

Recommendation Report for Planning Permission

REF NO: AB/89/18/PL

LOCATION: 65 Tarrant Street
Arundel
BN18 9DJ

PROPOSAL: Change of use of loft space from office storage to office work space & installation of roof light. This application affects the character & appearance of the Arundel Conservation Area.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
TOPOGRAPHY	The property is situated at the junction of two roads (Tarrant Street & Arun Street). The side road (Arun Street) has a significant fall down towards the river (to the east)
TREES	None
BOUNDARY TREATMENT	Not relevant to this proposal
SITE CHARACTERISTICS	The property is a mixture of gallery and offices in the historic part of Tarrant Street.
CHARACTER OF LOCALITY	The property is part of the Arundel Conservation Area.

RELEVANT SITE HISTORY

AB/87/62/ADV	Illuminated Sign	Refused 19-09-62
AB/82/79	Erection Of Canopies Above Existing Windows And Door	ApproveConditionally 18-07-79
AB/60/59/ADV	Vertical Illuminated Box Sign	Refused 07-08-59
AB/38/79	Change Of Use - 4 First Floor Rooms To Be Used For The Display Of Furniture	ApproveConditionally 25-04-79
AB/19/83/L	C.O.U. Of G/F & Basement To Add Use From Antique Sales As Sale Of Health Food Restaurant Cafe F/F Used	ApproveConditionally 30-03-83

Furniture Disply

AB/29/54/ADV	Illuminated Advert Sign	Refused 08-12-54
AB/34/85	Change Of Use From Shop To Office Accommodation Alterations To Shop Front	ApproveConditionally 10-04-85
AB/35/85	Change Of Use From Shop To Residential (Single Dwelling) Alteration To Shop Front	ApproveConditionally 10-04-85
AB/101/08/	Use of ground floor as gallery (A1) with offices at 1st floor	ApproveConditionally 08-09-08
AB/156/01/	Change of use from residential to commercial use for complimentary therapies and retailing related products	ApproveConditionally 12-02-02
AB/88/96	Alteration to west elevation to provide false balcony and doors	Refused 26-09-96

None that is specifically relevant to this proposal.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

None

COMMENTS ON REPRESENTATIONS RECEIVED:

N/A

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

The application is for a change of use of the loft space from office storage to office work space &

installation of roof light.

The change of use is considered to have no impact upon the character of the conservation area as it is one which is directly related to the current one. The only external alteration to the building is the introduction of the proposed roof light.

The neighbouring property in the street already has two dormer windows, which are quite large. Therefore the introduction of a roof light is not considered to affect either the character of the existing building or the conservation area. This is on the basis that it is of conservation standard. Please condition that the roof light is of conservation standard.

Parish Council:

The Committee had no objection to the application provided a condition was attached specifying that the roof light to be inserted would be a conservation roof light only and that it should thereafter be retained as such

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site: Conservation Area

Locally important heritage asset

DEVELOPMENT PLAN POLICES

HERDM2	HER DM2 Locally Listed Buildings or Structures of Character
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
DSP1	D SP1 Design

[Arundel Neighbourhood Plan 2014 POLICY13:](#) Buildings and Structures of Character

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 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 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.

- The NDP has been part of the development plan for 2 years or less or the ministerial statement is less than 2 years old
- The NDP allocates sites for housing
- The Council can demonstrate a three-year supply of deliverable housing sites

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).

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.

CA

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.

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character of the Conservation Area.

CONCLUSIONS

The property is currently used as an office at first floor level and the intention is to convert some office storage space into a proper office. This requires the additional of a rooflight.

Whilst, the property is in the Conservation Area for the reasons expressed by both the Conservation Officer and the Town Council the proposal is not considered to cause any material harm to the character or appearance of the Conservation Area.

The building is also listed under policy 13 of the Arundel Neighbourhood Plan as a local important heritage asset. However, for the same reasons as the Conservation Area designation, no harm is identified and therefore no policy conflict arises.

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 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 no adverse 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).

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 120 rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy HER DM3 of the Arun Local Plan 2018.
- 3 The rooflight hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof

Reason:
(b) In order that the development shall not detract from the character or appearance of the Conservation Area in accordance with policies HER DM1, HER DM2, and HER DM3 of the Arun Local Plan 2018 and policy 13 of the Arundel Neighbourhood Plan 2014.
- 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.