

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

REF NO: AB/82/22/L

LOCATION: 45 Tarrant Street
Arundel
BN18 9DJ

PROPOSAL: Listed building consent to create new en-suite bathroom in 3rd floor bedroom, storage cupboard on 3rd floor landing and new garden room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to construct a garden outbuilding and install an en-suite in existing eaves space to the third floor.
BOUNDARY TREATMENT	Flint and brick boundary wall.
SITE CHARACTERISTICS	Residential. The Listed Building consists of a terrace of houses - No's. 43-47 odd numbers (no. 45 and 47 now form one house). The Listed Building is a late C18, terrace of houses with a stuccoed front elevation, and nodular flint with brick dressings for the remainder. Brick modillion eaves cornice and slate roof. Stringcourses above ground and first floors. 7 ranges of double-hung sash winnows with glazing bars on 1st and 2nd floors, except that central window on 2nd floor of No 45 is blocked. No 45 has a canted bay window with 3 double-hung sash windows with glazing bars, and a 6- panelled door (partly glazed) with panelled reveals in a moulded frame with pediment. No 47 has a shop front consisting of a partly glazed door with marginal glazing bars and oblong fanlight in moulded surround with pediment over, and 1 oblong bay window with glazing bars and cornice. It is of architectural and historical significance.
CHARACTER OF LOCALITY	Residential. The property is also located within 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/26/22/HH	Erection of garden room in rear and internal alterations. (This application may affect the character and	ApproveConditionally 01-06-22
-------------	---	----------------------------------

appearance of the Arundel Conservation Area and a Listed Building).

Noted.

REPRESENTATIONS

None.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - No harm.

- It should be determined in accordance with the relevant policies within the Development Plan.
- Internal works to modern fabric.
- Garden room small in scale.
- Joinery should match existing.
- Mortar sample should be provided to ensure good match.

Arun Conservation Area Panel - No objection.

Arun Town Council - No objection.

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.
 2km Buffer Zone SSSI.

DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings
 HERSP1 HER SP1 The Historic Environment

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

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

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.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

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 is compliant with this policy in that, as confirmed by the Conservation Officer, it brings no harm to, and conserves the heritage asset.

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. It is proposed to install an en-suite bathroom and provide a small storage cupboard to the third floor. In order to accommodate this only non-original fabric will be removed. The garden building is not attached to the dwelling and is small in scale 1.3m by 2.5m and is to be located on an existing hardstanding where an older building once stood. The proposed garden outbuilding is not considered to give rise to any significant impact upon the character of the host dwelling, or its wider locality. This is largely as a result of the siting, modest scale and design of the proposed development. All works will be fully removable, design to fit around the historic fabric. Therefore, the alterations preserve the historic character, qualities and special interest of the building and enhance the setting of the building. The proposed works accord with policies HER DM1 of the Arun Local Plan.

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 No. 42 Tarrant Street as part of a Grade II Listed Building within a 18th Century terrace.

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. No. 45 Tarrant Street is one part of a larger Grade II listed building along with Nos. 43-49 Tarrant Street. as such the building is of architectural and historical significance, in agreement with the Conservation Officers comments, the proposal will give no harm to the character of the heritage asset or its setting. Conditions will be used to ensure the protection of the

historic fabric of the building as suggested by the Conservation Officer.

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 The development hereby approved shall be carried out in accordance with the following approved plans ;

- Proposed Garden Room 0364/102 A
- Location Plan 0364/100
- Proposed Floor Plan 0364/103
- Proposed Section 0364/104
- Schedule of Material, Schedule of Work and Method Statement March 2022.
- Design and Access Statement,

Reason: For the avoidance of doubt and in the interests of amenity and the environment in

accordance with policy HER DM1 of the Arun Local Plan.

- 3 The new joinery work (including but not limited to, skirting and doors) 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.

- 4 Mortar to any walling shall conform with a sample panel of brick/flint work which shall be erected on site and approved in writing by the Local Planning Authority before work to walling is commenced.

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