

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

REF NO: AB/14/19/HH

LOCATION: Mews House
London Road
Arundel
BN18 9BH

PROPOSAL: Two storey extension, single storey rear extension and external staircase.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION The application seeks to construct both a single storey rear extension, and a two storey extension, with an associated external staircase.

RELEVANT SITE HISTORY

AB/15/19/L Listed building consent for a two storey extension, single storey rear extension and external staircase.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Parish Council - The Parish Committee was not quorate and therefore could not consider the application.

C.A.A.C - No objection.

One letter of objection from nearby resident:

- The proposed development would be an unattractive feature within the locality.
- The proposal, as a result of its siting, scale and height would affect adversely the visual amenities of the area.
- The proposal would be clearly visible from London Road.
- The proposal would be an inappropriate and dominant feature within the Conservation Area.

CONSULTATIONS

Directorate of Airspace Policy

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Objection

AB/14/19/HH & AB/15/19/L

This application relates to a two storey extension, single storey rear extension and external staircase.

Mews house is a 2 storey, link detached building. It has a flat roof and is constructed from brick. The rear of the house is finished with a white paint and red tile cladding, whilst the western elevation has a climbing plant on it. The property itself has been altered over time with various works taking place to it. These include replacement windows and what can be described as a first floor balcony which is accessed by a spiral staircase. The northern and western elevations of the property are visible from an adjoining road which provides access for a number of surrounding properties.

To the front of Mews house is a stone built boundary wall, which extends from neighbouring properties, and further along the road. The remaining boundary treatment for the property consists of close boarded fencing.

The property adjoins a larger terraced building, which is constructed from a similar brick on the front northern (front), and eastern elevations, whilst the remaining two elevations are painted. This neighbouring property has been identified as a listed building, with the following different assets being associated with it:

- Tower House and no 1 London road and railings to Tower House and No 1 London Road
- Wall of Tower House to north and east of garden and of No 14 Maltravers Street continuing to west of
- Raised pavement in front of Tower House including railings
- Brick gate piers to west of No 1 London Road

There are also a number of other assets in the local area including Arundel Priory and St Nicholas's Church and boundary walling.

Further, the property is located within the Arundel Conservation Area. Development in this location therefore has the potential to affect a number of heritage assets.

Whilst some form of heritage assessment is included within the application, it is very limited, and does not fully assess the significance of any assets affected by the proposal i.e. those referred to above. Such information should be provided in accordance with paragraph 189 of the NPPF (2018). Such information is required to assess the impact of the proposal upon the assets. In light of this I provided the following commentary.

This area of the town contains a combination of buildings, with the oldest dating back to the medieval period (which have been restored at various times), buildings from c1800, along with some small-scale infill housing development which was constructed in the late 20th century. Tower House/1 London Road form an attractive early C19, imposing property that plays a significant role in the street-scene. The other listed structures associated with it are of a similar character and form part of a strong developed group. The application property is viewed as part of this attractive group.

The proposed works essentially cover two elements: a single storey rear extension and a rear, two storey extension. The two storey extension consists of a conservatory at first floor level, and a room at the ground floor.

The concept of extending the property is considered to be acceptable, if it is undertaken in a sympathetic manner. Having had the opportunity to review the plans, the following comments are provided:

The single storey element of the proposal is closest to the Tower House and number 1 London Road, but would be located so as to not be visible from highway, or extensively from the neighbouring private road. It would be attached to an existing single storey structure, which would reduce its impact on the neighbouring listed building. The simple form of the building appears to be acceptable, but the concept of a fully glazed roof could be problematical with regards to light pollution etc.

For the two storey extension, it is not clear how the current proposal has been based on the established characteristics of the local area. The current plans appear as if a standard conservatory has been placed on the first floor of the building, with no consideration given to the context.

Such a structure is not found in such a prominent location. It is noted that the dwelling appears to have a flat roof when viewed from the street, whilst the proposal has a pitch.

There would also be a significant amount of glazing/substantial framing which would allow the interior of the new rooms to be visible from the surrounding area. This is in conflict with the character and appearance of those properties in the local area, and not capable of support in its current form. There could also potentially be issues with light pollution.

It is considered that the conservatory element looks visually cluttered, and therefore out of character with the host dwelling, and the character and appearance of the conservation area.

As a consequence, the application can be considered to cause harm to the local area. This can be concluded as less than substantial harm. As such, you will also need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

For your information, public benefits include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting.
- reducing or removing risks to a heritage asset.
- securing the optimum viable use of a heritage asset in support of its long term conservation.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Grade II Listed

Arundel Conservation Area

DEVELOPMENT PLAN POLICES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings
HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
SDSP2	SD SP2 Built-up Area Boundary

Arundel Neighbourhood Plan 2014 POLICY1:

The Presumption in Favour of Sustainable Development

Arundel Neighbourhood Plan 2014 POLICY 2:

A Spatial Plan for the Town

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 1 of the Arundel Neighbourhood Development Plan.

Policy D DM1 sets out 13 design aspects of 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 for 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 set out criteria for which proposals must meet in order to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest. Additionally, proposals should protect the setting of these buildings.

Policy HER DM3 ensures that development will only preserve or enhance the character of the Conservation Area of which they area within, or affect the setting of.

Policy 1 of the Arundel Neighbourhood Development Plan highlights the favour in presumption of sustainable development, where proposals that are in accordance with the Development Plan will be approved.

HERITAGE IMPACT ASSESSMENT

Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 states that the decision as to whether or not to grant planning permission, for development which affects a listed building or its setting must have regard to the desirability of preserving the building or its setting. Section 72 of the same act applies special regard to the desirability of the preservation of the character and appearance of Conservation Areas. Whilst there is a heritage assessment submitted within the application, it is very limited and does not fully assess the significance of local heritage assets. Paragraph 189 of the National Planning Policy Framework (NPPF) requires such information to be provided in order to assess the impact of the proposal upon these assets. In this instance, it is considered that the proposed development has 'less than substantial harm' upon the local assets. Therefore, Paragraph 196 of the Act applies, which states that where this level of harm is identified, the harm should be weighed against the public benefit of the proposal. The enlargement of existing private accommodation is considered to have private benefit, and therefore, the proposed development fails this test. Paragraph 192 of the NPPF sets out the other considerations which the LPA should take account of, the proposal is not considered to meet these criteria, and therefore remains unacceptable, as a result of its harm on local heritage assets.

DESIGN AND VISUAL AMENITY

The proposed rear single storey extension is not visible within the street scene, and it is considered that as a result of its modest design and scale, it is a sympathetic and subservient addition to the host dwelling. Therefore, the proposed single storey extension is considered to be in conflict with D DM1, D DM4(a) and (b) of the Arun Local Plan. Additionally, as a result of its siting, it has a reduced impact on the adjacent listed building in that it is separated from it by an existing single storey structure. Therefore, this element of the proposed development is considered to be in accordance with HER DM1 of the Arun Local Plan.

The proposed two storey extension is considered to be an unacceptable addition to the host dwelling. The proposed extension is considered to be an unsympathetic and unattractive addition to the host dwelling. The proposed design of the extension has a pitched roof, that sits higher than the maximum ridge height of the host dwelling, which appears as flat-roofed from the street scene, consequently, it is not considered to be well integrated with, or subservient to, the host dwelling, regardless of its light construction. Therefore, it appears as an clumsy, alien addition to the host dwelling, with no consideration for its context within a conservation area. This means that the proposed development is in conflict with D DM4(a) and (b) of the Arun Local Plan. The introduction of large areas of fenestration introduces a sense of visual clutter into the area, this is as a result of the area being reserved with its use of large areas of glass, which means that there are few instances where interiors of dwellings are available. The area is host to heavily masonry-styled buildings with large areas of brick/render, therefore, this introduction of clutter and large areas of glass is considered to be out of character with both the locality, and the host dwelling. Therefore, the proposed two storey addition is considered to be in conflict with D DM1 and HER DM3 of the Arun Local Plan.

NEIGHBOURING RESIDENTIAL AMENITY

The proposed rear single storey extension, by virtue of its design and location is not considered to give rise to any unacceptably adverse overshadowing or overbearing impacts on neighbouring properties, as the windows are at ground level and it is limited to single storey. The proposed two storey extension is not considered to provide any unacceptable overlooking, or result in any change in privacy to occupiers of nearby dwellings, in that there is an existing balcony sited where the two storey extension will be. Therefore, the application is considered to be in accordance with D DM1(3) and D DM4(c) of the Arun Local Plan.

SUMMARY

The proposed development is considered to conflict with relevant Development Plan Policy and the National Planning Policy Framework and as such is recommended for refusal for the reasons identified below.

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

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 development, by virtue of its unsympathetic design, significant size and prominent location is considered to have an unacceptable discordant and incongruous impact upon the character and appearance of the host dwelling as well as that of the immediate locality contrary to policies D DM1 and D DM4 of the Arun Local Plan.
- 2 The proposal involves harm to the Grade II Listed Building, the setting of nearby heritage assets, and the Conservation Area. Therefore the proposal conflicts with policies HER DM1 and HER DM3 of the Arun District Local Plan. It also fails the public benefit test, as set out in Paragraph 196 of the National Planning Policy Framework.
- 3 **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 reasons 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 meet with the Applicant 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.