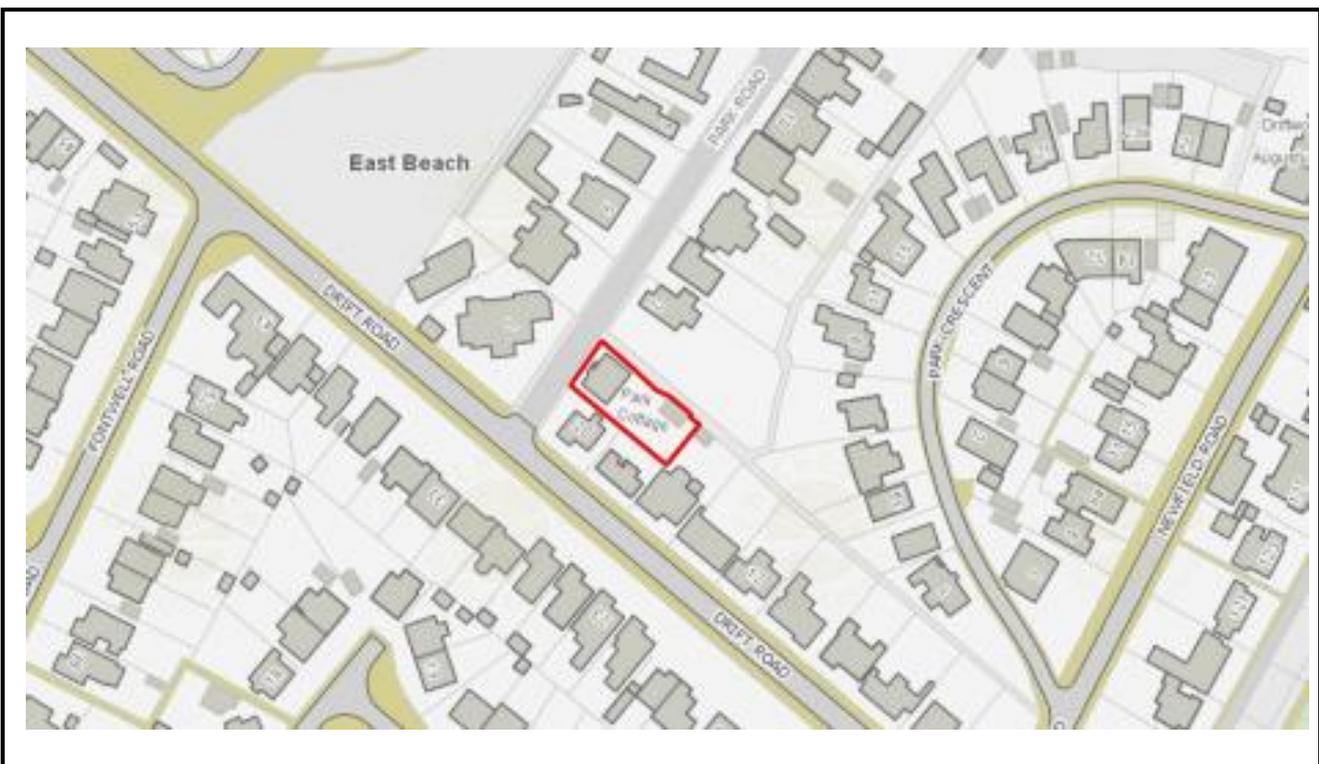


Parish: Selsey	Ward: Sidlesham With Selsey North
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SY/20/01574/DOM

Proposal	Proposed single storey rear extension. Retrospective permission for outbuilding to provide ancillary accommodation and Jacuzzi shelter.		
Site	Park Cottage Park Road Selsey PO20 0PR		
Map Ref	(E) 486723 (N) 93837		
Applicant	Mr Robert Walker	Agent	Mr Geoff Galloway

RECOMMENDATION TO PERMIT



	<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>
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1.0 Reason for Committee Referral

1.1 Red Card: Cllr T Johnson: Exceptional level of public interest

2.0 The Site and Surroundings

- 2.1 The application property, known as Park Cottage, is located to the east side of Park Road within the settlement boundary of Selsey. The property occupies a site approximately 13.7m in width and 35m in depth, which is comparable to many neighbouring plots within Park Road. The site is however noticeably larger, in terms of its depth, compared to many of the plots to many of the plots within Drift Road, which is immediately adjacent to the application site.
- 2.2 The property takes the form of a 1.5 storey, half hipped bungalow with dormer windows set within the front and rear roof slopes. The property is of traditional brick construction, with rendered side elevations and tiles to the roof. The property has an integral garage within the front (west elevation), raised steps to the front door, and a similar raised decking area to the rear, in light of the property being set approximately 0.6m above ground level (in order to ensure flooding does not occur).
- 2.3 In addition to the main bungalow, the site is occupied by a detached pitched roofed garage to the east corner of the site, a single storey flat roofed outbuilding to the south east corner of the site and a timber Jacuzzi shelter to the south west boundary.
- 2.4 The surrounding area is characterised by a variety of single storey chalet style bungalows, interspersed with some larger properties. The style of dwelling varies, with examples of older more traditional bungalows having been replaced or substantially extended/altered to become larger, more contemporary dwellings.

3.0 The Proposal

3.1 The proposal has been amended during the course of the application to reduce the scale of the originally proposed two storey rear extension. Planning permission is now sought for a single storey rear extension measuring 3.5m in depth, 9.1m in width, and 3.7m in height. In addition, the proposal now seeks retrospective consent for an ancillary outbuilding measuring 4.5m in depth, 7.4m in width and 2.55m in height and a three sided timber framed structure (Jacuzzi shelter) measuring 3.5m in depth, 3.8m in width and 2.8m in height to pitch.

4.0 History

02/01108/FUL	WDN	New 2 bedroom chalet bungalow, garage and the retention of existing bungalow.
02/02320/FUL	REF	2 no. bedroom chalet bungalow and garage.
02/00102/REF	ALLOW	2 no. bedroom chalet bungalow and garage.

04/02077/FUL	REF	Erection of chalet bungalow - amendments to SY/02/02320/FUL to allow dormer windows to rear and rear conservatory. Conversion of integral garage to bedroom.
04/02932/FUL	REF	Erection of chalet bungalow - amendments to SY/02/02320/FUL to allow dormer windows to rear.
04/03886/FUL	PER	Erection of chalet bungalow (amendments to SY/02/02320/FUL) to allow dormer window and Velux roof lights to rear.
05/04584/DOM	PER	Detached garage to replace existing dilapidated garage (asbestos roof).

5.0 **Constraints**

Listed Building	NO
Conservation Area	NO
AONB	NO
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES

6.0 **Representations and Consultations**

6.1 **Town Council**

Final Comments (29.10.2020)

Selsey Town Council OBJECT to this application on the grounds that it would be an over development and overcrowding of the site, obtrusive and unneighbourly.

Further comments (09.10.2020)

Selsey Town Council OBJECT to this application on the grounds that it would be an overdevelopment and overcrowding of the site, obtrusive and unneighbourly.

Original comments (07.08.2020)

Selsey Town Council OBJECT to this application on the grounds that the scale of the development represents an over development of the site, is unneighbourly and is incongruous to the street scene of Drift Road

6.2 CDC Costal and Drainage Officer

Further comments (23.09.2020)

We have reviewed the additional information and can confirm we have no further comments to make in addition to those we made on 06 Aug 2020, which remain valid

Original Comments (06.08.2020)

Surface Water Drainage:

Surface water drainage for the proposed development should be via on-site infiltration through the use of soak-away structures, designed and constructed in accordance with building regulations.

Flood Risk:

Parts of the site fall within flood zones 2/3 (High Risk) therefore the Environment Agency should be consulted and should comment on the acceptability of the development in this location [*officer note: The EA will not comment on proposals of this nature, but provide standing advice*]. Finished Floor levels should not be lower than those found in the existing property.

6.7 Third party objection comments

17 letters of objection, provided by 9 parties have been received concerning the following:

- a) Overshadowing of the neighbouring property
- b) Loss of light to property and garden
- c) Enjoyment of the view and sun rise
- d) Overdevelopment of the site
- e) Effect to the streetscene
- f) Overbearing and ugly design
- g) Planning portal advises extensions should be no higher than the existing eaves
- h) The impact of two and three story structures
- i) Impact upon the outlook of the street
- j) Design, height and appearance (comments for original two storey scheme)
- k) Out of keeping
- l) The need to retain hedging for privacy
- m) Set a president and encourage further homeowners to exploit the planning process
- n) Noise pollution from development
- o) Stress to older neighbours
- p) The planning history, including numerous refused application for the property itself, the removal of PD rights and the subsequent unauthorised buildings/structures on the site.
- q) The site visit conducted by officers
- r) The decking to the rear of the property and overlooking
- s) The retrospective nature of some of the works
- t) The detached garage to the rear of the property
- u) Lack of neighbour notification letters and single site notice
- v) The length of this application

- w) Human Rights
- x) Noise from existing outbuildings
- y) Habitable accommodation within our building
- z) Referral to planning enforcement

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. The Selsey Neighbourhood is not made and carries limited weight 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 6: Neighbourhood Development Plans
- Policy 8: Transport and Accessibility
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility and Parking
- Policy 42: Flood Risk and Water Management
- Policy 47: Heritage

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 sections 2 (achieving sustainable development), 4 (decision making) and 12 (achieving well-designed places).

Other Local Policy and Guidance

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

- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance
- Chichester District Councils Planning Guidance Note 3, Design Guidelines for Alterations to Dwellings & Extensions (2009)

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 visual amenity and character of area
- iii. Impact upon the amenity of neighbouring properties
- iv. Flood Risk and drainage
- v. Other matters

Assessment

i. Principle of development

8.1 The application property is located within a settlement hub, where policies 1 and 2 of the local plan supports the broad principle of the proposed development, however all applications are required to be assessed against the policies contained within the Local Plan whilst being balanced against any other material considerations.

- 8.2 The Council has a statutory duty to consider all planning applications submitted, and in accordance with the National Planning Policy Framework (NPPF) there is a duty on planning authorities to be positive and proactive when dealing with planning applications. Accordingly, during the course of the application, amendments were made to the proposed extension to reduce the height from a two storey extension to a single storey extension. In addition, it became apparent that there were two outbuilding/structures within the site, which do not currently benefit from planning permission. In discussions with the applicant, the outbuilding and Jacuzzi shelter have now been included within this application, therefore seeking retrospective permission for the outbuildings.
- 8.3 The property does not benefit from permitted development rights, with these having been removed via a condition placed upon the original grant of permission for the property. As such any extension or alterations to the property and any additions within its curtilage require a grant of planning permission. The removal of permitted development rights does not preclude the acceptability of further development to a property or site, it however recognises that certain forms of permitted development, in this case extension and outbuildings, could have the potential to be of detriment to the amenity of the area and therefore require more detailed consideration through the submission of a planning application.
- 8.4 It is considered that the site lies in an area where development is generally acceptable in principle, subject to the below considerations.
- ii. Design and Impact upon visual amenity and character of area
- 8.5 Policy 33 of the LP refers to new residential development and sets out that proposals must meet the highest standards of design and a high quality living environment in keeping with the character to the surrounding area and its setting in the landscape; In addition that its scale, form, massing and siting, height and design respects and enhances the character of the surrounding area and site
- 8.6 The proposed rear extension by reason of its size, scale, massing and detailed design is considered to be an appropriate form of development that relates well with the existing built form of the host dwelling. The extension would be a comparable footprint to the existing raised decking area, which is not considered to be an overly prominent size or scale within the rear garden currently. The extension would be set in from each side elevation by 0.6m, helping to not only reduce the overall width of the extension, but ensure the extension is appropriately framed by the built form of the existing property. The proposal incorporates a crown roof which helps to limit the bulk of the proposal, ensuring the extension is subservient in size and scale to the existing property. The stepped in nature of the extension, in conjunction with its low overall height helps to ensure there are minimal wider views of the proposed extension, ensuring there is no impact upon the streetscene.

- 8.7 The extension seeks an appropriately simplistic fenestration layout, with a centrally placed set of French doors, mirroring the single, centrally placed dormer window above. In addition a single window is proposed to the north elevation, adjacent to an existing side facing window and of matching proportions. A similarly acceptable material palette is proposed consisting of matching roof tiles to those of the main dwellinghouse, with the elevations finished in cedar board cladding, commonly seen within this locality and also utilised within the garage and outbuilding.
- 8.8 The proposal also seeks retrospective consent for the outbuilding to be used for ancillary accommodation. The outbuilding is positioned approx. 0.5m away from the southern boundary and separated from the fenced boundary by the established evergreen hedging which is approximately 3m height. Measuring 4.5m in depth, 7.4m in width and 2.55m in height, it represents a modest addition to the site and one which is appropriately sited to the rear (south east) corner of the plot, further to the rear than the existing pitched roof garage. The outbuilding has been finished with grey cedar board cladding and UPVC fenestration to reflect the dwelling on the site and the proposed extension. In addition, a light weight, mostly open sided timber structure has also been erected above the Jacuzzi on the site. It is set away from the southern boundary against the evergreen hedged backdrop and is again considered to be an appropriately sited structure within the site.
- 8.9 The cumulative impact of the proposed extension and existing outbuildings for which permission are sought does not represent an unacceptable overdevelopment of the site. As such, officers considered the level of development and built form within the site to be acceptable, and in keeping with the wider locality and therefore acceptable in this respect.

iii. Impact upon the amenity of neighbouring properties

- 8.10 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 LP includes requirements to protect the amenities of neighbouring properties, in terms of their outlook, privacy or available light.
- 8.11 The proposal has been sufficiently designed and positioned so as not to have an unacceptable effect on the amenities of the neighbouring property, in particular to their outlook, privacy or available light. The proposed rear extension is set approximately 2.85m from the shared southern boundary with No.20 Drift Road, behind the existing close boarded fence which is approximately 2.25m in height. The neighbouring property is set away from the boundary by a similar distance, with the exception of a rear conservatory style porch addition which is set closer to the boundary. It is considered that an adequate level of separation would be maintained between the two properties, particularly when considering their existing close knit relationship and the scale of the proposal. Given the existing height of the boundary fence it is considered that the modest additional height of the extension above the height of the fence is unlikely to result in an unacceptable outlook, nor result in an unacceptably overbearing form of development. It is acknowledged the extension will likely result in the loss of some, early morning sunlight, into the property from the sunrise in the east. This light is however currently afforded into the property, via to eastern window within the rear elevation, which currently serves the kitchen. The loss of light into an ancillary, non-habitable room would not be of significant detriment to the property, with the extension unlikely to entirely block the available sunlight, just the early morning sunrise, which is already partially inhibited by the existing fenced boundary.

8.12 The proposed outbuilding and timber shelter are not considered to result in an unacceptable level of amenity as they are relatively low structures set behind the fenced and hedged boundary and sufficiently distanced from the neighbouring properties. The comments received in regards to the use of garden for parties, and the loud music played would not be a material consideration that would preclude the acceptability of the outbuildings or shelter.

8.13 Overall, the proposal is considered to result in a satisfactory level of neighbour amenity, and as such accords with Paragraph 127 of the NPPS and Policy 33 of the CLP.

iv. Flood Risk and drainage

8.14 Policy 42 of the Chichester Local Plan seeks to ensure that new development is not at risk of flooding and it would not result in a net increase of surface water runoff.

8.15 The application site is located within Flood Zone 2 and 3. As such, the property currently incorporates flood resistant measures; with the finished floor level (FFL) raised 450mm above ground level to the front and 750mm above ground level to the rear. The proposed rear extension would be constructed with similar flood resistant measures with a FFL no lower than the existing floor levels of the property, which accords with the Environment Agency's (EAs) standing advice for householder development.

8.16 The proposal has been reviewed in consultation with the Council's drainage engineer who is satisfied that the proposal would not result in a material increase in surface water runoff, given that the site is already predominantly laid with hardstanding with the existing outbuildings situated above or in place of existing areas of hardstanding and the extension proposed above an area which is currently hard-surfaced. Given the relatively small scale nature of the extension and the pre-existing arrangement of hard-surfacing within the site, the proposal would not materially impact upon the surface water run-off and therefore the Council's drainage engineer has advised that it is considered that building control regulations would adequately control the surface water drainage.

8.18 Therefore, the proposal is not considered to be at an unacceptable risk of flooding, and subject to compliance with building control regulations, the proposal is considered to accords with policy 42 of the Chichester Local Plan.

v. Other matters

8.19 The third party comments, as received and summarised in paragraph 6.7 of the report are considered to have been primarily addressed in the assessment above. The following addresses any outstanding points raised.

- 8.20 At present the Local Planning Authority (LPA) relies upon the use of site notices, written notification to Parish Councils, publication on the council website and on social media to notify neighbours that a planning application had been submitted, as opposed to neighbour notification letters. This exceeds the current statutory requirements for publicity and therefore the LPA is considered to have adequately fulfilled its duty to notify neighbours of this application. Subsequently the revised proposals were also subject to further consultation via a replacement site notice, and re-consultation with Selsey Town Council. Whilst the number of revisions meant the application became somewhat protracted, it was considered preferable so the application could be considered as a whole, rather than in a piecemeal manner.
- 8.21 Concern was raised that the proposal would set a precedent for comparable development. The setting of a precedent is not a material planning consideration as all applications are assessed individually and on their own merits.

Conclusion

- 8.22 The proposal, for the reasons as outlined above is considered to accord with and national development plans and as such is considered to be acceptable.

Human Rights

- 8.23 In reaching this conclusion, the human rights of the applicants and nearby occupiers have been taken into account and it is deemed 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: For the avoidance of doubt and in the interests of proper planning.

- 2) 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.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the accommodation hereby permitted shall be restricted to use as ancillary accommodation to the existing dwelling at the site only and for no other use whatsoever.

Reason: The site is in an area where a new dwelling would not normally be permitted except the demonstrable needs of the case.

4) Notwithstanding the provisions of Part 1 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 window(s) or door(s) shall be inserted into the south elevation of the rear extension hereby permitted without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding 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 -	202050-02	Rev A	04.09.2020	Approved
PLAN -	202050-06		15.10.2020	Approved
PLAN -	202050-03	A	15.10.2020	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.

For further information on this application please contact Calum Thomas on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QCFGMSERKRJ00>