



**RODWAY PLANNING
CONSULTANCY**

PLANNING SUPPORT STATEMENT

In relation to:

**'Erection of 1 No. new dwelling (Re-submission of
planning application ref: AB/8/12/)'.**

**Land adjacent to No. 84 Maltravers Street, Arundel,
West Sussex, BN18 9DS.**

September 2012



RTPI

mediation of space · making of place

PLANNING SUPPORT STATEMENT

1. INTRODUCTION

This Planning Statement is submitted in support of a revised full planning application relating to the site at land adjacent to No. 84 Maltravers Street, Arundel. The statement describes the site, its surroundings and the proposal itself. The Planning Policy background is considered along with an assessment of the proposal in light of the relevant policy and all other material planning considerations.

This Statement should be read in conjunction with the associated Design & Access Statement prepared by Andrew Fuller Associates, which is submitted as part of this application.

In addition, the following plans have been submitted for consideration as part of this application:-

- Location and Block Plan. Drawing No. 11384/03.
- Elevations and Section. Drawing No. 11384/04/ Rev A.
- Proposed Floor Plans. Drawing No. 11384/02 Rev A.

2. THE SITE AND SURROUNDING AREA

The site that is the subject of this application is positioned adjacent to No. 84 Maltravers Street, which is the end of terrace of a group of cottages numbered 74 – 84. Each of these dwelling is Grade II Listed and dates from the early 19th Century. The dwellings are uniform in scale, form, height, design and materials. The south elevations are stuccoed, the remaining elevations of nodular flint with red brick dressings. The double roofs are of slate. No. 84 has a gable end; whilst No. 74 is hipped.

The design of these buildings is discussed in greater detail within the accompanying Design and Access Statement.

As outlined by Fig.1 below, the site lies on the edge of Arundel Town Centre in a predominately residential area, close to the junction of Maltravers Street and the A27 roundabout. In addition, the application site is located within the Arundel Conservation Area.



Fig 1. Aerial photograph of the application site and neighbouring properties

To the side of the proposed plot is an area of open land bordered by trees and vegetation beyond which is the A27 highway. Opposite is terraced properties on Surrey Street, whilst further along Maltravers Street are a variety of other properties, although the predominant character is of close knit, terraced 2 – 3 storey properties. This site sits at the edge of this established built up area and as such it is this character that has influenced this proposed development.

3. APPLICATION DESCRIPTION

This proposal seeks planning permission for the erection of 1 no. dwelling over three floors including a basement. The house is to be positioned on land adjacent to No. 84

Maltravers Street. The dwelling would be attached to the adjoining property, resulting in a terrace of 7 No. dwellings, rather than the 6 No. existing.

The proposal follows a previous planning application, which was refused planning permission under ref: AB/8/12 and will be discussed in greater detail below.

The proposed dwelling would measure 5.25m in width, 11.54m in depth and 8.52m in height, when measured to the front gable. The roof would match the adjoining No. 84 in all respects, including the addition of a gable end.

This compares to the previous application, which measured 5.25m in width (same as proposed), 11.31m in depth, and 8.63m in height, when measured to the front gable.

Following comments from the West Sussex County Council Historic Buildings Advisor, the dwelling is no longer set down or set back, and as such is now entirely in keeping with the adjoining Grade II Listed properties. All door and window placement and window design has been sensitively designed to match precisely with the neighbouring properties.

There are a couple of minor points, whereby it is not possible for the new dwelling to match precisely with the attached existing terraced dwellings, which are as follows:-

- i. Firstly, the front elevation of the dwelling appears marginally wider than the adjoining No. 84. We need to build the new dwelling 300mm (thickness of the new wall) off No. 84, the front elevation does appear wider, however the actual width of the house is the same. The piers at the front do not help with this, as the one on No.84 lines up with the outside face of the wall, therefore with the addition of the new dwelling, the line of the party wall is the outside of the pier.
- ii. Secondly, as the ground falls away, it is not possible to get the head of the door of the new dwelling to line up exactly with no.84 as there is a

construction issue whereby it is not possible to fit enough steps in order to achieve the adjoining door height, and comply with the Building Regulations without coming out onto the pavement. As you will note, we have put a step up inside the front door to get the front door as high as possible.

Care has been taken to ensure that the property is perfectly in keeping with those adjoining. With regard to materials, the walling would comprise white stucco, and the property would also have roof slates and ridge tiles to match No. 84. In addition, all new windows/ timber surrounds will match that existing. Our client would be happy for appropriately worded conditions to be imposed regarding materials.

4. POLICY CONTEXT

a. National Planning Policy

There has been a material change in planning circumstances since the previous application, which in our view should alter the way this planning application is considered. The National Planning Policy Framework (NPPF) was published on 27th March 2012, and at that time the policies in the Framework came into use, with immediate effect. This guidance is now the most-up-to date Government Guidance and replaces all planning policy statements/ guidance that were previously in place.

The focus of the new NPPF is achieving sustainable development, the definition of which is summarised in paragraph 6 as being the whole of paragraph's 18-219 of the Framework. Paragraph 7 goes further as it specifies that there are three dimensions to sustainable development: economic, social and environmental. Under the social role it states that the planning system should provide *"the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment..."*

Under paragraph 11, the NPPF confirms that planning law requires planning applications to be determined in accordance with the development plan unless material considerations

indicate otherwise. The NPPF does not change the statutory status of the development plan.

Paragraph 14 is an important element of the NPPF. It states that: *"at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking"*. It details that objectively assessed needs, such as housing, have to be met unless *"any adverse impact of doing so would significantly and demonstrably outweigh the benefits."* This is assessed against all the policies of the NPPF, as a whole, or specific policies relating to SSSI, Green Belt, Local Green Space, AONB, Heritage Coast, National Park, designated heritage assets, flood risk locations and coastal erosion. It also states that decision makers should be *"approving development proposals that accord with the development plan without delay"*.

The NPPF advises that a set of 12 core land-use planning principles should underpin both plan-making and decision-taking, and these principles are listed under paragraph 17. Although the NPPF omits the wording that was present in the draft which referred to the default position of "yes" to applications for sustainable development, it does retain the significant change that requires a response to market signals. Each of the bullet points are important, but of particular note is no. 4 where it details that high quality design and a good standard of amenity for all existing and future occupants of land and building should always be sought. At paragraph 5, it details that account should be had of the character of different areas, noting that developments should *"take account of the different roles and character of different areas"* and no. 10. which notes the importance of conserving heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of this and future generations. Finally, no. 11 requires development to be focused *"in locations which are or can be sustainable."*

Section 4 is entitled 'Promoting Sustainable Transport'. Under paragraph 28 it advises that different policies and measures are required in different communities and



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opportunities to maximise sustainable transport solutions will vary from urban to rural areas. This section also highlights the importance of LPA's and/or developers working with transport providers, and also that Travel Plans are key documents. With reference to car parking, paragraph 39, states that if a LPA provides local parking standards, account should be had of *"the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and an overall need to reduce the use of high-emission vehicles."*

Section 6 of the NPPF is entitled 'Delivering a wide choice of high quality homes'. It seeks to *"boost, significantly"* the supply of housing, whilst placing more reliance on windfall sites as a source of housing supply. Realistic historic windfall delivery rates and expected future trends are legitimate sources of supply. Paragraph 49 states *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*.

Under paragraph 53 the Framework accepts that development on garden land is acceptable provided it would not cause harm to the local area. There is no reference to minimum densities etc, and as such it is assumed that the relaxation in the June 2010 PPS3 has been retained by the NPPF.

Section 7 discusses the need for good design. Under paragraph 58 the NPPF provides what appears to be a clearer and more robust approach to design than in PPS1 paragraph 33 – 39. At point 4, this guidance notes the importance of responding to local character and history and the need to reflect the identity of local surroundings and materials, whilst ensuring appropriate innovation is neither prevented nor discouraged. Further, at point 6, developments should be *'visually attractive as a result of good architecture and appropriate landscaping'*.





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The NPPF wishes to avoid unnecessary prescription or detail (paragraph 59), whilst the key criteria of scale, density, massing, height, landscape, layout, materials, access, relationship to neighbouring buildings and relation to the local area more generally remain. Paragraph 58 expands on this by stating that developments should: *"function well and add to the overall quality of the area... establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit... optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping"*.

In addition, the NPPF notes that *"although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment"*.

Section 12 relates specifically to Conserving and enhancing the historic environment. At paragraph 131, this guidance sets out criteria for Local Planning Authorities to consider when determining planning applications, which includes at point 3 *"the desirability of new development making a positive contribution to local character and distinctiveness"*.

Finally, paragraph 137, states that *"Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage asset to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably"*.





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b. Regional Planning Policy

The **South East Plan** (adopted May 2009) sets out a series of criteria against which the proposal must be considered. The **SEP**, also known as the Regional Spatial Strategy (RSS), has replaced both RPG9 (Regional Planning Guidance for the South East) and the West Sussex Structure Plan (WSSP). As such it is the South East Plan that contains strategic planning policy guidance for this region. The policies are specifically of a general nature, aimed at providing guidance at the regional level.

The Secretary of State for Communities and Local Government has stated an 'intention to revoke' the South East Plan, which is clearly referred to at Footnote 41 (page 49) of the NPPF. However until the time that South East Plan is formally revoked, it is afforded full weight as part of the development plan, in accordance with paragraph 214 of the NPPF. Consequently, at this time, the South East Plan is a Development Plan Document, which together with the Arun District Local Plan comprises the Development Plan for the Arun District. The relevant policies of this plan include:

Policy SP2, which amongst other matters stipulates that new housing development, should be well located in relation to accessibility. **Policy SP3** is also particularly relevant, it seeks to concentrate development within or adjacent to the region's urban areas with an emphasis on previously developed land and also that developments in urban areas, including urban infill/intensification are well designed and consistent with the principles of urban renaissance and sustainable development.

Policy CC1 is an overarching sustainable development policy, which states that "*the principal objective of the Plan is to achieve and to maintain sustainable development in the region*", with reference to reducing gas emissions, managing resource usage, preparing for climate change, and ensuring that the physical and natural environment is conserved and enhanced.

Policy CC4 outlines the objectives relating to sustainable design and construction within the region in the Plan period. **Policy CC6** relates to character, and states that new development should "*respect, and where appropriate enhance, the character and*



distinctiveness of settlements and landscapes throughout the region... using innovative design processes to create a high quality built environment which promotes a sense of place. This will include consideration of accessibility, social inclusion, the need for environmentally sensitive development and crime reduction".

Within the Plan period, the South East Plan confirms that Arun District Council is allocated for 11,300 homes (**Policy H1** refers). **Policy H2**, entitled Managing the Delivery of Regional Housing Provision' expands on this by stating that *"Local planning authorities will work in partnership to allocate and manage a land supply to deliver both the district housing provision and the sub-regional and the rest of the sub-regional area housing provision while ensuring appropriate regard to environmental and infrastructure issues... In managing the delivery of housing provision, the local planning authorities should plan for an increase in housing completions to help meet anticipated need and demand, and seek to achieve both the district distribution and the relevant sub-regional and rest of the County area provisions. Working together with local planning authorities, the regional planning body should maintain a regional housing trajectory and the sub-regional trajectories."*

Policy H4 entitled 'Type and Size of New Housing' seeks to ensure the provision of an appropriate range and mix of housing. **Policy H5** relates to housing design and density. It states *"Positive measures to raise the quality of new housing, reduce its environmental impact and facilitate future adaptation to meet changes in accommodation needs will be encouraged. Local authorities will prepare guidelines for the design of new housing in their areas that encourage the use of sustainable construction methods and address the implications of changing lifestyles for new housing design. In conjunction with the delivery of high quality design and in order to make good use of available land and encourage more sustainable patterns of development and services, higher housing densities will be encouraged, with an overall regional target of 40 dwellings per hectare over the Plan period."* The requirement of minimum densities has been superseded, firstly by the revised PPS3, and more recently by the NPPF.

Finally, **Policy BE6** relates to Management of the Historic Environment. This policy states that *'when developing and implementing plans and strategies, local authorities and other bodies will adopt policies and support proposal which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. The region's internally and national designated historic assets should receive the highest level of protection. Proposals that make sensitive use of historic assets through regeneration, particular where these bring redundant or under-used buildings and areas into appropriate use should be encouraged'*.

c. Local Plan Policies

The **Arun District Local Plan** was adopted in 2003. The NPPF clearly outlines its method of Implementation within Annex 1 of this document. At paragraph 211, the guidance notes that *'for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this framework'*. However, at paragraph 214, it goes on to note that Local Plan Policies can **only be given full weight if adopted since 2004**. *'In other cases,.....due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework'*.

We would therefore argue that the implications of paragraph 214 are that the policies of the 2003 Local Plan can be afforded no weight unless they are still explicitly consistent with relevant policies in the NPPF. In our view, this argument is strengthened because full weight can continue to be given to post-2004 Local Plan policies only if *'there is a limited degree of conflict (with NPPF)'*.

Nonetheless, given this transition period, the Local Plan policies will be referred to; however where this is a conflict, the guidance contained within the NPPF should take precedence.



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The Local Plan proposals map designates that the site lies wholly within the boundary of the built up area of Arundel (see Fig. 2 below), where in accordance with saved Policy GEN2 of the Local Plan, planning permission will normally be granted for new development subject to other policies in the Local Plan. The application site is also located within the Arundel Conservation Area.

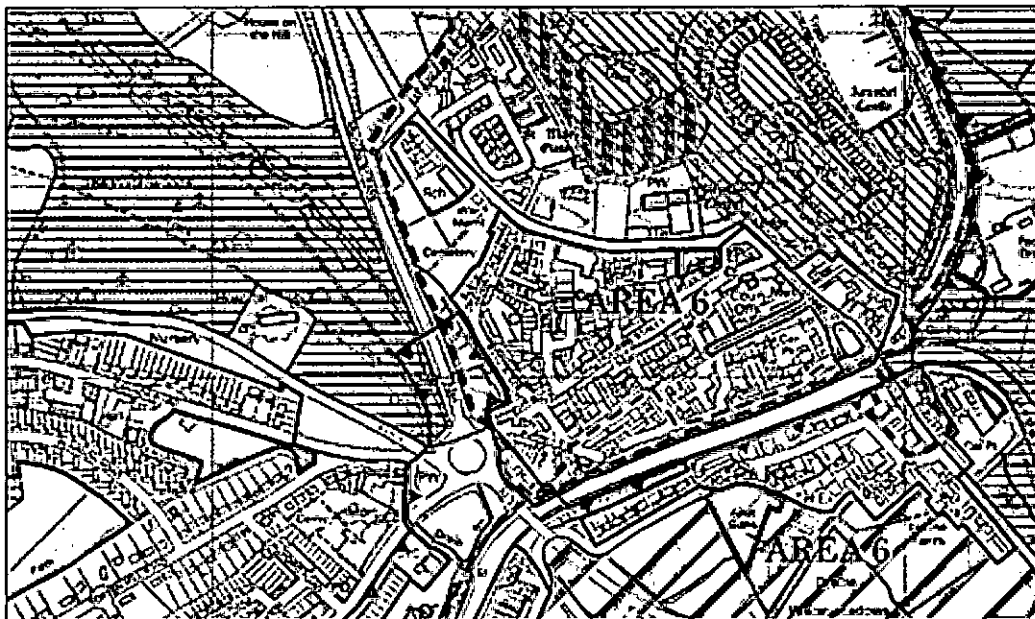


Fig 2. Extract of ADLP (2003) Inset K: Arundel

Saved Policy GEN2 relates to the Built up Area Boundary noting that development or redevelopment will be permitted within the built up area boundaries, subject to other policies in this plan.

Saved Policy GEN7 is entitled the Form of New Development and is a general design policy which seeks to ensure that development is of a high quality design, which respects and enhances character, and visual amenities.

Saved Policy DEV11 relates to the setting of Listed Buildings. This policy states that *"proposals which adversely affect the setting of a Listed Building, or group of Listed*





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Buildings, will be resisted. Where the principle of development in the grounds of, or near to Listed Buildings is acceptable, it should be sensitively designed and constructed of appropriate materials to ensure that the special qualities of the older buildings remain unimpaired".

Finally, **saved policy AREA 2** relates to Conservation Areas and notes that planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting.

5. APPLICATION ASSESSMENT

a. Relevant Planning History

According to the Councils on-line planning register the only planning history relating to No. 84 Maltravers Street and the adjoining area of land are as follows:-.

Land adjacent No. 84 Maltravers Street:

- Planning ref: AB/8/12/: Erection of 1 no. new dwelling.
Refused on 22nd March 2012.

No. 84 Maltravers Street:

- Planning ref: AB/82/05/: Introduction of one gateway to garden wall to match existing gateway.
Approved Conditionally on 22nd July 2005.
- Planning ref: AB/152/00/L: Application for Listed Building Consent for the erection of a conservatory to the rear.
Approved Conditionally on 13th February 2001.
- Planning ref: AB/26/95/L: Application for Listed Building Consent – Remove lath and plaster from g/f walls and replace existing wooden floor with solid concrete floor. Strap cracked gable wall with 4 ties & rods held internally to joists.
Temporarily remove brick verge detail to roof & replace in original position after





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lead flashing installed.

Approved Conditionally on 5th May 1995.

- AB/53/88/: Shed (flint, brick and slate) as an extension to existing shed.

Approved Conditionally on 1st August 1988.

- AB/54/88/L: Application for Listed Building Consent for shed (flint, brick and slate) as an extension to existing shed.

Approved Conditionally on 1st August 1988.

b. Pre-application discussions and previous planning application

This current planning application follows pre-application discussions with Mrs Anita Gardner and a previous planning application (ref: AB/8/12), which was refused planning permission.

A formal pre-application enquiry to 'erect 1 new residential dwelling in the side garden of 84 Maltravers Street' was submitted to Arun District Council, with a response being received via letter dated 31st March 2011, under ref: PAA/10/11. The conclusions section of this report clearly stated that *"were an application for a single dwelling in the garden area to be submitted it would likely be acceptable in principle"*. It is acknowledged that a caveat was added, which stated that this would be subject to an acceptable design, size and location that would preserve and enhance the appearance of the Conservation Area or the Listed Building and its setting.

Nonetheless, the principle of a new dwelling house in this location was accepted and a planning application for the 'erection of 1 no. new dwelling' ref: AB/9/12 was submitted on this basis. During the course of this planning application, a response was received from the Historic Buildings Advisor, Dr. Wightman. Dr. Wightman raised objection to the planning application. In summary, his comments were as follows:-

- *'The terrace has a strong cohesion in terms of its form and design and an overall symmetry. The fenestration and doors in particular inform this symmetry and balance which to date remain uncompromised.'*





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- *The terrace constitutes a significant feature of the conservation area as entered from the main highway.*
- *The proposal to add a further dwelling to the terrace can only compromise its historic form and design and as such its broader contribution to the conservation area as described. It would certainly harm the symmetry of the group as well as undermine its integrity as an historic feature of the town. The variation in the new building's design, such as its set back position, lower ridge level and alternative treatment of the front boundary, only compounds this as it seeks to be sympathetic with the terrace, but ultimately remains alien to it.*
- *This not only impacts directly on the building itself but also its setting which is fundamental to the building's appreciation within the Conservation Area. Of particular concern here is the space around and either side of the building, its relationship to the street scene, as well as the permeability of the site which contributes to the asset and its broader context.*
- *In this instance the assets affected are the listed building itself, the listed buildings that form the terrace and the Conservation Area. On this basis and for the reasons above this scheme cannot be supported'.*

In a direct response to these comments, the planning application was refused by decision notice dated 23rd March 2012. The application was refused for two reasons, which were as follows:-

1. *'The site is adjacent to a Listed Building within an area designated as a Conservation Area under Section 69, 70 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the proposal by reason of its siting and size would conflict with the Local Planning Authority's intention to protect and enhance the visual amenities and environment of such areas and would be detrimental to the setting of the listed building, and with policies GEN7 and AREA2 of the Arun District Local Plan, policy BE6 of The South East Plan and PPS5 Planning for the Historic Environment.*



2. *The proposed development fails to make an adequate contribution towards affordable housing provision and is thereby contrary to the aims and objectives of PPS3 and the Council's interim affordable housing policy adopted on 18 August 2010'.*

Following this refusal, our client employed the services of Rodway Planning Consultancy and we have worked together with the architects, Andrew Fuller Associates to overcome the concerns of Dr. Wightman in relation to design. Revised plans were submitted to the case officer, Mrs Anita Gardner on 26th June 212 for comment prior to resubmission. The main changes involved the dwelling no longer being set down or set back, to allow a level of uniformity with the adjoining properties to be achieved. In addition, all door and window placement and window design was sensitively designed to match precisely with the neighbouring properties.

Mrs. Gardner consulted with Dr. Wightman and confirmed without prejudice that his previous view that the proposal to add a further building on the site would not be supported, remained unchanged.

Nonetheless, given the initial positive advice from the Council, together with the fact that in our view we have addressed all of the design issues of Dr. Wightman, who is an important consultee in relation to the application, however is not the decision maker, the amended plans have been submitted to the Council for consideration.

c. Principle of Development

The application site is located within the built up area of Arundel, where the principle of new residential development is accepted by virtue of Saved Policy GEN2 of the Arun District Local Plan, subject to the criteria of other relevant policies.

Indeed, the case officer stated an 'in principle' acceptance to this scheme within her initial pre-application response dated 31st March 2011; noting that "*were an application*

for a single dwelling in the garden area to be submitted it would be likely to be acceptable in principle".

d. Residential Density

Saved Policy GEN7 of the Local Plan relates to 'the form of new development'. In relation to density, this policy states that *"development will be permitted provided it: (i) makes efficient use of land or buildings and, in the case of new residential development, achieves net densities of at least 30 dwellings per hectare"*.

The NPPF has a slightly more relaxed approach to density, making no specific reference to minimum densities etc, and as such it is assumed that the relaxation in the June 2010 PPS3 has been retained by the NPPF.

The starting point for a development on this site was therefore to achieve a development that was in keeping with the character of the surrounding area, whilst also attempting to adhere as closely as possible to saved Policy GEN7 of the Local Plan and guidance contained within the NPPF.

It is noted that the proposed development represents a residential development of 33 dwellings per hectare, which is perfectly in keeping with the adjoining terrace of properties, as well as being in accordance with both Saved Policy GEN7 of the ADLP and guidance contained within the NPPF.

In summation, the addition of 1 No. additional dwelling on this site would result in a plot size and residential density that is consistent with the character of the surrounding residential area. Therefore it is clear that the proposed residential density is an efficient use of this site, which does not constitute an overdevelopment, and is appropriate given the established form of other development in the immediate locality and the sensitive nature of the site, which is located within a Conservation Area.

e. Visual Amenities and Design

As outlined in greater detail within the submitted DAS, the proposed dwelling has been sensitively designed and would be constructed of appropriate materials to ensure that the special qualities of the adjoining Listed Buildings remain unimpaired, whilst also both preserving and enhancing the character of the surrounding Conservation Area.

The current application follows a previous planning application for 1 No. dwelling to the side of No. 84 Maltravers Street. The submitted plans have been amended in a direct response to the comments of the Historic Buildings Advisor and in our view represent a highway quality development that fully addresses all of his previous concerns. Fig. 3 and 4 below show a direct comparison between the previously refused planning application and the current proposal.

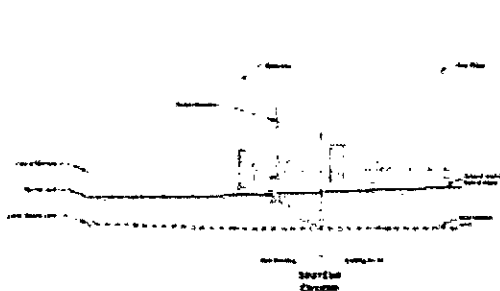


Fig. 3 Refused application ref: AB/8/12/

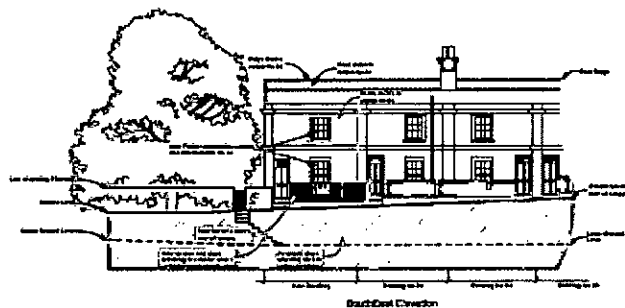


Fig. 4 Current Proposal

It is acknowledged that Dr. Wightman, Historic Buildings Advisor identified that *"the terrace has a strong cohesion in terms of its form and design and an overall symmetry that renders it complete with respect to the building's scope and appearance. The fenestration and doors in particular inform the symmetry and balance which to date remain uncompromised"*. In his view, the previously proposed new dwelling would have harmed the symmetry of the group, as well as undermining its integrity as a historic feature of the town. Most notably, *"the variation in the new building's design, such as its set back position, lower ridge level and alternative treatment of the front boundary, only compounds this as it seeks to be sympathetic with the terrace, but ultimately remains*

aliens to it".

In relation to the previously refused plans, the intention was to minimise the overall scale of the proposed dwelling and allow a level of visual subservience to the adjoining dwelling to be achieved, by setting it back and down below the main roof line. It was considered that this would soften the appearance of the dwelling and be considered acceptable by Arun District Council.

Following the comments of Dr. Wightman regarding the uniformity of this row of terraced cottages, it is accepted that the proposed dwelling needs to match the existing buildings entirely; appearing as one of the cottages, rather than an 'add-on'. As such, the dwelling is no longer set down or set back, but instead it is now proposed to appear uniform with the adjoining properties. In addition, all door and window placement and window design has been sensitively designed to match precisely with the neighbouring properties. The dwelling would have a gable end to match with No. 84.

There are a couple of minor points, whereby it is not possible for the new dwelling to match precisely with that existing, which have been outlined in detailed within the 'Application Description' section of this statement.

It is clear that the principle of 1 No. dwelling on this site has been previously accepted in writing by Arun District Council, and therefore the only issues are therefore those of design.

The dwelling has been sensitively designed to take on board the comments of the Historic Buildings Advisor and with the exception of a couple of minor issues which are explained above, fully addresses all of his concerns. It should be further acknowledged that the existing terraced is not precisely symmetrical itself; with the property to the far right have a hipped roof, whilst No. 84 has a gable end.

It is noted that the NPPF is supportive of sensitively designed developments, noting at Para 12 that regard should be had to *“the desirability of new development making a positive contribution to local character and distinctiveness”*. It goes on to state at Para 137 that *“Local Planning authorities should look for opportunities for new development within Conservation Areas.....and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favorably”*.

It is acknowledged that the existing row of 6 no. terraced properties are an important group of Listed Buildings in their own right with their character determined by their overall symmetry. The proposed dwelling would enhance their significance by remaining perfectly in keeping with the symmetry, being identical to the existing properties in scale, form, height and design. Indeed, great care has been taken to ensure that the proposal is sensitively designed, and will also be constructed of appropriate materials to ensure that the special qualities of the adjoining listed buildings remain unimpaired. Indeed, our client would be happy for appropriately worded conditions to be imposed relating to this issue.

It is considered that the resultant development would be of a high quality design, which would make a positive contribution to this row of Grade II Listed Buildings and would in no way cause harm to the existing group. In line with advice contained within the NPPF and saved Policy DEV11 of the Arun District Local Plan the proposal would be acceptable and should be treated favorably.

f. Character of the Area

The application site is located within the Arundel Conservation Area, as outlined by Fig. 5 detailed below.



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Fig. 5 Extract from ADC's Supplementary Planning Guidance: Conservation Areas

The Council's Supplementary planning guidance notes that *"Arundel is located astride the banks of the River Arun, north of the urban coastal area. Arundel Conservation Area was designated in March 1975 and is recognised as being of outstanding quality"*. The guidance goes on to note that *"there are two very attractive streets leading westwards from High Street. Maltravers Street towards the top of the hill is carved into the hillside and has a raised carriageway on the northern side. The street contains a great variety of distinctive houses"*.

Saved policy AREA 2 of the Arun District Local Plan relates to Conservation Areas and notes that planning permission will be granted for development which preserves or enhances the character or appearance of a Conservation Area or its setting.

As detailed above, it is our view that the proposed dwelling has been carefully designed to reflect the adjoining Listed Buildings, appearing perfectly in keeping in scale, form, height and design. As such, the proposal would appear entirely in keeping with both the adjoining dwelling and the surrounding area, resulting in a development that would both preserve and enhance the established character and appearance of the Arundel Conservation Area in line with advice contained within the NPPF and saved Policy AREA2.



g. Residential Amenity

The proposed dwelling would be positioned to the south west side of the existing row of terraced properties. It would immediately adjoin No. 84 Maltravers Street to the north east side, which is within the same ownership as the application site. The property would be perfectly in keeping with the adjoining property, extending no further to the front or rear than the property it adjoins.

The site is positioned adjacent to Maltravers Street, with non residential areas of land to the side and rear.

It is considered that the proposal would represent an acceptable form of development, which would not cause demonstrable harm to the residential amenities of any nearby property by way of loss of privacy, loss of light or overbearing effect. Indeed, the case officer reiterates this view within her delegated report for Planning ref: AB/8/12/, stating that *"given the position of the dwelling adjacent to an existing end or terrace, backing and siding onto non-residential areas it is not considered any adverse overbearing or overlooking effects would result and there would be no adverse effect on residential amenity"*.

h. Sustainability

The application site is located in an extremely sustainable Town Centre location. Arundel Town Centre is within easy walking distance of the site, where there is an abundance of local services and facilities, which includes the historic Arundel Castel, the Town Hall, shops, banks, contemporary art galleries, restaurants and pubs, plus leisure pursuits across the South Downs from walking and cycling to canoeing.

Arundel is easily reached by Road or Rail. The town is easily accessible by car from the A27 to the east and west and the A29 from the north. The Train Station is just a short walk away from the Town Centre. The mainline Rail link is direct from London Bridge Train Station, London Victoria Train Station and also Gatwick Airport. London Bridge and London Victoria Train Stations are about 90 minutes away. Gatwick Airport Train Station

is generally less than an hour. The town is also well served by buses, with regular routes from Brighton (East) and Chichester (West).

The development is therefore in accordance with Government Advice, contained at Para 49 of the NPPF, which states that *"housing applications should be considered in the context of the presumption in favour of sustainable development"*.

i. Parking and Access

Due to the sites Town Centre Location, no parking is proposed as part of this development.

It should be noted that this remains unchanged from the previously refused application, where no concerns were raised by the Case Officer regarding this issue. At this time, West Sussex County Council was consulted on the application and raised no objection, noting that *"in terms of vehicle movement the proposed dwelling is unlikely to result in any material increase or any detrimental impact. Cycle parking should be included and control by a condition, if not already available. The new dwelling is sustainable located within walking distance of public car parks and close to links with public transport network"*.

Our clients would be happy for a condition regarding cycle parking provision to be applied if the Council considered this appropriate; however it is apparent that a modest sized garden shed to accommodate bicycles could easily be accommodated on the site, which could serve this purpose adequately.

j. Landscaping

No landscaping is proposed as part of this development; however given the sensitive nature of the site and it's immediately surroundings, our client recognises the importance of soft landscaping and is happy for an appropriately worded condition to be imposed accordingly.



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k. Affordable Housing Provision

An Interim Affordable Housing Policy was approved by ADC's Full Council on 18th August 2010. The policy states that for developments of 1-14 units on affordable off site housing provision of 15 per cent will be sought district wide. Therefore as the proposal is for a new dwelling, contributions will be required via a S106 agreement.

Due to no such agreement being submitted to the Council as part of the previous planning application, this issue formed refusal reason No. 2.

In order to address this issue, our client will provide a S106 Unilateral Undertaking as part of the application. In our view, this should address the previous reason for refusal.

6. CONCLUSIONS

In conclusion, this proposed development is considered acceptable for the following reasons:

- The application site is located within the built up area of Arundel, where the principle of new residential development is accepted by virtue of Saved Policy GEN2 of the Arun District Local Plan, subject to the criteria of other relevant policies.
- This planning application follows extensive pre-application advice with the Council and a previously refused application, at which time the principle a house on the site was accepted subject to the design, size and location of the dwelling.
- The appearance and proportions of the proposed development have been amended, in strict accordance with the Historic Building Advisors Comments. It is clear therefore that the development represents a high quality development that has been sensitively designed and constructed of appropriate materials to ensure that the special qualities of the adjoining Listed Buildings remain unimpaired in line with the NPPF and Saved policy DEV11 of the Arun District Local Plan. Further, the proposal would preserve and enhance the character of the Arundel





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Conservation Area in line with guidance contained within the NPPF and saved policy AREA2 of the ADLP.

- The proposed dwelling is of an acceptable scale, form, height, design and siting that would not detract from the residential amenities of any neighbouring property by way of overbearing effect, loss of privacy or loss of light.
- Sufficient private amenity space is provided for the residential unit. This provides future residents with outside space and an appropriate soft landscaped setting to the proposed development.
- The application site is located in a sustainable location, with excellent links to public transport and local services.
- A S106 Unilateral Undertaking will be submitted as part of the application in relation to affordable housing. This now fully addresses refusal reason no. 2, which was imposed upon the previous planning application.
- The proposal will provide a high quality, sustainable development, which will set a positive benchmark for Arundel, be accessible now and in the future and be in accordance with planning policy and guidance; and
- As the proposal accords with the aims and objectives of national, regional and local guidance, the application site is a suitable for the proposed development and permission should therefore be granted.

