

Recommendation Report for Planning Permission

REF NO: AB/29/12/

LOCATION: The Old Mill
River Road
Arundel

PROPOSAL: Replacement of windows to stairwell, to match existing flats.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Various brick and flint walling.
SITE CHARACTERISTICS	3 1/2 storey block of flats with red brick elevations. gable slate tile roof with flat roof dormers. Predominantly UPVC/aluminum windows noted and timber soffits and fascias.
CHARACTER OF LOCALITY	Arundel Conservation Area, characterised by various historic buildings. All buildings within the locality have mostly preserved historic features, in particular fascias and soffits.

RELEVANT SITE HISTORY

AB/11/94	Alterations to existing roof windows to form new inset balcony	Approve Conditionally 25-03-1994
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REPRESENTATIONS

Representations received:

Awaited

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

CONSERVATION AREA ADVISORY COMMITTEE:

Case officer to request more information on the profile of the fascia and precise details of the

report

aluminum window. Suggest a condition to that affect, preferable before permission is granted.

Comments on Consultation responses:

Application has been revised to remove the replacement fascias from the application. Further detail of the replacement is to be conditioned accordingly.

POLICY CONTEXT

Designation applicable to site:
Conservation Area
Former A Road

DEVELOPMENT PLAN POLICIES

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
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SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
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POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential together with 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.

CA

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

The application seeks permission to replace an existing timber window to the stairwell with a alluminum framed window. Whilst retention of traditional materials are an objective of the Conservation Area, given that all other windows at first floor level and above are alluminum and PVCU, the introduction of a non traditional material in this case is not considered to detract from the appearance of the building nor the historic character of the Conservation Area.

It is therefore recommended that the application be approved subject to the conditions set out below.

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:

1:1250 plan; 1:500 plan; 1:500 showing position of window; detail of replacement window (Scale 1:50).

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 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for the replacement window has been submitted to and approved by the Local Planning Authority and the material/detail so approved shall be used for the replacement window.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 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

NATIONAL PLANNING POLICY FRAMEWORK

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: The approval of the application does purport to grant consent for the replacement of the existing timber fascias.