staircase have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the development.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 of the Arun Local Plan.

- 5 No development above damp proof course (DPC) level shall take place unless and until a schedule of materials and finishes to be used for the proposed windows (including glazing details) of the development have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the dve.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy HER DM1 of the Arun Local Plan.