

Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 17 January 2018 at 9.30 am**

MEMBERS: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mrs J Duncton, Mr M Dunn, Mr J F Elliott, Mr M Hall, Mr L Hixson, Mrs J Kilby, Mr G McAra, Mr S Oakley, Mr R Plowman, Mrs J Tassell, Mrs P Tull and Mr D Wakeham

AGENDA

1 **Chairman's Announcements**

Any apologies for absence which have been received will be noted at this stage.

The Planning Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.

2 **Approval of Minutes**

The minutes relate to the meeting of the Planning Committee on 13 December 2017 (copy to follow).

3 **Urgent Items**

The chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 10 (b).

4 **Declarations of Interests (Pages 1 - 2)**

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies.

Such interests are hereby disclosed by each member in respect of agenda items in the schedule of planning applications where the Council or outside body concerned has been consulted in respect of that particular item or application.

Declarations of disclosable pecuniary interests, personal interests and prejudicial interests are to be made by members of the Planning Committee in respect of matters on the agenda or this meeting.

PLANNING APPLICATIONS - AGENDA ITEMS 5 TO 8 INCLUSIVE
Section 5 of the Notes at the end of the agenda front sheets has a table showing how planning applications are referenced.

- 5 **CC/17/02571/REM - Land South Of Graylingwell Drive, Chichester, West Sussex** (Pages 3 - 19)
Application for the approval of reserved matters pursuant to outline planning permission CC/15/00743/OUT for the development of 160 new homes and associated works at the Lower Graylingwell site.
- 6 **SY/17/01458/DOM - 11 Beach Gardens, Selsey, Chichester, West Sussex, PO20 0HX** (Pages 20 - 31)
Proposed extension and alterations.
- 7 **WW/17/02592/FUL - Danbury, 56 Howard Avenue, West Wittering, PO20 8EU** (Pages 32 - 43)
Demolition of existing bungalow and garage and the erection of 2 no. replacement dwellings.
- 8 **SDNP/17/01998/FUL - Arun Cottage, The Street, Bury, RH20 1PA** (Pages 44 - 61)
Demolition of existing dwelling and erection of replacement dwelling with associated landscape design.
- 9 **Schedule of Planning Appeals, Court and Policy Matters** (Pages 62 - 71)
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.
- 10 **Consideration of any late items as follows:**
The Planning Committee will consider any late items announced by the Chairman at the start of this meeting as follows:
- a) Items added to the agenda papers and made available for public inspection
 - b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting
- 11 **Exclusion of the Press and Public**
There are no restricted items for consideration.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless these are exempt items.
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.

4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of his or her intentions before the meeting starts. The use of mobile devices for access to social media is permitted but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 in the Constitution of Chichester District Council]
5. How applications are referenced:
- First 2 Digits = Parish
 - Next 2 Digits = Year
 - Next 5 Digits = Application Number
 - Final Letters = Application Type

Application Type

ADV Advert Application
AGR Agricultural Application (following PNO)
CMA County Matter Application (eg Minerals)
CAC Conservation Area Consent
COU Change of Use
CPO Consultation with County Planning (REG3)
DEM Demolition Application
DOM Domestic Application (Householder)
ELD Existing Lawful Development
FUL Full Application
GVT Government Department Application
HSC Hazardous Substance Consent
LBC Listed Building Consent
OHL Overhead Electricity Line
OUT Outline Application
PLD Proposed Lawful Development
PNO Prior Notification (Agr, Dem, Tel)
REG3 District Application – Reg 3
REG4 District Application – Reg 4
REM Approval of Reserved Matters
REN Renewal (of Temporary Permission)
TCA Tree in Conservation Area
TEL Telecommunication Application (After PNO)
TPA Works to tree subject of a TPO
CONACC Accesses
CONADV Adverts
CONAGR Agricultural
CONBC Breach of Conditions
CONCD Coastal
CONCMA County matters
CONCOM Commercial/Industrial/Business
CONDWE Unauthorised dwellings
CONENG Engineering operations
CONHDG Hedgerows
CONHH Householders
CONLB Listed Buildings
CONMHC Mobile homes / caravans
CONREC Recreation / sports
CONSH Stables / horses
CONT Trees
CONTEM Temporary uses – markets/shooting/motorbikes
CONTRV Travellers
CONWST Wasteland

Committee report changes appear in bold text. Application Status

ALLOW Appeal Allowed
APP Appeal in Progress
APPRET Invalid Application Returned
APPWDN Appeal Withdrawn
BCO Building Work Complete
BST Building Work Started
CLOSED Case Closed
CRTACT Court Action Agreed
CRTDEC Hearing Decision Made
CSS Called in by Secretary of State
DEC Decided
DECDET Decline to determine
DEFCH Defer – Chairman
DISMIS Appeal Dismissed
HOLD Application Clock Stopped
INV Application Invalid on Receipt
LEG Defer – Legal Agreement
LIC Licence Issued
NFA No Further Action
NODEC No Decision
NONDET Never to be determined
NOOBJ No Objection
NOTICE Notice Issued
NOTPRO Not to Prepare a Tree Preservation Order
OBJ Objection
PCNENF PCN Served, Enforcement Pending
PCO Pending Consideration
PD Permitted Development
PDE Pending Decision
PER Application Permitted
PLNREC DC Application Submitted
PPNR Planning Permission Required S64
PPNREQ Planning Permission Not Required
REC Application Received
REF Application Refused
REVOKE Permission Revoked
S32 Section 32 Notice
SPLIT Split Decision
STPSRV Stop Notice Served
STPWTH Stop Notice Withdrawn
VAL Valid Application Received
WDN Application Withdrawn
YESTPO Prepare a Tree Preservation Order

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Chichester District Council

Planning Committee

Wednesday 17 January 2018

Declarations of Interests

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies are set out in the attached agenda report.

The interests therein are disclosed by each member in respect of planning applications or other items in the agenda which require a decision where the council or outside body concerned has been consulted in respect of that particular planning application or item.

Declarations of disclosable pecuniary interests, personal interests, prejudicial interests or predetermination or bias are to be made by members of the Planning Committee or other members who are present in respect of matters on the agenda or this meeting.

Personal Interests - Membership of Parish Councils

The following members of the Planning Committee declare a personal interest by way of their membership of the parish councils stated below in respect of the items on the schedule of planning applications where their respective parish councils have been consulted:

- Mr J F Elliott – Singleton Parish Council (SE)
- Mr R J Hayes - Southbourne Parish Council (SB)
- Mr L R Hixson – Chichester City Council (CC)
- Mrs J L Kilby – Chichester City Council (CC)
- Mr G V McAra - Midhurst Town Council (MI)
- Mr S J Oakley – Tangmere Parish Council (TG)
- Mr R E Plowman – Chichester City Council (CC)
- Mrs L C Purnell – Selsey Town Council (SY)

Personal Interests - Membership of West Sussex County Council

The following members of the Planning Committee declare a personal interest by way of their membership of West Sussex County Council in respect of the items on the schedule of planning applications where that local authority has been consulted:

- Mrs J E Duncton - West Sussex County Council Member for the Petworth Division
- Mr S J Oakley - West Sussex County Council Member for the Chichester East Division
- Mrs L C Purnell – West Sussex County Council Member for the Selsey Division

Personal Interests - Chichester District Council Representatives on Outside Organisations and Membership of Public Bodies

The following members of the Planning Committee declare a personal interest as Chichester District Council appointees to the outside organisations or as members of the public bodies below in respect of those items on the schedule of planning applications where such organisations or bodies have been consulted:

- Mr G A F Barrett - Chichester Harbour Conservancy
- Mr T M E Dunn – South Downs National Park Authority
- Mr R Plowman – Chichester Conservation Area Advisory Committee

Personal Interests – Chichester City Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a Chichester City Council appointee to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

NONE

Personal Interests – West Sussex County Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a West Sussex County Council appointee to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

- Mrs J E Duncton – South Downs National Park Authority

Parish: Chichester	Ward: Chichester North
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CC/17/02571/REM

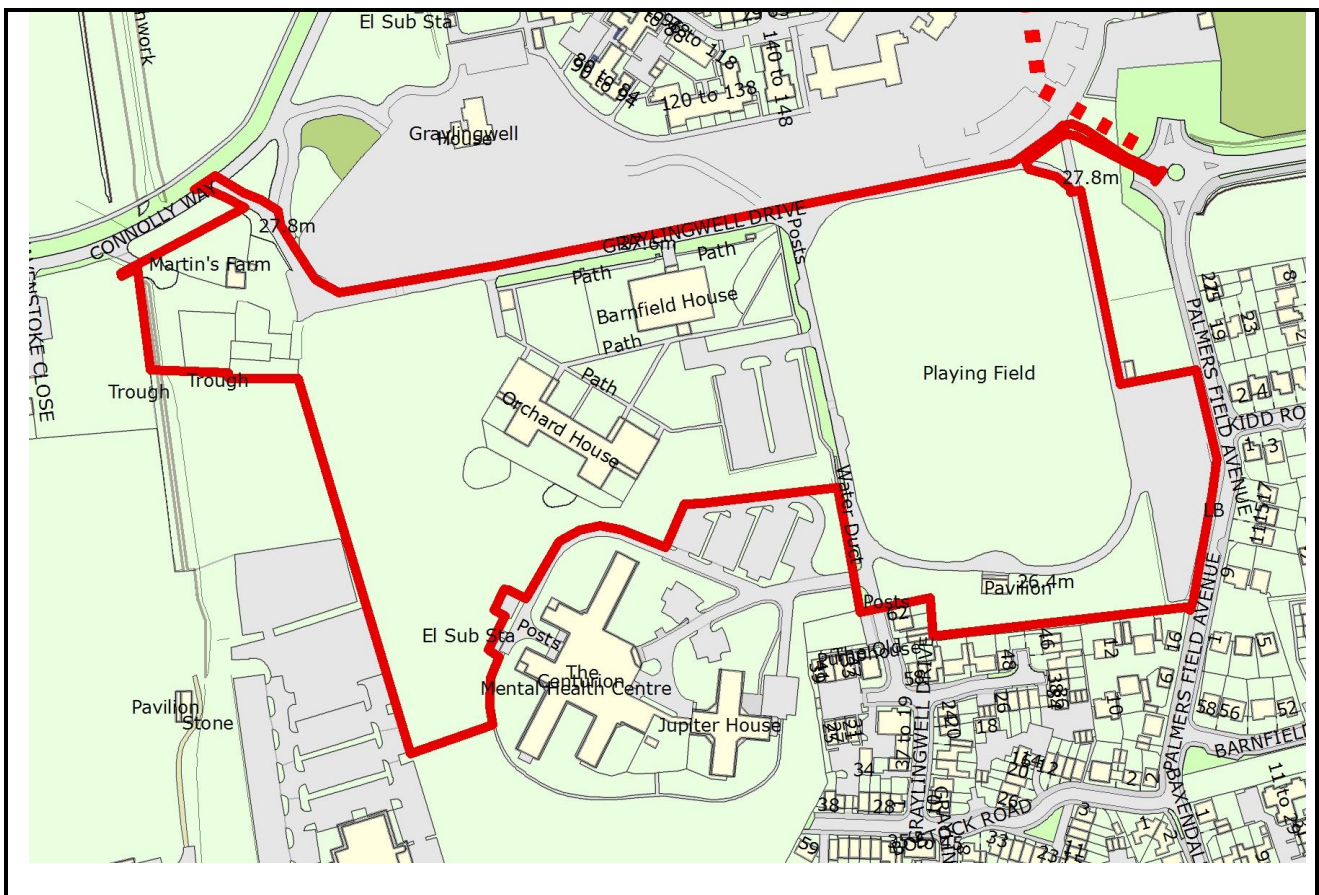
Proposal Application for the approval of reserved matters pursuant to outline planning permission CC/15/00743/OUT for the development of 160 new homes and associated works at the Lower Graylingwell site.

Site Land South Of Graylingwell Drive Chichester West Sussex

Map Ref (E) 486429 (N) 106179

Applicant Hill Partnerships Ltd

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

City Council Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is known as Lower Graylingwell and comprises a total area of approximately 7.4 hectares to the south of Graylingwell Park, the Linden Homes/Affinity Sutton LLP development of the Victorian hospital in the north-east of the City. The site is currently vacant with two boarded up single storey former NHS buildings - the Merton Centre and Orchard House. To the north-west and situated on an overgrown but recently cleared 0.42 ha plot of land lies a derelict 19th Century largely flint built farmhouse known as Martin's Farm. The majority of the application site is laid to grass. The eastern half of the site consists of a large former sports pitch encircled by trees with a dilapidated former sports pavilion at its southern edge. This part of the site lies within the Chichester Conservation Area. At the extreme east of the site is an area of hardstanding last used as car parking for the former clubhouse/social club before that building was destroyed by fire and subsequently demolished.

2.2 The site is bounded by the tree lined Graylingwell Drive to the north which marks the south boundary of the Conservation Area at this point. Residential development at Palmers Field Avenue lies to the east of the site and again to the south of the former sports pitch at Bostock Road. The south boundary is also formed by the Sussex Partnership NHS Trust building (the Chichester Centre) and its car park. West of the site is the rear of Chichester University's Bishop Otter Campus and the University sports field.

3.0 The Proposal

3.1 Outline planning permission was granted on 29 January 2016 for development of the application site for up to 160 homes, retention and extension of Martins Farmhouse to provide a 4 bed dwelling, retention, restoration and improvements to the existing sports pitch to create a new adult recreational cricket pitch and a new combined sports changing and community pavilion. It established a developable area of approximately 4.6 ha. The outline permission was for 'access' only with all other matters reserved. This application covers the remaining reserved matters namely; layout, scale, appearance and landscaping for a total of 160 dwellings.

3.2 The proposed accommodation comprises 1 and 2 bedroom flats and 2, 3 and 4 bedroom houses. There is 30% affordable housing comprising 34 units for affordable rent and 14 shared ownership units. The density of development for the net developable area is 35 dwellings per hectare (dph). Overall the accommodation is proposed to be provided in the following mix:

Market - 112 dwellings

9 x 1 bed flats

21 x 2 bed flats

9 x 2 bed houses

56 x 3 bed houses

17 x 4 bed houses

Affordable - 48 dwellings (30%)

The Committee will recall that following the grant of outline planning permission, the permitted affordable housing provision was varied from 30% (48 units) of the total number of dwellings to 50% (80 units) as Starter Homes in line with central government objectives to increase the availability of low cost new homes for ownership. However, following delays bringing Starter Homes into legislation the applicant has decided to revert back to providing affordable homes in accordance with adopted Local Plan policy.

9 x 1 bed flats
9 x 2 bed flats
8 x 2 bed houses
19 x 3 bed houses
3 x 4 bed houses

The proposed flats are located in 4 x 3 storey blocks, three of which are located on the south side of Graylingwell Drive and the fourth to the south of the retained sports pitch. With the exception of the apartment blocks the remainder of the development is 2 storeys in height.

3.3 In terms of the other components of the application these comprise:

- A total of 318 parking spaces across the site broken down as follows:
 - 262 allocated residential car parking spaces including garages (6m x 3m internal)
 - 44 visitor car parking spaces
 - 11 car parking spaces for the cricket pitch and pavilion
- cycle parking either in garage or garden sheds or dedicated provision for flats
- 2.5 ha of open space (the Local Plan Open Space Calculator for a development of this size requires 0.21 ha)
- 1.6 ha for a cricket pitch
- 0.1 ha for a village green
- 0.15 ha of play space (1000sqm on the village green for under 5's and 500sqm as an equipped area of play [LEAP] located south west of the cricket pitch)
- 627 sqm of allotment space/community garden in the north-east corner of the site
- 175sqm combined sports changing and community use building (130sqm for community use)
- retention of the existing mature trees encircling the sports pitch area and lining the south side of Graylingwell Drive

4.0 History

15/00743/OUT	PER106	Demolition of existing hospital buildings and development of up to 160 new homes including retention and improvement of sports pitch/open space, new pavilion and children's play area; restoration of Martin's Farm house for residential use (included in 160 unit total); access arrangements and ancillary works and demolition of pavilion.
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17/01738/TCA	NOTPO	Notification of intention to crown raise branches on all Lime trees within group to give up to 6m clearance over road side.
17/02377/OBG	PCO	Section 106 Deed of Variation for replacing Starter Homes with affordable homes.

5.0 **Constraints**

Listed Building	NO
Conservation Area	Graylingwell
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	FZ1
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	YES

6.0 **Representations and Consultations**

6.1 City Council

Strong objection on the following grounds:

The layout of the proposal and the design and appearance of the buildings do not meet the standards required by policy 33 of the Local Plan.

Layout

- Social cohesion: 3 storey blocks of flats and social housing concentrated on northern boundary
- Lack of natural surveillance over park & parking area
- Location of park
- Mix of house types - 4-bed only in SE corner

Building design

- mis-matched roof pitches
- scale, bulk and mass of blocks of flats

6.2 Historic England

Historic England has no objection to the application on heritage grounds. The development poses relatively minimal harm to heritage significance. It is noted that the reserved matters application proposes relatively few new houses within the Martins Farm area and continues to cluster them to the east of the existing farmhouse and away from the Chichester Dyke. We are supportive of this approach as we think this layout will

preserve an open setting around the monument and thereby allow for its aesthetic value and function to be best appreciated.

6.3 Sussex Police

With the level of crime and anti-social behaviour in Chichester district being below average when compared with the rest of Sussex, I have no major concerns with the proposals, however, additional measures to mitigate against any identified local crime trends should be considered. Some concerns that the play area is in an isolated position and that the nearby trees around it may also restrict visibility of the area. The nearest occupied building which could overlook it is some distance away.

6.4 WSCC - Highways

Final comments awaited. The Committee will be updated.

[Planning Officer Comment: The Council has received two comprehensive consultation responses to the reserved matters application both of which itemise technical points of detail on the layout e.g. rumble strips, turning heads, visibility splays etc which the applicant has been addressing. At the time of preparing this report the applicant was finalising these aspects and subject to some minor remaining details officers understand that WSCC has no objection to the proposals.]

6.5 CDC - Coastal and Drainage Engineer

The proposed scheme is to drain all surface water to ground, with private soakaways serving individual properties. This approach is acceptable in principle and based on our knowledge of the local geology, likely to be able to adequately drain the development. Conditions were attached to the outline application for a detailed design and maintenance manual therefore no need for conditions to be applied to this application.

6.6 CDC - Housing Enabling Officer

There has been considerable negotiation with the developer and with the Homes and Community Agency to find an acceptable scheme following the government's Starter Homes initiative stalling. The current mix is acceptable and is in line with the Strategic Housing Market Assessment for both the affordable and market housing.

The pepper potting as set out in the draft s106 departs slightly from policy which requires affordable units to be in groups of no more than 10, or 15 on strategic sites. Lower Graylingwell was part of the NE Chichester Development Plan and so I would consider it to be a strategic one. While there is a slight departure from planning policy in terms of pepper potting I would not object from a Housing point of view. The developers have come some way to meet the council's requirements.

The central flat block has a split of shared ownership and private flats. While this is not ideal, I have had assurances from a registered provider that this would be acceptable. Mixed rent and other tenures would not be.

6.7 CDC - Archaeology Officer

The final site layout has been arrived at following a full archaeological investigation of the site and its buildings and agreement that the line of the non-scheduled section of the Entrenchment, including its in-filled ditch, should be preserved, as should the Martin's Farm house, and that redevelopment in this area should be kept to a reasonable minimum.

6.8 CDC - Waste Services Officer

Some concern about the size and therefore accessibility of the bin stores for the 4 no. flat blocks. The 1100 litre recycling bins are fitted with a post box style lid. The bin store itself does not look big enough for residents to access the bin. Recommended that the bin stores are amended to address this issue.

[Planning Officer Comment: It is recommended that the issue of the final design of the bin stores be addressed through the imposition of a planning condition].

6.9 CDC - Community Facilities

The Chichester Community Development Trust who will be the beneficiary of the community facilities to be provided within the multi-use sports pavilion have confirmed that they met with the applicant/developer in October 2017 where the plans were redrawn to take into account the CCDT's comments regarding the layout and space. The revised plans have taken on board the layout comments and make adequate provision for the mix of changing and community use for the future use of the building by the CCDT.

6.10 44 Third Party Objections (includes some multiple letters from same authors)

- a) Density is too high
- b) 3 storey buildings are too close to Graylingwell Drive
- c) Noise and pollution from new traffic on Graylingwell Drive
- d) Too close to line of Lime trees
- e) Will block out light, be overbearing and overshadowing of dwellings at Penny Acre and remove views of Cathedral
- f) Balconies will overlook Penny Acre leading to loss of private amenity
- g) Will result in the removal of a stand of mature pine trees
- h) There will be a harmful increase in traffic volumes on Graylingwell Drive which will become a rat run
- i) Flat blocks should be more evenly spread out across the site not all concentrated along Graylingwell Drive
- j) Affordable housing is not pepper-potted or fully integrated throughout the site
- k) Hill Construction have misled residents of Graylingwell
- l) Substitute plans do not address concerns regarding massing
- m) Chichester University and Students Union - Site layout and orientation on west boundary is unacceptable and must be changed. Will result in unsatisfactory relationship with the University and the Student Union building. Proximity of homes to the campus is a major concern and may restrict future development at University. Also concerned about surface water drainage, the housing on west side of spur road and loss of trees.

- n) Chichester Society - Concerned about vehicular access additionally serving Chichester Centre and the University. Elevations and massing of buildings as portrayed are bland. 3 storey flats on Graylingwell Drive will result in loss of outlook.

6.11 1 Third Party Other

Chichester and District Cycle Forum point out it is important to ensure that many of the new householders on this Lower Graylingwell site will view cycling as the easiest mode of transport in order to reach the centre of Chichester and the facilities to the East of the city, such as Portfield Retail Park. It is important that motorised traffic is prevented from driving through the whole Graylingwell Park complex.

6.12 Applicant/Agent's Supporting Information

The application is accompanied by a detailed Design and Access Statement which additionally includes a Landscape Strategy and Heritage Assessment. A suite of plans and supporting documents include; a Planning Statement, a Statement of Community Engagement, and a Transport Assessment and Flood Risk and Drainage Assessment both re-submitted from the outline application. All of the supporting reports and plans can be viewed on the Council's website.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Development Strategy and Settlement Hierarchy
- Policy 4: Housing Provision
- Policy 5: Parish Housing Sites 2012- 2029
- Policy 7: Masterplanning Strategic Development
- Policy 8: Transport and Accessibility
- Policy 9: Development and Infrastructure Provision
- Policy 10: Chichester City Development Principles
- Policy 12: Water Resources in the Apuldram Wastewater Treatment Catchment
- Policy 13: Chichester City Transport Strategy
- Policy 14: Development at Chichester City North
- Policy 33: New Residential Development
- Policy 34: Affordable Housing
- Policy 39: Transport, Accessibility and Parking
- Policy 40: Sustainable Design and Construction
- Policy 42: Flood Risk and Water Management
- Policy 47: Heritage
- Policy 48: Natural Environment
- Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas
Policy 52: Green Infrastructure
Policy 54: Open Space, Sport and Recreation

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles) and in particular the following properties:

- Paragraph 50 - LPA's should deliver a wide choice of high quality homes, creating inclusive and mixed communities.
- Paragraph 56 - The Government attaches great importance to the design of the built environment. Good design is indivisible from good planning and should contribute positively to making places better for people.
- Paragraph 64 - Permission should be refused for development which fails to take the opportunities available for improving the character and quality of an area.
- Paragraph 61 - Ensuring integration of new development into the built environment in addition to securing high quality and inclusive design.
- Paragraph 69 - The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.
- Paragraphs 109, 111, 113, 118 and 119 - The planning system should conserve and enhance the natural environment, enhancing biodiversity, protecting wildlife sites and protected species and encouraging the use of brownfield land.
- Paragraphs 126, 128, 129, 131, 132, 134, 135 - protecting heritage assets and conservation areas, enhancing their contribution where possible and where any elements of harm are identified, taking a balanced judgement in weighing this harm against the public benefits of the proposal.
- Paragraph 158 - LPA's should use a proportionate evidence base to inform inter alia a housing strategy that takes full account of relevant market and economic signals.
- Paragraph 159 - LPA's should have a clear understanding of the housing needs in their area. LPA's should prepare a Strategic Housing Market Assessment (SHMAA) to assess their full housing needs. This should identify household and population projections, taking account of migration and demographic change and should address the need for all types of housing including affordable housing.

- Paragraph 215 - Due weight to be given to relevant policies from Local Plan according to consistency with NPPF.

7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

7.6 The following Supplementary Planning Documents are material to the determination of this planning application:

Planning Obligations and Affordable Housing SPD

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Maintain the low levels of crime in the district in the light of reducing resources
- Support communities to meet their own housing needs
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The principle of development on this site of up to 160 new homes with vehicular access from the east only via Kingsmead Avenue has been agreed by the Council and established through the outline planning permission (reference CC/15/00743/OUT) granted on 29 January 2016. The main issues arising from the current application are therefore centred round the remaining reserved matters - relating to layout, scale, appearance and landscaping. The remainder of the report assesses these issues.

Layout

8.2 Following the grant of outline planning permission the applicant undertook a pre-application enquiry with officers to reappraise the illustrative masterplan layout submitted as part of the outline application. This review identified a need to address the loss of a large number of category B and C trees, an inappropriate amount of development adjacent to Martins Farmhouse and the scheduled ancient monument to the west, a poorly configured access route through to the retained hospital land to the south of the site and an unresolved 'community square'. In working up an alternative layout to that shown illustratively at the outline stage, the applicant has sought to address these matters and has introduced a number of key changes, namely; the inclusion of a larger landscaped centre at the heart of the development incorporating retained trees and a children's play area, a re-design of dwellings and their layout on the west site boundary reducing the number of cul-de-sacs and an increase in building heights in specific locations from 2 storeys to 3 storeys.

8.3 One of the most significant amendments to the illustrative masterplan covered within this reserved matters application is the re-location of the apartment blocks housing the 1 and 2 bed flats. At outline stage these were indicatively shown clustered adjacent to the south side of the retained sports playing field and to the east adjacent to Palmers Field Avenue. As part of the pre-application design process, concerns were expressed by officers in terms of the potential impact of the 3 storey blocks on the more modest scale of the existing 2 storey development at Palmers Field Avenue.

8.4 The location of three of these 3 storey apartment blocks was therefore amended so that under this application these blocks are now located adjacent to the south side of Graylingwell Drive. The design rationale behind this approach has been to try to focus and group the highest buildings on the development at a point on the site where they are seen more in the context of equivalent 3 storey development, in this case the permitted 3 storey development at Penny Acre on the main Graylingwell Park site to the north. In terms of the positioning of these blocks relative to the 3 storey development at Penny Acre, the separation distances across a public road - Graylingwell Drive - and through a retained line of mature trees is considered acceptable. Block 3, the central block is set back 38 metres from the development at Penny Acre. Block 4 to the west, is set at an oblique angle to the dwellings at Penny Acre and is some 31 metres away building-to-building. Block 2 to the east is again at an oblique angle to Penny Acre and is about 46 metres away. Officers have considered the relationship of all three blocks in light of the comments received from the City Council and from residents at Penny Acre and consider on balance that the proximity and separation distance is acceptable in terms of protecting amenity.

8.5 The layout more generally across the site maintains a perimeter block approach with dwellings facing onto and actively engaging with the street scene. The provision of the linear central open space which will have an under 5's play area, will act as a focal point for this part of the site, will be overlooked by housing and is thought to be well considered. The original proposals for the restoration of Martins Farmhouse have been significantly revised. A now subservient single storey extension provides for additional accommodation including a double garage. The proposal for 3 adjacent dwellings adjacent to it is considered to respect both the setting of the Farmhouse, a non-designated heritage asset, and the scheduled ancient monument (the Dyke). The Committee will note that Historic England has no objection to the proposals in this respect. In terms of the estate roads, the development maintains a 5.5m wide main access road linking through to the south

boundary with the retained hospital land as required by condition on the outline permission. Other roads within the scheme are either at 5m wide or 4.75m wide (shared surface). The development additionally provides off-road pedestrian and cycle connectivity via new paths linking through to Connolly Drive to the west and Palmers Field Avenue to the east. The submitted layout drawings also show the short spur road at the western end of Graylingwell Drive which will provide a future vehicular access point to the University from the east and which was secured as part of the outline planning permission.

8.6 With regard to parking provision, the West Sussex Parking Calculator indicates that the development for the mix of housing proposed should provide 255 allocated parking spaces whereas 262 are proposed at a ratio of 1.6 spaces per dwelling with each dwelling having at least one allocated space. The Committee will note that at the time of writing final comments are awaited from WSCC Highways after a number of points of detail with regard to the internal road layout and parking were raised with the applicant but had not been fully addressed. The Committee will be updated with WSCC's final response and any additional planning conditions arising from its comments on the agenda update sheet.

8.7 In terms of the location of the affordable housing, the Committee will note the comments from the Council's Housing Officer at paragraph 6.6. The housing mix proposed is SHMA compliant and although the pepper-potting falls slightly outside the SPD recommendation of no more than 15 in one location the overall distribution and mix of tenures is considered to be acceptable. The affordable housing is not all in one location but is grouped in 3 different parts of the site and where a slight imbalance in the numbers occurs this is either due to a block of affordable flats being adjacent to a neighbouring terrace of affordable houses or in the case of the south-west corner of the site where there is a mix of tenure between affordable rent and shared ownership. The Committee are advised that a higher concentration of affordable housing as a result of blocks of apartments has been permitted at the phase 4 site on the adjacent Graylingwell Park. With regard to the 8 no. 4 bed houses located in the south-east corner of the site, officers are satisfied that this is acceptable in the context of the development and the relationship with existing development at Palmers Field Avenue.

Scale

8.8 The predominantly 2 storey housing across the majority of the site accords with that indicated in the outline application and is considered acceptable. The departure from this is seen in terms of the 3 storey apartment blocks. Officers consider that blocks 2 and 4 are acceptable in that they effectively 'bookend' Graylingwell Drive. Both are also located within a landscaped lawned setting, with block 2 adjacent to a stand of retained Grade A pine trees. The overall height of these blocks at 10.4 metres high is lower than the terrace of dwellings at Penny Acre (at approximately 13 metres) and combined with the separation distances referenced in paragraph 8.4 above, officers are satisfied that in terms of their scale, the spatial relationship is acceptable.

8.9 Block 3 is more compromised in terms of its siting with a more restricted immediate curtilage. It also has a much closer, more intimate relationship with the proposed 2 storey development east and west of it. As a result, officers have some reservations about this block appearing cramped, the potential for overlooking of the adjacent proposed development or for it being overbearing on that proposed development. The overall massing is relieved to an extent through the use of twin gables which sub-divide the massing into two parts and contrasting materials. The applicant having carried out some

design changes including lowering the ridge and eaves line, re-orientating the building, adjusting the position of the balconies and moving it further south away from Graylingwell Drive, wishes to retain block 3 in its current amended form. On balance and taking into consideration the adjacent relatively tight knit development of the new 3 storey dwellings erected within the inner core at Graylingwell Park, officers consider that the relationship between the proposed buildings on this part of the site is acceptable and are therefore recommending approval for block 3. Block 1 adjacent to the south site boundary and overlooking the cricket pitch will be screened from the existing residential development at Bostock Road by a line of mature trees. The scale of this building within this context and the wide, expansive foreground of the retained playing fields to the north is considered acceptable.

Appearance

8.10 The applicant describes the appearance of the development adopting '*A modern aesthetic derived from clean lines and simply expressed volumes around traditional roof forms*'. This translates into simple 2 storey dwelling houses under pitched roofs and in the main constructed from a simplified palette of 3 different tones of red brick as the predominant building material but with a restricted use of dark weatherboarding on more significant buildings such as the apartment buildings. Large windows, recessed door openings and clipped eaves are all employed to give a clean contemporary look. The applicant has taken design cues in the architecture proposed from the modern housing forms recently constructed at Graylingwell Park and Rousillon Park, and some of the designs are not dissimilar. Officers consider that the design approach overall will result in an acceptable development.

Landscaping

8.11 The Lower Graylingwell site already benefits from a mature framework of existing trees around which the proposed development is to be structured. The restoration of the former Graylingwell cricket field with a new pavilion for sports and community use, the introduction of an equipped area of play for children, community allotments/growing beds and an orchard all within a large greenspace framed by trees is considered by officers to present the opportunity for an extremely attractive component in the development. The addition of a 1,000sqm new village green in the centre of the site for informal play and incorporating retained grade B trees will further enhance the setting of the development. Whilst there will inevitably be the loss of some existing trees on the site including the large pine trees adjacent to the siting of Block 3, new tree planting is also proposed. This will supplement the retained existing trees and officers are satisfied that within the context of a new urban housing development the proposals maximise the opportunities for greening the environment and are capable of delivering a scheme within an attractive setting.

Significant Conditions

8.12 The outline planning permission imposed a raft of 24 conditions on the development and there are no significant additional conditions arising from this reserved matters application. The proposed conditions for this application are detailed at the foot of this report.

Section 106 Agreement

8.13 The development is already subject to a S.106 agreement attached to the outline planning permission. The applicant has applied separately from this application to vary the terms of the s.106 agreement that would allow an option to be exercised by the developer 1 month before the development commences to provide either 50% Starter Homes (80 units) on the site, the principle of which the Council has already accepted **or** to carry out the development as proposed under this reserved matters application with Local Plan compliant 30% affordable housing. It is anticipated that given the developers wish to commence the development shortly after receiving reserved matters approval that the development will be carried out with 30% affordable housing.

Conclusion

8.14 The principle of housing development of up to 160 homes has been accepted on this site by the Council and this application in setting out the details in terms of layout, scale, appearance and landscaping has demonstrated in officers' opinion that a scheme of 160 dwellings can be successfully accommodated. The Committee will recall that the outline application originally formed part of the government's Starter Homes initiative. Starter Homes were intended to be part of the government's programme of accelerated construction of new homes and Lower Graylingwell was chosen as a pilot project. With subsequent legislative delays, a change of government and uncertainty over Starter Homes, the applicants have now reverted to a Local Plan policy compliant affordable housing scheme. Notwithstanding this and under the aegis of the Homes and Communities Agency, the emphasis is still very much on the applicants delivering housing on the ground quickly. Lower Graylingwell is a major housing site in the City and whilst the intended accelerated construction cannot be guaranteed, the timely delivery of new housing is important to the Council maintaining its 5 year housing land supply. Whilst officers understand that certain elements of the application have proved to be more challenging, on the whole this is a good scheme which will deliver much needed affordable and market housing. Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Human Rights

8.15 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be carried out in accordance with the following schedule of approved drawings:

HPL_LGC_0100_Masterplan Site Layout_Rev Z8
HPL_LGC_0101_Roof Site Plan_Rev E
HPL_LGC_0200_Unit H01 Detached Plans_Rev I
HPL_LGC_0201_Unit H01 Detached Elevations_Rev I
HPL_LGC_0202_Unit H01 Semi Detached Plans_Rev E
HPL_LGC_0203_Unit H01 Semi Detached Elevations_Rev C

HPL_LGC_0204_Unit H02 Semi Detached Plans_Rev F
HPL_LGC_0205_Unit H02 Semi Detached Plans_Rev D
HPL_LGC_0206_Unit H02 Detached Plans_Rev C
HPL_LGC_0207_Unit H02 Detached Elevations_Rev E
HPL_LGC_0208_Unit H03 Semi Detached Plans_Rev R
HPL_LGC_0209_Unit H03 Semi Detached Elevations_Rev L
HPL_LGC_0210_Unit H03 Semi Detached Elevations 2_Rev L
HPL_LGC_0211_Unit H04 Detached Plans_Rev F
HPL_LGC_0212_Unit H04 Detached Elevations_Rev D
HPL_LGC_0213_Unit H04 Semi Detached Plans_Rev S
HPL_LGC_0214_Unit H04 Semi Detached Elevations_Rev P
HPL_LGC_0215_Unit H05 Detached Plans_Rev K
HPL_LGC_0216_Unit H05 Detached Elevations_Rev O
HPL_LGC_0217_Unit H05 Semi Detached Plans_Rev C
HPL_LGC_0218_Unit H05 Semi Detached Elevations_Rev D
HPL_LGC_0219_Unit H06 Detached Plans_Rev P
HPL_LGC_0220_Unit H06 Detached Elevations_Rev L
HPL_LGC_0221_Unit H06 Semi Detached Plans_Rev B
HPL_LGC_0222_Unit H06 Semi Detached Elevations_ No Rev
HPL_LGC_0223_Unit H07 Semi Detached Plans_Rev N
HPL_LGC_0224_Unit H07 Semi Detached Elevations_Rev P
HPL_LGC_0225_Unit H07 Semi Detached Elevations 2_Rev M
HPL_LGC_0226_Unit H07 Detached Plans_Rev C
HPL_LGC_0227_Unit H07 Detached Elevations_Rev E
HPL_LGC_0228_Unit H08 Semi Detached Plans_Rev D
HPL_LGC_0229_Unit H08 Semi Detached Elevations_Rev D
HPL_LGC_0232_Unit H08 Semi Detached Elevations 2_Rev D
HPL_LGC_0230_Unit H08 Terrace Plans_Rev C
HPL_LGC_0231_Unit H08 Terrace Elevations_Rev A
HPL_LGC_0233_Unit H08 Detached Plans_Rev C
HPL_LGC_0234_Unit H08 Detached Elevations_Rev B
HPL_LGC_0235_Unit H09 Semi Detached Plans_Rev A
HPL_LGC_0265_Unit H09 Semi Detached Elevations_ No Rev
HPL_LGC_0236_Unit H09 Detached Ensuite Variant Plans_ No Rev
HPL_LGC_0237_Unit H09 Detached Elevations_Rev B
HPL_LGC_0238_Unit H10 Detached Plans_Rev I
HPL_LGC_0239_Unit H10 Detached Elevations_Rev H
HPL_LGC_0240_Unit H10 Semi Detached Plans_Rev G
HPL_LGC_0241_Unit H10 Semi Detached Elevations_Removed
HPL_LGC_0242_Unit H10 Semi Detached Elevations 2_Rev E
HPL_LGC_0243_Unit H10 Semi Detached Elevations 3_Rev H
HPL_LGC_0244_Unit H11 Detached Plans_Rev R
HPL_LGC_0245_Unit H11 Detached Elevations_Rev Q
HPL_LGC_0246_Unit H12 Detached Plans_Rev D
HPL_LGC_0247_Unit H12 Detached Elevations_Rev C
HPL_LGC_0248_F01 Block 1 plans_Rev M
HPL_LGC_0249_F01 Block 1 plans 2_Rev M
HPL_LGC_0250_F01 Block 1 Elevations_Rev K
HPL_LGC_0251_F01 Block 1 Elevations 2_Rev K
HPL_LGC_0252_F02 Block 2 plans_Rev N
HPL_LGC_0253_F02 Block 2 plans 2_Rev O

HPL_LGC_0254_F02 Block 2 Elevations_Rev N
HPL_LGC_0255_F02 Block 2 Elevations 2_Rev N
HPL_LGC_0256_F03 Block 3 plans_Rev D
HPL_LGC_0257_F03 Block 3 plans 2_Rev E
HPL_LGC_0258_F03 Block 3 Elevations_Rev D
HPL_LGC_0259_F03 Block 3 Elevations 2_Rev E
HPL_LGC_0260_F04 Block 4 plans_Rev C
HPL_LGC_0261_F04 Block 4 plans 2_Rev D
HPL_LGC_0262_F04 Block 4 Elevations_Rev C
HPL_LGC_0263_F04 Block 4 Elevations 2_Rev C
HPL_LGC_0264_Bin / Cycle Store_Rev E
HPL_LGC_0270_Martins Farmhouse Existing_ No Rev
HPL_LGC_0271_Martins Farmhouse Proposed_Rev D
HPL_LGC_0280_Pavillion Plans_Rev B
HPL_LGC_0281_Pavillion Elevations 1_Rev C
HPL_LGC_0282_Pavillion Elevations 2_Rev C
HPL_LGC_0300_F03 Block 3 2F Plan_Rev C
HPL_LGC_0301_F02 Block 2 2F Plan_ No Rev
HPL_LGC_0302_F04 Block 4 2F Plan_ No Rev
HPL_LGC_SK-001_Site Section_ No Rev

HPL_LGC_0900 Landscape Masterplan_Rev E
HPL_LGC_0902 Tree Retention and Removal Plan_Rev D
HPL_LGC_0910 Typical Landscape Sections and Details_ No Rev
C6788/SK2A Refuse Vehicle Tracking
C6788/SK1A Fire Appliance Tracking
C6788-CSK4A Highways General Arrangement Plan

2) **No development shall commence** on site until the method of piling/foundation design has been submitted to and be approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved methods.

Reason: In the interests of protecting the amenities of neighbouring properties and the wider area. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission

3) **No development shall commence** until full details of how the site will be connected to all relevant utilities and services infrastructure networks (including fresh water, electricity, gas, telecommunications and broadband ducting) have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate the provision of suitable infrastructure to facilitate these connections and the protection of existing infrastructure on site during works. The development will thereafter proceed only in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development benefits from appropriate infrastructure. This is required prior to commencement to ensure all appropriate infrastructure is installed at the groundworks stage.

4) **No development shall commence** until details showing the approximate location of 2 fire hydrants (in accordance with West Sussex Fire and Rescue Guidance Notes) have been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services.

Prior to the first occupation of any dwelling, details showing the precise location, installation and on-going maintenance of the fire hydrants to be supplied (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Services. The fire hydrant(s) shall thereafter be maintained as in accordance with the approved details.

Reason: In the interests of amenity and in accordance with The F&RS Act 2004.

5) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

6) Notwithstanding any information submitted to the contrary the design and specification of the communal bin stores to be provided for the apartment blocks shall accord with revised drawings to be first submitted to and approved in writing by the Local Planning Authority **before construction of the apartment blocks commences**. The development shall then be carried out in accordance with the approved drawings and the bin stores provided before first occupation of the apartment blocks takes place.

Reason: To ensure satisfactory provision is made for the storage of waste on the site in the interests of amenity.

7) **No phase of the development hereby permitted shall be first occupied** until the car parking provision for that phase has been constructed and laid out in accordance with the approved site plan and the details specified within the application form. Once provided the car parking spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of ensuring sufficient car parking on-site to meet the needs of the development.

8) **No phase of development shall be first occupied** unless and until the detailed landscape and planting scheme and specifications for that phase of the site as set out in the submitted 'Reserved Matters Design and Access Statement' has been

carried out. In addition all existing trees and hedgerows on the land which are shown on the submitted plans as being retained shall be protected during the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The landscape and planting works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

9) **Before the equipped area of play on the sports playing field is first brought into use** and notwithstanding any information submitted with the application to the contrary, details shall be submitted to and be approved in writing by the Local Planning Authority for a protective fence to be erected around the play area. The fencing shall be erected in accordance with the approved details prior to first use of the play area.

Reason: To safeguard the users of the approved play area and in the interests of amenity.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garages hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the associated property.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact Jeremy Bushell on 01243 534734

Agenda Item 6

Parish: Selsey	Ward: Selsey South
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SY/17/01458/DOM

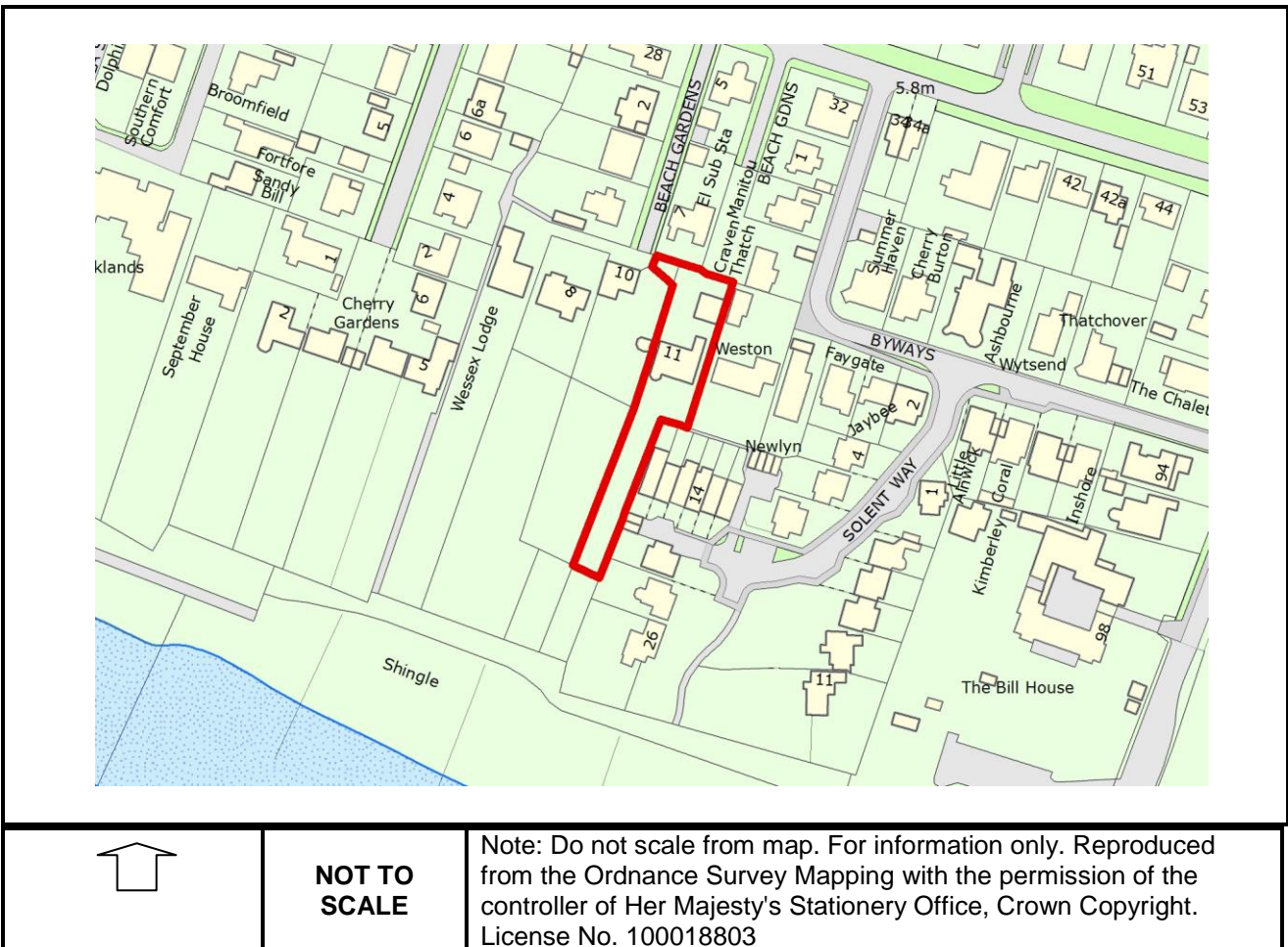
Proposal Proposed extension and alterations.

Site 11 Beach Gardens Selsey Chichester West Sussex PO20 0HX

Map Ref (E) 485449 (N) 92302

Applicant Mr Daniel Bates

RECOMMENDATION TO PERMIT



1.0 Reason for Committee Referral

Red Card: Cllr John Elliot - Exceptional level of public interest

This application was deferred at the meeting on 13 December 2017 for a Site Visit.

2.0 The Site and Surroundings

- 2.1 The application site falls within the settlement boundary of Selsey and is surrounded by existing residential development. The site is located off Beach Gardens, a private road to the south of Seal Road. The application site historically comprised 1 no. two storey dwelling with a double garage attached to the dwelling by a single storey link extension. However, following fire damage to the property part of the building has been demolished, with the garage and link extension remaining.
- 2.2 The access from Beach Gardens is located in the northwest corner of the application site and off-street parking for several cars is available within the site, a single storey garage building is located to the north east corner. The existing link extension runs south from the garage building alongside the eastern boundary to the main dwelling, which is situated centrally within the main part of the site. The site also includes a long narrow garden that extends south towards the foreshore.
- 2.3 To the west of the application site there is a 2 storey detached dwelling (10 Beach Gardens) which is set considerably forward of the application property and has a large garden wrapping around the east and south of the dwelling. To the east of the application site is a single storey detached dwelling (Weston) which shares a comparable building line to 11 Beach Gardens, and to the south east there is a terrace of several bungalows.

3.0 The Proposal

- 3.1 The application seeks permission to re-build the part of the dwelling which was damaged by fire, incorporating a partially constructed single storey extension (which had not been built in accordance with its planning permission) and alterations to the design and footprint of the dwelling. The changes to the building would include;
 - new roof form
 - first floor extension to eastern elevation
 - rear two storey extension
 - revised link extension
- 3.2 The original gable roof of the dwelling would be altered to provide a hipped roof, finished in interlocking concrete slates. A new first floor extension is proposed to the eastern elevation which would feature a Juliette balcony to the south elevation. The proposal includes a new two storey rear extension featuring a gable end to the southern elevation. This rear extension would include patio doors leading out to a spiral staircase to access the garden.
- 3.3 The proposed floor plans detail 4 split levels. There would be a living room at first floor level with an open plan kitchen/dining area within the upper ground floor. A total of 4 bedrooms with 3 bathrooms, plant room and exercise/gym room would be provided on the ground floor, whilst the lower ground floor would provide a further gym space.

- 3.4 The extension linking the dwelling to the garage has not been built in accordance with previously approved plans and therefore permission is sought for the link extension as constructed to regularise this breach of planning control. The link extension comprises a single storey building with shallow pitched roof, 4 windows on the eastern elevation and 3 high level windows along the western elevation.
- 3.5 The original building had measured approximately 6.9m (h) x 13.17m (w) x 11.87m (d – excluding the link extension). The link extension between the main dwelling and the garage would measure 11m in length and combined with the attached garage would result in an overall maximum depth of approximately 30m.
- 3.6 The proposed height of the main part of the dwelling would remain as existing. The garage would remain as existing. The extensions and alterations would result in the main building measuring approximately 6.9m (h) x 13.17m (w) x 9.45m (d). The link extension would be 10.29m (l) x 5.57m (w) x 2.9m (h). The overall depth of the building would therefore be approximately 27.6m.
- 3.7 As a result of the proposed extensions and alterations to the dwelling the footprint would increase from 226sqm to 286 sqm (20.9% increase), whilst the floor area would increase from 199 sqm to 233 sqm (14.6% increase).

4.0 History

93/00613/FUL	REF	Conversion of existing double garage to habitable accommodation for an elderly relative.
04/03929/FUL	WDN	Alterations and extension to existing garage to form 1 no. 2 bedroom dwelling and demolition of part of ground floor of existing dwelling.
05/02538/FUL	REF	Alterations to existing garage to form 1 no. bedroom dwelling and demolition of part of ground floor of existing dwelling.
12/03587/DOM	PER	Link extension.
SY/00020/89	PER	Double garage
05/00100/REF	DISMIS	Alterations to existing garage to form 1 no. bedroom dwelling and demolition of part of ground floor of existing dwelling.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
- Flood Zone 2	NO

- Flood Zone 3	NO
Historic Parks and Gardens	

6.0 Representations and Consultations

6.1 Selsey Town Council

September 2017:

Have listened to the issues raised at the meeting and considered the amended applications, Members agreed that the concerns raised against the original application had not been addressed. Selsey Town Council therefore resolved to OBJECT as the amended application represented overdevelopment of the site, was out of character with the street scene and was both overbearing and unneighbourly.

June 2017:

Selsey Town Council objects to this application as it represents overdevelopment of the site, is out of character with the street scene and is both overbearing and unneighbourly.

6.4 WSCC Highways (summarised)

No objection

6.2 CDC Archaeology Officer

It is unlikely that works associated with the proposal would impinge on archaeological deposits to the extent that refusal or the requirement of other mitigation measures would be justified.

6.3 CDC Drainage Engineer

Flood / Erosion Risk - The proposed property is wholly within flood zone 1 (low risk) and set back approximately 90m from the coast. Therefore we have no objection to the proposed location or scale.

Surface Water Drainage - The proposal will result in a net increase in impermeable area, this will need to be positively drained in accordance with the hierarchy of surface water drainage, whereby infiltration is the preferred approach. Based on our knowledge of the local geology infiltration is likely to adequately drain the proposal.

40 third Party letters of objections have been received (from 15 objectors) concerning;

- a) dominant form and large amounts of glazing and multiple openings across the whole southern elevation;
- c) overlooking of properties to each side and Solent Way to the south east;
- d) loss of light;
- e) level of parking;
- f) impact upon neighbours in respect of being overbearing, shadow, loss of privacy to neighbours on both sides;
- g) noise from extra coming and goings;
- h) impact upon character of area;
- i) impact upon safety of residents;

- j) concern about external staircase resulting in overlooking;
- k) impact upon character of area;
- l) negative impact on the public view and vista of this last semi-rural stretch of Selsey coastline;
- m) increase in traffic from the property which already has poor access via a narrow drive and blind entrance/exit in a corner where access to 5 properties converge;
- n) this has been proven to be a safety problem already by the number of collisions with the gate post at number 10 Beach Gardens and by the fact that emergency vehicles and personnel could not pass through the narrow drive this summer when vehicles were parked there;
- o) the proposal does not show safe and adequate means of access and turning within the site;
- p) proposal is out of character with the adjoining properties which are either bungalows or dormer chalet bungalows;
- q) no properties in the immediate area has the white render/grey window surrounds that is being proposed or the number of balconies and size of window and doors;
- r) a smaller, less intrusive application (ref: 05/02538/FUL) was refused on appeal. The comments from The Planning Inspectorate remain very relevant in important aspects and should be reviewed; and
- s) it is misleading and inaccurate to include the position of an incomplete conservatory in existing plans as this was built by the applicant without permitted development, planning permission or building regulation approval and there is no evidence that this would ever have been approved because of it being longer and higher than permitted development regulations allowed.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Selsey at this time.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
 Policy 2: Development Strategy and Settlement Hierarchy
 Policy 33: New Residential Development
 Policy 39: Transport, Accessibility and Parking

National Policy and Guidance

- 7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles) and Section 7 Requiring Good Design.

Other Local Policy and Guidance

7.5 The following Supplementary Planning Documents are material to the determination of this planning application:

- CDC Planning Guidance Note 3 Design Guidelines for Alterations to Dwelling & Extension (Revised September 2009).

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of Development
- ii. Design and Impact upon Amenity of the Local Area
- iii. Impact upon Residential Amenity
- iv. Parking and Highway Safety
- v. Other matters

Assessment

i. Principle of Development

8.2 The existing dwelling on the site has been partially demolished following a fire and the proposal seeks to re-build the fire damaged part of the building alongside a number of extensions and alterations to the 'original' dwelling. Officers are satisfied that the proposal constitutes extensions and alterations to the existing building and the proposal does not constitute a replacement dwelling on the site. The proposal has therefore been considered against policies that relate to the extension and alterations of dwellings within built up areas.

8.3 The application site lies in the settlement of Selsey where the principle of extensions and alterations to existing dwellings is generally acceptable, subject to the design being

acceptable in terms of its impact upon the visual amenity of the area, the amenities of neighbouring properties, and the other considerations set out below.

ii. Impact upon visual amenity

- 8.4 Policy 33 of the CLP and section 7 of the NPPF seek to ensure that new development represents high quality design that respects the site and its surroundings and takes the opportunities available to improve the overall quality of an area. The proposed alterations to the building would change the appearance of the building from how it looked prior to being damaged by fire, however it is considered that the resultant dwelling would not be harmful to the visual amenity of the locality or the character of the surrounding area.
- 8.5 The proposed hipped roof form, in place of the previous gable ended roof, would provide an overall balance to the property which would accord with the proposed roof line and pitch of the two storey rear extension. The use of the hipped roof form would reduce the overall perception of massing which, in turn, reduces the perception of scale of the property. The applicant has indicated in their plans that the proposed roof would be finished in interlocking concrete slate tiles which would be in keeping with the character of the surrounding area.
- 8.6 The proposed first floor extension to the eastern elevation of the original dwelling would match the height of the main dwelling, however it would not extend across the whole of the ground floor element below. Instead, the proposed extension would be set in from the side wall at ground floor level by a metre ensuring the proposal would not result in an overly dominant extension to the dwelling.
- 8.7 The proposed fenestration of windows to the first floor extension would relate well to the lower ground floor windows. Also, the proposed Juliette balcony railings would match the height and style of the railings surrounding the terrace/balcony, which already existed on the property. It is therefore considered that the first floor side extension would not detract from the host dwelling or the visual amenity of the locality.
- 8.8 In addition to a first floor side extension the proposal also includes a 2 storey extension to the south (rear) elevation. The proposed extension would be set down from the height of the main dwelling, and would feature a pitched roof with a gable end. The rear elevation features glazing which would serve the upper floor living/dining area, including a patio door served by a spiral staircase to access the garden. The proposed eaves and ridge height of the extension would be lower than the main dwelling and the pitch of the roof would reflect the pitch of the main roof. The design would result in a subservient form of development that would not detract from the main dwelling or the visual amenity of the wider area.
- 8.9 At ground floor level the proposals include the link extension which was under construction when the application was submitted. Previously a flat roof link extension spanning between the dwelling and the detached garage to the north was permitted. The extension which is being constructed is wider than the permitted extension and it would have a shallow pitched roof. The increase in the width of the link extension would not materially increase the impact of the proposal upon the appearance of the host dwelling or the visual amenity of the locality when compared with the permitted scheme. The proposed link extension would not result in a development much higher than the existing boundary wall surrounding the site and the extension would be considerably lower in height than the

garage and the main dwelling which would ensure it appears as a subservient and subordinate addition to the site.

8.10 Taking the above factors into consideration, it is considered that each element of the proposed design would result in a coherent design that takes account of the features of the surrounding area. The proposal would therefore accord with the contents of Policy 33 of the Chichester Local Plan, according to SPG guidance and Section 7 of the NPPF.

iii. Impact upon Residential Amenity

8.11 Policy 33 of the CLP seeks to safeguard the reasonable amenities of the neighbouring properties. A significant number of objection letters have been received during the course of the application and the impact of each element of the proposal has been given careful consideration.

8.12 The increase in footprint when comparing the original and proposed dwelling relates primarily to the increased size of the link extension. The increased width of the link extension would be accommodated on the western side of the extension which lies within the site and therefore would not impact upon the surrounding properties.

8.13 The proposed first floor extension would be set back from the eastern boundary of the site and a sufficient distance from the dwelling to the east, which would sit in line with the extension; thereby ensuring it would not have an adverse impact in terms of being overbearing or causing loss of light.

In addition, fenestration would be limited to the proposed Juliette balcony on the south elevation. The new Juliette balcony would overlook the garden of the application property, and would be approximately 13m from the boundary shared with the dwellings on Solent Way, with a wall to wall distance of approximately 21m. It is considered that the proposal would not result in a materially greater level of overlooking towards the dwellings to the east or south than the existing fenestration and balcony present on the south elevation of the original dwelling. Furthermore, the distance between the proposed Juliette balcony and the neighbouring dwellings to the south would meet the recommended distance of 21m as set out in the Council's Planning Guidance Note 3 for extensions and alterations to dwellings. It is considered that the distance would be sufficient to ensure that the proposal would not have an unacceptable impact in respect of overlooking. It is therefore considered that the proposed first floor side extension would not have an unacceptable impact upon the amenities of neighbouring properties.

8.14 The proposed 2 storey rear extension would be located at the western end of the rear elevation adjacent to the boundary with 10 Beach Gardens. Due to the way in which 10 Beach Gardens is set forward of the application property, the main dwelling when rebuilt at the western end would breach the 45 degree angle taken from the nearest habitable room window. However, this relationship existed prior to the building suffering fire damage and the wall to wall distance between the 2 properties would be approximately 16m. It is considered that due to the separation between the application property and the neighbouring dwelling to the west, the proposal would not result in an overbearing impact or loss of light that would be detrimental to the amenities of the neighbouring property.

8.15 The main dwelling and the proposed extension would cast a shadow over part of the garden as the sun rises from the east, and this includes part of the garden with a garden

room. However, it is considered that this shadow would not affect the light available to the main dwelling due to the distance between the proposal and the main dwelling, and given the southerly aspect of the neighbouring property and the level of natural and sunlight available to the property for the most part of the day it is considered that the proposed development would not have demonstrable detrimental impact upon the amenities of the neighbouring property that would warrant refusal of the application.

8.16 The positioning of the full height glazing on the southern elevation would mean that persons within the dwelling would only have visibility of the lower portion of the neighbouring rear garden. This would be comparable to the amount of overlooking afforded by existing first floor windows on the previous existing dwelling that occupied the site. There are no windows proposed on the west elevation facing 10 Beach Gardens, and the external staircase from the upper ground floor living space would be inset from the boundary. It is therefore considered that the proposed development would also not result in an unacceptable level of overlooking.

8.17 Taking the above factors into account, it is considered that the development would not give rise to an unacceptable level of impact upon the amenities of neighbouring residential dwellings and would therefore accord with the contents of Policy 33 of the Chichester Local Plan and Planning Guidance Note 3.

iv. Parking and Highway Safety

8.18 The proposed development includes a total of 4 bedrooms with associated rooms including a utility room, dressing room, gym/exercise room and TV room. The proposal includes sufficient space to park several vehicles to the front of the dwelling, with a further 2 spaces within the garage building. The applicant has also provided a vehicle tracking plan showing how vehicles would be able to enter and exit the site in a forward gear. The Local Highway Authority has raised no objection to the proposal and it is considered that the information submitted demonstrates that there would be sufficient space for cars to park and turn within the site.

8.19 Concerns have been raised by occupiers of neighbouring properties about the ability to turn within the site, however the information submitted indicates that it would be possible and the highway authority has not raised any concerns in this regard.

8.20 Taking these considerations into account, the development would both provide for sufficient parking for the transport demands created and would provide safe and sufficient access to and from the site. On this basis, the proposed development would accord with the contents of Policy 33 of the Chichester Local Plan.

v. Other Matters

Appeal Decision in respect of 05/02538/FUL

8.21 Comments received from third parties refer to a previous appeal decision for development on the site. The 2005 appeal decision related to the proposed development of alterations and extension to existing garage to form a one bedroom dwelling and demolition of part of ground floor of existing dwelling. The Inspector found that the subdivision of the plot would result 'in the position of the proposed dwelling, in front of the main house, and the

difference in size of the 2 buildings would result in an incongruous appearance that would be detrimental to the character and appearance of the area'.

8.22 The current proposal does not include the creation of a new dwelling on the site, and therefore the concerns expressed by the Planning Inspector regarding new development do not apply to the current proposal. Therefore, the Inspector's findings on this issue have been afforded limited weight as an overriding material consideration, given the difference between the two proposals.

Conclusion

8.23 Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Human Rights

8.24 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

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 permitted shall be carried out in accordance with the approved plans; 434sk12 Rev D Proposed Ground Floor Plan, 434sk13 Rev D Proposed First Floor Plan, 434sk14 Rev D Proposed Southern and Northern Elevation, 434sk15 Red D Proposed Eastern Elevations, 434sk16 Rev D Proposed Western Elevations, 434sk10 Proposed Block Plan and 434sk11 Block Plan.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) **Within 28 days of the date of this consent** a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) **No part of the main dwelling hereby permitted shall be re-occupied** until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

5) **The development hereby permitted shall not be first brought into use** until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice.

The approved scheme **shall be carried out in the first** planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garage hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

7) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s) (including dormer windows) or door(s) shall be inserted into any elevation or roof pitch of the buildings hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

8) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall be used for C3 residential purposes only by persons related to one another and for no other purpose (including any other purpose in Class C3; only of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the associated vehicle movements adhere with the considerations of this application, in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact James Cross on 01243 534734

Agenda Item 7

Parish: West Wittering	Ward: West Wittering
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WW/17/02592/FUL

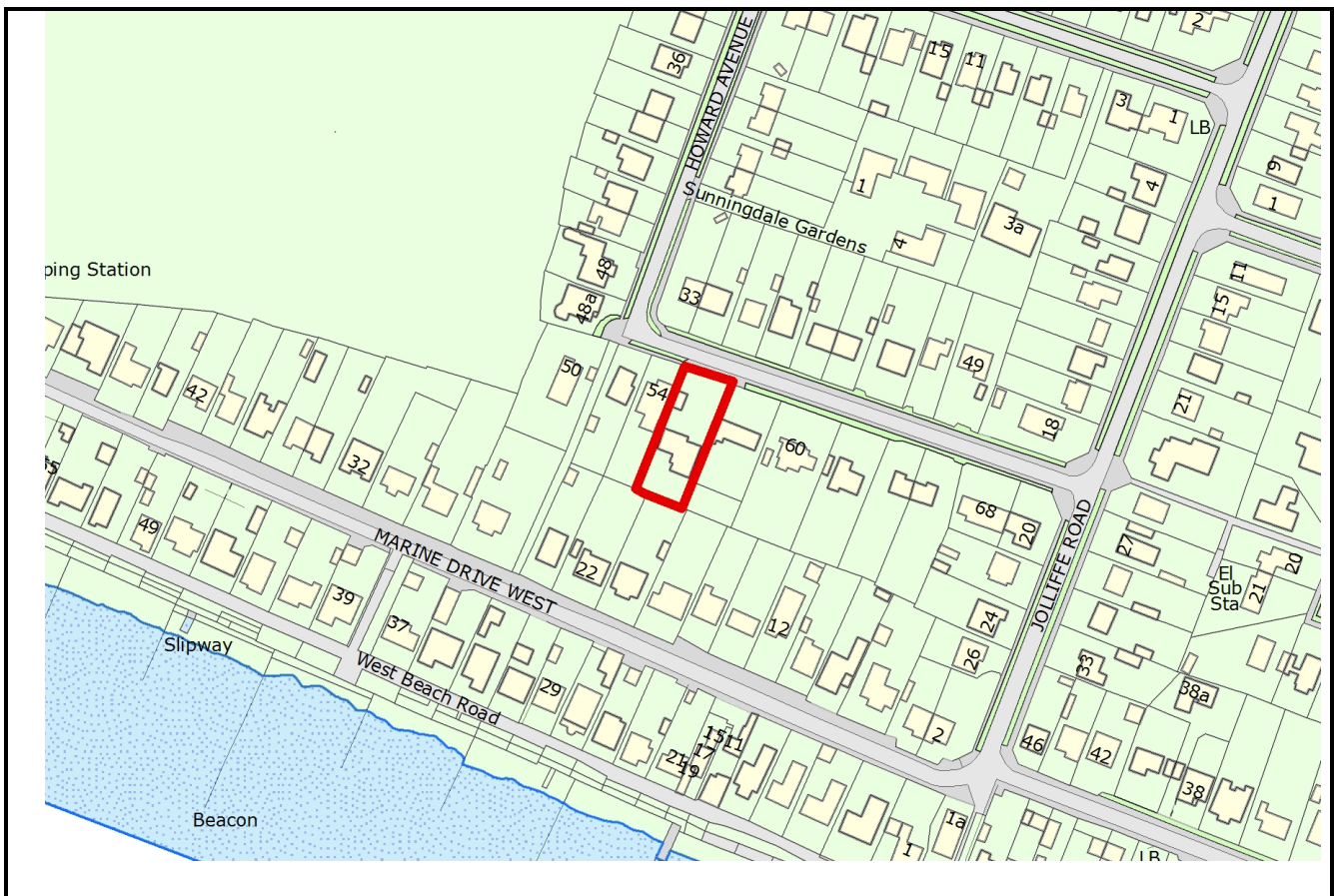
Proposal Demolition of existing bungalow and garage and the erection of 2 no. replacement dwellings.


Site Danbury 56 Howard Avenue West Wittering PO20 8EU

Map Ref (E) 478830 (N) 97222

Applicant Mr Higgins

DEFER FOR S106 THEN PERMIT



	NOT TO SCALE	Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803
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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site falls within the settlement boundary of West Wittering in a built up urban area. Howard Avenue comprises a mix of architectural styles with brick built bungalows being present alongside a mix of larger two storey dwellings. There are a range of detached and semi-detached properties along Howard Avenue, most of which are set back from the road side with the provision of amenity space to the front.

2.2 The application site is occupied by a single storey dwelling. The dwelling is set further back into its plot in comparison to adjacent properties and due to its siting within its plot represents an anomaly in the street scene. There is a pitched roof single garage within the front garden close to the western boundary of the site, with a driveway that is of a sufficient length to provide parking for 2 vehicles in tandem. The boundary treatment to the front comprises a breezeblock wall with some planting behind, whilst boundaries to each side of the site comprise a combination of fencing and planting.

3.0 The Proposal

3.1 The application seeks full planning permission to demolish the existing bungalow and garage, subdivide the plot into 2 no. parcels of land and erect 2 no. detached 2 storey dwellings. Following submission the scheme has been amended to address concerns raised by officers.

3.1 Each unit would comprise 3 bedroom dwellings with an open plan kitchen/diner and living space at ground floor level and 3 bedrooms, a study and 3 bathrooms at first floor level. Each property would also include an integral garage and cycle store. Both plots would be inset at first floor on their rear elevation and would incorporate a single storey extension at ground floor with roof lantern above.

3.2 The 2 no. proposed units would be set forward of the existing dwellings' position within the site, and they would be staggered. Plot 1 would be set further forward in its plot than Plot 2 to assimilate the development with the existing building line and frontage along this part of Howard Avenue. Both properties would provide an area of amenity space forward of their primary elevations which would include a landscaped area and car parking.

3.3 The existing dwelling on the site measures approximately 4.7m (h) x 16.26m (w) x 13.24m (d). Each of the proposed new dwellings would have a height of 7.05m, a width of 6.7m and an eaves height of 3.8m whilst the depth of the proposed dwellings would vary. The depth of the proposed dwelling on plot 1 would measure approximately 15.28m at 2 storeys increasing to 17.84m with the single storey rear projection. The depth of the proposed dwelling on plot 2 would measure 14.28m at 2 storeys increasing to 17.84m with the single storey projection.

3.4 Both properties would comprise a mix of materials and finishing. Plot 1 would be a mixture of white render, dark grey/green window surrounds and facing brick. Plot 2 would comprise a mix of white render and Cedral weather boarding.

4.0 History

There is no relevant history.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 West Wittering Parish Council

(06 October 2017)

The Parish Council objects to this application. The development by way of mass and bulk is out of keeping with the current street scene and unneighbourly. It is not clear if adequate off street parking spaces can be fitted in.

(12 December 2017)

I have discussed the substitute plans with the Chairman, the view of the Parish Council does not change and the objection on the grounds already made stands.

6.2 CDC Coastal and Drainage Engineer (summarised)

No objection.

6.3 WSCC Highways (summarised)

No objection subject to conditions relating to provision of access, car parking spaces and cycle parking.

6.4 1 Third Party letter of objection has been received concerning:

- a) Existing drains and the pumping station in East Wittering cannot cope now, adding extra dwellings is not the answer
- b) Surface water flooding
- c) I do not object to a replacement dwelling, but the site is not suitable for 2
- d) I note also that the parcel of land that was purchased with the bungalow is not being used, this joins my garden

- e) Likely to be a second home and the price will be such that the local families will be unable to afford them

6.5 1 Third Party letter of support has been received concerning:

- a) Correspondence from the Planning Officer is supportive of two properties being constructed
- b) Whether semi-detached or detached is therefore irrelevant
- c) Design is attractive and not overbearing
- d) Makes a change that properties are not going right to the boundary which many in Howard Avenue are

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for West Wittering at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 42: Flood Risk and Water Management

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas

National Policy and Guidance

7.4 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.5 Consideration should also be given to paragraph 17 (Core Planning Principles), paragraphs 48, 49, 50, 53, 60, 61, 63, 64, 65, 111, 113, 118 and 123.

7.6 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

7.7 The following Supplementary Planning Documents and Local Guidance are material to the determination of this planning application:

- o Planning Obligations and Affordable Housing SPD
- o Surface Water and Foul Drainage SPD
- o CDC Waste Storage and Collection Guidance
- o West Wittering Village Design Statement

7.8 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- o Support communities to meet their own housing needs
- o Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Design and impact upon visual amenity
- iii. Impact upon the amenities of neighbouring properties
- iv. Highway Safety
- v. Drainage
- vi. Ecological considerations

Assessment

i. Principle of development

8.2 The application site lies within the service village of West Wittering, and very close to East Wittering which is a designated settlement hub, as defined by Policy 2 of the Chichester Local Plan (CLP), and there is a wide range of services and facilities available to support new residential development in this locality. Therefore the site lies in an existing built up area where new residential development is considered to be sustainable and acceptable in principle, subject to assessment of the other material considerations set out below.

ii. Design and impact upon visual amenity

8.3 Policy 33 of the Chichester Local Plan requires new development to be of a high quality design that supports or enhances the character of the surrounding area, and the NPPF states that new development should take the opportunities available to improve the overall quality of an area. The application site lies within Area 3 (South East Marine) of the West Wittering Village Design Statement (VDS), and the VDS states that the character of the area is eclectic and presents few limitations on the style of any new development. Along the southern section of Howard Avenue there have been a number of changes to the character and appearance of properties in recent years. Existing properties have introduced replacement facing materials on existing dwellings, such as Cedar boarding to reflect the coastal character of newer properties in the locality, and a modern 2 storey replacement dwelling has been constructed on the plot to the west of the application site. As such the street upon which the application site lies has a varied character, which provides scope to accommodate new development of a high quality without harm to the character and appearance of the locality.

8.4 The proposed development would subdivide the plot into 2 no. residential parcels whilst maintaining gaps between the two plots and surrounding development. The gaps between properties would be comparable to other properties in the locality, many of which have a tightknit relationship with surrounding dwellings. The proposed plots would be slightly narrower than other plots within the street, however it is considered that the creation of two slightly narrower plots would not in itself be harmful to the character of the streetscene. The properties would be set back from the front of the site. Plot 1 would be set slightly further forward than Plot 2, which would positively address the disparity in building lines between Nos 54 and 60 Howard Avenue. Most properties along Howard Avenue are set back from the main road and provide off-road parking forward of the dwellings. Therefore the siting of the dwellings, provision of off road parking and landscaping within the front gardens would ensure that the character of the area would be reinforced.

8.6 The proposed siting of the properties would ensure that the buildings reflect the existing layout and character of Howard Avenue. It is therefore considered that whilst the amount of development within the site would increase, the proposed sub-division of the existing plot and the creation of 2 dwellings on the site would not appear unduly cramped or an over development of the site.

8.7 The proposed development would replace an existing bungalow with 2 storey properties. Howard Avenue comprises a mix of 1.5 storey and two storey dwellings, with

the existing building appearing as the anomaly in the street scape. The height of the dwellings has been reduced during the course of the application so that the height would match that of the new dwelling to the west of the application site and would be lower than other 2 storey properties within the streetscene. The layout of the site coupled with the proposed ridge heights at, or below, the other 2 storey properties in the street would ensure that the massing and bulk of the units would be incorporated well within the existing street scape. Therefore, whilst the proposed development would replace a low level bungalow it would not appear incongruous within the streetscene. Furthermore, the proposed dwellings would be individually designed properties with a mixed pallet of materials appropriate to the locality, ensuring that the buildings would assimilate well into the streetscene.

8.8 Taking the above considerations into account, the development would achieve a high quality design that would be assimilated into the existing street scape positively. On this basis, the development would accord with Policy 33 of the Chichester Local Plan, Section 7 of the NPPF and the West Wittering Village Design Statement

iii. Impact upon the amenities of neighbouring properties

8.9 Policy 33 of the CLP seeks to safeguard the amenities of neighbouring residential properties. The neighbouring property to the west (54 Howard Avenue) is a recently constructed 2 storey dwelling whilst the neighbouring property to the east (No. 58 Howard Avenue) comprises a single storey dwelling.

8.10 The existing property on the site comprises a single storey bungalow; however, owing to its larger footprint and steeply pitched roof, it results at times in shadows being cast across the neighbouring properties. The proposed dwellings would be moved forward on their plots compared to the existing bungalow and the siting of the proposed dwellings would result in a more harmonious relationship between the development and the neighbouring properties. The proposed dwellings would not breach a 45 or 60 degree line taken from the nearest rear facing windows on either of the neighbouring properties. It is therefore considered that the proposed 2 units would not have an overbearing impact upon the neighbouring properties and they would not result in loss of light. The proposal would therefore safeguard their amenities in accordance with policy 33 of the CLP.

8.11 The fenestration has been sensitively arranged to minimise the impact of the proposal upon the neighbouring properties. Plot 1 does not include any large windows on the side elevation facing no. 54, and whilst 2 high level windows would be provided on the western elevation of the dwelling to facilitate internal light, the size of these glazing units and their height would not result in overlooking of No. 54. Similar style windows are proposed to the eastern elevation of Plot 2 and their placement, coupled with their overall size, would not result in overlooking of No. 58 to the east. Roof lights are proposed within the ridge line of the properties; however, these would only serve first floor level, where the roof light would be in excess of 1.7m from the height of the finished floor levels. The applicant has confirmed no mezzanine floors will be inserted which would ensure these windows would not result in overlooking to neighbouring properties. It is recommended that a condition is imposed preventing the insertion of any further windows in the side elevations of each dwelling, which would ensure any additional windows would require planning permission.

8.12 Both proposed plots include Juliette balconies at first floor level to their rear elevations which would serve a bedroom. The proposed Juliette balconies facilitate a comparable amount of overlooking to that of first floor windows which are found in locations such as these on adjacent and comparable properties. Therefore, the provision of Juliette balconies in these locations would be unlikely to result in any greater impacts than any other first floor window being placed in this location, and therefore it is considered that the fenestration to the rear of the property would safeguard the amenities of the neighbouring properties.

8.13 Residential properties are located to the north of the application site on the opposite side of Howard Avenue, whilst to the rear properties along Marine Drive West back onto the southern boundary of the application site. These properties would be located a significant distance away from the proposed dwellings and as such the proposal would not result in demonstrable impacts upon overlooking or privacy. Whilst the additional increase in size would be visible, the separation distances between the application site and neighbouring properties would ensure that these would not translate into demonstrable impacts upon neighbouring residential amenity.

8.14 Taking the above factors into account, the development would not give rise to significant adverse impacts upon neighbouring amenity and would therefore accord with Policy 33 of the CLP.

iv. Highway Safety

8.15 The applicant has provided parking provision for 4 vehicles off-road (with one vehicle being incorporated within the internal garage). The consultation response from the Local Highway Authority (LHA) confirms that the internal garage dimensions would accord with the minimum size required for a garage parking space and can therefore be accounted for in the total off-street parking provision. Such a level of provision has been assessed by the LHA as being appropriate for proposed properties in this location.

8.16 The garages could have the potential to be converted at a later date which would lead to a reduced level of off-street parking provision. It is noted within the West Wittering VDS that a particular problem within the area is lack of on-road parking. To safeguard this parking in accordance with the West Wittering VDS, a condition is recommended requiring the garages to be used for the purpose of parking private motor vehicles in connection with the residential use of the property only.

8.17 The LHA has identified that the site falls along an unclassified residential street subject to a 30 mph speed restriction, where vehicle speeds would be low and traffic levels light. The LHA have confirmed that they do not wish to raise a highway safety or capacity concern relating to the proposed access to the site. Whilst vehicles would be unable to enter and exit in a forward gear when parking capacity is at its maximum, the vehicle speeds and visibility at the point of the dropped kerb would not result in impacts on the highway that would be considered 'severe'. In accordance with the advice received from the LHA it is considered that proposed access arrangements would be acceptable.

8.18 Taking the above into account, the development would provide for sufficient parking for the demands created and safe and adequate access arrangements. The proposal would therefore accord with the contents of Policy 39 of the Chichester Local Plan and the West Wittering VDS in this regard.

v. Drainage

8.19 Concern has been raised by a third party about the potential for flooding and surface water drainage. The site falls within Flood Zone 1 which comprises areas at lowest risk of flooding. The Council's Drainage Engineer has confirmed that the proposed use of soakaways to manage surface water would be an appropriate and effective method of drainage in this area. The Drainage Engineer has not requested details of the drainage to be agreed, rather it is noted that the drainage should be constructed to meet building regulations requirements. Therefore it is considered that it would not be necessary or reasonable to impose a planning condition requiring the details of the drainage to be submitted. Taking the above into account, the development would not result in a demonstrable risk of flooding and the proposal would therefore accord with the contents of Policy 42 of the CLP and Section 11 of the NPPF.

vi. Ecological Considerations

8.20 The application site falls within 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA) where any net increase in residential units is likely to have a significant effect as a result of recreational disturbance. The applicant has paid a financial contribution towards the Phase III Joint Solent Disturbance and Mitigation Project in accordance with policy 50 of the CLP, however to date the applicant has not provided a S106 Planning Obligation in connection with the contribution which has been paid. Following receipt of a signed Planning Obligation the requirements of policy 51 of the CLP to provide appropriate mitigation will have been met. An update will be provided at the Planning Committee.

Conclusion

8.21 Based on the proposed design, layout, size, proportions, scale, massing and finishing of the proposed properties, the development would accord with the character of the street scape and would not result in any significant harm to the amenities of existing adjacent residents. Therefore, the development proposal complies with national planning policies, development plan policies and the contents of the West Wittering Village Design Statement. The application is therefore recommended for approval.

Human Rights

8.22 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

DEFER FOR S106 THEN PERMIT subject to the following conditions and informatives:-

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 permitted shall be carried out in accordance with the approved plans; 28028-PD102 Rev B Proposed Elevations and Floor Plans and 2802-PD100 Rev A Location Plan and Proposed Site Plan.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) **No part of the development hereby permitted shall be occupied** until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

5) **No part of the development shall be first occupied** until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Howard Avenue in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

6) **No part of the development hereby permitted shall be first occupied** until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

7) **The development hereby permitted shall not be first brought into use** until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land

shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme **shall be carried out in the first** planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

8) Prior to first occupation of the dwelling(s) hereby permitted the associated boundary treatments shall be provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include;

- (a) scaled plans showing the location of the boundary treatments and elevations, and
- (b) details of the materials and finishes.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of protecting the amenity of neighbours.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garage hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

10) Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s) (including dormer windows) or door(s) shall be inserted into any elevation or roof pitch of the buildings hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

11) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Class A, B, C or D of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission from the Local Planning Authority.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact James Cross on 01243 534734

Agenda Item 8

Report to **Planning Committee**
Date **17 January 2018**
By **Head of Planning Services**
Local Authority **Chichester District Council**
Application No. **SDNP/17/01998/FUL**
Applicant **Mr Graham Morrison**
Application **Demolition of existing dwelling and erection of replacement dwelling with associated landscape design.**
Address **Arun Cottage
The Street
Bury
RH20 1PA**

Recommendation: That the appeal lodged against non-determination of the application not be contested by the Council for the reasons explained in the report and subject to the conditions set out in paragraph 10 of this report being forwarded to the Planning Inspectorate for consideration.

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

Reason for Committee referral: The applicant has lodged an appeal against the non-determination by the Council of this planning application. The application process had reached a stage where revised plans had been submitted by the applicant and these were considered to be acceptable by officers. The application is reported to Committee for a decision as to whether, had the Planning Committee had the opportunity, the recommendation to approve the application would have been agreed, and therefore that the LPA does not contest the appeal against non-determination of the planning application.

The proposal is for a new dwelling following demolition of the existing bungalow on the site. The replacement of the existing bungalow is considered to be acceptable in principle and is supported by both the saved policies of the Local Plan and the emerging policies of the South Downs National Park Local Plan Pre-Submission September 2017. Whilst larger than the dwelling it is to replace, the replacement dwelling is considered to be an acceptable and appropriate response to its setting in terms of design, massing and scale and therefore would not result in adverse harm to the wider rural landscape or the purposes of designation of the National Park. The proposal also incorporates adequate and suitable mitigation measures in respect of landscape protection.

1.0 Site Description

- 1.1 The application site occupies an edge of village position at the eastern extent of Vicarage Lane, a no through road accessed from The Street. The site lies outside the settlement boundary for Bury but almost wholly within the Bury Conservation Area.
- 1.2 Arun Cottage is a single storey dwelling of functional design and proportions, with a relatively deep plan form and shallow pitched roof and being constructed of buff coloured bricks under an artificial slate roof. The building is located on the northern part of the site and to the north and west of it is an area of concrete hardstanding, remnants of the former farmyard use.
- 1.3 The site is largely overgrown and unkempt - particularly surrounding the house, which is unoccupied at present. There is a marked fall across the site of approximately 2.5 metres from north to south. Adjacent to the eastern (undefined) boundary is an area of orchard with varying aged trees, although this does not form part of this application and is not in the ownership/control of the applicant.
- 1.4 The northern boundary of the site is partially defined by a 1.8 metre close-boarded fence beyond which is a backdrop of mature trees. The eastern and southern boundary comprises unkempt hedgerow.
- 1.5 Views of the application site can be obtained from the public right of way known as the 'Coffin Trail' that passes to the west of the site and turns east to border its southern boundary. A further public footpath strikes south across a field and back toward Church Lane from where views of the site can be glimpsed through the tree line along the northern boundary of the field.

2.0 Proposal

- 2.1 The application sought full planning permission for the replacement of the existing bungalow with a two-storey, contemporary house and associated landscaping that is designed to reflect the agricultural heritage of the site and its surroundings

3.0 Relevant Planning History

BY/07/06008/ELD - Residential use without complying with agricultural occupancy condition (condition 2 of BY/21/65). PERMIT 19.06.2008

SDNP/16/02566/FUL - Demolition of existing dwelling and erection of replacement dwelling with associated landscape design. WITHDRAWN 18.08.2016

4.0 Consultations

- 4.1 Bury Parish Council

Comments on the original proposal:

1. Size of Replacement Dwelling

Whilst there can be no doubt as to the quality of this development, it must be seen as a new build rather than a replacement given the massive increase in size, which is nearly five times the size of the existing. The applicant states the existing property has a floor area of 111 sq m gross internal area and the proposed replacement

property has a gross internal area of 535.50 sq m which is an increase of 482%.

In our opinion the replacement property is far too large for the plot. Responses during the consultation period of our Draft Neighbourhood Plan showed that parishioners were not in favour of additional large homes of this magnitude.

The Chichester District Council Policy H12 states that one for one replacements will be granted if they do not detract from the rural character by virtue of scale, mass or design. The SD45 policy (sic) as currently conceived states that buildings outside the market towns 'must not be materially larger than the one they replace'. There is no doubt that an increase of 482% is materially larger.

2. Impact of the height of the replacement dwelling

The existing property is a single storey bungalow of low height discreetly developed on the sandstone terrace. Currently it is not visible from the Glebe Field or the public footpaths running by the property. The proposed two storey development will be much higher than the existing and will be too domineering and visible on the skyline.

In this respect we would refer to the Landscape and Visual Impact Appraisal Section 2 Local Level Policy - Para 2.3.1 "nor should proposals detrimentally increase the bulk of building visible from public vantage points" We cannot agree that this particular criterion is met.

3. Light pollution

The upper floor of the proposed development also raises the question of light pollution particularly as the property is located in a prominent position. We refer to our Pre Submission Neighbourhood Plan policy on dark skies (Policy No. BNDP 11) and South Downs National Park's policies on dark night skies.

4. Wildlife Survey

We would like to see a far more thorough wildlife survey before any work is started as a site walk seems rather weak in this area which we know is an important wildlife habitat. The impact of this proposed property would be potentially very damaging.

5. Site Location

The development is situated outside the Settlement Area and within the Conservation Area. It should also be noted that it lies outside the Settlement Area of the Draft Neighbourhood Plan. SDNP Planners drew this boundary in this part of the village and we have followed their guidance in the Plan.

6. Character and Design

There is limited detail in the proposals on the construction and whether it conforms with the policies in our Neighbourhood Plan (see Policy No. BNDP2). This is a particularly sensitive area given that there are a number of Listed properties in this part of the village therefore design and construction is an important factor.

7. Landscape planning advice for South Downs National Park Authority

We believe that it is worth restating in full the advice prepared by Environmental Initiatives, Hampshire County Council dated 28 June 2016 in respect of the original planning application for this property. It is considered that this independent opinion from a body unconnected to the applicant or the SDNPA should be given the importance it deserves.

Comments on the first revision to the proposal:

We have considered the modifications made to this planning application and think the reduction in width of the property by 1.00m is minimal, as is the reduction in the roof height by 300mm. The roof height being almost double that of the existing property.

The suggestion that the Parish Council's comments do not represent those of the Parish as a whole is fundamentally wrong. As part of the process in the preparation of the Bury Neighbourhood Development Plan we canvassed the views of Parishioners through a questionnaire and the overwhelming response was against development of large houses. Therefore to suggest this was only the view of the Parish Council is wrong.

The height of the boundary wall has been reduced to 2.25m which is still considered too high and we cannot understand the purpose of it. This property does not compliment the landscape.

This property is outside the settlement area and if something this substantial is given consent we fear this will set a precedent for future development. This is particularly relevant in the case of the adjacent property 'Merrydown Cottage', where the decision made on the subject property will set a precedent for what could happen with the property next door in the future.

Comments on the second revision to the proposal:

Comments not yet received. Any further comments will be reported on the Update Sheet.

4.2 HCC Landscape Officer

Comments on the original proposal:

In landscape terms there are three over-riding concerns with a building of this size and bulk on a relatively exposed and prominent site. Neither of these has been satisfactorily addressed by the application from which key information is still missing:

- i) The positioning and disposition of the building on the sloping plot which is such that it will be widely visible; and
- ii) The limited scope for mitigation planting to screen and soften views of the building because of its siting and close proximity to the east and west boundaries
- iii) The effect of the scheme on the Conservation Area, representing an erosion of its character and its setting.

In light of the concerns about the design of the building and its relationship with the site, and the consequent impact on views within the protected landscape of the national park, and the designated Conservation Area there is an objection on landscape grounds to the proposal.

Comments on the revised proposals:

The revisions to the scheme are welcomed and we make no objection to the application provided conditions are imposed covering key elements. We suggest conditions are attached to any permission, requiring submission of details for approval prior to work commencing on site covering the following:

- tree protection measures during construction together with a site set up drawing showing site access, contractor's compound and storage areas
- levels for main building elements, e.g. finished floor, eaves and ridge, and garden structures such as the boundary wall
- details of external lighting
- measures to limit light spill at night including any automated systems
- detailed proposals for landscape works including materials to be used for garden walls, fencing, paving etc.
- detailed proposals for all planting together with a landscape management plan

5.0 Representations

5.1 2 Third Party objections (to original scheme)

Size excessive and materially larger than existing property
Height will make it far more visible from public rights of way
Out of keeping with landscape

5.2 4 Third Party support

Well designed
Materials and form appropriate to village

Positive addition to quality of village compared to existing dwelling
Reflects site's heritage as former farm/farm building group.

6.0 Planning Policy Context

6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for this area is the Chichester District Local Plan First Review (1999). The following documents are also considered to be material considerations in the determination of this application:

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Pre-Submission September 2017

The relevant policies to this application are set out in section 7, below.

6.2 Other plans considered:

- Bury Neighbourhood Plan (BNDP)

The relevant policies to this application are set out in section 7, below.

National Park Purposes

6.3 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7.0 Planning Policy

Relevant Government Planning Policy and Guidance

7.1 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

7.2 The following sections of the National Planning Policy Framework have been considered in the assessment of this application:

- NPPF - Achieving sustainable development
- NPPF06 - Delivering a wide choice of high quality homes
- NPPF07 - Requiring good design
- NPPF11 - Conserving and enhancing the natural environment
- NPPF12 - Conserving and enhancing the historic environment

7.3 The following paragraphs of the NPPF are considered relevant to the determination of this application:

7, 14, 17, 56, 60, 61, 64, 109, 115, 118, 132.

Chichester District Local Plan First Review 1999

7.4 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF:

- RE1 - Development in the Rural Area Generally
- BE11 - New Development
- BE14 - Wildlife Habitat, Trees, Hedges and Other Landscape Features
- H12 - Replacement dwellings and Extensions
- TR6 - Highway Safety

The South Downs Local Plan – Pre-Submission 2017

7.5 The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26th September to 21st November 2017. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced are currently afforded some weight.

7.6 The following policies of the South Downs National Park Local Plan - Pre-Submission September 2017 are relevant to this application:

- SD1 – Sustainable development
- SD4 – Landscape character
- SD5 - Design
- SD6 – Safeguarding views SD7 – Relative tranquillity
- SD8 - Dark Skies at Night
- SD9 - Biodiveristy and Geodiversity
- SD11 - Trees, Woodland and Hedgerows
- SD12 – Historic Environment

- SD15 – Conservation Areas
- SD30 - Replacement dwellings

Partnership Management Plan

7.7 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 9
- General Policy 50

Bury Neighbourhood Development Plan (BNDP)

An examiner was appointed by the South Downs National Park Authority with the consent of Bury Parish Council, to undertake the examination of the Bury Neighbourhood Development Plan and to prepare a report of the independent examination.

The Examiner's report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum. The Decision Statement accepts all the modifications set out in the Examiner's report apart from two minor variations from the Examiner's recommendations. The Plan will now proceed to a referendum on 1st March 2018 and therefore its policies must be afforded some weight.

The following policies of the BNDP are considered to be relevant:

- BNDP Policy 2 – Built Character
- BNDP Policy 14 – Landscape and Views
- BNDP Policy 15 – Tranquillity

8.0 Planning Assessment

8.1 The main issues with this proposal are considered to be:

- The principle of the replacement of the existing bungalow with a new dwelling;
- The impact of the redevelopment of the site on the character and appearance of the Bury Conservation Area;
- The impact of the replacement dwelling on the landscape character of the South Downs National Park.

The principle of the replacement of the existing dwelling

8.2 Development Plan policy support for the 1:1 replacement of the existing dwelling is set out in saved policy H12 of the Local Plan. Under the terms of this policy, the

existing dwelling does not fall within the definition of a 'small dwelling', having a floorspace of 122.25 square metres and being within a curtilage greater than 450 square metres. Therefore the 50% increase limitation of floorspace does not apply in this instance. The equivalent emerging policy of the draft South Downs Local Plan (SD30) is acknowledged to be more restrictive, placing a maximum increase of floorspace of 30%. Whilst this policy clearly shows the direction of travel with regard to the amount of development considered acceptable in this sensitive landscape, public consultation of this document has only recently been completed and the plan has not yet been formally examined. The policy may nevertheless be afforded some weight.

- 8.3 Whilst the floorspace limit set out in Policy H12 does not apply, the policy also requires redevelopment proposals to be assessed in terms of their impact on the surrounding area which must not detract from the rural character and appearance of the surrounding area or detrimentally increase the bulk of the building. Therefore the consideration of the redevelopment of the site with a larger dwelling could be acceptable provided that the design is respectful of its countryside setting and that the scale, massing and bulk of the building is sensitively handled.

The effect on the character and appearance of the surrounding area and conservation area - form and appearance of the new dwelling

- 8.4 It is acknowledged that the edge of village location, with open countryside to the east and south of the site is particularly visually sensitive, especially given the presence of public footpaths that pass close by. The design of the replacement dwelling has been informed by the agricultural heritage of the site (formally part of Prattendens Farm) and its immediate surroundings as well as a comprehensive landscape and visual impact appraisal. The proposed dwelling is situated centrally within the site but further to the south of the existing dwelling to take advantage of the fall in levels to ensure that the overall increase in height can be more effectively managed. The plan of the building is an inversed 'T', with the axis of the main element orientated east/west as is currently the case, with a subsidiary wing projecting northward. The north-west quadrant of the site is dedicated to the entrance, parking and turning area and is reminiscent of the former farm yard. This is to be enclosed by low flint walling along the west boundary, which itself is a common boundary treatment within the village, with the main garden areas to the south of the proposed dwelling maintaining an informal character.
- 8.5 The proposed dwelling itself is two storeys high but with the first floor contained largely within the roof space. The form, scale and proportions of the dwelling suggest a functional, agricultural quality to the character and appearance to the design. Following concerns raised by officers the overall scale of the replacement building has been reduced from that originally proposed. The length of the main element has been substantively reduced, enabling the dwelling to sit more centrally within the plot and allow generous margins between the flank walls and the east and west boundaries. The roof treatment has been revised to provide a deep half hip to the eastern end in order to present a softer form when viewed approaching from the east along the Coffin Trail PROW. The dwelling is also set into the slope of the site, with floor levels set at the lowest point, meaning the north end of the dwelling is to be set down approximately 1.4 metres relative to natural ground levels at that point of the site.

- 8.6 The combination of the articulation of the plan form of the building and resultant variation in roof heights is considered to effectively manage the massing of the building and helps to impart a general informality of the design that is considered appropriate to its rural setting. The revised proposals also omit considerable areas of terracing and other hard surfacing previously proposed and this is now confined to a discrete and modest area close to the dwelling and to the surfaced parking and turning area.
- 8.7 The design also proposes the use of good quality materials in the form of facing stone with ironstone galetting clay tiles to the main range and zinc cladding to the secondary wing and its rural character is reinforced with features such as open-eaves detail, incorporation of chimneys and a half-hipped roof form. Overall, the materials are considered to draw upon the site's geological context and the materiality of Bury's traditional buildings. The boundary wall on the site's west side will be of locally sourced flints. The horizontal alignment of windows at ground and first floor level will ensure that there is no upward transmission of light and horizontal transmission would be further limited by existing and proposed screening.
- 8.8 On this first issue, the proposal is considered to be of a design that is a contemporary reflection of local distinctiveness and its local context and does not detract from the character or appearance of the conservation area. Therefore it is concluded that the proposal complies with Policy H12, BE6 and BE11 of the CDLP 1999, policies SD4, SD5 and SD30 of the Draft SDNPLP 2017, the thrust of the objectives of policy BNDP 2 and the design section of the NPPF.

The effect on the character and appearance of the surrounding area - effect on surrounding landscape

- 8.9 The applicant's Landscape and Visual Impact Assessment (LVIA) highlights that a sensitivity specific to the East Meon to Bury Greensand Terrace and relevant to this site are the dramatic views of the chalk escarpment. The LVIA goes on to acknowledge that the introduction of additional built form into the landscape, even just increasing the size of one dwelling, is likely to give rise to a degree of adverse visual and landscape effects. Whilst this has been the case in this assessment, the applicants landscape consultant concludes that by virtue of the high quality of the building design, careful siting of the proposed building, the site's strong relationship with the settlement and the net gain in vegetation which enhances the existing landscape character, these effects have been kept to a minimum and that the proposed development would not result in any significant adverse residual landscape and visual effects on the local or wider landscape character, South Downs Viewpoints or the special qualities of the SDNP.
- 8.10 The Council's own landscape consultant has provided responses to this analysis and on the subsequent iterations of the proposed dwelling. A holding objection was lodged to the original form of the dwelling, highlighting the scale of the proposed dwelling and that as a result, the visual impact of the built form appeared to have been underestimated, particularly when viewed from the Coffin Trail PROW and the intersecting footpath leading up from the village from the south, although it was acknowledged that long distance views of the site from the

scarp of the Downs to south-east are not possible because of undulations of landform and existing vegetative cover. The applicant has subsequently addressed these concerns and the revised scheme now under consideration, incorporating a reduction in the scale of the building, its siting and the opportunity to introduce long term structural tree planting along the eastern margin, is now considered to be acceptable from the landscape consultant's perspective and no objection is raised on landscape grounds to the proposed dwelling.

9.0 Conclusion

- 9.1 In conclusion, the replacement dwelling (as revised) is considered to be an acceptable and appropriate response to its setting in terms of design, mass and scale and therefore seeks to promote local distinctiveness and would not result in an adverse impact on the wider rural landscape or on the character or appearance of this part of the Bury Conservation Area. The application proposals also incorporate adequate and suitable landscape mitigation measures in respect of the protection and enhancement of the surrounding landscape. Therefore the proposal accords with the objectives of local and national planning policies and with the purposes of designation of the National Park as set out above.

10.0 Reason for Recommendation and Conditions

It is recommended that the appeal lodged against non-determination of the application not be contested by the Council for the reasons explained above and subject to the conditions set out below being forwarded to the Planning Inspectorate for consideration.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)./ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Agreement of materials

No development shall commence until details, and samples where appropriate, of the following materials to be used in the development have been submitted to and agreed in writing by the SDNPA: Bricks, stone and any other wall facing materials, brick bonds, mortar mix and finish, rain water goods (including their relationship with eaves and verges), slates, tiles and any other roof coverings, including

rooflights. Thereafter the development shall be undertaken in full accordance with that agreement unless otherwise agreed in writing by the SDNPA.

Reason: For the avoidance of doubt and in the absence of these important details from the application

4. **Site Levels**

Before development commences details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, shall be submitted to and approved by the SDNPA in writing. The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees to comply with Policy BE11 of the CDLPFR 1999

5. **Tree Protection Measures**

No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

6. **Landscaping scheme**

The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the indicative proposals shown on Drawing No. 1010_01_06_006_P3 and shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance

with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

7. Landscaping Timing for approved scheme

All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. These works shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs

8. No Extensions, Alterations or Outbuildings

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Classes A to E and G of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: To ensure future additions and alterations are sympathetic to the particular design ethos of the dwelling and in the interests of protecting the amenity, character and appearance of the conservation area.

9. No walls/fences without permission

Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no fence, wall or other means of enclosure shall be erected, constructed or established within the curtilage of the dwelling shown on the approved plans, unless agreed by way of a planning permission on that behalf.

Reason: To ensure such means of enclosure are sympathetic to the particular design ethos of the dwelling and in the interests of protecting the amenity, character and appearance of the conservation area.

10. **Small Scale Development Construction and Environmental Management Plan**

No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

11. **No external lighting**

No external lighting shall be installed either on the building or anywhere within the site. This exclusion shall not prohibit the installation of sensor-controlled security lighting which shall be designed and shielded to minimise light spillage beyond the site boundary.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity.

Note: Any proposed external lighting system should comply with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution.

11.0 Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12.0 Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13.0 Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14.0 Proactive Working

14.1 The Local Planning Authority has acted positively and proactively in considering the application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority had been able to recommend a grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**Tim Slaney
Director of Planning
South Downs National Park Authority**

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email: dprice@chichester.gov.uk

Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - LOCATION PLAN	1010_01_06_001 P1		14.04.2017	Submitted
Plans - LOCATION PLAN GENERAL ARRANGEMENT	1010_01_06_001 P1		14.04.2017	Submitted
Plans - LOCATION PLAN GENERAL ARRANGEMENT	1010_01_06_001 P1		14.04.2017	Submitted
Plans - EXISTING SITE PLAN GENERAL ARRANGEMENT	1010_01_06_002 P1		14.04.2017	Submitted
Plans - EXISTING FLOOR PLAN GENERAL ARRANGEMENT	1010_01_06_003 P1		14.04.2017	Submitted
Plans - EXISTING ROOF PLAN GENERAL ARRANGEMENT	1010_01_06_004 P1		14.04.2017	Submitted
Plans - EXISTING ELEVATIONS GENERAL ARRANGEMENT	1010_01_06_005 P1		14.04.2017	Submitted
Plans - PROPOSED SITE PLAN GENERAL ARRANGEMENT	1010_01_06_006 P1		14.04.2017	Superseded
Plans - PROPOSED GROUND FLOOR PLAN GENERAL ARRANGEMENT	1010_01_06_007 P1		14.04.2017	Superseded
Plans - PROPOSED FIRST FLOOR PLAN GENERAL ARRANGEMENT	1010_01_06_008 P1		14.04.2017	Superseded
Plans - PROPOSED ELEVATIONS GENERAL ARRANGEMENT	1010_01_06_009 P1		14.04.2017	Superseded
Plans - PROPOSED ELEVATIONS GENERAL ARRANGEMENT (2)	1010_01_06_010 P1		14.04.2017	Superseded

Plans - VIEWS FROM PUBLIC PATHS 01 GENERAL ARRANGEMENT	1010_01_06_011 P1		14.04.2017	Submitted
Plans - VIEWS FROM PUBLIC PATHS 02 GENERAL ARRANGEMENT	1010_01_06_012 P1		14.04.2017	Submitted
Plans - VIEWS FROM PUBLIC PATHS 03 GENERAL ARRANGEMENT	1010_01_06_013 P1		14.04.2017	Submitted
Plans - VIEWS FROM PUBLIC PATHS 04 GENERAL ARRANGEMENT	1010_01_06_014 P1		14.04.2017	Submitted
Plans -	1010_01_06_006	P2	30.06.2017	Superseded
Plans -	1010_01_06_007	P2	30.06.2017	Superseded
Plans -	1010_01_06_008	P2	30.06.2017	Superseded
Plans -	1010- _01_06_009	P2	30.06.2017	Superseded
Plans -	1010_01_06_010	P2	30.06.2017	Superseded
Plans - proposed location plan	1010_01_06_006	P3	03.11.2017	Submitted
Plans - site plan	1010_01_06-006	P3	03.11.2017	Submitted
Plans - proposed ground floor plan	1010_01_06_007	P3	03.11.2017	Submitted
Plans - proposed first floor plan	1010_01_06_008	P3	03.11.2017	Submitted
Plans - proposed elevations	1010_01_06-009	P3	03.11.2017	Submitted
Plans - proposed elevations-landscape addition	1010_01_06_009	P3	03.11.2017	Submitted
Plans - proposed elevations (2)	1010_01_06_010	P3	03.11.2017	Submitted
Plans - proposed elevations (2) landscape addition	1010_01_06_010	P3	03.11.2017	Submitted

Reasons: For the avoidance of doubt and in the interests of proper planning.

Agenda Item 9

Chichester District Council

Planning Committee

Wednesday 17 January 2018

Report of the Head of Planning Services

Schedule of Planning Appeals, Court and Policy Matters

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

Note for public viewing via Chichester District Council web site read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

* - Committee level decision.

1. NEW APPEALS

Reference/Procedure	Proposal
<u>17/00074/CONENF</u> Oving Parish Case Officer: Shona Archer Written Representation	Decoy Farm Decoy Lane Oving Chichester West Sussex PO20 3TR - Appeal against non-compliance with Enforcement Notice O/11 - O/12.
<u>17/00074/CONENF</u> Oving Parish Case Officer: Shona Archer Written Representation	Decoy Farm Decoy Lane Oving Chichester West Sussex PO20 3TR - Appeal against non-compliance with Enforcement Notice O/27 - O/28.

<p><u>16/00359/CONTRV</u> Sidlesham Parish</p> <p>Case Officer: Emma Kierans</p> <p>Informal Hearing</p>	<p>Land Adj To Ham Road Sidlesham West Sussex - Appeal against</p>
<p><u>16/03383/FUL</u> Sidlesham Parish</p> <p>Case Officer: James Cross</p> <p>Informal Hearing</p>	<p>Land Adjacent To Ham Road Sidlesham West Sussex - Use of land as a travellers caravan site consisting of 2 no. touring caravans, 1 no. amenity structure and associated development.</p>
<p><u>16/00191/CONCOU</u> Westbourne Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against change of use to tarmac contractor.</p>

<p><u>17/00378/FUL</u> Westbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Written Representation</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne PO10 8RZ - Retrospective application for change of use of land as open storage for vehicles and use as HGV Operating Centre, with ancillary office and stores.</p>
<p>* <u>17/00670/FUL</u> Westbourne Parish</p> <p>Case Officer: Claire Coles</p> <p>Written Representation</p>	<p>Meadow View Stables Monks Hill Westbourne Emsworth West Sussex PO10 8SX - Change use of land for the retail use of selling christmas trees for the period of 1 month each year start 24/11 to 24/12.</p>

2.

DECISIONS MADE

None received

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p><u>16/00933/OUT</u> Birdham Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Inquiry 20/03/2018 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham Chichester West Sussex PO20 7HY - Erection of 77 houses B1 floorspace, retail and open space with retention of 1 dwelling.</p>
<p>*<u>16/00492/FUL</u> East Wittering And Bracklesham Parish</p> <p>Case Officer: James Cross</p> <p>Written Representation</p>	<p>Ashbury Kimbridge Road East Wittering West Sussex PO20 8PE - Demolition of existing house and detached garage and construction of 5 no. flats and 1 no. single storey dwelling.</p>
<p><u>16/03338/FUL</u> Kirdford Parish</p> <p>Case Officer: Paul Hunt</p> <p>Informal Hearing</p>	<p>Idolsfold House Kirdford Billingshurst West Sussex RH14 0JJ - Removal of condition 4 from planning permission KD/4/82. Removal of the Agricultural Occupancy condition.</p>

<p><u>15/00375/CONCOU</u> North Mundham Parish</p> <p>Case Officer: Shona Archer</p> <p>Public Inquiry 27/09/2017 10:00:00 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex - Without planning permission, the change of use of a building to use as a dwellinghouse. Without planning permission, the erection of a dwellinghouse.</p>
<p><u>15/00375/CONCOU</u> North Mundham Parish</p> <p>Case Officer: Shona Archer</p> <p>Public Inquiry 27/09/2017 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex - Change of use of barn to residential.</p>
<p><u>16/00424/ELD</u> North Mundham Parish</p> <p>Case Officer: Fjola Stevens</p> <p>Public Inquiry 27/09/2017 10:00:00 Chichester District Council East Pallant House PO19 1TY</p>	<p>10 Acres Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex PO20 1YU - Continuous occupation for in excess of 4 years of barn style building erected under planning permission 10/00517/FUL granted on 28 April 2010.</p>
<p><u>17/00838/ELD</u> North Mundham Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Public Inquiry 20/03/2017 10:00:00 Chichester District Council East Pallant House PO19 1TY</p>	<p>Field House Vinnetrov Road Runcton PO20 1QB - Erection of building and its use as a dwellinghouse</p>

<p><u>15/00202/CONAGR</u> Oving Parish</p> <p>Case Officer: Reg Hawks</p> <p>Written Representation</p>	<p>Ham Farm Church Lane Oving West Sussex PO20 2BT - Appeal against new agricultural building, earth bund and access track.</p>
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<p><u>15/00202/CONAGR</u> Oving Parish</p> <p>Case Officer: Reg Hawks</p> <p>Written Representation</p>	<p>Ham Farm Church Lane Oving West Sussex PO20 2BT - Appeal against new agricultural building, earth bund and access track.</p>
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<p><u>16/03906/FUL</u> Sidlesham Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Written Representation</p>	<p>Land To The North Of Sunnybrook Highleigh Road Sidlesham West Sussex - New dwelling house, garden, greenhouse and ancillary landscaping.</p>
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<p><u>16/00176/CONCOU</u> Southbourne Parish</p> <p>Case Officer: Emma Kierans</p> <p>Written Representation</p>	<p>Land East Of Inlands Road Inlands Road Nutbourne West Sussex - Without planning permission, the erection of three metal shipping container buildings in the approximate positions shown on the plan.</p>
<p><u>16/02811/FUL</u> Southbourne Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Written Representation</p>	<p>Land East Of Inlands Road Inlands Road Nutbourne West Sussex - Siting of metal shipping container for storage of agricultural equipment and animal feeds.</p>
<p>*<u>16/03751/FUL</u> Southbourne Parish</p> <p>Case Officer: James Cross</p> <p>Written Representation</p>	<p>Nutbourne Farm Barns Farm Lane Nutbourne PO18 8SA - Change of use of existing storage building to a 2 bed holiday let.</p>

<p><u>17/00858/FUL</u> Southbourne Parish</p> <p>Case Officer: Paul Hunt</p> <p>Written Representation</p>	<p>Marsh Farm Farm Lane Nutbourne PO18 8SA - Alterations to approved garage (application SB/16/03112/FUL) to connect it to the new proposed pool cover.</p>
<p>SDNP/15/00109/OPDEV Stedham Parish Case Officer: Reg Hawks</p> <p>Written Representation</p>	<p>Field South of The Old Stables, Mill Lane, Stedham, Midhurst, West Sussex, GU29 0PR - Laying of hard surface access track. Appeal against Enforcement Notice</p>
<p><u>SDNP/17/00294/FUL</u> Sutton Parish Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/0149/HOUS and SDNP/12/12050/LIS).</p>
<p><u>SDNP/17/00295/LIS</u> Sutton Parish Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self-contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/01049/HOUS and SDNP/12/01050/LIS).</p>
<p><u>SDNP/12/01049/HOUS</u> Sutton Parish Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self-contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/01050/LIS) and SDNP/17/00295/LIS</p>
<p><u>17/00866/FUL</u> West Itchenor Parish</p> <p>Case Officer: Claire Coles</p> <p>Written Representation</p>	<p>Owl Cottage And Pheasant Cottage Itchenor Road West Itchenor Chichester West Sussex PO20 7DA - Change of use and conversion of two self catering holiday units to form a single unrestricted Class C3 dwelling house including some minor internal changes and external alterations to the appearance of the building.</p>

<p><u>17/00410/DOM</u> West Wittering Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Householder Appeal</p>	<p>Little Orchard Summerfield Road West Wittering Chichester West Sussex PO20 8LY - Retrospective erection of replacement front boundary fencing.</p>
<p><u>16/00094/CONMHC</u> Westbourne Parish</p> <p>Case Officer: Reg Hawks</p> <p>Public Inquiry 1/05/2018 10:00:00</p> <p>Chichester District Council East Pallant House PO19 1TY</p>	<p>Racton View Marlpit Lane Hambrook Westbourne Emsworth West Sussex PO10 8EQ - Appeal against stationing of a mobile home for human habitation</p>
<p><u>16/03010/FUL</u> Westbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Public Inquiry 1/05/2018 10:00:00</p> <p>Chichester District Council East Pallant House PO19 1TY</p>	<p>Racton View Marlpit Lane Hambrook Westbourne PO10 8EQ - Retention of mobile home for a temporary period of 3 years (revised application further to 16/01547/FUL).</p>
<p><u>SDNP/16/00069/COU</u> Upwaltham Parish Case Officer Shona Archer</p> <p>Public Inquiry 31/11/2017 10:00:00</p> <p>Chichester District Council East Pallant House PO19 1TY</p>	<p>The Mill, Eartham Lane, Eartham, Chichester, PO18 0NA – without planning permission, use of workshop as single dwelling. Appeal against an enforcement notice</p>

<p><u>16/02717/OUT</u> Wisborough Green Parish</p> <p>Case Officer: Katherine Rawlins</p> <p>Public Inquiry 30/01/2018</p> <p>Chichester District Council East Pallant House PO19 1TY</p>	<p>Stable Field Kirdford Road Wisborough Green West Sussex - Outline with some matters reserved - access. 1 no. village doctors surgery (use class D1); village community uses (use class D2) to include outdoor activity area, activity room, gym, community building, 30 extra-care units (use class C2) to include affordable accommodation, community allotments and landscaped recreational areas. With associated new vehicle, pedestrian access, ancillary uses and infrastructure.</p>
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<p><u>17/00934/FUL</u> Wisborough Green Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>Old Helyers Farm Kirdford Road Wisborough Green RH14 0DD - Conversion of commercial equestrian indoor riding school barn to 3 no. dwellings.</p>
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4. VARIATIONS TO SECTION 106 AGREEMENTS

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage
<p>The Old Tanneries, Byworth, Petworth</p>	<p>Breach of Enforcement Notice</p>	<p>Legal has requested a court date from Worthing Magistrates' Court on 5 December. Waiting to hear from the Court.</p>

7. POLICY MATTERS