

Report to **Planning Committee**  
Date **22 February 2017**  
By **Director of Planning**  
Local Authority **Lewes District Council**  
Application Number **SDNP/16/05762/HOUS**  
Applicant **Miss Morgan**  
Application **Erection of a single storey side extension**  
Address **Annexe The Old Forge  
The Street  
Kingston  
Lewes  
East Sussex  
BN7 3PB**

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**Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.**

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## **Executive Summary**

This application proposes a single storey extension to the northern side of the annex. This is an amendment to a previous application under reference SDNP/15/02706/HOUS which was refused permission in October 2016. Pre application advice was sought for this proposal and it has subsequently been reduced in size in terms of floor space by 50%.

## **I Site Description**

1.1 The Old Forge (Annex) is set well back down a narrow driveway off the eastern side of The Street in Kingston. The site is located within the Conservation Area and South Downs National Park.

1.2 For the purposes of planning policy the Annex is located within the planning boundary, and the development site where the proposed extension would be sited within countryside.

## **2 Proposal**

### **Background**

2.2 The former extension now referred to as an annex is situated to the east of The Old Forge. An application was made under SDNP/15/02681/CND to remove the Section 52 Agreement dated 6 March 1975 to allow the annex (which was originally an extension to the Old Forge) to be occupied independently from The Old Forge (associated with planning permission referenced LW/74/1943).

2.3 The deed of variation has been granted and the annex is now independent from The Old Forge. An application for an extension to double the floor space of the Old Forge was refused planning permission in October 2016.

### **Proposal**

2.4 This application proposes a single storey extension to the northern side of the annex.

2.5 The proposed extension would measure approximately 6m by 4.9m. Its ridge line would be stepped down in height by around 0.2m from the ridge height of the existing annex. The eaves would be directly below the eaves of the existing annex.

2.6 The materials proposed are to match the existing annex which comprises flint and brickwork with concrete pantile roof tiles.

2.7 All of the curtilage shown on the location plan within the red edged boundary to the north, east and south of the annex is located within the countryside.

## **3 Relevant Planning History**

LW/74/1943. Extension to existing building to provide additional bathroom and utility room. Approved 20/11/1974.

Section 52 Agreement dated 6 March 1975 which restricts use of the extension (approved under LW/74/1943) to purposes incidental to the enjoyment of The Old Forge and that use is not for the creation of a separate dwelling.

SDNP/15/02681/CND. Removal of Section 52 Agreement to allow the annex (formerly described as extension) to be occupied independently from The Old Forge. Approved 22.09.2016

SDNP/16/02706/HOUS. Single storey extension. Refused 07.10.2016

## **4 Consultations**

### **East Sussex County Archaeologist**

Recommends a planning condition to secure the implementation of a programme of archeological works because the site is within an area of archaeological notification.

### **Design And Conservation Officer**

No Objection.

The previous application (SDNP/16/02706/HOUS) for the extension of the annex to the old forge was considered acceptable. The difference between the current and the previous application is the reduction in the size of the proposed extension. The previous comments suggested the only possible concern with regard to the application was the proposed size of the extension in relation to the Old Forge. However, this concern was not considered significant enough to be objectionable due to the existing undermined relationship between the Old Forge and the ancillary building. The relationship is undermined because the annex is not a building of

historical importance nor does it relate to any listed building in terms of its siting or character. Other than its physical presence it no longer has any association with The Old Forge and for the purposes of planning policy should be considered as a separate dwelling.

### **Parish Council Consultee**

Objects to the application on the following grounds:

- Outside of the planning boundary
- Contrary to policy RES13 because it is out of scale and not subservient
- The extension would result in a large family home out of character with the historic origin of this building which was used for purposes ancillary to The Old Forge.
- Conflicting with the aims of SDNP planning policies and would thereby compromise the visual amenity of the landscape character and not preserve the character and appearance of the Conservation Area

## **5 Representations**

Letters of objection have been received from the occupiers of 3 nearby households;

- The proposed extension and intensification of use of the annex (including a conservatory and gravel area for parking) would compromise the setting and character of the Old Forge and other nearby listed buildings.
- Erode the landscape character of the countryside and Conservation Area
- Impact on narrow access road
- Drainage and maintenance problems

## **6 Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the Lewes District Local Plan and Joint Core Strategy and the following additional plan(s):

- South Downs Partnership Management Plan

Other plans considered:

- South Downs Local Plan

The relevant policies to this application are set out in section 7, below.

### National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

## 7 **Planning Policy**

### Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

### National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the LDLP & Joint Core Strategy are relevant to this application:

- CT1
- CPI1
- RES13
- RES14
- ST3

### Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 50

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16<sup>th</sup> July 2015 to go out for public consultation under Regulation 18 of the

Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2<sup>nd</sup> September to 28<sup>th</sup> October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

## **8 Planning Assessment**

The main planning issues for consideration are 1) impact on the character and appearance of the annex and (2) on the Conservation Area and landscape, in terms of the proposed increase in floor area and building mass.

### **(1) Impact on the character of the Annex**

8.1.1 Policy RES14 (Extensions in the Countryside) states that the Council needs to be satisfied that there is no major change to the character of the building or its impact on the landscape extensions where an extension would be in excess of 30% of the floorspace of the original building as it stood in September 1988. The policy states that extensions in excess of 50% will not normally be granted.

8.1.2 The proposed extension would represent a 50% increase in floor area over and above the original (existing) floor area of the annex (former extension to the old forge). There is an existing modest lean-to greenhouse at the northern end of the annex which is a lightweight structure not contributing to any habitable floorspace. It is of modest proportions. As such, it has not been included as forming part of the floorspace of the original dwelling nor is it treated as part of the post 1988 cumulative additions to the annex.

8.1.3 The proposed extension would sit to the northern side of the annex and alongside the eastern side of the Old Forge. The ridge line of the extension is stepped down in height from the existing ridgeline of the annex and the elevations to the north east and south west are also stepped in from the walls of the existing annex. Therefore, the proposed extension would appear subservient in terms of its scale, height, bulk and massing in accordance with policy RES13 (All Extensions) and ST3 (Design, Form and Setting of Development).

8.1.4 The annex currently provides studio/bedsit type of accommodation. This application would result in a two bedroom single storey dwelling of approximately 89 sqm. The proposed extension would not therefore result in the loss of character of the existing annex, by becoming a large house.

8.1.5 The proposed extension would sit amongst the footprint of existing buildings and would not encroach into the open landscape. It would very much be read on a consolidated footprint of existing buildings in distant views, and to this end it would not be materially harmful to the landscape character of the countryside.

## (2) Impact on Conservation Area

- 8.2.1 The dwelling is located within the Kingston Conservation Area but it is considered that the extension would not be visible from any public vantage point and as such it would conserve the character and appearance of the Conservation Area.
- 8.2.2 Under the previous application (SDNP/16/02706/HOUS) which proposed an extension twice the size of this application proposal, the following comments were made by the Design and Conservation Officer ;
- 8.2.3 "The annex is a non-listed self-contained unit formerly a barn for the Old Forge within the Kingston Conservation Area. Constructed of flint with brick quoins and dressings the building is now clearly domestic in nature. The proposal is for the extension of the building to approximately double its existing size. The Old Forge and its annex are located down a private track and are only partially visible from the highway. The proposed materials and design will not significantly change the appearance of the annex from the road. The proposals are not considered to detrimentally affect the conservation area."
- 8.2.4 Given that the current proposal under this application is a 50% reduction in floor area it would have even less of an impact than the earlier application and would not therefore harm the character and appearance of the Conservation Area.
- 8.2.5 The proposed extension would be set well back from nearby listed properties which front onto The Street. The Old Forge sits alongside the annex and given it's siting and that the proposed extension is single storey it would not result in any material harm to the setting of the listed buildings or living conditions for the occupants of nearby households.
- 8.2.6 Overall, the proposed extension is considered to be acceptable and planning permission should be granted.

## 9 Conclusion

In terms of design, siting, scale and materials, the proposed extension would represent a subservient addition to the existing annex and would not materially harm the visual amenity of the landscape character of the surrounding countryside which lies within the South Downs National Park.

## 10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended)/ To comply with Section 51 of the Planning and Compulsory Purchase Act 2004

2. Before the development hereby approved is commenced on site, details/samples of all external materials shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policies ST3, RES13 and RES14; of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in A-E; of Schedule 2, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to ST3, RES14; of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

## **11. Crime and Disorder Implications**

11.1 It is considered that the proposal does not raise any crime and disorder implications.

## **12. Human Rights Implications**

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **13. Equality Act 2010**

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

## **14. Proactive Working**

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.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

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Appendices Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

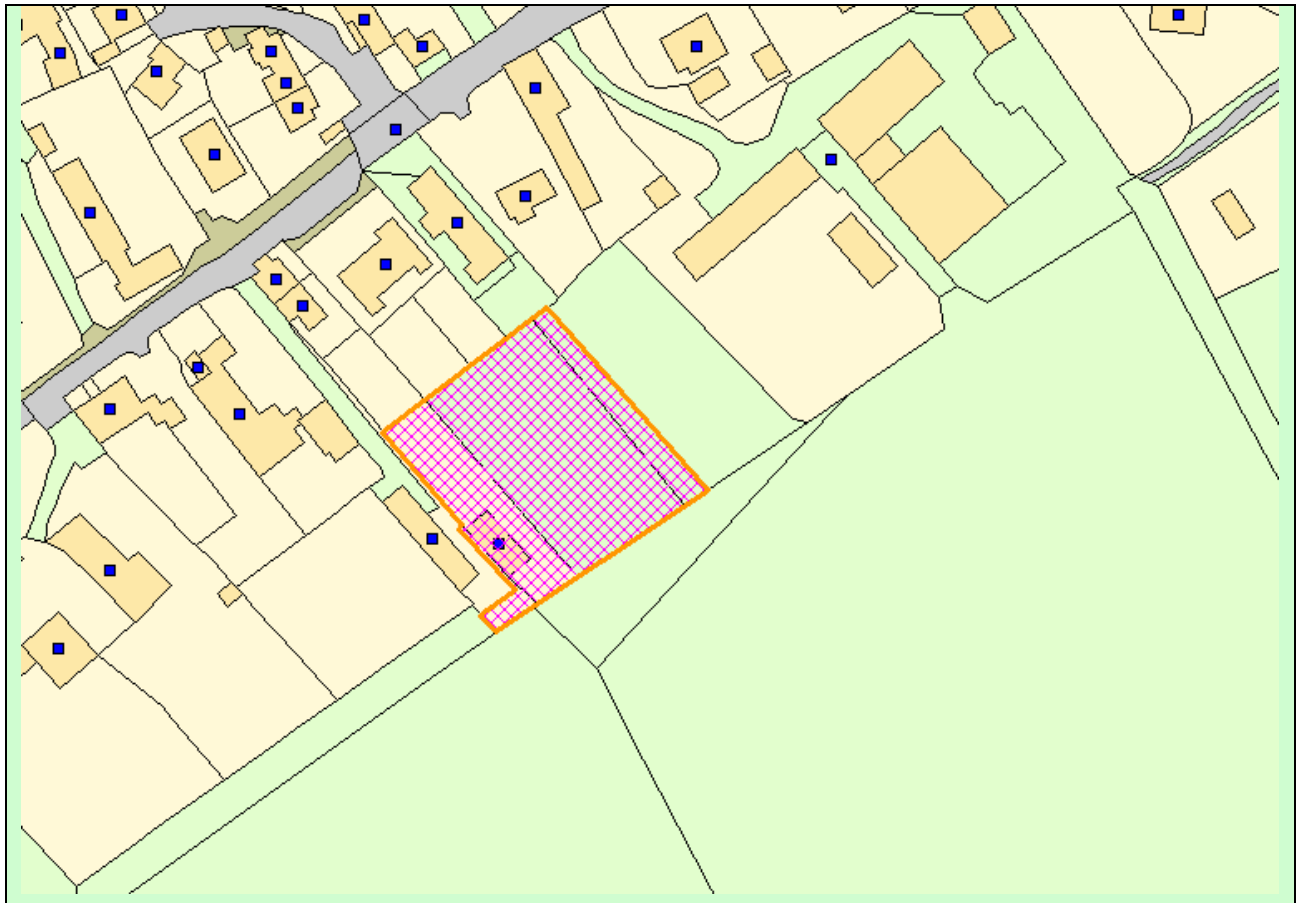
SDNPA Consultees

Background Documents



## Appendix I

### Site Location Map



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## Appendix 2 – Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date on Plan	Status
Plans - Proposed Floor	01		17.11.2016	Approved
Plans - Location	1:1250		17.11.2016	Approved
Plans - Block	1:500		17.11.2016	Approved
Application Documents -	HER REPORT		17.11.2016	Approved

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