

Parish:  
Hunston

Ward:  
Sidllesham

### HN/17/00314/FUL

**Proposal** Construction of 5 no. dwellings and associated works (minor amendment to outline planning permission 16/00856/OUT and associated reserved matters 16/02672/REM).

**Site** Brook Lea Selsey Road Hunston PO20 1NR

**Map Ref** (E) 486348 (N) 102152

**Applicant** Domusea Ltd

### RECOMMENDATION TO PERMIT



**NOT TO  
SCALE**

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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 lies within the Settlement Boundary of Hunston, in a back land position between the Chichester Canal and Selsey Road. Apart from the canal to the northwest, dwellings surround the application site, comprising a mix of detached cottages to the east and terraced/linked dwellings to the south. The site is set lower than the canal to the northwest and is bounded by mature vegetation at the top of a grass bank to the north west. The boundaries otherwise comprise a mix of fencing and vegetation. Within the site the levels are relatively consistent.

2.2 The site was previously occupied by a single dwelling, however this has been demolished and works have commenced on the construction of 5 dwellings following a grant of outline planning permission and the approval of reserved matters in 2016.

## **3.0 The Proposal**

3.1 The application seeks permission for amendments to a permitted scheme for 5 dwellings on the site. The amendments include;

- Plot 1: omission of single storey flat roof projection to rear and addition of an alternative pitched roof single storey projection to the north elevation, deeper front porch, re-positioned rooflights on south elevation, boarding beneath windows on dormers on north elevation, removal of patio doors from north elevation and insertion into west side elevation, reduction to size of window on east elevation
- Plots 2 & 3: boarding to the cheeks of the permitted dormer windows, increase to depth of plot 3
- Plot 4: depth of building increased, enlarged ensuite window on west elevation bat first floor level, insertion of bathroom window on east elevation at first floor level
- Plot 5: creation of a shallow pitched roof over a previously approved flat roof projection on west elevation, provision of rooflights to projection on south elevation, provision of WC window on south elevation,

3.2 The changes to the dimensions are shown in the table below:

	Height		Width		Depth	
	Approved	Proposed	Approved	Proposed	Approved	Proposed
Plot 1	6.85m	6.85m	11.75m	11.75m	9.25m	9.5m
Plot 2	8m	8.25m	9.75m	9.75m	10.25m	11m
Plot 3	8m	8.25m	9.75m	9.75m	9.75m	11m
Plot 4	8m	8.25m	9.75m	9.75m	9.75m	10.5m
Plot 5	8m	8.2m	10m	10m	11m	11m

#### **4.0 History**

16/00857/OUT	PER106	Redevelopment of the site for 5 no. dwellings and associated works.
16/02672/REM	PER	Appearance and landscaping.
16/03947/DOC	DOCDEC	Discharge of conditions 4, 5, 7 and 9 of HN/16/02672/REM.

#### **5.0 Constraints**

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	
- Flood Zone 2	YES (part of the site)
- Flood Zone 3	NO
Historic Parks and Gardens	NO

#### **6.0 Representations and Consultations**

##### **6.1 Parish Council**

Hunston Parish Council objects to this application on the following grounds:

It is noted that the Agent/Applicant has answered all parts of Question 13 on the application form as no. This is incorrect as the site runs along the southern edge of the Chichester Canal and the hedgerows along the canal have been a haven for wildlife for many years. This hedgerow has been all but stripped out and therefore there are no suitable places for the nesting birds and other wildlife that live along the edge of the canal.

It is noted that the Agent/Applicant has answered the second part of Question 13 on the application form as no. There are a number of mature trees along the northern boundary with the canal and the Parish Council would be keen to see these served with a TPO in order to help protect this important environmental barrier between the canal and the housing development.

It is noted that the Agent/Applicant has stated (Q 24) that the site cannot be seen from the public footpaths or roads. This is incorrect the site is clearly visible from the main road, particularly when travelling north to Chichester and from the canal towpath since the developer has stripped out significant amounts of the hedgerow.

Plot one is already partially constructed and appears to be closer to the southern boundary than is indicated in the plans. The Parish Council also objects to the additional first floor extension to the rear of the property which could very easily be turned into a balcony with access from the French style windows on the first floor.

The proposed dwellings being of red brick and red clay tiles would be out of keeping with the general style of properties that surround it.

The Parish Council feels that the development is cramped, the houses are too high and would be visually intrusive from the rural aspect of the canal path. The Parish Council requests that the style of materials used be more in keeping with the surroundings and that the ridge heights of the roofs be lowered in keeping with a chalet style bungalow.

## 6.2 Environment Agency

No objection. The development may require an Environmental Permit from the Environment Agency, this is separate to obtaining planning permission.

## 6.3 WSCC Highways

No objection.

## 6.4 CDC Contract Services

No objection. If the refuse freighter is not intended to enter the site it would be necessary to provide a collection point at the entrance to the site.

## **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 Hunston at this time.

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 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

Policy 40: Sustainable Design and Construction

Policy 49: Biodiversity

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

Policy 51: Development and Disturbance of Birds in Pagham Harbour Special Protection Area

### 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 sections 4, 6, 7, 10 and 11 generally.

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:

Surface water and foul drainage 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
- B2 - Greener living
- D1 - Increasing housing supply
- D2 - Vibrant, safe and clean neighbourhoods
- D3 - Housing fit for purpose

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:

- Support communities to meet their own housing needs

- 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) Impact upon visual amenity
- iii) Impact upon the amenity of neighbouring properties
- v) Other matters

### **Assessment**

i) Principle of development

8.2 There is an extant permission for 5 dwellings on the site, which has been implemented. This application seeks amendments to the approved scheme. There has been no significant change in planning policy or circumstance since the extant permission was granted and it is therefore considered that the principle of the development remains acceptable in principle. The site lies within the settlement boundary where the principle of new residential development is supported by the Local Plan, subject to other material considerations.

ii) Impact upon visual amenity

8.3 The proposed amendments to the scheme, as set out in paragraphs 3.1 and 3.2 of this report, would not significantly alter the overall layout or design of the approved scheme. Whilst the plans indicate a small increase in height to dwellings on plots 2-5, the 200mm increase shown on the detailed plans (compared to the plans submitted with the permitted reserved matters application) would not result in a substantially taller building that would be harmful to the visual amenity of the development or of the locality.

8.4 The proposed development would comprise of a mix of chalet style bungalows and 2 storey dwellings constructed with a range of materials including a multi-stock brick, subtle red/brown roof tile, white render, oak detailing to the porches and car ports, weatherboarding and heritage style coloured windows. It is considered that the design, which incorporates a range of eaves heights, roof forms and detailing, combined with the mix of materials that reflect materials found in the surrounding area, would result in high quality development that would respect its context.

8.5 Whilst the current proposal includes alteration to the proposed materials finish and the inclusion of cladding to dormer windows and pitched roofs in place of flat roofs on the single storey elements of plots 1 and 5, these alterations would also not result in a significant increase in mass or bulk that would be harmful to the visual amenity or character of the area. Similarly the alterations to the footprints and the detailing of the dwellings would be such that the resultant development would not have a significantly different impact upon the character and visual amenity of the site and its surroundings

8.6 For the reasons set out above whilst the proposed development would be visible from the adjacent highway and the canal to the north west, due to the location of the dwellings, their design and their appearance the proposal would not detract from the visual amenity or

established character of the locality. The proposal would therefore be acceptable in this respect.

### iii) Impact upon the amenity of neighbouring properties

8.7 The proposed increases to the depth of some properties and the minor increase in height would not result in any significant increase in mass or bulk that would be detrimental to the neighbouring properties in terms of loss of light or being overbearing when compared to the permitted scheme.

8.8 The proposed relocation of the patio doors on plot 1 would result in a large patio door facing west, however it is considered that this amendment to the scheme would not result in an unacceptable level of overlooking having regard to the ground floor level position of the window, its orientation, and its distance from the neighbouring properties beyond the southern boundary of the site (approximately 10m from the proposed patio doors).

8.9 It is considered that the proposed alterations would not materially change the impact of the development upon the occupiers of the neighbouring properties when compared with the permitted scheme, and the alterations to the footprint and fenestration, which was previously considered to be acceptable. The proposed dwellings would remain sufficiently distanced from the neighbouring properties and of a size and bulk that would not result in overlooking or loss of light. The proposal would therefore be acceptable in terms of the impact upon the amenity of the neighbouring properties.

### iv) Other matters

Concerns have been raised that the application form is incorrect as it suggests that the site cannot be seen from the public highway. The purpose of the application form in this regard is to establish that whilst the application site is visible from the adjacent highway and canal, the site has to be entered to fully assess the merits of the proposal. The application form is therefore correctly completed.

8.10 Concerns have been raised by third parties regarding the introduction of dormer windows, however the current proposal does not include the introduction of any new dormer windows when compared to the permitted scheme.

8.11 The application is accompanied by a number of details including an ecological enhancement management plan which has in principle been approved under a previous application to discharge conditions. The plans in relation to the ecological assessment have not been updated to reflect the proposed changes to the footprint and form of the development, and therefore updated plans would be required, within one month of any permission. The amendments to the permitted scheme would not substantially change the scheme such that these details would no longer be appropriate. Subject to implementation in accordance with agreed ecological management and enhancement details, it is considered that the proposal would not be harmful to protected species, biodiversity or trees either within or adjacent to the site.

### Conclusion

8.12 Based on the above it is considered the proposal complies with development plan policies 1, 2, 4, 5, 33, 39, 40, 49, 50 and 51 of the Chichester Local Plan and therefore the application is recommended for approval.

## Human Rights

8.13 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 not be carried out other than in accordance with the approved plans: 0861/DPA400 Rev 01, A1-01 Rev C, A2-01 Rev V, A2-03 Rev. A, A2-05, A2-06 Rev. A, A2-07 Rev. A, A2-08 Rev. A, A2-09 Rev. A, A3-01 Rev. B, A3-02 Rev. B, A3-03 Rev. B, A3-04 Rev. B, A3-05 Rev. A, A3-06 Rev. A.

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

3) The development hereby permitted shall not be carried out other than in accordance with the submitted schedule of materials and finishes, unless any variation is first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

4) Within 1 month of this decision an updated scheme of landscaping to reflect the permitted footprints of the dwellings shall be submitted to the Local Planning Authority in writing. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. 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 include seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development.

Reason: In the interests of amenity and of the environment of the development.

5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development.

6) Within one month of this decision, an updated Ecological Enhancement Plan shall be submitted to and approved in advance and in writing by the Local Planning Authority to reflect the permitted changes to the footprint and form of the dwellings hereby permitted.



Reason: In the interests of protecting biodiversity.

7) No part of the development hereby permitted shall be first occupied until the refuse and cycle storage shall be provided in accordance with drawing no. Therefore the refuse and cycle storage shall be retained in accordance with the approved details in perpetuity.

Reason: In the interests of amenity and to encourage sustainable modes of transport.

8) 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.

9) No part of the development hereby permitted shall be first occupied until visibility splays of 2.4 x 43 metres have been provided at the existing site vehicular access onto B2145, in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and 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.

10) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0800 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

## INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact Fjola Stevens