

Parish: Selsey	Ward: Selsey North
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**SY/16/03287/FUL**

**Proposal** Extension and conversion of existing detached dwelling into 2 no. detached dwellings.


**Site** Tides Reach 127 East Beach Road Selsey PO20 0HA

**Map Ref** (E) 486903 (N) 93812

**Applicant** Ms Beverley Bramwell

**RECOMMENDATION TO PERMIT**



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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 comprises 1 no. two storey dwelling constructed circa 1960s along East Beach Road. The south eastern elevation fronts the footpath along the sea wall, adjacent to the shingle beach. The building comprises a butterfly roof form with large expanses of glazing, render and exposed stone work.

2.2 Historically, the application site comprised 2 no. individual planning units. However, once each plot was sold off, 2 no. plots were amalgamated into one to form plot 127. Land Registry and historical mapping evidence has been submitted by the applicant throughout the consultation period to demonstrate this.

2.3 The application site falls within the Selsey Settlement Boundary. Each individual plot in the area possesses unique architectural characteristics in terms of their design, finishing, materials palette, roof form and orientation. However, the silhouettes, facilitated by the gaps between properties and overall heights establish the street scape of this area. The streetscape is most apparent, in terms of contributing to visual amenity, from along the sea wall footpath.

2.4 All plots within the area have a small rear garden which abuts East Beach Road. Most plots in this area facilitate off-road vehicle parking to the rear of plots; however, sufficient on-road parking is available along East Beach Road. All plots possess amenity space between the private access road and sea wall and to the front of primary elevations.

2.5 The application site falls within Flood Zones 2 and 3.

## **3.0 The Proposal**

3.1 The application proposes the extension of 127 Tides Reach and conversion of existing detached dwelling into 2 no. detached dwellings. The first floor extension relates to the north east extension of the building which builds over the existing footprint of the building. A further extension is proposed to the south western elevation across ground and first floor. The building is then subdivided into 2 no. residential dwellings. The proposal retains a comparable footprint and silhouette to that of the existing dwelling.

3.2 The application details a replacement garage to the north western elevation of the property for 127 East Beach and off-road. Open air parking is provided for 125 East Beach Road.

## **4.0 History**

97/02914/OUT	PER	3 bed chalet and garage and new vehicular access.
99/00398/FUL	PER	3 bedroom chalet and garage plus vehicular access.
08/04399/DOM	PER	Retrospective application to replace existing wall/fence with a solid wall.

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Selsey Town Council

(11 November 2016)

Selsey Town Council objects to the application as it is out of keeping with the street scene and represents over-development of the site.

(02 December 2016)

After speaking to the Chair of Planning and the Councillor who made the original motion, they are in agreement that they wish the Committee's objection to stand for the following reasons:

STC considers this over-development of the site by the introduction of an additional dwelling in a street of individual properties of sizable plots. Additionally this makes the application out of keeping with the street scene, especially the massing and size of the resultant properties within the street which is characterised by one-off, unique properties in substantial plots. During the debate a lack of amenity space was mentioned but was not referenced objection comment.

It was further noted that CDC had recently refused permission on a nearby property due to the Environment Agency's objection to the building of new property in Flood Zone 3 and the committee considered that the same might apply in this case.

### 6.2 Chichester District Council Drainage Engineers

We have comments to make on surface water drainage and flood/erosion risk.

Surface Water Drainage: The proposal is to drain surface water via soakaways, this approach is acceptable in principle and should adequately drain the development.

Erosion Risk: The policy along this frontage is "hold the line" and the site presently benefits from a concrete sea wall and shingle beach. However future maintenance and improvement

of these defences would be subject to available funding. As they do not propose to advance towards the sea wall we have no objection with regard to future risk of erosion.

Flood Risk: Contrary to what the application form states parts of the site fall within Flood Zones 2/3 (high risk). Therefore, an FRA must be produced and the Environment Agency should be consulted on its contents. We recommend the developer takes any opportunity to raise the FFLs to minimise flood risk as a result of predicted sea level rise.

### 6.3 Environment Agency

No objections subject to the imposition of the detailed conditions, comprising:

Condition - Flood risk mitigation

*The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Andrew Ockwell Design, dated January 2017) and the following mitigation measures detailed within the FRA:*

*- Finished floor levels are set no lower than 700mm above ground floor level.*

*The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangement embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

*Reason*

*The proposed development is partially located in tidal Flood Zones 3 and 2 of our Flood Map. This indicated land with a high (1 in 200 year) and medium (1 in 1000 year) probability of flooding, respectively.*

We strongly recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plus are located above possible flood levels.

### Third Party Support

6.4 4 letters of support were received throughout the public consultation period. These letters detail the following matters:

- a) A sensible and sympathetic development of a large site
- b) The addition of another family home would be welcomed
- c) Fail to see how this development would affect the street scene as objected to by Selsey Town Council it would enhance and add to the eclectic mix of properties in East Beach Road
- d) We cannot think of a reasonable objection - we are in full support of this application
- e) Scheme will make a significant contribution to the street and area
- f) Proposed extension is in keeping with the existing dwelling
- g) Designs submitted appear to be in keeping with and sympathetic to the surrounding development of East Beach Road

## Applicant/Agent's Supporting Information

Concerns were raised by Selsey Town Council regarding the impact of the buildings on the existing street scape. In response to this, the applicant has provided existing and proposed street scenes, submitted on 14 December 2016.

Further, following comments received by the Drainage Engineers, and the Environment Agency, an amended Flood Risk Assessment (FRA) was submitted on 20 February 2017.

## **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 adopted Neighbourhood Plan for Selsey.

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

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk

Policy 44: Development around the Coast

### 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), paragraphs 58, 60, 63, 64, 66 (Requiring Good Design), paragraphs 99, 100, 103 and 104 (Meeting the Challenge of Climate Change, Flooding and Coastal Change).

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 Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

B1 - Managing a changing environment

B3 - Environmental Resources

D1 - Increasing housing supply

D3 - Housing fit for purpose

E2 - There will be improved cycling networks and strong links to public transport to ensure that cycling is a viable alternative to using the car

E4 - People will have easier access to services at a local level

### **8.0 Planning Comments**

8.1 The main issues arising from this proposal are:

- i) Principle of development
- ii) Design
- iii) Impact upon residential amenity
- iv) Flood Risk
- v) Highways

### Assessment

#### i) Principle of development

8.2 The application proposes the creation of a residential dwelling within an identified Settlement Boundary. Policy 2 (Development Strategy and Settlement Hierarchy) and Policy 33 (New Residential Development) of the Chichester District Council Local Plan, Key Policies (2014-2029), support residential development within settlement boundaries as these are sustainable locations for new development. Subject to the development meeting the details of the other policies such as flood risk, design and amenity, the principle of development is considered to be acceptable.

## ii) Design

8.3 Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029) permits new residential development where the highest standards of design are met, which are in keeping with the character of the surrounding area and its setting in the landscape.

8.4 The application buildings would retain the existing two storey properties with a predominant mono pitched roof. Whilst the roof form as existing comprises the butterfly form, the most publicly visible aspect of this butterfly form is the larger mono pitch. This larger pitch would be retained in the design and would seek to conserve the 1960s architectural form of the building. As such, the form of development would be considered appropriate.

8.5 The proposed building would retain a comparable ridge height to that of the existing building. The ridge height would be lesser than that of both adjacent plots which would allow the buildings to appear subservient to neighbouring buildings. The footprint of the building is marginally increased which is coupled with the addition of a first floor extension. However, this additional massing could be accommodated given the large plot size. As such, the additional massing, which is mitigated through the building's heights and plot size, would not result in demonstrable issues on the street scene when viewed along the sea wall.

8.6 Taking account of the above footprint, massing and height of the building, the resultant size and scale of the building would be appropriate. No issues in terms of scale of the building would result when viewing the building along the sea wall, where the street scene is most publicly visible.

8.7 Throughout the application period the applicant has submitted that the siting and layout of the site reinstates the historical plan form; where this site was 2 no. plots. A review of the historical map regression, and aerial photography, confirms this. Further, the retention of a similar footprint of the building would ensure that the siting does not implicate upon the character and appearance of the street scene, when reinstating this historical plot composition.

8.8 Selsey Town Council raised issues relating to access to amenity space within their consultation response. As noted above, all plots in this location benefit from amenity space forward of the south eastern elevation. These spaces remain unaffected through the subdivision of the dwellings. Equally, it is assessed that the amount of amenity space to the rear elevations of the buildings is of limited usable value. Policy 33 requires consideration in respect of amenity space to be considered in comparison to plots within the immediate locality. Plot coverage calculations have been assessed and the amount of remaining amenity space is assessed would be comparable to that of the existing. Further, the way in which amenity space is used in this location comprises the use of balconies, as opposed to traditional front gardens. This has been reiterated through the granting of existing permissions along East Beach Road which feature a large number of balconies. Both properties would provide for balconies and sufficient open amenity space would be provided forward of the primary elevation. In light of the above, the density of development is assessed as being sufficient.

8.9 The applicant submitted a materials schedule via e-mail on 08 November 2016 which outlines the use of materials for the proposed dwelling. The use of these materials would be appropriate. However, a condition should be imposed requiring samples of these materials to be agreed with the Local Planning Authority, prior to their use. This would ensure the delivery of these materials, given the prominent visibility of the application site.

8.10 In light of the above, the development would accord with the contents of Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029).

#### ii) Impact on residential amenity

8.11 Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029) requires development to achieve a high quality design. In pursuit of this, development should not detrimentally impact upon residential amenity.

8.12 The submitted plans detail a limitation on windows at first floor level on the outer elevations of the buildings. The eastern dwelling features 1 no. window to bedroom 4 and 1 no. window to the landing. These non-habitable rooms are not assessed as being likely to result in impacts upon the adjacent eastern property. No windows are proposed to the western outer elevation of the western property at first floor level.

8.13 The proposal moves the position of the eastern side elevation towards the dwelling to the east. However, no windows serving habitable rooms are featured on the western elevation of the adjacent eastern dwellings at first floor level. Within the habitable rooms at first floor level the outlook is southerly focussed. Additionally, the southern building line of the properties remains the same as existing. Therefore, when the adjacent occupiers of the western property are looking out of their habitable room at first level, the perception of massing would remain comparable to that of the existing.

8.14 Sufficient separation distance is achieved between the western dwelling and adjacent neighbour to the west. Therefore, no impacts upon the western neighbour would result.

8.15 In light of the above, the development achieves an acceptable level of residential amenity and therefore accords with the contents of Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029).

#### iii) Flood risk

8.16 Policy 42 (Flood Risk and Water Management) of the Chichester District Council Local Plan Key Policies (2014-2029) requires a site-specific flood risk assessment to demonstrate that the development would be safe. Policy 42 requires proposals to incorporate specific requirements of the site, and protection, resilience and resistance measures appropriate to the character and biodiversity of the area.

8.17 Concern was raised throughout the public consultation period regarding the designation of the application site within Flood Zones 2 and 3. Although part of the application site lies within Flood Zone 2 and 3, this is limited to a small part of the site close to the western boundary and it does not extend to the existing dwelling to be divided. Since the additional dwelling proposed and the extensions would not fall within the flood risk area it is considered that the principle of the sub-division of the site to create 2 dwellings would be acceptable, and there is no requirement for a sequential test to be carried out. Given the encroachment



of the flood zone onto the application site and the coast, at the request of the Council's Drainage Engineers, the applicant has provided a Site Specific Flood Risk Assessment. This has been provided and the Environment Agency has confirmed they have no objection to the proposal, subject to the imposition of conditions.

8.18 The submitted Flood Risk Assessment makes a series of recommendations, including the raising of FFLs, by an additional 200mm, which would be undertaken within the development. A condition that development be undertaken in accordance with the details of the FRA and retained as such at all times thereafter, would sufficiently mitigate the impacts on flood risk.

8.19 In light of the above considerations, the development accords with the contents of Policy 42 (Flood Risk and Water Management) of the Chichester District Council Local Plan Key Policies (2014-2029).

#### iv) Highways

8.20 Policy 39 (Transport, Accessibility and Parking) of the Chichester District Council Local Plan requires development proposals to provide for the parking and access demands that they create.

8.21 The submitted plans detail the provision of off-street car parking in a combination of off-street driveways and a garage. The level of parking provision detailed would be sufficient and adequate on-road parking exists along East Beach Road. Such on-road parking is not constrained by any parking restrictions and the Council is not aware of any anecdotal evidence of previous highways issues.

8.22 Vehicle speeds along East Beach Road are slow and sufficient visibility would exist when entering onto East Beach Road from the application site. As such, the access to and from the property by vehicle along East Beach Road would be safe and sufficient.

8.23 A condition is imposed securing the use of the garage for the parking of a private motor vehicle only. This would ensure that sufficient off-street parking would exist.

8.24 In light of the above considerations and condition, the development would accord with the contents of Policy 39 (Transport, Accessibility and Parking) of the Chichester District Council Local Plan Key Policies (2014-2029).

#### Significant Conditions

8.25 It is recommended that conditions be imposed to ensure that the materials are acceptable, that the floor levels are raised as required to manage flood risk and also that the garage be retained for that purpose only.

#### Conclusion

8.26 Based on the above the proposal complies with the development plan policies. Therefore, the application is recommended for approval.

## Human Rights

8.27 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 three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans; 1616-01 - Location and Block Plans, DRG001 - Existing and Proposed Street Scenes, 1616-05 - Proposed Ground Floor Plan, 1616-06 - Proposed First Floor Plan, 1616-07 - Proposed Elevations Sheet 1 and 1616-08 - Proposed Elevations Sheet 2.

Reason: To ensure the development complies with the planning permission.

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) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Andrew Ockwell Design, dated January 2017) and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 700mm above ground floor level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason :**The proposed development is partially located in tidal Flood Zones 3 and 2 of our Flood Map. This indicates land with a high (1 in 200 year) and medium (1 in 1000 year) probability of flooding, respectively.

5) 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.

## 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.