

Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 22 November 2023** at **9.30 am**

MEMBERS: Mr C Todhunter (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr S Johnson, Mr H Potter, Ms S Quail and Mrs S Sharp

SUPPLEMENT TO AGENDA

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Agenda Update Sheet

Planning Committee
Wednesday 22 November 2023

ITEM: 5

APPLICATION NO: EWB/21/01376/OUT

COMMENT:

The red line defining the application site area on page 3 of the Agenda has been corrected as shown below.



ITEM: 6

APPLICATION NO: SY/23/00861/DOM

COMMENT:

Additional Representation

A further representation was made from a third party on 16th November. The objection has been previously raised in response to the proposed development and is summarised as follows:

Mass, footprint and height – it is overscaled and results in overdevelopment of the site, harm to the street scene, character of the surrounding area and harm to the amenity of the neighbouring properties.

Siting – it is very close to the boundary to the west and north and results in an overbearing dominating impact.

Impact on neighbouring property – the proposal would result in loss of light to neighbouring property to the west.

The application site has cultural significance and the proposal would impact negatively on this asset.

Amendment to the report:

Paragraph 3.4 amended to read:

3.4 The proposed garage would have a half-hipped roof and would be ~~7.4m~~ 7.64m in length, ~~6.2m~~ 6.29m in width and have a ridge height of ~~4.6m~~ 4.7m. It would be sited in a similar location to the existing garage. It would have a slate roof, white painted render walls and stock brick work to match the dwelling.

Paragraph 8.13 amended to read:

8.13 The ridge height of the proposed garage would be ~~1.6m~~ 1.7m higher than the existing garage and the footprint would be larger however it's positioning when compared with the

western boundary is unchanged, and it would only be marginally set further backwards towards the rear boundary.

Addition to the report:

It is considered that the dwelling is a Non-Designated Heritage Asset as identified by the Council's Conservation and Design Team.

Policy 47 of the CLP supports proposals which conserve and enhance the special interest and settings of designated and non-designated heritage assets, including buildings of local importance. Paragraph 203 of the NPPF states "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Policy 002 of the Selsey Neighbourhood Plan advises that the effect of development on the significance of locally listed buildings and other non-designated historical assets will be judged having regard to the scale or harm of any loss and the significance of the heritage asset.

The Conservation and Design Officers advised that there are no concerns in relation to the proposal. The proposed uPVC windows are for the rear extension and the garage building only. The use of uPVC is acceptable in this non publicly visible location. The roof tiles of the garage should be clay tiles rather than slate. The applicant has confirmed that this would be acceptable.

Notwithstanding the proposed plans, the proposed material for the roof of the garage would be plain clay tiles and not blue/black slate.

Amended condition

3) Notwithstanding any details submitted no development/works shall take place, above slab level, until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs for the extension and outbuilding, including the use of clay tiles for the garage outbuilding, hereby permitted 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.

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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.

ITEM: 7

APPLICATION NO: 23/01272/FUL

COMMENT:

Additional Representation

Selsey Parish Council 16.11.23

1. That STC maintain the original objection to this application.
2. STC further object as it reasonably expects that a vibro-acoustic study is undertaken by Cove Communities Ltd as per the NPSE (Noise Policy Statement for England) which was adopted by CDC in November 2023 and referred to in the NPPF September 2023 Planning Policy. STC is concerned that the decibel levels could be as high as 85db from such a facility (from the track and/or the users) which is far in above the 34db limit for outdoor activities and therefore considers that CDC should require a noise assessment to be carried out in order to consider the impact of noise on the neighbours.

Additional Consultation Responses

CDC Environmental Protection (17.11.23)

The Noise Policy Statement for England (NPSE) (2010) shapes all planning policy and guidance in England. Selsey Town Council wrongly interpret that the NPSE was adopted by Chichester District Council in November 2023.

What did happen in November 2023, is that the Planning Noise Advice Document: Sussex (PNADS) was revised. See link below and scroll down to Planning Noise Advice Document:

Supplementary planning documents and policy guidance - Chichester District Council

You will read that that PNADS provides Sussex-wide guidance on how to address noise issues in planning applications and was adopted by Chichester District Council as a Technical Advice Note on 27th October 2021. The guidance draws from and compliments the Noise Policy Statement for England (2010) and the National Planning Policy Framework (2012) and was reviewed in November 2023, by a dedicated working group, to take in to account new guidance and Standards.

Selsey Town Council do not substantiate their measurement of 85dB from the source facility and do not provide any recognised metric or distance in their assertion. A “34dB limit for outdoor activities” is also provided, again with no metrics, context or reference to a recognised Standard. The World Health Organisation and British Standard BS8233:2024 suggest outside noise levels of between 50 and 55dB LAeq,16hours are acceptable for residential amenity areas, which is not in line with the Town Council’s assertion.

Attached are my most recent comments with regard to 23/01272/FUL White Horse Complex.

My comments from 13th October 2023 highlight that Rick Downham, contractor for our department, after speaking to the applicant, was of the view that a noise impact assessment was not required on the proviso that times of operation were limited to 08:00 to 20:00. It was established that the zip coaster is a gravity fed apparatus which has no mechanical/electrical parts to create noise during operation and the ride is single occupancy.

As stated, Rick Downham is an experienced officer and I would not disagree with his position put forward in this instance. Rick Downham was fully aware of the existence of the Planning Noise Advice Document: Sussex and would be able to discern if a noise assessment was required for this application.

Also attached, is an email I sent to you 9th November 2023. In it, I express that if the hours of operation were to go on until 21:00 it is the view that a noise impact assessment would be required for the extra hour as the activity is going on in to a more sensitive time of the evening, where the likelihood for disturbance is increased.

To summarise, if the hours of operation for the proposed facility is limited to 08:00 to 20:00 our department does not consider that a noise impact assessment is required.

17.11.23

I have just had a look at the location of the nearest noise sensitive residential dwellings, nominally 150m to the south, on the opposite side of Warners Lane. It is considered that if

the occupants of the caravans had issues with noise they would take it up with the Park directly and this would have to be managed.

Building Bulletin 93 “Acoustic Design for Schools” details a playground shout as 80dB LAMax at 1m. Given the reduction of noise, for distance, it is predicted that a shout at the nearest residential dwelling would be around 36dB LAMax externally. This would not be considered an adverse impact given the nature of the proposed zip-coaster.

CDC Environmental Strategy (21.11.23)

A bird box on the southern elevation of the existing entertainment building, to which the proposal is adjacent too, would be fine.

Bats the boxes really need to be away from artificial lighting sources, sheltered from strong winds and exposed to the sun for part of the day. The location of the site for bats isn't ideal because of the lighting, and the need to ensure no uplighting in this area. We would like a bat box, but if this is the only location for it, then I am not sure it would be used.

Officer note - In terms of artificial lighting, the immediate area adjoining the southern elevation of the entertainment building does not appear to have any external lighting but given the use of the site, there are lampposts around the park in the vicinity of the application site. It would not be possible to control the provision of uplighting on the entertainment building, as this building is not the subject of this application. For this reason, no bat box is proposed to be sought.

Additional conditions

Bird box condition

Prior to first use of the development hereby permitted, the following ecological enhancement shall be provided:

a) a bird box shall be installed on the southern elevation of the entertainment building facing south/south westerly positioned 3-5m above ground.

Thereafter the ecological enhancement shall be retained in perpetuity.

Reason: To ensure that the protection of ecology and/or biodiversity.

External lighting condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no

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external illumination shall be provided on the site other than 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 details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

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