

Parish: Chichester	Ward: Chichester East
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**CC/19/02337/FUL**

<b>Proposal</b>	Refurbishment works to the existing residential unit		
<b>Site</b>	St Pancras Court, Flat 10 St Pancras Chichester PO19 7LU		
<b>Map Ref</b>	(E) 486623 (N) 104999		
<b>Applicant</b>	Kevin Williams	<b>Agent</b>	Mr Mark Gibbens

**RECOMMENDATION TO PERMIT**



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## **1.0 Reason for Committee Referral**

1.1 City Objection - Officer recommends Permit

## **2.0 The Site and Surroundings**

- 2.1 The application site (known as Flat 10, St Pancras Court) is located within the Chichester Settlement Boundary Area, on the eastern side of Alexandra Road.
- 2.2 The site forms a first floor flat constructed circa 1970s, situated above an entrance to a residential garage compound that is located east of the building. The existing flat is finished with hanging tiles, contains white uPVC fenestration and has a flat roof. The property is flanked by garages to the north and south and a number of mature trees subject to a Tree Protection Order are situated approximately 8 metres east of the building.
- 2.3 The site occupies a prominent position within the Chichester Conservation Area, overlooking Litten Gardens and New Park Recreation Ground to the west. The surrounding area is predominantly residential with the three-storey St Pancras Court situated to the south which is finished in a similar material palette to the application site.

## **3.0 The Proposal**

- 3.1 The application seeks planning permission for refurbishment works and external alterations to the existing residential unit. This would comprise the cladding of the elevations in insulated corten steel and unstained Siberian larch timber cladding. It is proposed to replace the existing uPVC fenestration with slimline double glazing in dark aluminium frames.
- 3.2 The proposal includes the installation of metal gates and fencing approx. 2 metres in height to the front of the garage courtyard in order to provide secure parking. Both the gates and fence would be finished in RAL 7021 "Black Grey".
- 3.3 The scheme also proposes the introduction of a new flue for a log burner this would emerge from eastern side of the roof and would measure approx. 1 metre in height and approx. 0.15 metres in width. This would be conditioned to be finished in RAL 7021 "Black Grey".

## **4.0 History**

18/03005/DINPP	PPR	Wood stove and chimney flue system.
19/00854/TPA	PER	Fell 5 no. Sycamore trees (quoted as T1-T3, T6 and T7) within Group, G1 subject to CC/13/00099/TPO.
19/01763/PREHH	PRE	Refurbishment works to the existing residential unit.

## 5.0 Constraints

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

## 6.0 Representations and Consultations

### 6.1 Chichester City Council

Objection to the use of corten steel as this would have an unacceptable impact upon the conservation area. No objection should a suitable alternative be proposed. Objection to the woodburning stove due to impact on the environment.

### 6.2 CCAAC

The Committee has no objection to this Application. We welcome the proposal to improve this unattractive building and thus enhance this part of the Conservation Area.

### 6.3 Senior Historic Buildings Advisor

*Further comments (02/12/2019) following details from agent regarding how the potential staining of cladding would be avoided and revised design for railings:*

Revised railing design is simplified which should work better with the contemporary proposals for the building. In terms of the proposed lead work I think we need to be guided by the Architects. Ultimately the liability lies with them so if they are happy that the lead work will help alleviate the potential for staining by redirecting the water away I think we have to accept this. Given the owners are likely to be spending a considerable amount on the refurbishments to improve the buildings appearance I would hope if localised staining did occur that this would be addressed.

*Further comments (15/11/2019) following the receipt of material samples and material specification:*

The proposed materials are considered to be of good quality and are likely to result in visual enhancement of the property itself and the conservation area. Once weathered the combination of Siberian larch and Corten steel is likely to work well and compliment the material tones in the existing setting.

With Corten there is a risk during its initial patina formation that porous materials adjacent to the cladding can become discoloured this is potentially a risk here with the timber being located below the Corten. Should the larch become stained this would negatively impact the appearance of the building, consideration should be given to how this can be avoided in the short term to protect the longer term appearance of the building.

The proposed RAL colour of 7021 (dark grey) is considered acceptable for the windows and railings and is likely to work well with the other proposed materials. The proposed detailed drawings for the railings appear different than those shown on the proposed elevations. The detailed drawings show a more decorative design which is not as simplistic as the railings shown on the proposed elevations. It is considered that given the contemporary approach being taken to the external appearance of the building that the railings / gates in the detailed drawings would not be in keeping with the overall design and should be revised to reflect a more contemporary style.

*Original comments 21/10/2019):*

The existing flat and garages below it date from the 1970's. The proposed refurbishment works would create a very contemporary looking residential unit, which given the varied street scene and material palette in this location is not considered to be detrimental to the street scene. The existing building does not contribute positively towards the character of the conservation therefore its refurbishment using higher quality well considered materials is likely to result in an enhancement to both the building and the conservation area.

The introduction of gates in front of the garage courtyard is likely to be beneficial in terms of the street scene as it obscures views through to the courtyard which is not of particular design merit. The use of open metal gates and metal fences enables the views to the rear to be obscured but also retains a sense of the open space below the property retaining the legibility of the current 1970's form.

The use of Corten cladding has the potential to successfully integrate into the setting by referencing the use of orange/brown brick tones in the vicinity and within the site itself. The use of timber cladding is in principle also considered appropriate. In order to fully consider the proposed materials samples are required and should be provided either by condition or as part of the application. For the timber this should include information about whether it will be treated or left to weather naturally and if treatment is proposed the sample should reflect this. RAL colour or equivalent samples should be provided for the proposed window frames and metal gate/fence colours. Samples are not necessary however confirmation should also be sought regarding the finish of the log burner flue as this will be visible in the street scene.

In terms of design and the potential for enhancing the conservation area, subject to material samples being provided and approved, it is considered that the proposals should be supported.

#### 6.4 Environmental Protection

Thank you for the information. The solid wall insulation is to be welcomed and will make the major contribution to reducing the carbon footprint of the building compared to present heating demand.

The wood burner is to be considered as a supplementary form of heating rather than a renewable heating system as the electric under floor system is the primary heating system. A wood burner will not add to the fossil fuel carbon emissions from the building so I am at a loss to why objections have been raised from a climate emergency point of view.

#### 6.5 Environmental Health

Our comments with respect to the addition of a wood burner and flue are as follows:

The approximate flue location is located over 17m from the nearest property façade (flats to the south) and the flue appears to be at a height of around 7m above ground level. Ideally the flue should extend 1m above roof level and the wood burner should be installed by a HEATAS registered installer and in accordance with relevant Building Regulations.

The applicant is advised to ensure that all wood burnt is well seasoned to reduce smoke impacts from the appliance.

Given that it is stated that the wood burner is to be ancillary to the underfloor heating system we have no objections to its installation.

No further comments on the application.

#### 6.6 Third Party Comments

1 letter of support has been received concerning:

- a) The striking and attractive modern design and materials would enhance the conservation area and would upgrade the existing drab 1960's design.

#### 7.0 Planning Policy

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 the City of Chichester at this time.

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

##### Chichester Local Plan: Key Policies 2014-2029

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 47: Heritage

## National Policy and Guidance

- 7.3 Government planning policy now comprises the National Planning Policy Framework, February 2019 (NPPF), paragraph 11 of which states:  
At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) 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 section 12 (Achieving well-designed places) and section 16 (Conserving and enhancing the historic environment)

## Other Local Policy and Guidance

- 7.5 The following documents are material to the determination of this planning application:
- Chichester Conservation Area Character Appraisal
- 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:
- 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. Design and impact upon the character and appearance of the Conservation Area
  - iii. Sustainability and environmental impacts
  - iv. Impact upon amenity of neighbouring properties
  - v. Flood Risk

i. Principle of development

8.2 Policy 2 of the Chichester Local Plan includes a presumption in favour of sustainable development within settlement boundaries. Therefore, as the application site falls within the Chichester Settlement Boundary Area and the proposals relate to an existing dwelling, the principle of development is considered acceptable, subject to compliance with the development plan and any other material considerations.

ii. Design and impact upon the character and appearance of the Conservation Area

8.3 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires that the Local Authority give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Policy 47 of the Chichester Local Plan requires that proposals must conserve and enhance the special interest and setting of conservation areas.

8.4 The site occupies a prominent position within the Chichester Conservation Area, overlooking Litten Gardens and New Park Recreation Ground to the west. St Pancras Court is identified as an opportunity for enhancement within the Chichester Conservation Area Character Appraisal, and it is considered, as a result of the overly prominent white uPVC window frames and the tired appearance of the existing hanging tiles, the property at present does not contribute positively to the conservation area.

8.5 The proposal would give the existing building a contemporary appearance by virtue of introducing corten steel and Siberian larch cladding. The Chichester Conservation Area Character Appraisal states there will be sites where a well-designed modern building is likely to be acceptable. It is considered that the proposal falls into this category as the streetscene is varied with regard to form and material palate; whilst the property does not form the setting of any historic development or buildings of note. The use of corten cladding has the potential to successfully integrate into the setting by referencing the use of orange/brown brick tones in the vicinity and within the site itself. The use of timber cladding is in principle also considered appropriate. Samples of both materials have been reviewed by the case officer and Senior Historic Buildings Adviser, and it is considered they would provide a high quality finish.

8.6 The scheme also proposes the replacement of the existing inappropriate white uPVC windows with slimline aluminium windows finished in RAL colour 7021 (dark grey). This would accord with the design guidance contained within Appendix 2 of the Chichester Conservation Area Character Appraisal and would enhance the appearance of the property. A condition is recommended requiring the proposed flue to the wood burner to also be finished in RAL colour 7021 (dark grey) to ensure that it would not be overly prominent within the streetscene.

8.7 Following revisions, the proposed metal gates would be contemporary in style and finished in RAL colour 7021 (dark grey) which would ensure that it would relate well to the rest of the development. The introduction of gates is likely to be beneficial in terms of the street scene as it obscures views through to the courtyard which is not of particular design merit, whilst also allowing a sense of the open space to the rear and below the property to be retained.

- 8.8 The proposed use of corten introduces a risk during its initial patina formation that porous materials adjacent to the cladding could become discoloured, particularly as elements of the timber cladding are located below the corten. To address this concern it is proposed to introduce lead drips over the top of the cladding under the corten. This would alleviate concerns by re-directing water and therefore avoiding staining.
- 8.9 Overall, the proposal would introduce a high quality design and material palate to a site identified as an opportunity for enhancement within the Chichester Conservation Area. Whilst a contemporary approach to design is proposed, the materials would be entirely appropriate within the streetscene and would enhance Chichester Conservation Area as required by Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 47 of the Chichester Local Plan.

iii. Sustainability and environmental impacts

- 8.10 Chichester City Council raised an objection, in part, on the basis of the environmental impact arising from the proposed wood burner.
- 8.11 The building is currently poorly insulated and the scheme proposes additional solid wall insulation which is anticipated to achieve a 'U' value of 0.23. This would make a significant contribution to reducing the carbon footprint of the building compared to the environmental impact that would result from the building's present heating demand.
- 8.12 The primary heating system at the property is an electric underfloor system and therefore the wood burner is considered to be a supplementary form of heating. The Council's Environment Officer has advised there is no objection in terms of the sustainability of the proposal. Although the burning of wood releases carbon stored within the tree, trees are considered to be a renewable source of energy because it is likely that replacement trees will be planted, and these would in turn take-up and store the carbon. Therefore the use of a wood burner is not considered to be harmful to the environment.
- 8.13 The impact upon air quality is not considered to be significant as the woodburner would not be the primary method of heating. It is notable that the flue would be located approx. 17 metres from the nearest property which is considered to be an appropriate distance to prevent unacceptable impact upon neighbouring amenity. An informative will be added advising that the applicant should ensure all wood is well seasoned to reduce smoke as requested by the Council's Environmental Protection Officer.
- 8.14 The proposals are fully supported by Officers with regard to environmental impact as the proposal would constitute a considerable improvement on the current situation. Additionally, it is not anticipated that the proposal would have a detrimental impact upon air quality.

iv. Impact upon amenity of neighbouring properties

- 8.15 The National Planning Policy Framework in paragraph 127 states that planning decisions should create places that offer a high standard of amenity for existing and future users. Additionally, Policy 33 of the Chichester Local Plan includes a requirement to protect the amenity of neighbouring properties.

- 8.16 The proposed cladding and works to the external envelope would not have any deleterious impact upon the amenity of neighbouring properties and the pattern of fenestration would remain unaltered. It is notable that the flue would be located approx. 17 metres from the nearest property which is considered to be an appropriate distance to prevent unacceptable impact upon neighbouring amenity with regard to air quality.
- 8.17 Overall, the proposed development would not have an unacceptable impact upon the amenities of the neighbouring properties in respect of their outlook, privacy or air quality. It is therefore judged acceptable in accordance with Policy 33 of the Chichester Local Plan.

v. Flood Risk

- 8.18 The site falls within Flood Zone 2 and 3. The proposal would not however result in the creation of additional habitable accommodation, nor would it change the living arrangements at the property. The property is located at first floor level and therefore the proposal is not considered to result in the increased risk of flooding occurring at the site or elsewhere. The proposal would therefore accord with Policy 42 of the Chichester Local Plan.

Conclusion

- 8.19 Based upon the above assessment the proposal would enhance the Chichester Conservation Area and would reduce the environmental impact of the building. The proposal would accord with Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Section 12 and 16 of the NPPF 2019 and Chichester Local Plan Policies 1,2,33 and 47. The application is therefore recommended for approval.

Human Rights

- 8.20 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account 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 be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority. The corten cladding and Siberian larch cladding hereby approved shall exactly match the samples received by the LPA on 07/11/2019.

Reason: To ensure a high quality finish that would enhance the Chichester Conservation Area

4) Notwithstanding any indication on the approved plans, the gates, windows and flue hereby permitted shall be finished in RAL colour 7021 (dark grey) and maintained as approved in perpetuity.

Reason: To ensure a high quality finish that would enhance the Chichester Conservation Area.

## 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 - SITE AND LOCATION PLAN	PA-306-01			Approved
PLANS - Plans PLAN -	FT/001			Approved
PLANS - Plans PLAN -	PA-306-05			Approved
PLANS - Plans PLAN -	PA-306-06			Approved
PLANS - Plans PLAN -	PA-306-07			Approved

## 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.

2) The onus is upon the applicant to ensure that the wood burner hereby approved should be installed by a HEATAS registered installer and in accordance with relevant Building Regulations.

3) The applicant is advised to ensure that all wood burnt is well seasoned to reduce smoke impacts from the appliance.

Reason: In the interests of air quality

For further information on this application please contact William Price on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PXNX9KERHQ900>