

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

REF NO: AB/129/25/HH

LOCATION: 8 Nineveh Shipyard
Arundel
BN18 9SU

PROPOSAL: Replace timber windows with PVC windows. (This application may affect the character and appearance of the Arundel Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

REPRESENTATIONS

Arundel Town Council - No objection.

Arun Conservation Area Advisory Panel - Objection on the basis that the property forms part of the 1990's comprehensive redevelopment of a redundant industrial site, and the design is reflective of the traditional buildings and street pattern of the town centre. Therefore, it is important that traditional materials and detailing continue to be used in alterations to the buildings. For this reason, and the designated heritage asset context, the use of PVCU fenestration, which lacks the finish and subtlety of painted timber is considered inappropriate.

The existing windows also have fully formed glazing bars which will either be missing or substituted with inappropriate false 'stick on' ones in the new fenestration, further detracting from the appearance of the building and the conservation area. If the windows need to be replaced then they should be replaced in painted timber and match the originals in detail and opening mechanism.

No representations received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Arundel Conservation Area.
Built-Up Area Boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
HERDM3	HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS**DESIGN AND VISUAL AMENITY**

The site is a mid-terraced townhouse located at 8 Nineveh Shipyard. This application seeks planning permission for the replacement of timber windows with PVC windows on the east and west elevations of the host dwelling.

The proposed development is sited within a residential area of the Arundel Conservation Area and is not visible to the main street scene.

On the east and west elevations, the proposal seeks to replace eight timber framed fenestration with vertical sliding sash PVC fenestration. The proposed replacement fenestration will match the existing original fenestration style and proportion maintaining visual consistency with the host dwelling and surrounding area.

The proposal has been designed to integrate sympathetically with the existing building, preserving the character and appearance of the property. The development would not result in harm to visual amenity or the character of the area. The proposal is considered to be in accordance with Arun Local Plan policy D DM1 and D DM4 and Arun Design Guide (ADG).

NEIGHBOURING RESIDENTIAL AMENITY

Given the nature and scale of the proposed replacement of timber windows with PVC windows on the east and west elevations of the host dwelling, there would be no change to the location of existing fenestration, and therefore the development would not result in harm to residential amenity through overbearing, overshadowing, or overlooking impacts.

The proposal is in accordance with policies D DM1 and D DM4 of the Arun Local Plan and the ADG.

HERITAGE

The application site is located within Arundel Conservation Area and within close proximity to Grade II listed buildings. As such, consideration must be given to the potential impact on the setting of these listed buildings, so the proposal needs consideration under Arun Local Plan policies HER DM3 and HER SP1 and the National Planning Framework (NPPF).

Paragraph 207 of the NPPF (2024), states when determining any planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. A heritage statement and plans were submitted with the application outlining the mitigation measures proposed to avoid harm to the host dwelling and surrounding area with the use of traditional style vertical sliding sash fenestration, which would mirror the existing style.

Paragraph 212 of the NPPF (2024), states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The proposed replacement fenestration would replace the existing timber-framed windows with vertical sliding sash PVC windows. It is acknowledged that the buildings surrounding the application site have implemented similar alterations, and therefore, on balance, the proposal would not result in harm to the conservation area or the Grade II listed buildings within close proximity to host dwelling.

On balance, the proposal would not result in harm to the conservation area. Therefore, the proposed replacement of timber windows with PVC windows on the east and west elevations is in accordance with Arun Local Plan policy HER DM3 and HER SP1, and the NPPF.

SUMMARY

The proposed development is in accordance with relevant development plan policies and 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

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.

CIL DETAILS

This application is not CIL liable.

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:

- Site Plans 001A.
- First and second floor plans 1713/002.
- East and west elevations 1713/003.
- Existing and proposed profiles 1713/004.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.