

Recommendation Report for Planning Permission

REF NO: AB/65/22/PL

LOCATION: Arundel Cathedral
London Road
Arundel
BN18 9AY

PROPOSAL: Installation of refurbished lighting columns to light western section of churchyard. This application affects the setting of listed buildings and is in the Arundel Conservation Area. This site is in CIL Zone 3 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Installation of 4 Victorian period electric lampposts 3.45 metres in height within the grounds of Arundel Cathedral at its western end, illuminating pedestrian areas.
TOPOGRAPHY	The application site itself is predominantly flat, the Cathedral sits on one of the highest points of Arundel.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Victorian style iron railings with hedge behind.
SITE CHARACTERISTICS	Arundel Cathedral of Our Lady & St Philip Howard and piers surrounding churchyard, London Road, Arundel, is a Grade 1 Listed Building, listed in 1949, it forms a group with No2 Parsons Hill.
	The site lies within the grounds of Arundel Cathedral immediately outside the main entrance providing pedestrian access from the northern to the southern boundary at the western end. The Cathedral occupies an elevated position on the corner of Parsons Hill, London Road and King Street.
CHARACTER OF LOCALITY	Predominantly residential. Historic core of town centre. The immediate setting of the Cathedral consists of its grounds, Cathedral House and surrounding roads, especially London Road and King Street.
	The Cathedral is located within the Arundel Conservation Area. 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.

RELEVANT SITE HISTORY

AB/95/18/PL	Installation of refurbished traditional lighting columns	ApproveConditionally
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within Cathedral grounds to provide amenity lighting -
This application affects the setting of a Listed Building.
This application affects the character & appearance of
Arundel Conservation Area

24-01-19

The Listed Building application is not required to accompany this application as it benefits from an ecclesiastical exemption under The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (England) Order 2010.

REPRESENTATIONS

None received.

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer - comments set out in full on the website but in summary:

- Notes the information contained with the submitted Heritage Statement, that the re-use of the columns which would otherwise be left is positive, the design of the columns is of an attractive, heritage design, appropriate for its context.
- There is street lighting with a similar traditional design on the local roads and the proposed light columns will sit comfortably with the surrounding roads and buildings, even when the hedging has been removed and replaced with the proposed railings (approved as part of a separate application).
- Considered that the development will not impact on the setting of the listed buildings, there is no harm to the overall significance of the heritage assets. It is the Conservation Officers opinion that the introduction of the lighting columns will be positive from a heritage perspective.
- Concludes, the application is considered to not cause harm to the significance of the heritage assets or their setting, and therefore not harm their significance. Consequently, it should be determined in accordance with the relevant policies within the Development Plan, along with these comments.
- Also need to take into account the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Arundel Town Council

The Committee have no objection to the Application.

Arun District Conservation Area Advisory Panel:

The columns and lamps are of a suitable scale and design in relation to the Cathedral and the

streetscene. They are reflective of the existing black painted vase iron public street lighting in London Road and other principal streets in Arundel Town Centre. It is considered that the proposals will have no adverse impact on the character or appearance of the Conservation Area.

Environment Health

No objection.

COMMENTS ON CONSULTATION RESPONSES:

The consultee responses are noted, all confirm that the proposed lighting columns will not result in an adverse impact on the Listed Building or Conservation Area.

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Grade 1 Listed Building

DEVELOPMENT PLAN POLICIES

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

SDSP2	SD SP2 Built-up Area Boundary
DDM1	D DM1 Aspects of form and design quality
HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment

[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:

ADS	The Arundel Design Statement by Arundel Town Council
SPD13	Arun District Design Guide (SPD) January 2021

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans 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.

The Arundel Neighbourhood Plan (Arundel Neighbourhood Plan Review 2018 - 2031) was made on 15 January 2020 and the relevant policy has been considered in the determination of this application.

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

The proposals were previously approved under AB/95/18/PL but not implemented within the time limits imposed. Policy HER DM1 relates to Listed Buildings and states that proposals must preserve and if possible, enhance the historic character, qualities and special interest of the building. Proposals should not be detrimental to the historic integrity of the building's exterior or interior and where possible should enhance the setting of the building.

The application concerns external works to a Grade I Listed Building. Given the building's listed status, any alterations should protect and enhance the special historic and architectural character of the building and preserve its setting.

ADC Policy HER DM1 set out criteria for which proposals must meet to be acceptable. These include preservation or enhancement of the building, protecting its architectural and historical integrity, as well as its special interest, the Cathedral is a significant heritage asset and proposals should protect its setting.

ADC Policy HER DM3 seeks to preserve or enhance the character or appearance of the Conservation Area, the proposed lighting columns acknowledge the character of the special environment.

Policy AR1 Arundel Built Up Area Boundary, the site lies within the built-up area. Although the ANP has no specific policies relating to heritage matters one of its identified key objectives is to maintain and enhance the nationally and locally important heritage assets and special character of the town and its setting. The application site lies within the Built-Up Area Boundary.

The NPPF 2021 section 16. Conserving and enhancing the historic environment deals with applications of this nature. Para 194 of the NPPF requires that the LPA should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The Heritage Statement that forms part of this application meets these requirements.

Para 195 requires that the LPA identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

HERITAGE/DESIGN

Following assessment of the Heritage Statement that formed part of the application, the consultation responses including that from the Conservation Officer, the previously granted consent and in accordance with the NPPF. The proposal would not result in harm upon the significance of the heritage asset nor conflict with it and as a result is in accordance with HER DM1 and HER SP1 and the requirements of the NPPF, in that it is considered to protect and enhance the special historic and architectural character of the building and not result in harm to the significance of a designated heritage asset.

It is concluded that the proposal will not cause harm to the significance of the heritage assets or their setting and it is not necessary to assess benefits associated with the application.

The development would be historically appropriate and would preserve and enhance the appearance of the Conservation Area and enhance the setting of the Listed Building in compliance with design and heritage policies D DM1, HER DM1, HER DM3, HER SP1 of the Arun Local Plan and the Arun Design Statement.

The Arundel Design Guide states that the functional features in a street such as railings and lamps can be decorative and make a positive contribution to the street scene.

The Arun Design Guide in section C.03 Heritage & Conservation Environment identifies that the District has a rich historic environment, which future development must seek to protect, complement and enhance, it goes on to state that Arundel in particular is renowned for its historic and cultural market town character, being dominated by its Grade I listed cathedral and castle.

H.06 Street Furniture, Lighting & Public Art in the design guide identifies that provision of appropriate lighting can help ensure both the high quality and safety of streets and spaces, delivered in varied forms and being reflective of the area's character. The proposed lighting columns accord with the Design Guide being high quality and reflective of the area's character.

The proposal is in accordance with the relevant development plan policies as there is no harm to the buildings or their setting and no loss of historical fabric. There is no conflict with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 Act.

RESIDENTIAL AMENITY

The proposed lighting would not be considered to have a significant impact in terms of an overbearing impact nor cause an unacceptable disturbance to nearby residential properties given their setting within the grounds of the Cathedral and existing lighting at the site and therefore the proposal is considered to accord with policy D DM1 3 of the Arun Local Plan.

SUMMARY

The principle of development within the urban area is appropriate in accordance with policy SD SP1 of the Arun Local Plan and Policy AR1 of the Arundel Neighbourhood Plan Review 2018 - 2031.

The application is therefore recommended for approval 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

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;
766-33b-311 _Site Plan as proposed dated August 2018
766-33b-312 - West elevation and lighting detail as proposed with hedges dated August 2018
766-33b-313 - West elevation and lighting detail as proposed with railings dated August 2018

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

- 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 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.