

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: AB/102/19/HH

LOCATION: 13 Mount Pleasant
Arundel
BN18 9BD

PROPOSAL: Replacement summer house. This application may affect the setting of a listed building and affects the character and appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to demolish and replace the existing summer house.

RELEVANT SITE HISTORY

AB/32/19/L	Listed building consent for the replacement of 2 No. windows on second floor, 1 No. door on ground floor side elevation & flat roof covering to rear single storey extension, replace 1 No. window with folding doors on ground floor rear elevation, 1 No. window with french door on ground floor side elevation & installation of 4 No. low level lights to rear & side elevations.	ApproveConditionally 24-07-19
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REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Arundel Town Council
Parish Council - No response.

C.A.A.C - No objection.
- Due to its limited size, proposed materials and siting, the proposal is considered to have no impact on the character or appearance of the street scene.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer -

13 Mount Pleasant is one of a terrace of early C19 cottages. It is a flint building with red brick dressings and a pitched slate roof. The ground floor contains a sliding sash window with glazing bars, whilst at the first-floor level there is a casement window. The attic floor contains a small dormer window and the front door has a gabled hood.

It is listed as Grade II and located within the Arundel Conservation Area. It is of aesthetic (fortuitous) significance. This part of the conservation area is more rural in character with a pleasant green area to the front of the terrace. Mature planting screens the terrace from the road.

The proposal is for a replacement summer house which is located in the rear garden area. It is noted from the Design & Access and Heritage Statement that, whilst in the same location, the new structure is to be smaller than the existing one.

Whilst the plans indicate that the summerhouse is more modern in terms of its appearance, this is not considered to detract from the character of the area or the setting of the listed building. Likewise, the materials proposed for the structure are considered to be acceptable; it is assumed that the intention is to let the wood weather down to a natural finish so that it has a soft grey appearance. Is this correct?

However, it is thought that the rainwater goods could be provided in a more appropriate material (such as aluminium) so that it is reflective of the various heritage assets in the local area.

Conclusion

Having reviewed the information it is considered that, on balance, the application does not cause harm to the significance of the heritage asset 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:

Within built up area boundary

Within curtilage of Listed Building

Within Arundel Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
SDSP2	SD SP2 Built-up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

PRINCIPLE

In this case, the key policies are deemed to be D DM1, HER DM1 and HER DM3 of the Arun Local Plan. Additionally, Policy 1 and 2 of the Arundel Neighbourhood Development Plan, and Policy 1 of the emerging Arundel Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of which applications should be assessed against. These include: Character, Appearance, Impact, Innovation, Adaptability, Crime Prevention, Trees, Public realm, Layout, Public Art, Density and Scale.

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, proposals should protect the setting of these buildings.

Policy HER DM3 ensures that development will only preserve or enhance the character of the Conservation Area of which they area within, or affect the setting of.

DESIGN AND VISUAL AMENITY

Due to the siting of the proposed development, it is not considered to result in any significantly harmful impact upon the character of the host dwelling or its locality. This is because there are no views of the proposal from the street scene, as it is sited in the rear garden of the application site. Additionally, the proposed outbuilding is considered to be of a good design, with materials that do not appear unduly dominant within the context of the host dwelling. Details of the timber have been provided which will meet with the advice of the Conservation Officer that they will weather to an acceptable finish. Therefore, the proposed development is considered to be in accordance with D DM1 of the Arun Local Plan.

HERITAGE IMPACT ASSESSMENT

Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission, for development which affects a listed building or its setting must have regard to the desirability of preserving the building or it setting. Section 72 of the same act applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas. This area of the Conservation Area is more rural in character, with a pleasant green are to the front of the terrace. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development does not cause harm to the conservation area in which it is sited, or a harmful impact upon the setting of the Listed Building, due to its design and siting. As such, the proposal should be determined in accordance with the relevant sections of the Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to give rise to any significantly harmful impact on the residential amenities of neighbouring dwellings. This is due to the modest scale, and siting of the proposed development. Furthermore, with regard to loss of privacy to neighbouring dwellings, due to the single storey nature of the host building, the views from the widnows are no different to those available from the garden at current. Therefore, the proposed development is considered to be in accordance with D DM1(3) of the Arun Local Plan.

SUMMARY

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

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:

- Location + Site/Block Plans - 0273/104 - Aug 19
- Oceania Sun Lounges - 158-19 -HCS - 6-8-2019 - Version 2 - Sun Lounge Dimensions - Page 2 of 3
- Oceania Sun Lounges - 158-19 -HCS - 6-8-2019 - Version 2 - Sun Lounge Interior/Plan - Page 3 of 3
- Oceania Sun Lounges - 158-19 -HCS - 6-8-2019 - Version 2 - General Specification of Materials - Page 1 of 3

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 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.