

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

REF NO: AB/3/22/HH

LOCATION: Mews House
London Road
Arundel
BN18 9BH

PROPOSAL: Conversion of loft to habitable use including installation of 3 x dormers and roof terrace, addition of rendering, and alterations to fenestration/openings. This application may affect the character and appearance of the Arundel Conservation Area and affects the setting of a listed building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application proposes the removal of the shallow pitch roof and its replacement with a steeper, taller equivalent to provide an additional storey above the existing first floor including two small dormer windows to the north elevation (front) and 1 larger dormer window to the south (rear) elevation. Additionally it is proposed to utilise the existing flat roofed extension to provide a roof terrace to the western elevation.
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RELEVANT SITE HISTORY

AB/4/22/L	Listed building consent for the conversion of loft to habitable use including installation of 3 x dormers and roof terrace, addition of rendering, and alterations to fenestration/openings.	
AB/40/20/HH	Single story rear extension with roof terrace extending across to existing terrace, shiplap panelled ground floor wall, addition of rendering, alterations to fenestration & new brick garden wall. This application may affect the character & appearance of the Arundel Conservation Area.	ApproveConditionally 13-07-20
AB/41/20/L	Listed building consent for a single story extension at rear of property with roof terrace extending across to existing terrace, shiplap panelled ground floor wall, addition of rendering, alterations to fenestration & new brick garden wall.	ApproveConditionally 15-07-20

AB/86/19/HH	Remove first floor stilted roof terrace and replace with ground floor extension and new first floor roof terrace. New french doors to replace single door on first floor western elevation from house to roof terrace. Brick up adjacent ground floor covered walkway for use as storage room. Replace window with door on ground floor South (rear) elevation. Replace door with window at rear of property in building linking Mews House and Tower House. Remove red tiles on first floor rear wall (added in 2007) and replace with white render. This application may affect the setting of a Listed Building. This application may affect the character and appearance of the Arundel Conservation Area.	ApproveConditionally 24-10-19
AB/87/19/L	Remove first floor stilted roof terrace and replace with ground floor extension and new first floor roof terrace. New french doors to replace single door on first floor western elevation from house to roof terrace. Brick up adjacent ground floor covered walkway for use as storage room. Replace window with door on ground floor South (rear) elevation. Replace door with window at rear of property in building linking Mews House and Tower House. Remove red tiles on first floor rear wall (added in 2007) and replace with white render. This application may affect the setting of a Listed Building. This application may affect the character and appearance of the Arundel Conservation Area.	ApproveConditionally 24-10-19
AB/14/19/HH	Two storey extension, single storey rear extension and external staircase.	Refused 16-04-19
AB/15/19/L	Listed building consent for a two storey extension, single storey rear extension and external staircase.	Refused 16-04-19

REPRESENTATIONS

Arundel Town Council - Objection

- The property is in a prominent position in the town and although the roof alterations may be sympathetic to the street scene, the submitted plans do not give a great deal of detail into the proposals.
- The glass roof terrace will be in a very prominent position. The current existing roof terrace is at the rear of the building and less conspicuous.
- The proposed development, by virtue of its unsympathetic design and prominent location is considered to have an unacceptable and incongruous impact upon the character and appearance of the host

dwelling as well as that of the immediate locality contrary to policy HER DM1 of the Arun Local Plan.

- 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.

Arun Area Conservation Advisory Panel (AACAP) - Objection

- Likely originally served as an ancillary structure and purpose to Tower House; therefore probably dating to the first two decades of the 19th Century. Its heritage significance lies in its age, original function, and architectural design and style. It also contributes to the historical significance of London Road.

- This building is readily seen in the London Road street scene and forms part of the settings of several nearby listed buildings and structures : namely the adjoining Tower House and its boundary and garden walling (Grade 2), the gateway to St Nicholas Church (Grade 2), Arundel Cathedral (Grade 1), and the boundary walls to St Nicholas and Arundel Castle (both Grade 2).

- Mews House is included in the Council's List of Buildings of Character (Local List) and must be considered, at the least, as a non-designated heritage asset. The applicant has applied for Listed Building Consent for the proposed works for the possibly correct assumption that the building falls within listed building controls by reason of S(1)(5) of the Listed Building Act 1990.

- Very unfortunately the original vertically sliding painted timber sash windows have been replaced with 2 upvc ones the building still makes a positive contribution to the character and appearance of the conservation area.

- The intended new 'mansard' roof is not only oddly asymmetrical but simply does not suit the particular design of the property.

- The formation of a screened roof terrace next to it will exacerbate the incongruous nature of the proposals which will materially detract from the appearance of the building, the settings of the adjoining and nearby designated heritage assets and the character and appearance of the conservation area.

- The proposals will also alter the scale and nature of the building, detracting from its heritage significance as an historical ancillary, modest, and visually subservient structure to Tower House.

- What is welcomed, and which would materially improve the appearance of the property, is the applicant's

intentions as stated in the application forms to, if possible, replace the upvc windows on the street elevation with

painted timber vertically sliding sash windows. The use of slimline double glazed panes in any replacement painted multi-paned vertically sliding sash timber windows could well be appropriate in this particular instance.

ADC Conservation Area Officer - Less than substantial harm.

- Both the neighbouring terrace, and this building that the existing roofs are low and predominantly hidden behind a parapet so that they are not clearly seen from the road to the front. In introducing the additional floor and new roof space, the proposal would alter the scale and nature of the building so that it no longer was visually subservient. Such a feature would be clearly visible from the road to the front and would not reflect the general appearance of the neighbouring terrace, and would be harmful.

- The creation of a screened roof terrace next to it will exacerbate the incongruous nature of the proposals which will detract from the appearance of the building and be clearly seen from the road to its front and in the context of the neighbouring heritage assets.

- These elements are considered to be harmful.

- The intention for the works on the northern elevation is to remove the door and ship-lap panelling on the single story extension (linking the house to Tower House), retain the window and render the wall. This seems appropriate and would be an enhancement in this particular area of the building. It is thought that the existing appearance of the shiplap is not appropriate or a style/material associated with this particular building, or its neighbour. This particular element is therefore acceptable.

- The eastern elevation is identified by the applicant as being a way of enhancing the appearance of this

particular elevation. As it is repeated on the neighbouring house, this elements seems to be acceptable.

- If matching the other existing windows on this elevation would not cause undue harm and would be acceptable. I note the applicants' intentions are to replace all of the windows on the northern elevation (if budget permits) with timber double glazed sash windows. These would need to be vertically sliding and have the slimline double glazed units in them. Such an approach would improve the appearance of the building

2 Neighbouring letter of objection

- The proposed roof terrace is not in keeping with the existing adjacent buildings e.g., St Wilfrid's Priory, the Parish Church of St Nicholas and the Cathedral of Our Lady and St Philip Howard. The proposed new roof terrace at second floor level, on the north and west side of the house overlooking London Road and Tower House Gardens, will be more prominent and obtrusive. Its siting and appearance will adversely affect the visual amenities of the Conservation area.

- The proposed roof terrace would be overlooking my garden and the windows of my dining room and bedroom and I would suffer a loss of privacy.

- Residents and visitors do not have a "right to a view", but we do have the right to a "Visual Amenity" which the proposed planning alteration will affect in this Conservation area.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Comments relating to the property not being listed and only locally listed by the AACAP are not correct. Mews House is a Grade II Listed Building as well as being designated on the local list of heritage assets. All other points noted.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Grade II Listed Building

Within Conservation Area

Locally Listed Building

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)

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 are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 1 and 2 of the Arundel Neighbourhood Development Plan, and AR1 of the Emerging Arundel Neighbourhood Development Plan are relevant.

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 DM3 relates to Conservation Areas and state that proposals must protect and if possible, enhance their setting.

Arundel has a made Neighbourhood Plan with policy AR1 of relevance to the application. The proposal complies with this policy being located within the built up area boundary.

DESIGN AND VISUAL AMENITY

Mews House is a Grade II Listed building which has a Georgian style, which is characteristic of the area in general, the property forms part of the Arundel Conservation Area. The property is in a highly visible position fronting the London Road, to its east is Tower House a Grade II three-storey listed building and to its west is the Grade I Cathedral. It is thought that Mews House was once an ancillary building to Tower House. The character of the properties fronting London Road is significantly different from that of Tower House Gardens. Tower House Gardens is a development of 5 properties built in the late 1980's (approx.). It has a unique style, apart from the historical buildings in the area in form and design, as such the two areas have a different visual appearance to one another. Mews House is located in a transitional position where the rear of the building could accept a more modern approach to its styling, however it is acknowledged that the front of Mews House and views of the western elevation from London Road must visually respect the historic nature of London Road.

It is proposed to remove the existing low pitched slate roof which is currently hidden behind the visually significant parapet wall and replace it with a steeper roof configuration. The new roof structure will also be positioned behind the parapet wall edging the roof. Two small pitched roof dormer windows will be introduced to the northern elevation and 1 larger pitched roof dormer will be included to the southern elevation. To the western elevation the roof will not be set behind the parapet and will instead spring from the outside skin of the wall, this is to allow a door to be provided onto a new terrace above an existing flat roof at the property. In addition to this a new window will be inserted to the north elevation at first floor level.

Mews House is located to a corner plot and is highly visible from the street, both from London Road and Tower House Gardens, therefore any alterations to the property will have a significant effect on the character of the area. From street level Mews House has the appearance of a flat roofed property, a common feature of Georgian buildings and a feature which is mimicked by the adjacent Tower House and The Priory opposite Mews House. The introduction of a steeper pitched roof, which will be 1.1m high than currently exists will mean that the roof structure would then be visible. It is noted that Tower House is a significantly taller building, therefore the increase in height will not have an adverse effect on the street scene as it would still be set at a lower level. Additionally, given that the proposed alterations will be constructed from materials already found within the host dwelling and as the works are contained

behind the parapet wall it is considered subservient to Mews House, and in principle, is acceptable in accordance with Policy D DM4 of the Arun Local Plan and the Arun Design Guide. Additionally, the insertion of an additional window at first floor level will cause no harm to the appearance of the building nor the street scene as the proportions and style (sliding sash) of the window are such that it will be subservient to the host dwelling and in-keeping with the character of the area. The choice of materials to construct the window would need to be strongly controlled, this could be achieved through condition.

The property currently enjoys a roof terrace at first floor level to the side and rear elevations, the side terrace can be glimpsed from London Road however being set back from the road and behind the western projection of Mews House it is considered subservient to this street scene. The rear terrace is acceptable within the street scene of Tower House Gardens due to its modern style. The proposed roof terrace would be highly visible from London Road and at a higher elevation than the existing roof terrace, it would be a feature incongruent within the street scene and alter the spatial pattern of the area therefore considered an unacceptable form of development, which would not be a positive addition to the historic area. Additionally, the dormer to form the doorway onto the roof terrace unbalances the proposed new roof as appears visually contrived, it is felt that this feature conflicts with the symmetry and simplicity of the design present within the host dwelling. These additions conflict with policy D DM4(a)(b) and (e) of the Arun Local Plan.

The windows proposed within the roof slope to the front are well proportioned and positioned. It is felt that the rear facing window is too large although on balance the application would not be refused on this basis alone. Although the properties in Tower House Gardens have small, pitched roof dormers, these are uniquely designed in a triangular configuration (no dormer cheeks) and as such are not thought to influence the dormers proposed to Mews House. Part M of the Design Guidance recommends that dormer windows should not be out of proportion and/or style to the original structure, it also states that front facing dormer windows should not be present within Conservation Areas. The front facing dormers are considered acceptable in principle as they will be set back from the front elevation of the host dwelling and appear respectfully proportioned, however, by reason that the pitch to the proposed dormer windows both front and rear do not match the proposed 70-degree roof slope, they are considered not to visually integrate with the host dwelling. A proposal consisting of a more appropriate roof treatment i.e., a flat roof design could be more sympathetic to the design of the building.

On balance, the proposed roof, dormer windows and terrace are considered to conflict with policies D DM1, D DM4 and Part M of the Design Guide in that the proposed features will be incongruent within the street scene and unsympathetic to the host dwelling.

NEIGHBOURING RESIDENTIAL AMENITY

Design Guidance states that roof conversions are an effective use of the plot as long as they preserve neighbouring amenity. Given that Mews House only has one adjoining neighbour, which is a taller building no overshadowing nor overbearing will occur as such the amenity of Tower House will be protected.

In terms of overlooking, the proposed front and rear windows will obtain views over the London Road and over parking and garages to the rear of the property, these will not adversely affect neighbouring privacy levels. It has been commented that the proposed roof terrace will adversely affect privacy levels, especially in relation to No.5 Tower House Gardens. The roof terrace will be positioned with 180-degree views over London Road, Tower House Gardens and towards the garages at the rear. Of note there is a small dormer window facing Mews House on No. 5 Tower House Gardens. The separation gap measured between No.5 and the roof terrace is approximately 16m. Design Guidance states that there should be a minimum of 21m between facing viewing points, as such, with direct views in to No 5 via the dormer window, the roof terrace will give an unacceptable loss of privacy in conflict with policy D DM4(c).

In terms of an adverse affect due to overlooking, the proposed roof terrace conflicts with policy D DM4(c) of the Arun Local Plan and Part M of the Arun Design Guide.

HERITAGE ASSET

Policy HER DM3 relates to conservation areas and state that proposals must protect and if possible, enhance the setting of each.

Chapter 16 of the NPPF paragraphs 194, 195, 197, 199 and 202 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 property is located within the Arundel Conservation Area which contains a number of other heritage assets. 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 with Mews house being historically ancillary, and visually subservient to it. 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.

It has been proposed to remove the existing low pitched slate roof which is currently hidden behind the visually significant parapet wall and replace it with a steeper roof configuration. Likewise, the existing the new roof structure will be inset from the edge of the roof and be positioned behind the parapet wall edging the roof. Two small pitched roof dormer windows will be introduced to the northern elevation and one larger pitched roof dormer will be included to the southern elevation. To the western elevation the roof will not be set behind the parapet and will instead spring from the outside skin of the wall, this is to allow a door to be provided onto a new terrace above an existing flat roof at the property. In addition to this a new window will be inserted to the north elevation at first floor level and the eastern elevation will be rendered.

Paragraph 194 and 195 require the Applicant and Local Authority to assess the significance of any heritage assets affected. As noted by the Conservation Area Officer, the applicant has provide a Heritage Statement but it has not gone into great enough detail to assess the significance of the asset. The building is considered to be architecturally and historically significant. The ADC Conservation Area Officer has described the proposed increase in height of the roof to be no longer visually subservient to the host dwelling and the proposed roof terrace incongruent within the street scene as such the work would be 'out of character and would negatively impact upon the settings of the adjoining and nearby designated heritage assets and the character and appearance of the conservation area. This element is therefore considered to be harmful.' Although it is not agreed that the proposed increase in height of the roof structure will be visually dominant over the existing building, it is agreed that the features ancillary to these works, namely the dormers and roof terrace are an incongruent feature within the street scene and do not sympathetically relate to the host dwelling. The other proposed works including the addition of a first floor window and rendering of the North (part) and eastern walls are acceptable.

Overall in relation to para 195, the works are considered to represent less than substantial harm to the heritage asset.

Where harm is identified, para. 202 require the Local Authority to weigh the application against the public benefits of the proposal. In this instance a small public benefit can be gained to the local economy through the works, however this short term benefit will not outweigh the long term harm to the Conservation Area as such this conflicts with the NPPF and Policy HER DM3 of the Arun Local Plan in that the proposed works will harm and not enhance or preserve the Conservation Area.

SUMMARY

The development is deemed to conflict with relevant development plan policies and as such is recommended for refusal 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), 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

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**REFUSE**

- 1 The proposed roof alterations and roof terrace by reason of their incongruent and contrived design, would detract from the symmetrical simplistic appearance of this house and would appear incongruous and out of character with the street scene and Conservation Area contrary to policies D DM1, D DM4 and HER DM3 of the Arun District Local Plan.
- 2 The proposed roof terrace on the western elevation is likely to give rise to direct overlooking of adjacent property (No.5 Tower House Gardens) to the detriment of the residential amenities of the occupants of these properties in conflict with policies D DM1 (3) and D DM4(c) of the Arun District Local Plan and Part M of the Arun Design Guide.
- 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 discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way

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forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.