

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

REF NO: AB/117/18/HH

LOCATION: 84 Maltravers Street
Arundel
BN18 9DS

PROPOSAL: Use of outbuilding as ancillary accommodation (resubmission of AB/10/18/HH). This application may affect the character & appearance of the Arundel Conservation Area. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal is for conversion of a former pottery workshop into a detached self contained one bedroom annexe for use as ancillary accommodation to the main house. The proposal seeks to renovate the existing building, restoring, and where required, replacing the slate pitched roof. Provision of a new window serving the kitchenette area and timber feather edge boarding, in place of an existing opening. The existing flint and brick elevations are to be retained and restored.

RELEVANT SITE HISTORY

AB/10/18/HH	Conversion of existing pottery/workshop/studio to self-contained annex ancillary to main dwelling. This application may affect the character & appearance of the Arundel Conservation Area.	Refused 25-05-18
AB/53/88	Shed (flint, brick and slate) as an extension to existing shed	ApproveConditionally 01-08-88

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

No objection to the development but only on the condition that this addition to the property could not be sold as a separate dwelling in the future.

A condition has been imposed requiring the use to be ancillary to the main dwelling.

CONSULTATION RESPONSES RECEIVED:

The Conservation Officer has verbally advised that details of the replacement window should be submitted for approval. A Listed Building application has not been submitted for consideration and it is considered that Listed Building Consent would be required for the proposed alterations.

POLICY CONTEXT

Designation applicable to site:

Grade 2 Listed Building

Conservation Area

DEVELOPMENT PLAN POLICES

SDSP1	SD SP1 Sustainable Development
SDSP2	SD SP2 Built-up Area Boundary
DSP1	D SP1 Design
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**PRINCIPLE**

The application site is located within the built up area boundary, where the principle of development is acceptable subject to accordance with the relevant development plan policies, as stated in SD SP2 of the Arun Local Plan. In this case, the key policies are deemed to be D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Arundel Neighbourhood Development Plan. The building is also listed and is located in a Conservation Area so policies HERDM1 (Listed Building), HERDM3 (Conservation Areas) and HERSP1 (Historic Environment) are relevant to determination of the application.

Policy D DM1 sets out 13 design aspects 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 D DM4 sets out criteria which applications relating to extensions and alterations of existing buildings must be assessed against. They generally seek to minimise the impact of the proposal on the character of the host dwelling, its neighbours and the locality.

Policy HER DM1 sets out criteria for proposals affecting Listed Buildings requiring them to preserve and enhance the historic character, qualities and special interest of the building.

Policy HER SP1 requires development within the historic environment to conserve or enhance the

historic environment.

Policy HER DM3 outlines the criteria for development within Conservation Areas requiring them to preserve and enhance the character and appearance of the Conservation Area.

Policy 2 of the Arundel Neighbourhood Development Plan seeks to focus development within the built up area boundary.

DESIGN, VISUAL AMENITY AND HERITAGE IMPACT

The dwelling is located at the end of a row of terraced listed properties incorporating stuccoed rendered elevations with slate roofs. The site forms the residential curtilage of an end of terrace Grade II Listed Building. The property has gardens to the side and rear of the property and is a split-level. The site forms the edge of the Arundel Conservation Area. The pottery building has flint elevations with brick quoins and is linked by a timber extension to a former out house WC. It is not readily visible in the street scene being positioned at a lower height than the development in Maltravers Street.

The siting and scale of the building are not altered. The building would remain as an outbuilding serving the main historic building. It is considered that the alterations to the building would improve its appearance and its retention in a renovated form would enhance the setting of the main listed building and ensure the retention of the building itself. The proposed alterations would not be visible in the wider Conservation Area, due to their scale and the siting of the building. It is considered that the layout, design and appearance of the building would be acceptable and would reflect the site characteristics and those of the wider area.

Therefore, the proposed development is not deemed to harm the established character of the area or the appearance and setting of the Conservation Area or the Listed Building. The proposed development is considered to be in accordance with D DM1, D DM4(a) and (b), HER DM1, HER DM3 and HER SP1 of the Arun Local Plan and additionally, policy 2 of Arundel Neighbourhood Development Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed development is not considered to have a significantly detrimental impact on the neighbouring residential amenities of the adjacent occupiers. In this instance, the scale of the building would remain as existing, therefore, it would not alter the relationship with the neighbouring properties.

The proposed ancillary residential use is not considered to impact upon neighbouring uses. Given the size of the building, and the ancillary nature of the accommodation the use would be low-key and would not give rise to any detrimental impacts upon the neighbouring property to the east.

Therefore, the proposal is not considered to have any significantly detrimental overshadowing impact on occupiers of adjacent dwellings. The proposed development is considered to be in accordance with D DM1(3) and D DM4(c) 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

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:
Loaction PLN 05,Plans and Elevations PLN 01, Plans Proposed PLN 03 and Section A-A Existing PLN02.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 of Arun Local Plan.
- 3 The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 84 Maltravers Street as a dwelling and shall not be used as a separate unit of accommodation.

Reason: To accord with policy DDM1 of the Arun Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.
- 4 The new window shall not be installed unless and until precise details of the kitchenette window have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in the construction of the replacement window.

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 policies DDM1, and HERDM1 of the Arun Local Plan.
- 5 The materials and finishes of the replacement slates hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies DDM1 and HER DM1 of the Arun Local Plan.

- 6 No replacement boarding or flue shall be installed unless and until precise details of their position, extent and appearance have been submitted to and approved by the Local Planning Authority and the development shall proceed in accordance with the approved details.

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 policies HERDM1 and DDM1 of the Arun Local Plan.

- 7 INFORMATIVE: This permission does not purport or be deemed to grant consent for the alterations to the listed building which would require the submission of a separate application for Listed Building Consent.

- 8 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.