

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

REF NO: AB/137/12/

LOCATION: 7 Mount Pleasant
Arundel

PROPOSAL: Partial rear demolition for a single storey extension to rear of property to provide enlarged kitchen/dining area, replacement windows and internal alteration to provide stair enclosure and shower room.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposed works include a single storey extension over the existing courtyard; replacement windows to the bathroom and front dormer; the removal of the chimney at first floor level with the rationalisation of rainwater goods and making good of rear elevation.
SITE AREA	Approximately 55 square metres.
TOPOGRAPHY	The site itself is predominantly flat but is set on a raised grass bank approximately 2 metres above the height of the passing road.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Boundaries to the rear of the site are kept by the existing building with the exception of a rendered wall enclosing the rear courtyard area to a height of 2 metres.
SITE CHARACTERISTICS	The site is occupied by a Grade II Listed two-storey terraced dwelling which has nodular flint elevation walls, with red brick window dressings and dentil course and a gable ended roof. An L-shaped single-storey extension has been added to the rear. This extension was added prior to the listing of the building which was made in 1974.
CHARACTER OF LOCALITY	The site is located within Arundel Conservation Area on a residential road characterised by a mix of modern and historic terraces. Buildings on the eastern side of the road are generally set back from it on raised banks. The terraced nature of the dwellings combined with modestly sized plots result in a high density of buildings which is a recurring characteristic within the Conservation Area.

RELEVANT SITE HISTORY

None

REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

HISTORIC BUILDINGS ADVISOR:

No objection, subject to amendments.

There are a number of issues with this proposal which require amendment before the scheme can receive full support. The major concerns are the removal of the external rear wall, the full loss of the chimney and the installation of double-glazing. The principle of extending the kitchen is acceptable.

The loss of the wall to open the kitchen into the extension seems excessive and results in the full loss of the chimney as well as historic fabric. English Heritage guidance requires historic fabric to be retained wherever possible and only to accept loss where there is appropriate justification. Para 179 of the PPS5 practice guide states:

179. The fabric will always be an important part of the assets significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion, together with the use of appropriate materials and methods of repair. It is not appropriate to sacrifice old work simply to accommodate the new.

On this basis I would recommend that a compromise is made and that the chimney is retained as a feature of the room with the wall and window (adjacent to the door) being removed. This will retain fabric, but also maintain definition in the floor plan.

With respect to the chimney, this should be retained to the height of the ground floor level. Whilst it might be a later addition, it remains of some interest to the building's history. That said, its impact on the first floor wall and eaves is potentially harmful and can be removed here. This would allow some of the exterior wall to be made good and the water-goods to be rationalized to the benefit of the roof and its drainage.

The windows should be single glazed in accordance with normal practice. Whilst the existing windows may be modern, single glazing is an important part of an historic buildings appearance and integrity. Ideally, top vent windows should be designed out of the casement as they are an overtly modern feature. Where thermal improvement is a consideration, secondary glazing can be considered as this does not affect the integrity of the building. It also helps omit draughts and provide better sound insulation.

A further more minor concern is the bathroom door which should be retained in its existing position. This is the normal location at the top of the stairs.

The enclosure of the stairs on the ground floor is acceptable as is the loss of the internal window to the living room which appears to be a later intervention.

CONSERVATION AREA ADVISORY COMMITTEE:

Windows should be single glazed in the dormer to match existing.

Comments on Consultation responses:

Noted. The proposed application has been amended to address the concerns of the Listed Buildings Advisor. Revised plans have been accepted identifying these changes.

POLICY CONTEXT

Designation applicable to site:
Grade II Listed Building

DEVELOPMENT PLAN POLICIES

South East Plan:	SEPBE6	Management of the Historic Environment
Arun District Local Plan:	GEN7	The Form of New Development
	DEV19	Extensions to existing residential buildings
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
------	------------------------------------

SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
-----	--

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity, the impact upon the Listed Building and the character and appearance of the Conservation Area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

PLANNING

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

LISTED/CA

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to comply with these criteria in that it is not considered to materially

affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

It is considered that the proposed extension would be an acceptable feature which, owing to its simple, uncluttered design and its low profile, would not adversely impact upon the setting of the Grade II Listed Building or increase its bulk or mass to the extent that it would alter its historic character and appearance. This is on the understanding that the extension is finished in materials that compliment the existing building.

The loss of the external chimney stack to first floor level is considered acceptable, as currently its finish does not reflect that of the rear elevation. The improvements that would be provided with its removal and the rationalisation of rainwater goods will enhance the appearance of the building.

The impact upon the neighbouring property is also considered to be acceptable, given the scale of the addition, and the height being similar to that of the existing boundary wall. This means that there will be no unacceptable loss of light or an overbearing affect to this property. Whilst the addition results in the loss of the only private amenity space for the dwelling, given the scale of this area, it does not provide adequate private amenity space in any case. As such, its loss is considered acceptable in this case.

The proposed replacement of the front dormer window and rear bathroom window with casement style single glazed windows is also proposed. The use of the timber framing design posed and single glazed windows will respect the character of the building and would be considered an enhancement to its appearance and the wider Conservation Area.

In the absence of harm to the historic building, the wider conservation area and neighbouring amenity, it is recommended that the application be approved subject to the following conditions.

HUMAN RIGHTS ACT

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 for 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 a neutral impact has 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).

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:

Drawing No.s 1212.100; 1212.001; 1212.401; 1212.003; 1212.401; 1212.002; 1212.402A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings shall be formed in the side (south) wall of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7, DEV19 of the Arun District Local Plan.

- 4 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, DEV19, AREA2

SOUTH EAST PLAN: BE6

NATIONAL POLICIES: NPPF

Supplementary guidance: Arundel Design Statement

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.