

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

REF NO: AB/134/21/HH

LOCATION: 11 Wheelwrights Close
Arundel
BN18 9TA

PROPOSAL: Installation of 5 triple glazed windows. (This application may affect the character and appearance of the Arundel Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The applicaiton seeks to installation triple glazed windows to living room and bay window in bedroom. 5 windows in total. Bedroom and one living room window face A27 to the front of the property.

RELEVANT SITE HISTORY

AB/83/01/	External aerial erection on east facing wall.	Refused 22-08-01
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REPRESENTATIONS

Arundel Town Council provided an objection.

The triple glazed windows should be sash windows instead of casement windows which would be more in keeping with the other houses in the close, and in the Conservation Area generally.

Conservation Area Advisory Panel provided an objection.

No objection to the use of triple glazing.

The objection relates to the operating mechanism of the replacement windows. The existing vertically sliding sash windows are intended to be replaced with windows that have top hung sashes. This will result in the upper and lower sashes being flush; not the lower one inset from the upper which gives a subtle shadow line as in the existing traditional vertically sliding sashes. The central meeting rails of the existing windows have slender proportions whereas the horizontal central members of the new windows will have extremely bulky proportions.

Whilst the property is not as clearly visible from the river bridge as those fronting the river the concern of the Panel is that the grant of planning permission for the current proposal, will set a precedent for similar inappropriate changes to windows in the remainder of the development which would materially detract further from the appearance of the conservation area and, indeed, from the settings of the many listed buildings that can be viewed from the river bridge.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Objection

The use of triple glazing is acceptable in principle and is clearly necessary due to the proximity of the building to the A27 and the associated traffic noise and air pollution. It is positive to note that the proposed replacement windows frames would be timber and painted white. However, the current proposal is problematical regarding the operating mechanism of the replacement windows. The existing windows are vertically sliding sash windows, whereas the replacement windows have top hung sashes. These replacement windows have flush upper and lower sashes, which is in contrast to sliding sash windows where the lower one is clearly inset from the upper one. Further, the proportions of the replacement window are bulky and not the same as the existing ones. It is not clear why the applicant has not proposed to use sliding sash windows, especially as positive attempts have been made to use an appropriate material and finish.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DSP1	D SP1 Design
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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CONCLUSIONS**PRINCIPLE**

The key policies considered are D DM1 and D DM4 of the Arun Local Plan.

Arundel has a made Neighbourhood Plan with policy 1 and 2 of relevance to the applicaiton. The proposal complies with these policies being located within the BUAB.

DESIGN AND VISUAL AMENITY

The proposals seeks to install 5 triple windows to the property which will be readily visible from the wider area and public footpath and river to the front of the property.

The resultant windows will not be well integrated with the existing features and design of the dwelling or those adjoining. Wheelwrights Close comprises a cohesive development comprising dwellings which

have a uniform design and appearance derived in part from their window proportions and design. The windows located on the ground and first floors and on the various buildings are sliding sash, with casements for any dormers. The majority of the windows within the development are original.

The proposed replacement windows are of a different operating mechanism (and therefore appearance), and glazing system and the amended appearance of the dwelling would not be sympathetic in design.

Arun recently adopted a Design Guide which seeks to improve design in the district. The proposal is not considered to comply with this in that the amended design of the windows does not respond to or complement the existing character and appearance of the dwelling.

Due to the prominent siting to the front of the property and design which does not match the host dwelling, or neighbouring properties the proposal is deemed to harm the appearance of the street scene and conflict with D DM1 and D DM4 of the Arun Local Plan.

RESIDENTIAL AMENITY

The amended design and additional glazing depth of the windows is not considered to result in adverse harm upon amenity by way of overlooking and accords with D DM1 and D DM4 of the Arun Local Plan.

HERITAGE ASSETS

The site falls within the Arundel Conservation Area. The development at Wheelwrights Close forms part of the mid-1990's residential development of The Slupe area off Surrey Street. The scheme is well designed in a traditional quasi-vernacular style with good quality wall and roofing materials. In addition, the design included the use of painted timber vertically sliding sash windows which is appropriate given the style of the buildings and the historic context of the site. As such, the buildings make a positive contribution to the character and appearance of the Conservation Area. There are conditions attached to the original planning permissions removing permitted development rights in respect of alterations to the buildings to protect the character and appearance of the Conservation Area

The scheme occupies a prominent position within the Conservation Area beside and near the riverfront and is particularly important as the foreground feature when the town is viewed from the A27 river bridge. It is therefore important that the quality and appropriateness of the existing materials and detailing are maintained. Given the amended style and proportions of the proposed replacement windows the detailing of this part of the development would be eroded and altered so that the premises would appear at odds with the rest of the development and result in an adverse effect on visual amenity which would not preserve or enhance the character of the area in conflict within policy HER DM3 of Arun Local Plan. Para 197 of the NPPF requires Local Planning Authorities to take account of (a) the desirability of sustaining and enhancing the significance of the asset and (c) the desirability that new development makes a positive contribution to local character and distinctiveness. The proposal fails to meet these criteria.

Para 201 requires the LPA consider the significance of the impact upon that heritage asset. The proposal does not lead to substantial harm, but in accordance with para 202 the less than substantial harm resulting from the changes needs to be weighed against public benefits. There is no public benefit arising. The windows being located to the front of the property are visible from the street scene, river and wider area. The proposal does not match features already present at the property and adversely affects the character of the area.

SUMMARY

The proposed development is deemed to conflict with relevant development plan policies and as such is

recommended for refusal for the following reasons.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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

REFUSE

- 1 The proposed change in window design and proportions would adversely affect the visual amenities of the locality and would not preserve or enhance the character of the Conservation Area in conflict with policies D DM1, D DM4 and HER DM3 of Arun Local Plan and paragraphs 197 and 202 of the NPPF.
- 2 **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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.