

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

REF NO: AB/151/21/HH

LOCATION: 11 King Street
Arundel
BN18 9BJ

PROPOSAL: Alterations to kitchen and replacement windows to west elevation.(This application may affect the setting of a Listed Building. This application may affect the character and appearance of the Arundel Conservation Area).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to infill a partially enclosed porch area and replace 6 casement windows to the rear of the property.
----------------------------	---

RELEVANT SITE HISTORY

AB/81/21/HH	Installation of 1 x rear dormer. This application may affect the character and appearance of the Arundel Conservation Area.	ApproveConditionally 17-08-21
-------------	---	----------------------------------

REPRESENTATIONS

Arundel Town Council - Objection

The Committee objected to the Application because although the property is not historic it has been well designed to fit into the conservation area. Part of this design is the use of timber windows. The details in the application of the replacement double glazed uPVC windows is limited, but the use of uPVC would not be appropriate within the conservation area and would cause harm to the designated Conservation Area in conflict with HER DM1 and HER DM3 of the Arun Local Plan and the National Planning Policy Framework.

Arun District Conservation Area Advisory Panel - Objection

- There will be an adverse effect on the appearance of the building which, although relatively modern, is of an extremely high quality traditional vernacular design. Traditional painted timber fenestration is an essential part of that quality.
- The grant of planning permission could set a precedent for the use of pvcu fenestration on the street elevation of the property and in the wider locality to the detriment of the special character, significance, and appearance of the conservation area.

On balance it is considered that the proposals conflict with the relevant paragraphs of the NPPF and policies contained in the ADLP relating to the protection of designated heritage assets and local

distinctiveness. If the Council comes to a view that a refusal cannot be warranted in this particular case then it is strongly recommended that an Informative be attached to the planning permission making it clear that the grant of planning permission for the use of pvcu fenestration should not be taken as a precedent for its use on the street elevation of the property or in the wider conservation area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Built up area boundary

2km Buffer Zone to SSSI

DEVELOPMENT PLAN POLICIES

[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
HERDM3	HER DM3 Conservation Areas

[Arundel Neighbourhood Plan 2018-2031 AR1](#)

Arundel Built Up Area Boundary

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
-------	---

CONCLUSIONS

PRINCIPLE

The key policies considered are D DM1, D DM4 and HER DM3 of the Arun Local Plan. Arundel has a made Neighbourhood Plan with Policy AR1 of relevance to the application, works within the BUAB comply with this policy. The proposal will also be assessed against Part M of Arun Design Guide.

DESIGN AND VISUAL AMENITY

It is proposed that an original partially enclosed rear porch area be permanently enclosed within the host dwelling, to increase the length of the kitchen by approximately 800mm. The opening will be built up from materials which match the host dwelling (flint work) utilising traditional design detailing including brick quoins. Secondly, it is proposed to replace 6 timber framed casement windows with traditionally styled PVCu casements. All of the windows are located to the western elevation which faces the private amenity space of the property.

Currently, the porch area is enclosed by a single glazed partition and is uninsulated. These works will

allow the external space to become internal. Policies D DM1, D DM4 and Part J of the Design Guide recognise the importance of extensions that sympathetically relate to, are visually integrated with the host dwelling as well as extensions which provide a high standard of amenity for the occupants and respect the sense of place of development. In this instance the infill extension is considered to be well integrated and in keeping with the host dwelling, furthermore, the alteration will allow the current occupiers to utilise a portion of their dwelling to better suit their needs.

The proposed windows are of size, style and design to match the existing windows. As they mimic the existing timber windows, they are also afforded good visual integration. It is noted that the property is located within the Arundel Conservation Area and adjacent to Listed Buildings, however, views of the back of the 1990's property are not readily available, from the neighbouring Listed Building only the upper windows (tops of) will be visible. Other windows in the area including no.9 King Street, have already altered some of the rear elevation to PVCu windows. The change from timber casements to PVCu casements will have an impact on the host dwelling, however given the limited views from outside of the site and that they will be in-keeping with the immediate neighbour this is not seen as a reason to refuse the application. Due to the minimal nature of the works, where no additional footprint will be created the proposal will be subservient to the dwelling in accordance with policy.

As the works are proposed to the rear of the property, no views will be achievable from the street, as such it will not have any impact on the street scene, nor will they compromise the established spatial pattern of the area in accordance with Policy D DM4.

RESIDENTIAL AMENITY

Policy D DM4 seeks to prevent extensions from being overbearing or overshadowing neighbouring property. In this instance no additional footprint will be created, therefore, this proposal accords with policy in that no additional mass is being proposed.

In terms of overlooking, the opening sizes of the windows will remain as existing. As a result, no views, which were not already achievable will be obtainable. The proposed alterations to the windows will not increase overlooking on site and therefore accords with policy D DM1 and D DM4.

HERITAGE ASSET

The property, a modern built 3-storey terrace dwelling, has been sympathetically designed to sit adjacent to listed properties and is included within the Arundel Conservation Area. Policy HER DM3 states that proposals must protect and if possible, enhance the setting of the area. Chapter 16 of the NPPF paragraphs 194, 195, 197 and 199 relates to identification and assessment of the significance of the heritage asset, the weight given to the conservation of the asset and its weight against public benefits of the proposal. The infill extension will be built from materials which match the host dwelling and appear sympathetic in nature. The timber windows will be replaced with PVCu replicas. By reason that there are only limited views of the proposed windows and that the neighbouring property has replaced, non timber windows the proposal is thought to bring about no unacceptable harm to the Conservation Area in accordance with policy HER DM3 of the Arun Local Plan and NPPF.

SUMMARY

The proposed development is deemed to accord with the relevant development policies and as such 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

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

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;

- Location and Block Plan 0352/106 Rev A
- Proposed Elevations 0352/104
- Proposed Floor Plans 0352/103 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 and D DM4 of the Arun Local Plan and Part J of the Arun Design Guide.

- 3 The PVCu windows hereby permitted shall match in all details to those existing which they are replacing, except for material choice, particular care being taken to reproduce the style (frame dimensions etc.), the flush setting of the frames within the external wall face, the window cills and the colour.

Reason: In order that the development shall not detract from the character or appearance of the Conservation Area in accordance with HER DM3 of the Arun Local Plan and the NPPF.

- 4 The materials and finishes of the external walls of the building hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies D DM1 and D DM4 of the Arun

Local Plan.

- 5 **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 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 National Planning Policy Framework.