

WEEKLY PLANNING LISTS 20-23 OF 2021 – SUPPLEMENTAL

Apologies for the confusion about the status of a number of week 23 applications. The matter is now clarified as follows: A CDC server update resulted in a number of broken links, and an erroneous error message displayed suggesting the applications were no longer available. The issue is being looked into.

Having now had the opportunity to review the week 23 applications, the below application will be brought to committee, alongside those in the reports previously disseminated to members, and the additional week 21 application below, as discussed with Cllr Anne Scicluna and Chairman Cllr Richard Plowman.

WEEK 21

CC/21/00876/FUL - Case Officer: Vicki Baker

Victoria Hamer

Langley House 27 West Street Chichester PO19 1RW

Proposed demolition of existing waiting room conservatory and steps. Construction of new extension to include waiting area, 4 no. consulting rooms, and disabled WC.

External ramp serving alternative exit.

External landscaping including new paths and reconfigured garden layout.

[https://publicaccess.chichester.gov.uk/online-](https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QQD7VGERFUM00)

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Key issues:

- Langley House is a grade II listed, attractive 18th century building, currently in use as a GP practice, sited within the Conservation Area. The garden wall is grade II listed in its own right, separately to the building.
- Proposed is a single storey rear extension, with flat roof and of functional rather than decorative appearance. The scale is modest and views would be very limited from the public realm due to the siting and the approx. 2m high listed garden wall.
- The design clearly defines the older and new parts of the building, and would attach to the rear of the building where more modern extensions and alterations already feature. From its position, very little of the building would be visible from outside the site.
- The proposal would provide much needed additional consulting rooms and disabled access, and such provision must be accorded appropriate weight.
- There is a duty to preserve or enhance the character and appearance of the listed building and the conservation area. Whilst clearly a significant functional enhancement, the proposal is not considered an enhancement to the appearance; the relevant judgement is therefore whether the proposal preserves adequately the character and appearance or whether it harms it.
- A number of objections have been submitted, some with concerns outside of the scope of planning such as the lack of pre-application discussion with neighbours, and the practicalities of installing or constructing the building. The principal objection across the representations pertains to access.
- No changes are proposed to the sites access points. Neighbours are concerned not to encourage the use of the existing gate and right of access as it may be unsafe without a marked pavement, however, traffic levels and speeds in the area are extremely low. In any case, the practice is entitled to encourage use of the rear gate without reference to or permission of the Planning Authority, and it would therefore be inappropriate and possibly “ultra-vires” to try to prevent this by way of refusing a disabled access ramp. Such action may also have legal implications under equalities legislation, as it would have a disproportionate and unjustified impact upon disabled people, preventing their use of an access which walking patients would remain freely able to use.
- Residents are further concerned that vehicles transporting disabled residents may feel encouraged to use or block the private road, in order to get closer to the gate. There are laws regulating the safe use of the roads, and planners are obligated to assume for planning purposes that such actions would be appropriately dealt with under their relevant regulatory regimes, which planning must not seek to duplicate. We therefore cannot refuse an application for a disabled access ramp on the basis that doing so may discourage drivers from acting unlawfully. This not to say the residents’ fears are unfounded, but British law is compartmentalised, and the planning system may not act ultra-vires, or outside of its remit, in order to influence actions which are otherwise regulated by more appropriate legislation and enforcing bodies.

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This is a finely balanced decision. Should members feel an objection is appropriate, the following wording would be advised:

Objection. The design and appearance of the proposal should be revised in order to minimise any impact on the character and appearance of the listed building and conservation area. Traditional flat or low profile rooflights should be proposed, and the pre-fabricated, panelled appearance of the building significantly contributed to be the cladding above and below the windows should be addressed, with more consistent use of appropriate materials and finishes across the building's facades.

WEEK 23

CC/21/01354/FUL - Case Officer: Calum Thomas

Mr & Mrs S Ogilive

10 Lavant Road Chichester PO19 5RQ

Construction of 1 no. dwelling, detached garage and associated works (alternative to planning permission CC/19/00181/FUL).

<https://publicaccess.chichester.gov.uk/online->

[applications/applicationDetails.do?activeTab=summary&keyVal=QSDXMQERHJS00](https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QSDXMQERHJS00) [The link may still be broken, in which case the application can be found using the CDC application search].

Key issues:

- This application seeks to amend the details and design of the single dwelling to the rear of 10 Lavant Road.
- The principle of a dwelling in this location has been approved, and the permitted dwelling would form a "fallback position" which the developer could implement should this application be refused. It therefore forms a baseline against which the impacts of the current proposals should be assessed.
- The proposal increases the size, scale and neighbouring impact of the dwelling from a 3-bed chalet bungalow with low eaves and hipped roof to a boxy 4/5-bed, 2 storey dwelling with increased eaves height and bulk, and a pitched and gabled roof, which has significant neighbour impact being approx. 5m from the southern and eastern boundaries. This would have an overbearing impact upon neighbours to the south and east. The design is out of keeping with the attractive surrounding properties, whereas the permitted dwelling has an attractive, locally influenced design.
- Increased hard standing/reduced green space is proposed to the front of the property, with the loss of a tree and the inclusion of a garage.
- The orientation is changed such that, on approach, the resident/visitor is faced with the side of the house where one would expect the front to be, resulting in a lack of legibility and an unattractive, unwelcoming appearance, as well as a lack of interaction and natural surveillance to the public space, giving a feeling of "dead space". The "front" of the house is along the closest neighbouring boundary via a path around the side of the site, which significantly increases the sense of intrusive "backland development" into an area which otherwise would have the character of quiet residential garden, and results in significantly increased neighbouring impact from height and bulk.

Recommendation: Objection. The design and appearance of the proposed building, its orientation and bulk relate poorly to its surrounds, resulting in poor legibility, a lack of interaction and natural surveillance, and an overbearing impact upon neighbours. The proposal would harm the character and appearance of the area.