

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

REF NO: AB/2/18/HH

LOCATION: 22 Park Place
Arundel
BN18 9BE

PROPOSAL: Replacement of 9 No. casement windows with new casements & sliding sashes & insertion of a new door opening to the east elevation (resubmission following AB/158/14/HH). This application affects the character & appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The property is located hard up on the road. Hedging, trees and fencing to the rear at over 2m in height.
SITE CHARACTERISTICS	A two storey terraced properties with smooth rendered elevations painted white and a pitched slate tiled roof. There are front and rear dormers. Wooden casement windows at the front and rear of the property. The front door is recessed to one side and within an open passageway.
CHARACTER OF LOCALITY	Predominantly residential in character, there are mainly two storey terraced and semidetached properties in the area which generally have an historic character.

RELEVANT SITE HISTORY

AB/158/14/HH	Replacement of 9 No casement windows with new casements & sliding sashes & insertion of a new door opening to the east elevation. This application affects the character & appearance of the Arundel Conservation Area.	ApproveConditionally 27-01-15
--------------	---	----------------------------------

This present application has been submitted as the previous application for the same works expired on 27 January 2018.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Arundel Town Council raises no objection and fully endorses the views of the District Council's Conservation Officer and would have no objection to the application subject to those recommendations being accepted and approved by the District Council.

No representations received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

The Council's Conservation Officer has commented:

The proposal site is within Arundel Conservation Area, and part of a range of buildings contains two buildings on the List of Buildings of Special Character.

The existing windows are 20th Century fixed-pane with top hung casement over. Their replacement with sash windows is generally found acceptable, although there are no details as part of the application beyond 1:100 scale drawings.

If the application is approved the style and manner of glazing should be reserved by condition. To West Elevation, the sashes should be in the same plane as existing, white painted softwood and single glazed, vertical sliding sashes. It is suggested that windows from another property in the range be copied (rails, glazing bars, horns etc), to ensure visual harmony.

Timber casements to East Elevation should be replicated as existing in white painted hardwood, single glazed. The door style should also be reserved by condition, as there is insufficient detail at a scale of 1:100 to provide comment, although the insertion of a door at this point is supported.

COMMENTS ON CONSULTATION RESPONSES:

Noted and a suitable condition will be imposed.

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary
Conservation Area

DEVELOPMENT PLAN POLICES

[Arun District Local Plan \(2003\):](#)

GEN2	Built-up Area Boundary
GEN7	The Form of New Development
AREA2	Conservation Areas

Publication Version of the Local Plan (October 2014):

SD SP2 Built -Up Area Boundary
 D DM1 Aspects of Form and Design Quality
 D DM4 Extensions & Alterations to Existing Buildings
 D SP1 Design
 HER DM3 Conservation Areas

Arundel Neighbourhood Plan 2014 POLICY1:

The Presumption in Favour of Sustainable
 Development

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
 NPPG National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

A new local plan is in preparation and is a material consideration when determining Planning Applications. At this stage the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and supporting documents were submitted for independent examination on 30 January 2015.

A number of Main Modifications to the Arun District Local Plan 2011-2031 (Publication Version) October 2014 were approved by the Council on 22nd March 2017 and consultation on these has taking place. The Main Modifications should be read alongside the Arun District Local Plan 2011-2031 (Publication Version) October 2014 and where there are changes the Main Modification. The examination was completed in September 2017.

The Main Modifications to the Arun Local Plan (2011-2031) published for Public Consultation purposes over a six week period starting on Friday 12 January 2018 and until 5pm on Friday 23 February 2018.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

The Arundel Neighbourhood Plan policy 1 is considered relevant has been taken into account in the determination of this applications.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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.

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

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within Arun District Local Plan policies GEN7, DEV19 and AREA2 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

This application seeks planning permission to replace 9no. single glazed casement windows with the same number of double glazed units which are timber sliding sashes and casements with a new door in the rear (east) elevation of the property.

There will be no increase in the number or size of existing apertures in the building and the proposed works comprise the replacement of frames which are to be double glazed rather than single glazed as at present. This change is considered to not cause any material harm to the appearance of the building.

The insertion of a new door will be on the rear elevation and as such will not be visible from the street. In its use of glazed timber, it is considered acceptable in design terms. The proposal is therefore considered to preserve the character and appearance of the surrounding Conservation Area.

It is therefore considered that the proposal complies with policies GEN7(ii) and AREA2 of the Arun District Local Plan.

RESIDENTIAL AMENITY

There will be no new apertures created as a result of this proposal and so the replacement glazing will not cause any harmful residential effects. The new door in the rear elevation faces on to a well screened

private rear garden.

It is considered that the proposal is acceptable in residential amenity terms and complies with relevant policy GEN7(iv) of the Arun District Local Plan.

It is therefore recommended that the application be approved, subject to the following conditions.

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

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:

Drawing Number 14715/03 Rev B - Location & Block Plans - Dated November 2014
Drawing Number 14715/01 - Existing Plans & Elevations - Dated November 2014
Drawing Number 14715/02 Rev B - Proposed Plans & Elevations - Dated November 2014
Email Dated 28 February 2018 - Agreement to Window Details Condition

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

- 3 No development shall commence unless and until details including cross sectional drawings, materials and colours to be used in the replacement windows and new door hereby approved

have been submitted to and approved by the Local Planning Authority and the details so approved shall be used in their construction and retained thereafter.

Reason: In the interests of amenity to achieve a reasonable visual quality in the buildings in accordance with policy GEN7 of the Arun District Local Plan.

- 4 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.

- 5 INFORMATIVE - The Councils Conservation Officer has advised as follows:

The existing windows are 20th Century fixed-pane with top hung casement over. Their replacement with sash windows is generally found acceptable, although there are no details as part of the application beyond 1:100 scale drawings.

If the application is approved the style and manner of glazing should be reserved by condition. To West Elevation, the sashes should be in the same plane as existing, white painted softwood and single glazed, vertical sliding sashes. It is suggested that windows from another property in the range be copied (rails, glazing bars, horns etc), to ensure visual harmony.

Timber casements to East Elevation should be replicated as existing in white painted hardwood, single glazed. The door style should also be reserved by condition, as there is insufficient detail at a scale of 1:100 to provide comment, although the insertion of a door at this point is supported.

The above should assist and should be borne in mind in respect of condition no.3 on this planning permission.