

Recommendation Report for Planning Permission

REF NO: AB/95/18/PL

LOCATION: Arundel Cathedral
London Road
Arundel
BN18 9AY

PROPOSAL: Installation of refurbished traditional lighting columns 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

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Installation of 4 Victorian period electric lamppost 3.45 metres in height within the grounds of Arundel Cathedral at its western end illuminating pedestrian areas.
SITE AREA	N/a
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Victorian style iron railings with hedge behind.
SITE CHARACTERISTICS	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.

RELEVANT SITE HISTORY

AB/120/14/PL	Reinstatement of boundary railings and gates. This application affects the character and appearance of the Arundel Conservation Area and the setting of a listed building.	ApproveConditionally 15-12-14
AB/139/04/	Replacement railings to existing boundary wall at boundary of churchyard, Parsons Hill.	ApproveConditionally 22-10-04

None relevant.

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

REPRESENTATIONS RECEIVED:

None received.

COMMENTS ON REPRESENTATIONS RECEIVED:

- noted.

CONSULTATIONS

Conservation Officer

Listed Building Officer

CONSULTATION RESPONSES RECEIVED:

ADC Conservation Officer

- The proposal to introduce 4 lighting columns is considered to have a positive impact upon both the building and conservation area, and can be supported.
- is assumed that the columns will be painted black. You may wish to condition details related to the colour.

COMMENTS ON CONSULTATION RESPONSES:

- comments noted

POLICY CONTEXT

Designation applicable to site:

Conservation Area

Grade 1 Listed Building

Class C road

DEVELOPMENT PLAN POLICES

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 2014 POLICY1:](#) The Presumption in Favour of Sustainable Development

Arundel Neighbourhood Plan 2014 POLICY 2: A Spatial Plan for the Town

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

SUPPLEMENTARY POLICY 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.

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.

The Arundel Neighbourhood Plan has been made and the relevant policies considered in the determination of this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**PLANNING**

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 principle of development within the urban area is appropriate in accordance with policy SD SP1 of the Arun Local Plan and policies 1 & 2 of the Arundel Neighbourhood Plan.

DESIGN, IMPACT ON CONSERVATION AREA AND SETTING OF LISTED BUILDING

The proposal is for the the installation of 4 lampposts recovered from Arundel Castle Grounds to improve the safetyof users of the grounds of Arundel Cathedral . The Victorian style of the lampposts in a gas light style (although electrically illuminated) is considered acceptable and has received the support of the ADC Conservation Officer .

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 Arundel Design Statement.

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.

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.