

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

REF NO: R/251/20/HH

LOCATION: Palm Cottage
62 Ash Lane
Rustington
BN16 3BT

PROPOSAL: Proposed orangery and utility to rear of dwelling. This application affects the setting of a Listed Building.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

RELEVANT SITE HISTORY

R/252/20/L	Listed Building consent for orangery and utility to rear of existing dwelling.	
R/58/20/PL	Alterations of layout to holiday let and provision of shed. This application may affect the setting of a listed building.	ApproveConditionally 30-06-20
R/270/18/PL	Convert existing garage/studio to 1 bed short term holiday let & fence off section of garden to form amenity space (resubmission following R/284/17/PL). This application affects the setting of a listed building.	ApproveConditionally 18-01-19
R/235/18/L	Listed building consent for replacement windows to the front & side of the property	ApproveConditionally 08-02-19

REPRESENTATIONSRustington Parish Council:
No objection

No representation from nearby occupiers.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:**Conservation Officers Comments:**

Palm Cottage is a two-storey detached property thought to date from C.1790, which is constructed from cobbles and red brick dressings/ quoins. The building appears to have been developed in a number of stages, including a two storey and a single storey extensions, and in its current form is a rectangular building with a hipped clay tile roof. The existing windows are white painted casements. It is of aesthetic significance.

The Proposal

The proposal is for a single storey structure which will form an orangery and utility to rear of dwelling. It would appear that the new extension would be to the rear of the oldest part of the building but be designed so as to not fully cover the width of that part of the house.

The extension itself is fairly simple in appearance and form which will reflect the characteristics of the host listed building. Likewise, a simple pallet of materials is proposed which include some more modern ones, such as the aluminium windows. These materials are acceptable as they either reflect the host building or are located in such a position that they can be considered to be suitable in a building of this type (e.g. aluminium windows on the rear, modern extension). The extension will be faced with flint work and this should be of a high quality in order to ensure that it matches the existing building. Likewise, the brickwork should match that already present. You might wish to condition details of these if minded to approve the proposals.

The proposals also include some internal alterations, which are small in scale and designed so as to not affect too much historic fabric. Where part of the rear wall of the listed building is to be removed, this is to create a wider opening, and the materials are to be re-used as part of the construction works. This will ensure that the historic fabric remains within the property and is not lost.

I also note that reference is made to replacing the existing guttering and downpipes with something that is more appropriate for the listed building. This is a positive approach, and capable of support.

Whilst a small section of the existing garden wall is to be removed, it is positive to note that the materials will be saved and re-used to repair another section of the walling. The idea of identifying the line of the former wall in the proposed flooring is also positive. Careful attention should be made to ensure that the appearance of the existing walling to be repaired is carefully followed. This will ensure that details such as the coursing will be matched and that there is not a dominance of mortar to flintwork.

Conclusion

The application is considered to not cause harm to the significance of the heritage asset. 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 the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

POLICY CONTEXT

Within the Built Up Area Boundary
Grade II 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)
DSP1	D SP1 Design
HERDM1	HER DM1 Listed Buildings

[Rustington Neighbourhood Plan 2014 Policy 2](#)

Housing Design

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CONCLUSIONS

RINCIPLE

The key policies are D DM1 and D DM4 of the Arun Local Plan. Additionally, Policy 2 of the Rustington Neighbourhood Development Plan.

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 2 of the Rustington Neighbourhood Development Plan states that development proposals will be supported providing that their scale, density, massing, height, landscape design, layout and materials reflect and enhance the established character of the area.

DESIGN AND VISUAL AMENITY

The proposed orangery will be located at the rear of the property, the width of the proposal will be 9.2m, 3.75m in depth and built to a proposed flat roof height of 3m with an eaves at 2m. The materials proposed for the walls of the orangery will be flint stone with brick quoin to be similar to the existing with aluminium bi-folding doors to the rear and aluminium roof lights to be located on the mono pitched roof with a roof tiles to be constructed of clay tiles to match that of the heritage asset.

Given the proposal is not visible from the street scene, it is not deemed to have a significantly detrimental impact on the established spatial pattern, or visual amenity of the area. This is predominantly due to the proposed materials and modest, largely open scale of the development allowing it to remain subservient in appearance and sympathetic in style to the host dwelling.

The proposed alterations are considered to be acceptable in terms of design and visual amenity, in that they do not have any considerable impact upon the street scene, or the established character of the site.

The proposal is not considered to result in an adverse appearance on the street scene and accord with D DM1 and D DM4 of the Arun Local Plan as well as Policy 2 of the Rustington Neighbourhood Plan.

HERITAGE IMPACT ASSESSMENT

The proposed development to the grade II Listed Building is considered to cause less than substantial harm in line with paragraph 196 of the NPPF. Whilst the proposal is large in nature the historic character and aesthetic qualities of the cottage are not deemed to be affected as the proposal uses materials that

match the existing and whilst the loss of a small part of walling in the rear garden is unfortunate the wall is in poor condition. As such the proposal is considered to comply with HER DM1.

Furthermore, with the proposed works being located to the rear of the dwellinghouse the impact on the heritage asset as set out in paragraph 192 (a and b) of the NPPF is considered acceptable as the desirability of the proposal is not harmed with the proposal adding public benefit to the listed building keeping it desirable whilst maintaining the aesthetic nature of the building.

RESIDENTIAL AMENITY

The proposed orangery will be located at the rear of the property. The orangery will measure out as 18m to the southern boundary, 22.5m to the northern boundary and 9.8m to the eastern boundary. The orangery will be constructed with similar materials as the host dwelling, such as the walls being rendered with the same materials, the bi-folding doors will be glass. This development will be at the rear of the property and not visible from the wider area so there is no harm to the street scene as there are no viewpoints from the wider area.

The width and height of the orangery is modest and with sufficient separation to the neighbouring property, it is not considered to result in adverse impacts upon amenity.

The proposal is not deemed to harm amenity by way of overbearing, overshadowing or overlooking and accord with D DM1 and D DM4 of the Arun Local Plan.

SUMMARY

The proposed development is deemed to accord with relevant development plan policies and as such is 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

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 Plan, Block Plan, Existing Site Plan and Existing Floor Plans, Elevations and Roof Plan Dwg No. EX01
 - Design Access and Heritage Statement
 - Steel Replacement Window Specification
 - Proposed Site Plan and Proposed Floor Plans, Elevations and Roof Plan Dwg No PR01
 - Cast Iron Rainwater and Soil System
 - Hardware Specifications
 - Heritage Window Specifications
 - Aluminium Bi-Fold and Sliding Door Systems

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 The materials and finishes of the external walls of the proposed development hereby permitted shall match in colour and texture those of the existing building.

The details of the walling such as the coursing hereby permitted shall be matched to ensure there is not a dominance of mortar to flint work.

Reason: In the interests of amenity in accordance with policies HER DM1 of the Arun Local Plan.

- 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.