



Arun District Council
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17th November 2020

Prof JJ Watts FRIBA on behalf of Dr Alistair Smith
Space in Time, Concorde House, 18 Margaret Street, Brighton
for Dr Alistair Smith
36 King Street
Arundel
BN18 9BW

Case Officer: Zac Denton
Telephone: 01903 737500 x37447
Email: Zac.Denton@arun.gov.uk

Dear Sir/Madam,

Town & Country Planning Act 1990 (as amended)
Town & Country Planning (Development Management Procedure) (England) Order 2015

Application No: AB/109/20/HH

Site Address: White Cottage 32 King Street Arundel BN18 9BW

Description of works: Rear single storey extension for new kitchen and living area, internal alterations, new and adjusted windows and doors, part replacement roof structure with 2 x conservation roof lights to the main building, re-covering of main roof and partial re-build of the detached garage with replacement pitched roof. This application affects the character & appearance of the Arundel Conservation Area & may affect the setting of listed buildings.

Thank you for your internet representation made on 16th November 2020 which has been recorded as an objection with the comments as follows:

OWPC31411

PART TWO continuation-

Due to the age of hedge is also believed to be protected by the Hedgerow regulations. Furthermore, under the Party Wall etc Act, because it straddles the boundary line between 32/34 and 36 King Street, is it deemed to be a party fence and cannot be removed without the permission of both parties. In this instance the Party Wall Act would supersede the Planning Act.

Ancient Lights

No 32/34, White cottage, was built with its Eastern wall held back for the preservation of light to the windows on the South elevation of the listed building at No, 36. Therefore No further construction can take place on the boundary between 32/34 and 36 as proposed. The height of the proposed wall would preclude light to all windows on the south elevation. This prescriptive right dates back to Circa 1690.

Planning - Historic Environment

We would draw your attention to the Arundel Town Planning Policy, 4.3 PP35 Planning for the Historic

Environment and National Planning Policies, PPS1. Also Policy 4.4.1, and Policy GEN 22, dealing with building of structure, character and settings alterations, extension or other development which would adversely effect the appearance or setting of such building or structures will not be permitted. We would remind the LPA of their own policy No. 13 The managing of development for Compliance for the purpose of best practice para 13. To this date, no site visit to No. 36 King Street has been requested and no assessment has been made by the Case Officer with regard to the harm that could be caused to the listed building.

We consider the proposals to conflict with the established adopted Council policies aimed at protecting the special character of the Conservation Area and the local listed buildings. The National Planning Policy Framework states that the proposals should sustain and enhance the significance of the heritage asset and section 72 of the Planning (Listed Building and Conservation Area) Act 1990 requires that, in exercising its powers under the Planning Acts in respect of the buildings or other land with a Conservation Area, the Local Authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. 'Preserving' in this instance means doing no harm.

There is therefore a statutory presumption, and a strong one, against granting permission for any development which would cause harm to a Conservation Area or listed building. It is therefore considered that these proposals would not conform to the requirements of the primary legislation and for these reasons should be refused.

This electronic objection through the online comment's facility has also been sent by email to the case officer and to the general planning email with supporting documentation.

END

Your views as made above will be considered before the application is determined.

Please be aware that Planning Services operate an 'open file' policy and will publish your comments on the website. Please make sure that you have only provided information that you are happy will be published in this way. If you have supplied information belonging to a third party, you must make sure you have their permission to do so. If you do not wish your comments to appear on the website or on the file you will need to confirm this by emailing to planning@arun.gov.uk and I will arrange for it to be destroyed although this means that the content will then be disregarded.

The majority of applications are determined under delegated powers by officers. Further information on the decision making process can be found on the website at [:https://www.arun.gov.uk/planning-decision-process](https://www.arun.gov.uk/planning-decision-process).

Some applications will be determined by the Development Control Committee, and I shall write and inform you of the date of the meeting and the procedures for public speaking if this is the case. However, if your representation has been received after the agenda for the meeting has been finalised and the notifications have been generated, you will not receive notification. In this case, you will need to track the progress of the application on the council's website <https://www.arun.gov.uk/weekly-lists>

Any comments that are received after the agenda has been finalised will be separately reported to the members of the Development Control Committee.

Regardless of how the application is determined I will notify you of the decision.

In the event of a subsequent written representations appeal, against a refusal of planning permission on a householder application any representations made on the application will be automatically forwarded to the Secretary of State. Unlike all other types of appeal, there will be no further opportunity to comment at the

appeal stage.

Yours sincerely



Neil Crowther
Group Head of Planning

For details of how the Council will deal with your data please refer to our privacy notices on the website
www.arun.gov.uk/planning-privacy-statements

If you have provided an email address, all correspondence including the decision notice will be sent by email. It is therefore important that you keep us informed if this changes during the course of this application.