

Parish: Selsey	Ward: Selsey South
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SY/16/02444/FUL

Proposal Variation of Condition 2 (plans condition) of planning permission SY/15/02214/FUL. Amendments to approved plans to include; clear glazing to first floor window to south elevation and change in roof form of single storey extension to west elevation to flat roof.

Site 83 Hillfield Road, Selsey, PO20 0LH

Map Ref (E) 485088 (N) 92467

Applicant Mr Springett

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>

1.0 Reason for Committee Referral

1.1 Town Council Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located to the east of Hillfield Road on a corner plot with Seal Road and has been subject to recent permission for a change the use of a public house to 5 flats. The building is set back within the square shaped plot and the two storey element is attached to number 2 Seal Road.

3.0 The Proposal

3.1 The original planning permission (reference 15/02214/FUL) for the conversion of the public house into 5 apartments has been implemented and the apartments are now complete and on the market. The original permission has been subject to a variation of condition application (ref 16/00529/FUL) to amend the external finish materials for the walls from cladding to brick. This application seeks an amendment to part of the roof form and an element of the glazing to the south elevation dormer. This is a retrospective application.

3.2 The proposal involves an amendment to the physical form of the southern most element of the single-storey roof from the previously approved false pitched flat roof to a flat roof.

3.3 The glazing to the window of the dormer on the south elevation is proposed to be clear glazed instead of the previously approved obscure glazing to 1.5m from finished first floor level.

4.0 History

15/02214/FUL	PER106	Alterations in connection with the proposed change of use of existing building to form 5 no. apartments including car parking, refuse, cycle storage and external works.
15/03621/DOC		Discharge of conditions relating to planning permission 15/02214/FUL, conditions 3, 4, 6, 8 and 9.
15/04256/NMA	WDN	Non-material Amendment to 15/02214/FUL: replace proposed shiplap boarding with facing brickwork.
16/00529/FUL	PER	Variation of condition 3 from planning permission SY/15/02214/FUL, minor amendment to replace shiplap boarding from ground floor with red/brown brickwork.
16/02193/NMA	REF	Non material amendment to permission SY/15/02214/FUL . Retention of existing window to

south elevation and flat roof extension.

5.0 Constraints

Listed Building	No
Conservation Area	No
Rural Area	No
AONB	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 Town Council: Selsey Town Council objects to this application on the grounds that the proposed layout of some of the apartments is inappropriate given that the adjoining property would suffer from noise intrusion and overlooking.

6.2 CDC Environmental Health

Further to my comments of the 4th August, I am pleased to see the proposed changes in use which will move the quieter rooms adjacent to the party wall. Furthermore the acknowledgement of necessity for airborne sound insulation works is encouraging.

Nevertheless, I would like to retain my recommendation for a sound insulation scheme in order to ensure that the question of impact and airborne noise transmission is considered between the existing dwelling and the new units. This would not be covered by building regulations alone but I believe it is important in this case to ensure that the reuse of existing building elements does not result in transmission of noise along pathways such as floor joists.

Finally, just for clarity I would also like to retain my recommendation for an hours of construction condition to be imposed, should this application be approved.

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. Selsey Town Council has decided to withdraw the Selsey Neighbourhood Plan and following the examiner's advice, re-draft the document and re-consult at the Regulation 14 (Pre-submission) stage.

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 33: New Residential Development

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), 56, 58, 59, 60 and 64.

Other Local Policy and Guidance

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

- Chichester District Council's Planning Guidance Note 3, Design Guideline for Alterations to dwellings and extensions (revised September 2009) (PGN3)

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2021 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. Impact on visual amenities
- ii. Impact in neighbouring amenities

Assessment

- i) Impact on visual amenities

8.2 Although the flat roof would be seen from the road, it is in a set back position forming the main living area of apartment 4. In this location, a modest, single-storey flat roof set back from the road would not appear visually jarring and would respect the character and quality of the site and surroundings in accordance with policy 33 of the current Chichester Local Plan (CLP)

ii) Impact on neighbouring amenities

8.3 From the existing plans submitted under the original permission 15/02214/FUL, it is clear that the concerned dormer existed with clear glazing as it currently does now and that there have been no changes to the way this room would function. It would serve a bedroom now and is likely to have done so in the past.

8.4 The Case Officer has carried out a site visit and inspected the relationship from the clear dormer window. This room comprises of a small bedroom to the first floor flat. When looking southwards it is possible to see the neighbour's curtained first floor window. However, the roof slope of the application site obscures much of this and, remembering that this would have also been an existing arrangement, the impact of the conversion from public house to flats is not considered to have altered or exacerbated this situation.

8.5 Looking eastwards towards the neighbouring property known as Riskenhope, 2 Seal Road; the oblique angled view of the neighbour's garden is separated by their flat roof shed making any direct views very difficult. Again, it should be noted that this is not a new window and would be used as it was prior to the change of use. Furthermore, considering the first floors and roof slopes of the surrounding residential properties and general locality, it is clear that an interrelated and existing first-floor, secondary (bedroom) overlooking arrangement already exists. On balance, it is therefore considered that retaining this clear glazing would not result in harm to neighbouring amenities.

8.6 Furthermore, the fall-back position would be to revert to obscuring the glazing to an appropriate obscurity at 1.5m from finished floor level within this room. It is considered that 1.5m is an unusual height, with 1.7m being the common height used for obscure windows and seen as the average human eye level.

8.7 Overall, for the reasons above, retaining clear glass in this dormer is not considered to cause any significant harm to neighbouring amenity.

Other matters

8.8 Confusion may have arisen as the submitted floor plan for this application indicated a kitchen to this room however, from the Case Officer inspection of this site it is clear that this is a bedroom and an amended floor plan has been submitted accordingly.

8.9 Noise concerns have been raised by the Town Council and the CDC EHO has made comment regarding noise and construction times. Condition 4 of planning permission 15/02214/FUL required sound insulation details to be agreed with the LPA. Under application reference 15/03621/DOC, a noise insulation scheme was submitted and agreed and the proposed floor plan includes noise insulation to the party wall. Taking this into account, noise insulation is considered to have already been accommodated in the development and, as this is a retrospective application, managing construction times is not relevant to this case.

Significant Conditions

8.10 Given that this is a retrospective application, no significant conditions are proposed other than a variation to the plans as this application requests. The original conditions have not been repeated under this application as those requiring agreement with the LPA have been agreed previously and incorporated into the development.

Conclusion

8.11 In conclusion and on balance; the proposal is considered acceptable to neighbouring amenities. It is therefore considered the proposal complies with the Development Plan and there are no other material considerations that indicate otherwise. The application is recommended for approval.

Human Rights

8.12 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 TO PERMIT

1 U05896 - Plans

For further information on this application please contact Maria Tomlinson.