

Report to **Planning Committee**
Date **11 October 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/04366/HOUS**
Applicant **Mr & Mrs Reynard**
Application **Conversion of garage to habitable room, two storey rear extension
incorporating a dormer window**
Address **4 Ferrers Road
Lewes
BN7 1PZ**

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

Executive Summary

1 Site Description

- 1.1 The application property is a semi-detached dwelling located on the south-west side of Ferrers Road.

2 Proposal

- 2.1 The proposal is for the conversion of garage to habitable room and erection of a two storey rear extension incorporating a dormer window.

3 Relevant Planning History

- 3.1 None.

4 Consultations

Lewes Town Council

- 4.1 Comments awaited.

Southern Gas Networks

- 4.2 Comments awaited.

5 Representations

- 5.1 One letter received from No. 6 Feerrers Road objecting due to concerns regarding over-looking and over-shadowing.

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 Council - The Core Strategy (Local Plan Part I) 2014** and the following additional plan(s):

- Lewes District Local Plan (2003)

Other plans considered:

- Lewes Neighbourhood 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 well being 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.

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 **Lewes District Council - The Core Strategy (Local Plan Part I) 2014** are relevant to this application:

- CP11 - Built and Historic Environment and Design

The following policies of the **Lewes District Local Plan (2003)** are relevant to this application:

- ST3 - Design, Form and Setting of Development
- RS13 - All Extensions

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:

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th 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 2nd September to 28th 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

- 8.1 The application property is a semi-detached dwelling located on the south-west side of Ferrers Road. The proposal is for the conversion of garage to habitable room, single storey rear extension with dormer window over.
- 8.2 The proposed rear extension projects 2.68m from the rear wall of the dwelling, is 4.2m wide and has an eaves height of 2.6m. The roof of the extension is of a mono-pitch design to join onto the existing roof of the dwelling and create a catslide roof. It is proposed to insert a dormer window above the ground floor extension to create a first floor over the top. The dormer window measures 1.6m deep, 3.0m high with a dual pitched roof with a hip end over. The ground floor of the extension has a high level obscure glazed window in the north facing flank wall. The extension is set back approximately 1.0m from the northern boundary of the property with No. 6 Ferrers Road.
- 8.3 One letter has been received from the neighbour at No. 6 objecting to the application due to loss of light and over shadowing as well as disturbance caused by the building works. It is considered that due to the design of the extension with a catslide roof and a first floor incorporated within this roof that the impact on the neighbouring property to the north will be minimal. The extension itself only projects 2.6m from the rear wall of the host dwelling and is set back 1.0m from the boundary of the property. No. 6 is also set back from the boundary by approximately 1.0m. The extension is considered to comply with policy ST3 which requires that extensions should generally be restricted to within a line drawn from the mid-point of the nearest ground floor window opening to a habitable room of a neighbouring property. The line should be projected at 45 degrees for two storey extensions. Two storey extensions should also be set back one metre from the boundary and this proposal complies with this guideline.

- 8.4 The conversion of the garage to habitable room does not require planning permission.
- 8.5 Materials proposed will match those of the existing dwelling.

It is considered the proposal will not have a detrimental impact on the character of the property, and will not unduly impact on the residential amenities of local residents, in accordance with Policies RES13 (Extensions) and ST3 (Design, Form and Setting of Development) of the Lewes District Local Plan.

- 8.6 The development has also been considered against the relevant policies in the Joint Core Strategy Proposed Submission Document May 2014. The document was submitted to the Secretary of State on 16 September 2014 for Examination. Whilst the Core Strategy has no development plan status at this stage, its policies can be regarded as a material consideration due to its relatively advanced stage. The Core Strategy will be the pivotal planning document until 2030, forming Part I of our Local Plan and will set out the over-arching strategies that all other planning documents will need to be in conformity with. At this stage limited weight may be attributed to the policies. However it is considered to accord with Core Policy 11 Built and Historic Environment and Design.
- 8.7 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th 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 will run from 2nd September to 28th October 2015 after which the responses received will be 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 confirm 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.
- 8.8 The development is not considered to be contrary to the South Downs National Park Partnership Management Plan, which is the over-arching strategy document for the management of the South Downs National Park, and accords with Policy 50 which deals with housing, design, and supporting balanced communities.

9 Conclusion

- 9.1 It is recommended that planning permission be granted.

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. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

2. 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

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 - Plans As Existing and Proposed	R17:LS:01		24.08.2017	Approved
Plans - Proposed Block Plan	R17:LS:02		24.08.2017	Approved
Plans - Location Plan	R17:LS:03		24.08.2017	Approved

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