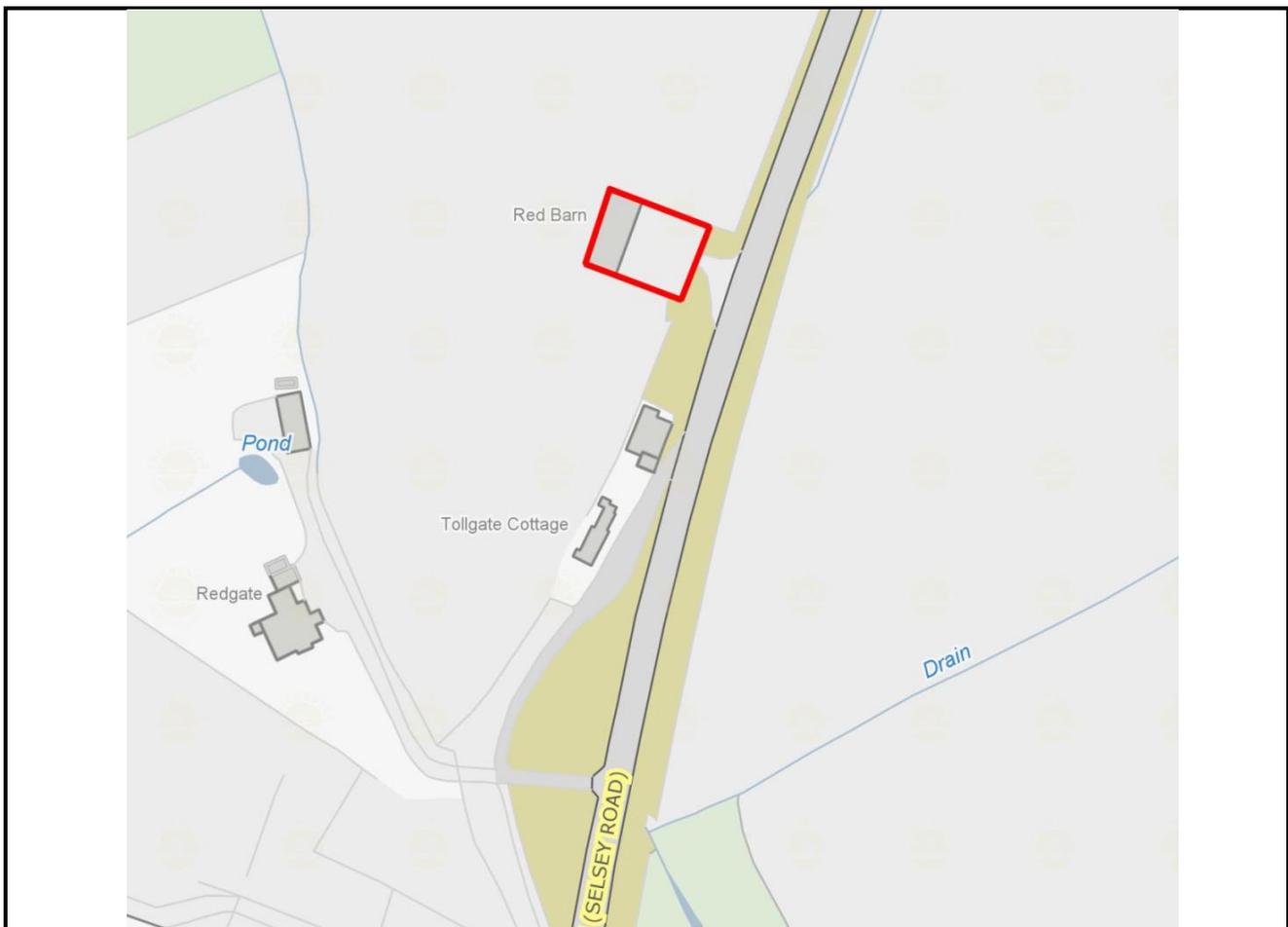


Parish: Sidlesham	Ward: Sidlesham With Selsey North
----------------------	--------------------------------------

SI/20/00622/FUL

Proposal	Erection of new build dwelling as alternative to planning permission SI/17/02510/FUL for Change of use of building from Class B8 (Storage) to Class C3 (Dwellinghouse) along with associated external changes to building. (Variation of condition 2 from planning permission SI/19/01545/FUL - Changes to fenestration).		
Site	Red Barn Selsey Road Sidlesham PO20 7NE		
Map Ref	(E) 485569 (N) 97314		
Applicant	Mr & Mrs Williams	Agent	Mr Stephen Jupp

RECOMMENDATION TO PERMIT WITH S106



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
-------------------------------------------------------------------------------------	----------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

- 2.1 The application site lies outside of any settlement boundary in the 'Rest of the Plan Area' as defined by policy 2 of the Chichester Local Plan (CLP) to the west of Selsey Road within the parish of Sidlesham. The site also lies within the zone of influence for the Pagham Harbour and the Chichester and Langstone Harbours Special Protection Areas (SPA).
- 2.2 The building to which this application relates is a barrel roofed former agricultural building with profiled metal sheeting to the roof and the elevations. There is an area of hardstanding to the east of the building, and the boundary comprises of fencing with some stone and brick walls. Surrounding the site there is arable farmland. Ground levels are generally flat.
- 2.3 The building was granted a lawful development certificate for use for commercial storage in 2007. Subsequently prior approval was granted to change the use of the building to residential, and this prior approval has now lapsed, however the applicant also secured planning permission for the demolition of the building and construction of a dwelling under 19/01545/FUL. At the time of the officers site visit works had not started and the barn remains of a simple agricultural appearance, however the permission remains extant until 22 September 2022.

3.0 The Proposal

- 3.1 This application seeks planning permission to vary the approved plans condition (condition 2) of 19/01545/FUL. The proposed changes include altering the fenestration to the south and west elevations (in part) by providing tall fixed glazed units that would provide a view of the arable fields adjacent to the dwelling. This change would not alter the boundary of the application site from that of the previous permissions and no other changes are proposed to the building.

4.0 History

07/05259/ELD	PER	Commercial storage purposes.
17/00882/PA3P	YESPAP	Part 3 Class P application for prior approval - Proposed change of use of B8 storage building to dwellinghouse.
17/02510/FUL	PER106	Change of use of building from Class B8 (Storage) to Class C3 (Dwellinghouse) along with associated external changes to building in respect of new external cladding; new windows and doors; replace profiled metal sheeting on roof with Kingspan insulated Curved Roof

panels; and, insertion of rooflights in roof.

18/01839/PRESS	ADVGIV	New dwelling and associated parking.
18/03324/FUL	REF	Demolition of existing building and construction of 1 no. dwelling.
19/01545/FUL	PER106	Erection of new build dwelling as alternative to planning permission SI/17/02510/FUL for Change of use of building from Class B8 (Storage) to Class C3 (Dwellinghouse) along with associated external changes to building.
19/02575/FUL	REF	Erection of 1 no. dwelling - alternative design to planning permission SI/19/01545/FUL.
20/01343/DOC	INV	Discharge of Conditions 5, 6, 8, 9, 10, 11 and 12 from planning permission SI/19/01545/FUL.

5.0 Constraints

Listed Building	No
Conservation Area	No
Rest of Plan Area	Yes
AONB	No
EA Flood Zone	
- Flood Zone 2	No
- Flood Zone 3	No

6.0 Representations and Consultations

6.1 Parish Council

Sidlesham Parish Council discussed the above Application at its Planning Committee Meeting on 18th March 2020. It objects to the application. The PC seeks clarification on the curtilage of the building. The glass doors on the west side appear to open directly onto the boundary of the field. If the applicant intends to include part of the field in the curtilage, this would require an additional application.

It is not clear from the drawings what outside cladding is to be used. If it is to be pre-formed flint cladding, as in their earlier application, this would be out of keeping in the area. If it cannot be genuine flint, then brick or rendered walls would be preferable.

6.2 Natural England

Natural England currently has no comment to make on the variation of condition 2.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending

us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

6.3 Third party representations

No third party comments have been received.

6.4 Applicant/Agent's Supporting Information

It has been confirmed by the applicant/agent that the tall glazed units to the south and west will not include any openings and will be fixed shut. Curtilage will remain as per the previous permissions and there would be no encroachment into the arable field.

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made neighbourhood plan for Sidlesham 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 8: Transport and Accessibility
Policy 40: Sustainable Design and Construction
Policy 42: Flood Risk and Water Management
Policy 45: Development in the Countryside
Policy 47: Heritage and Design
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

Chichester Local Plan Review Preferred Approach 2016 - 2035

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2036 is now well underway. Consultation on a Preferred Approach Local Plan has taken place and following detailed consideration of all responses to the consultation, it is intended that the Council will publish a Submission Local Plan under Regulation 19 in March 2021.

Following consultation, the Submission Local Plan will be submitted to the Secretary of State for independent examination. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2022. However, at this stage, it is considered that very limited weight can be attached to the policies contained within the Local Plan Review.

National Policy and Guidance

7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2019), which took effect from 19 February 2019. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and 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 of 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.

7.5 Consideration should also be given to the following paragraph and sections: Sections 12, 14 and 15. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

7.6 The following documents are material to the determination of this planning application:

- Planning Obligations and Affordable Housing SPD
- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance

7.7 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 character of the surrounding area
- iii. Impact upon amenity of neighbouring properties
- iv. Ecological considerations
- v. Other matters

i. Principle of the development

8.2 The principle of a new dwelling on the site has been established under planning permission 19/01545/FUL and this application only concerns the proposed alterations to fenestration to the south and west elevations of the permitted dwelling. The application site boundaries are unchanged from the previous application and there is no intention to extend the curtilage of the dwelling. The principle of the residential development on the site has been established and it is considered that the alterations to the permitted windows would be acceptable in principle subject to the consideration of other material considerations.

ii. Design and Impact upon Visual Amenity/Character of Area

8.3 The fenestration changes involve proposing tall glazed elements to part of the west and south elevations. The proposed glazed units would not form windows or doors as they would be fixed shut. The glazed panes would not be visible from the road and there are no nearby public rights of way from which the site would be visible. The frames of the glazing would match the remaining window frames throughout the design which are proposed to be finished in a black colour. It is therefore considered that the proposed glazed panels would not detract from the rural character of the host building or the locality.

8.4 A condition is recommended requiring the tall glazing to the west and south to be fixed shut in perpetuity. This is necessary to ensure that the dwelling does not encroach into the arable field to preserve the rural character beyond the boundary of the application site.

8.5 Overall, the proposal by reason of its size, design and appearance would be appropriate having regard to the existing permissions and would not cause significant harm or detriment to the wider area and therefore would accord with local and national development plan policies. Therefore, it is considered that the development would comply with NPPF section 12 and CLP policies 2, 33, 47 and 48.

iii. Impact upon the amenity of neighbouring properties

8.6 The NPPF states in paragraph 127 that planning should ensure a good quality of amenity for existing and future users (of places), and policy 33 of the CLP include requirements to protect the amenities of neighbouring properties. There are no neighbouring properties and gardens adjoining this site. Therefore, the proposal would be sufficiently distanced, orientated and designed so as not to have an unacceptable effect on the amenities of the neighbouring properties, in particular to their outlook and privacy. Therefore it is considered that the development complies with policy 33 of the current CLP.

iv. Ecological considerations

8.7 The surrounding land is actively farmed and the proposed windows would not have any significant effects on biodiversity. The implementation of this planning permission shall be carried out strictly in accordance with the method of works and mitigation measures detailed in the recommendations section of the submitted Bat Scoping Assessment dated 28th November 2017 produced by The Ecology Co-op.

v. Other Matters

8.8 This application seeks a minor material amendment to an extant planning permission and therefore the conditions imposed on the extant permission have been repeated where necessary.

Conclusion

8.9 Based on the above assessments, it is considered the proposal would not result in harm to the visual amenity of the host building or the character of the surrounding rural area and therefore it complies with the Development Plan and there are no material considerations that indicate otherwise. Therefore the recommendation is to permit subject to conditions.

Human Rights

8.10 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 WITH S106 subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the 23.01.2021.

Reason: To comply with 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 implementation of this planning permission shall be carried out strictly in accordance with the method of works and mitigation measures detailed in the recommendations section of the submitted Bat Scoping Assessment dated 28th November 2017 produced by The Ecology Co-op.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

4) The development hereby permitted shall be carried out in strict accordance with the approved Flood Risk Assessment produced by Steve Jupp and the following mitigation measures detailed within the Flood Risk Assessment:

- The water exclusion strategy,
- Flood proofing measures, and
- Signing up to the Environment Flood Alert warning system.

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: To reduce the risk of flooding to the proposed development and future occupants.

5) No development shall commence until details of the proposed overall site-wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

6) No development shall commence until a strategy outlining details of the sustainable design and construction for all new buildings, including water use, building for life standards, sustainable building techniques and technology, energy consumption maximising renewable resources, and how a reduction in the impacts associated with traffic or pollution will be achieved including but not limited to charging electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. This strategy shall reflect the objectives in Policy 40 of the Chichester Local Plan: Key Policies 2014-2029. The approved strategy shall be implemented as approved prior to first occupation unless any variation is agreed in writing by the Local Planning Authority.

Reason: To minimise the impact of the development upon climate change. These details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

7) Notwithstanding any details submitted no walls or roofs of the proposal hereby permitted shall be built 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.

8) No part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

9) 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.

10) Prior to first occupation of the dwelling(s) hereby permitted the associated boundary treatments shall be provided 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;

- (a) scaled plans showing the location of the boundary treatments and elevations, and
- (b) details of the materials and finishes.

Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of protecting the amenity of neighbours.

11) The development hereby permitted shall not be first brought into use until a scheme detailing hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

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

12) No part of the development hereby permitted shall be occupied until refuse and recycling storage facilities have been provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be maintained as approved and kept available for their approved purposes in perpetuity.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

13) Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1st March 1st October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

Reason: In the interests of protecting biodiversity.

14) There shall be no external lighting erected anywhere on the site other than in accordance with a lighting scheme that shall first have been submitted to and approved in writing by the Local Planning Authority.

The lighting scheme for the site shall take into consideration the presence of bats in the local area and shall demonstrate how potential impacts to any bats using the trees, hedgerows and buildings will be minimised by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

The lighting scheme shall be implemented, retained and maintained as agreed in perpetuity.

Reason; in the interest of ecology and wildlife enhancement and conservation.

15) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Classes A to G inclusive of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

16) Any hard surface required to provide the access, parking or turning area shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface/s to a permeable or porous surface within the site and thereafter shall be maintained as approved in perpetuity.

Reason: To ensure adequate provision for surface water drainage and avoid discharge of water onto the public highway.

17) The full height glazed panels hereby permitted at ground floor level on the west and south elevations shall at all time be permanently fixed shut and non-opening and thereafter shall be retained as approved in perpetuity.

Reason: In the interest of visual amenities, to ensure the development does not encroach into the open countryside.

18) Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no fence, wall or other means of enclosure shall be erected or made on the application site without a grant of planning permission.

Reason: in the interest of visual amenities and to ensure the development respects the rural character of the 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 -	15 Site Plan		17.04.2020	Approved
PLAN - Location plan	Drawing 1		03.03.2020	Approved
PLAN - Proposed floor plans	15B		03.03.2020	Approved
PLAN - Proposed elevations	16B		03.03.2020	Approved
PLAN -	Drawing 3B		07.05.2020	Approved
PLAN -	Drawing 2		07.05.2020	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.

2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Maria Tomlinson on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6MCATERGIY00>