

Parish: Westbourne	Ward: Westbourne
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WE/18/03013/FUL

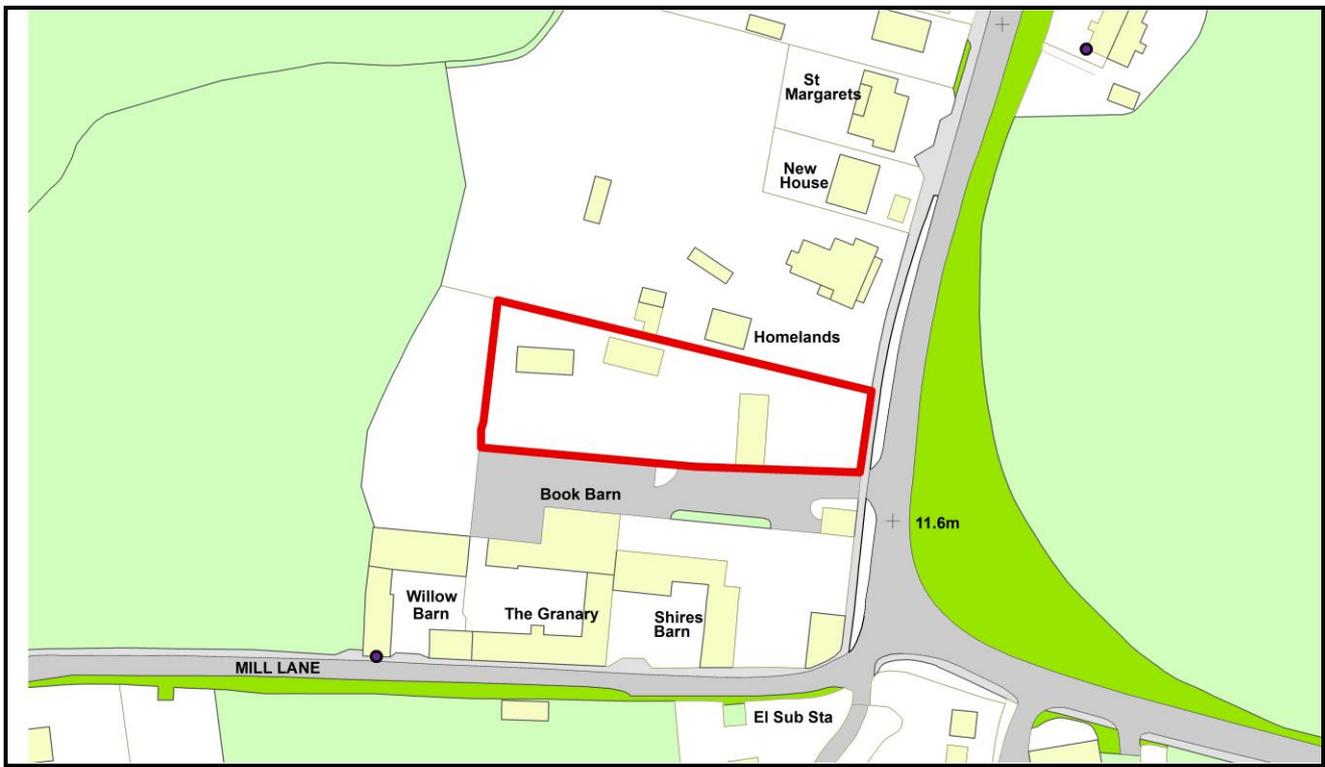
Proposal New boundary walls and gates; Reconfiguration of and additional hardstanding; Land level changes; Revised drainage scheme.
(Amendments to approved landscape and drainage schemes)

Site Woodbury House Whitechimney Row Westbourne PO10 8RS

Map Ref (E) 475769 (N) 107149

Applicant Mr And Mrs Sperring

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 This application was deferred at the meeting on 6.6.19 for a Site Visit.

1.2 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located on the west side of Whitechimney Row, approximately 300m south of the centre of Westbourne within the rural area. The northern boundary of the site adjoins the southern edge of both the Settlement Boundary for Westbourne and also the Westbourne Conservation Area. The site lies in flood zone 1, although flood zone 2 is directly to the east of the site.

2.2 The site itself is irregular in shape with a frontage along Whitechimney Row measuring approximately 22m and a depth of approximately 75m. The site widens at its western (rear) boundary to 35m. A detached 2 storey residential dwelling (with basement) has been constructed within the site. The property has a vehicular access onto Whitechimney Row and to the rear there is an outbuilding and a second vehicular access.

2.3 Directly north of the application site is a driveway and an outbuilding serving Homelands, a Grade II listed building, which is the last in a row of detached dwellings on the western side of Whitechimney Row. To the south, across a gravelled driveway and parking area, are a range of former agricultural buildings which have been converted to residential and office use. Directly adjacent the site, on the opposite side of Whitechimney Row, is open countryside and to the west there are open fields.

2.4 The dwelling was permitted under application 16/00721/FUL, it has been constructed within reasonable tolerances of the approved plans. However, as a result of changes to the ground levels, landscaping and hardstanding within the garden area these elements do not comply with the approved plans. In addition boundary walls have been constructed contrary to the requirements of conditions in relation to permission 16/00721/FUL.

3.0 The Proposal

3.1 The application seeks planning permission for a 1.1m high brick and flint wall with timber electronic entrance gates, providing the boundary treatment/access onto Whitechimney Row, and amendments to the approved landscape and drainage schemes; including the provision of a larger paved area within the site.

4.0 History

12/03211/OUT	WDN	Outline planning application with all matters reserved (except access) for demolition of wood framed barn and Nissen huts and erection of up to 2 dwellings and parking at land at Book Barn, Whitechimney Row, Westbourne.
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13/02254/OUT	PER	Demolition of wood framed barn and nissen huts and erection of up to 2 no. dwellings with access and parking.
15/00234/FUL	PER	Adapt the existing eastern boundary wall to provide a private vehicular access to the site from White Chimney Row.
16/00721/FUL	PER106	Creation of a part two storey house with basement and separate carport/garden store.
17/01928/DOC	DOCDEC	Discharge of Conditions 4, 5, and 10 from Planning Permission WE/16/00721/FUL.
17/02061/NMA	PER	Non-material Amendment to 16/00721/FUL - add 1 no. obscure glazed window to garage rear elevation and omission of rear window to kitchen and replace with an extension of the rear glazed doors.
17/02115/DOC	DOCDEC	Discharge of Condition 11 from Planning Permission WE/16/00721/FUL.
18/00226/DOC	DOCDEC	Discharge of condition 3 from planning permission WE/16/002721/FUL.
18/00328/NMA	REF	Non-material amendments to planning permission WE/16/00721/FUL- Change of materials used, brick plinth to front elevation to be extended to side elevations, extend rear balcony to 2.5m deep, southern lightwell updated to accommodate brick staircase to ground level with southern window widen and car barn to rear updated with new configuration.
18/00607/FUL	PER106	Creation of a part two storey house with basement and separate carport/garden store. Variation of conditions 2 and 3 from permission WE/16/00721/FUL, to incorporate amendments to various plans and external materials.
18/02390/NMA	REF	Non-material amendments to planning permission WE/16/00721/FUL. Revised boundary treatments and level changes.

5.0 Constraints

Listed Building	NO
Conservation Area	Adjacent
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	NO
- Flood Zone 2	Adjacent
- Flood Zone 3	NO

6.0 Representations and Consultations

6.1 Parish Council

Westbourne Parish Council objects to the planning application for the following reasons:

The originally approved drainage proposals have not been implemented and the deposit of surplus concrete or similar hard materials on land at the rear would prevent excavation and preparation of effective internal drainage pits. These deviations from the originally approved drainage proposals would lead to surface water run-off affecting adjoining properties.

The raised levels of the ground adjacent to the boundaries is also at variance with the originally approved proposals and would add to the problems of surface water drainage referred to above.

As a result of the increase in garden levels, the house has been built higher than those in the approved plans. A drainage ditch along the boundaries and running into a new soak-away, or the one supposed to be at the rear, may help with the surface water draining issues and prevent flooding to adjoining properties.

A new wall has been constructed on the frontage to replace a heritage wall that was closely linked to the adjoining listed building and was probably part of the original curtilage of that property. Again this is at variance with the original approval which showed retention of this wall with some repairs and minor additions to form the vehicular entrance point. The new wall, although constructed in flint, is radically different in style to the original and not consistent with the vernacular style of the original. The house is in a conservation area so the wall is an important feature.

There are other unauthorised elements of the revised application, including the location of the bin store which the Parish Council considers should be located as originally outlined in the garage and not near the driveway of the neighbouring property.

The Parish Council urges the District Council to take the appropriate enforcement action to deal with the above issues given the overall lack of compliance with the original consent given.

6.2 CDC Drainage Officer

19.7.2019

The consultant has submitted a revised scheme which shows the as-built crate soakaways and calculations to demonstrate they are sufficiently sized. To deal with the existing lack of silt control the plan includes new MHs with sumps for the front soakaway and soakaway adjacent to the garage, (these are to be constructed and will need to be conditioned). The proposal is also to attach rainwater filters to the downpipes where access is impractical to the constructed soakaway/pipework under the patio (again to be conditioned along the lines of “to be built in accordance with plan x within x months).

Ultimately we are satisfied that they system is adequately sized, and the proposed additions will ensure that silt can be kept out of the soakaways and thus ensure they remain serviceable for the lifetime of the development.

7.05.2019

I am satisfied that the site should drain based on the calculations and details provided.

6.3 1 third party letter of Objection has been received concerning the following:

- a) Inaccuracies relating to site levels
- b) Loss of historic wall
- c) Unacceptable location of bin store
- d) Unacceptable drainage proposals

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 (CLP) and all made neighbourhood plans. There is no made neighbourhood plan for Westbourne Parish at this time. The plan has been through examination, however due to the result in changes in laws following European Court decisions there was a requirement to undertake a Habitats Regulation Assessment (HRA) and an Appropriate Assessment Statement. This has been subject to a public consultation. As a consequence of the HRA process a Strategic Environmental Assessment of the Neighbourhood Plan has been undertaken and the consultation period ended on 22 May 2019. The plan at this stage therefore carries some weight.

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

Chichester Local Plan

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 40: Sustainable Design and Construction

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

Policy 52: Green Infrastructure

Policy 53: District Canals

Policy 54: Open Space, Sport and Recreation

Policy 55: Equestrian Development

Westbourne Neighbourhood Plan

LD3 Heritage Policy

National Policy and Guidance

7.3 Government planning policy comprises the National Planning Policy Framework (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development, for decision-taking this means:

a) approving development proposals that accord with an up-to-date development plan without delay; or

b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to Sections 1 (Achieving Sustainable Development) 4 (Decision-Making), 9 (Promoting Sustainable Transport), 11 (Making effective use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change), 15 (Conserving and enhancing the natural environment), and 16 (Conserving and Enhancing the Historic Environment).

Other Local Policy and Guidance

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

- Planning Obligations and Affordable Housing SPD
- Westbourne Conservation Area Appraisal and Management Proposal

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:

- 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 main issues arising from this proposal are:

- i) Principle of development
- ii) Impact on visual amenities and character of the area
- iii) Drainage

Assessment

- i) Principle of development

8.2 The works which are the subject of this application are located within the curtilage of a dwelling, and although the site lies outside of the settlement boundary the development would not extend beyond the boundaries of the site or result in encroachment into the open countryside. Therefore the principle of the development is acceptable, subject to the material considerations set out below.

- ii) Impact on Visual Amenities and Character of the Area

8.3 Policy 33 of the CLP requires that development proposals respect or enhance the character of the site and surrounding area with regards to proportion, form, massing, siting, layout, density, height, size, scale and detailed design. Policy 47 of the CLP refers to the historic environment and design, and seeks to ensure that new developments conserve and enhance designated and non-designated heritage assets and that developments respect the distinctive local character.

- 8.4 Whitechimney Row comprises a mix of properties of varying architectural styles and forms. Boundary treatments fronting the road are generally comprised of low level brick and flint boundary walls and some properties with hedges providing natural boundary treatments. The application seeks permission for a replacement boundary wall to the front of the site, the former boundary wall was partly removed during the construction phase and the replacement wall is brick and flint in a similar style to the existing. The entrance drive would remain in the approved location, but with brick piers and a timber entrance gate set back within the site.
- 8.5 Previous assessments by planning officers and Historic Buildings Advisors have acknowledged the attractiveness of the original boundary wall, noting that it assisted in reinforcing the understanding of the historic relationship to the agricultural grouping of surrounding buildings. Notwithstanding these assessments it does not mean the replacement of the wall would be unacceptable in principle, subject to the design and form of any replacement wall being reflective of the existing. The replacement wall at 1.1m high and constructed of brick and flint is reflective of both the original wall and the other boundary treatments which can be found on Whitechimney Row and the adjacent Conservation Area. It is considered that due to the scale, materials and design the new wall and gates would not detract from the visual amenity and character of the area, and it would conserve the Conservation Area.
- 8.6 In order to provide adequate drainage of the site and landscaping to reflect the land level changes which slope down towards the west of the site, small amounts of land raising directly around the dwelling took place during the construction phase. The main levelling has focused around the rear patio area, which has been stepped up from 11.14AOD to 11.68AOD, rather than a gradual gradient. This has required the insertion of steps and the applicants propose a retaining wall/planter. The landscaping had not been completed when the application was submitted. In addition to the above it is proposed to construct sleeper steps to the north-west corner of the site, with only small amounts of levelling (10.38AOD to 10.92AOD) within the site from the parking area leading up to the steps. Additional landscaping changes are proposed through the formation of a low planted, with native species, earth bund and supporting wall to the southern boundary, of approximately 0.5- 0.6m. This would be contained wholly within the application site.
- 8.7 There have also been land level changes following the construction of the necessary drainage system. As a result the proposed dwelling is located 17cm higher than previously approved. This has been considered by the Planning Enforcement team and no further action has been taken because it is considered that this is within reasonable build tolerances when taking into account the scale of the dwelling and that no changes have taken place to the approved elevations of the dwelling and therefore the appearance of the building itself has not been amended. The changes to the land levels and the amendments to the landscaping are not considered to result in unacceptable visual impacts within the street scene or on the character of the surrounding area and the adjacent Conservation Area. In addition it has not resulted in an unacceptable relationship to neighbouring properties.

8.8 Overall it is considered that the works to the boundary treatments, land levels and landscaping, would not undermine the quality of the development previously approved and would not result in adverse impacts on the visual amenity and character of the area. On this basis the proposals would accord with Policy 33 of the Chichester Local Plan and are therefore considered to be acceptable.

iii) Drainage

8.9 During the construction of the permitted dwelling a revised drainage scheme was installed from that approved as part of application 17/01928/DOC. This constructed scheme was based on the amendments which had taken place as part of the build, including changes to the hardstanding and small increases in land levels. Parish Council and third party objections have been received regarding the increase in hard surfacing within the site, and the potential for an increase in surface water drainage offsite.

8.10 The drainage scheme installed comprises of cellular units, with additional shingle to provide further storage for water. Three soakaways have been installed within the site, one to the front of the property and two to the rear. Soakaway SA1 has a storage capacity of approximately 7.6m³, where calculations provided indicate that only 6.1m³ is required. Soakaway SA2 has a storage capacity of approximately 11.4m³ and the calculations show that only 7.9m³ is required.

8.11 The third soakaway (SA3) has been installed to independently drain the additional non-permeable patio area to the rear of the site. This has a capacity of approximately 4.75m³ and the calculations show that only 3.6m³ is required.

8.12 The calculations demonstrate that the surface water storage exceeds what is required by at least 20%. The Council's Drainage Engineer has analysed the infiltration rates, geotechnical assessment and scaled drawings and confirmed that the site should drain based on the calculations and details provided without excess surface water flowing elsewhere.

8.13 Following the June Planning Committee, additional supporting information was submitted by the applicants and officers undertook a further site visit with the Council's Senior Drainage Engineer. It was identified the installed drainage system, whilst sufficiently sized to deal with the surface water drainage had not been constructed with silt traps as previously required. A scheme has subsequently been devised to; retrofit silt traps to the front soakaway and to the soakaway adjacent to the garage, and to provide rainwater filters to the downpipes that lead to the constructed soakaway/pipework under the patio. These measures would ensure the longevity of the soakaways for the lifetime of the development. This scheme is considered acceptable by the Drainage Engineer and would be conditioned to be constructed in accordance with the submitted details within 3 months of the date of the planning permission. The proposal would therefore comply with local and national development plan policies which seek to ensure adequate and appropriate drainage for new development and would be acceptable.

Conclusion

8.14 Based on the above assessment it is considered the proposal would not result in harm to the visual amenities and character of the surrounding area and conservation area, nor would it result in adverse impacts on drainage. The proposal therefore complies with development plan policies 1, 33, 42 and 47 and 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 plans listed below under the heading "Decided Plans".

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

2) Within three months of the date of this decision notice the rainwater filters to the downpipes and the manholes and sumps as shown on plan nb01468:025g and nb01468:029d and as detailed within the submitted manufacturer specification details, submitted on the 24.7.2019, shall be installed, completed and operational in accordance with the approved manufacturer details and plans nb01468:025g and nb01468:029d. Once installed the system shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the longevity of the installed surface water drainage scheme.

3) 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 following the date of this permission, 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.

Decided Plans

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

Details	Reference	Version	Date Received	Status
PLAN -	NB01468-011G		24.04.2019	Approved
PLAN -	NB01468-031B		24.04.2019	Approved
PLAN -	NB01468-08I		24.04.2019	Approved
PLANS - Plans PLAN -	NB01468:025 G		24.07.2019	Approved
PLANS - Plans PLAN -	NB01468:029 D		24.07.2019	Approved

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 Caitlin Boddy on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PI6PK2ERLW400>