

Recommendation Report for Planning Permission

REF NO: AB/34/26/PL

LOCATION: 1 Flint Cottages
Mount Pleasant
Arundel
BN18 9BD

PROPOSAL: Alterations to rear first floor fenestration, replacement of all windows with white UPVC flush casements, replacement of external doors and replacement of existing balustrade to roof terrace (resubmission following AB/27/26/PL). This application may affect the setting of listed building, may affect the character and appearance of the Arundel Conservation Area and is in CIL Zone 2 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	Residential property with parking at ground floor level and accommodation over the first and second floors.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

Ab/27/26/PL	Alterations to rear first floor fenestration, replacement of all windows with grey UPVC flush casements and replacement of existing balustrade to roof terrace. This application may affect the character and appearance of the Arundel Conservation Area. This application may affect the setting of Listed Buildings.	Withdrawn 09-06-26
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The application follows a previous withdrawal after advice from the Conservation Officer. The amendments have been discussed in the conclusions section below.

REPRESENTATIONS

Arundel Town Council - No response received.

Conservation Area Advisory Committee - The Panel welcomed the improvements made in the present proposals and consider that there will be a neutral impact on the character and appearance of the conservation area.

No representations received from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - The property and its neighbours back onto the cemetery, which is a large publicly accessible area of open space within the conservation area. There are views towards the rear of these properties from within the cemetery, where the rear elevation of the application property can be seen.

This application is a revision to a previously submitted scheme. It is clear that my earlier concerns have been taken into consideration and, as a result, the proposal has been improved. I note that the revised scheme includes new metal railings along the rear boundary. Following discussions with the case officer, additional information has been provided confirming that the railings will be of a simple design. This would be acceptable in this location and would preserve the character and appearance of the conservation area.

The application is considered to not cause harm to the significance of the heritage assets or. As a consequence, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments. You will also need to take into account the contents of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Arundel Conservation Area.

Arun Valley Impact Zone.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions and alter to exist builds (res and non-res)
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 not result in harm to visual amenity, neighbouring properties or heritage assets.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

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.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not liable for statutory BNG.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The site includes an attached maisonette, set above the ground floor parking area. The proposal is for alterations to fenestration, replacement windows and replacement of the roof deck balustrading.

The existing white UPVC casement windows are proposed to be replaced with white flush casement UPVC units (grey units were proposed in the previously withdrawn application). The use of white UPVC has been established on site; while the use of wooden, traditional windows should be advocated for in a conservation area, the UPVC proposed in this application would not result in harm to visual amenity.

The changes to the layout of the fenestration are isolated to the rear (west) elevation, where a set of doors are proposed to be replaced by a new window and the existing French doors (flanked by windows on each side) which are proposed to be replaced with bi-folding doors. The bi-folding doors are more sensitive to the existing fenestration at the rear compared to the large, two panel sliding doors proposed within the previously withdrawn application and the proposed alterations to fenestration would not result in harm to visual amenity.

Black metal railings are proposed at the rear of the terrace, in place of the existing picket fence.

Previously, glass screening was proposed; the black railing would be a more traditional, simple choice of material. Black railings similar to those proposed on the decking can be seen around the boundary of the cathedral to the north; they would be in keeping with the locality and would not result in harm to visual amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to design and visual amenity.

NEIGHBOURING RESIDENTIAL AMENITY

Given the nature of the proposal, there would be no harm to neighbouring amenity by way of overbearing or overshadowing impacts.

While there are slight alterations proposed to the extent of the rear glazing, there would no harm to neighbouring amenity by way of overlooking as the views from the proposed fenestration would be very similar to the existing. The proposed replacement railings around the roof deck would not result in any harm to neighbouring amenity.

The proposal is in accordance with Arun Local Plan policies D DM1 and D DM4 in regard to neighbouring residential amenity.

HERITAGE

Mount Pleasant is a narrow, sloping street with a fairly enclosed feel, created by continuous boundary walls on one side and dense trees and vegetation on the other, with buildings set behind, within the Arundel Conservation Area. The buildings are mainly two storey terraced cottages, built in traditional flint with red brick detailing around openings, under pitched clay tile roofs with chimneys. Overall, it has a consistent, historic character with a strong use of local materials, although the street is slightly cluttered by parked cars and modern additions.

Flint Cottages are a modern addition to the street, but reflect the vernacular traditions found in the locality. They can be viewed from the road to the front and the cemetery to the rear.

Paragraph 207 of the NPPF (2024) requires applicants to describe the significance of any heritage assets affected by a proposal, including the contribution made by their setting. In this instance, the applicant has not submitted a sufficiently detailed Heritage Assessment; the Conservation Officer has satisfied this requirement in his consultation response above.

Paragraph 208 of the NPPF (2024) requires the Local Planning Authority (LPA) to identify the significance of the heritage asset affected by a proposed development. The Arundel conservation area is expansive, encompassing the historic core of the town, Arundel Castle and the cathedral. One of the principal attractions of Arundel is its wealth of buildings representing architectural form and style through progressive periods, which form a cohesive and contained hillside town. This conservation area has a very strong historic character, with the many listed and locally listed buildings being of historic and architectural interest. Also of note are the sympathetic street fittings (streetlights etc.) which contribute towards a strong aesthetic quality. Similarly, the natural landscape and the river itself adds to the character of the area. Flint Cottages are not themselves listed buildings but are adjacent to the grade II listed church and cemetery.

Paragraph 212 of the NPPF (2024) states that great weight should be given to the conservation of designated heritage assets when considering the impact of development proposals, irrespective of whether any harm would be categorised as substantial or less than substantial.

The conservation officer has stated that the proposal is considered to not cause harm to the significance

of the heritage assets, noting that the previous concerns in terms of the decking and extent of glazing have been resolved, as well as the colour of the proposed windows. Considering that Flint Cottages are modern additions to the conservation area, the use of less traditional materials (UPVC) is more acceptable in this very specific instance.

The proposal would not result in harm to the significance or character of the Arundel Conservation area or nearby listed buildings. As such, the proposal is in accordance with Arun local Plan policies HER DM1, HER DM3 and HER SP1.

SUMMARY

The proposal is in accordance with relevant local plan policies and is therefore 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

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.

CIL DETAILS

This application is not CIL liable.

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 Plans 250092/ 04
Proposed Ground and First Floor Plans 250092/ 05 A
Proposed Second Floor and Roof Plans 250092/ 06
Proposed Elevations 250092/ 07 A
Handrailing Metre Rate Images - A
Design and Access Statement

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1, D DM4 and HER DM3.

- 3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is de-minimis as the development does not impact an onsite priority habitat and the development impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero and less than then 5 metres in length of onsite linear habitat.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

- 4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). 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 NPPF.