

Supplementary Report to the Planning Applications Committee
on 22nd November 2017

LW/17/0608
Newhaven

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APPEAL DECISION APP/P1425/W/17/3177019

The appeal against the previous decision to refuse planning permission for a development comprising 31 residential units (ref. LW/16/0542) was dismissed on 9 November 2017.

The main reasons for dismissing the appeal include:

- Loss of trees
- Cramped appearance
- Compact layout of plots 21 – 32 (plots 17 to 27 on the current application)

The layout of the current application has sought to address these points, including a reduction in the number of residential units proposed and also creating more space in the layout in order to reduce the perceived cramped appearance of the scheme. In addition, many more of the existing trees will be retained, particularly along the boundary with 25 Western Road. The revised layout shows that the new dwellings will be sited further away from the trees to be retained, thereby reducing any future pressures that could be brought to bear for their removal.

Corrections:-

Paragraph 1.8 of the report should read “The housing mix will be 21 x 3-bed units; and 6 x 4-bed units.”

Paragraph 4.19 of the report is comments from **Waste Services**.

Paragraph 6.21 of the report should read “...The hedges at these junctions will also need to be set back from the back of the limits of the highway by 1m and kept at a height of 600mm or lower so as not to obscure visibility.”

Paragraph 6.24 should include under the S106 Agreement Heads of Terms: “Footways along the site frontage of Brooks Close and Western Road widened to 2 metres.”

Addendum to paragraph 6.23: “With respect to the comments received from Environmental Health in relation to the impact of the development on the Air Quality Management Area (AQMA) within the Newhaven ring-road, conditions are recommended in secure the provision of Travel Plans for each dwelling along with electric vehicle charging facilities within the development. The scheme is for 27 houses and may not be of sufficient scale to support a car club parking space.”

Additional Conditions:-

28. No development shall take place until details of electric vehicle charging points (to be a minimum of 20% active and 20% passive for all residential parking spaces) have been submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be installed in accordance with the approved details prior to the first residential occupation of the development unless otherwise agreed in writing by the local planning authority.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions and minimising the impact of the development on the nearby Air Quality Management Areas in Newhaven in accordance with policies CP9, CP13 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2012.

29. Prior to the first residential occupation of the development a travel plan (TP) to encourage sustainable modes of transport, shall be submitted to and approved in writing by the Local Planning Authority. The TP shall be in accordance with East Sussex County Council best practice guidance. The TP shall be implemented fully in accordance with the details approved pursuant to this condition and shall thereafter continue to be implemented in full in accordance with the details approved pursuant to this condition for the life of the development.

Reason: In order to encourage the use of sustainable transport and minimise dependence on private car use in the interests of the environment and the amenity of the area in accordance with Spatial Policy 8 and Core Policy 13 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to National Planning Guidance contained in the National Planning Policy Framework 2012.

Additional Informatives:-

3. The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact the Transport Development Control Team (01273 482254).

4. The applicant is advised that the erection of temporary directional signage should be agreed with Transport Development Control Team prior to any signage being installed. The applicant should be aware that a Section 171, Highways Act 1980 licence will be required.

5. The applicant is advised to contact the Transport Development Control Team (01273 482254) to commence the process associated with the proposed Traffic Regulation Order. The applicant would be responsible for meeting all costs

associated with this process which is a minimum of £5000. The applicant should note that the outcome of this process cannot be guaranteed as it is open to public objection.

6. The applicant is advised that as the estate roads are to remain private/unadopted, the Highway Authority would require provisions in any s106 agreement to confirm that the estate roads would not be offered for adoption at a later date and wording included to ensure that the carriageways, footways and casual parking are properly constructed, surfaced, drained and where appropriate lit and that the works are appropriately certified from a suitably qualified professional confirming the construction standard.

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Ringmer

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Six letters of support have been submitted subsequent to the writing of the report. Five of these are from Ringmer residents, not adjacent occupiers, and one from the next door neighbour at Lynchets. These are repeated below:

1. *“The proposal, if approved and implemented, will add to the general function and sustainability of the property. Currently the house seems at odds with its location, partly because of the position of its main entrance door, facing West, and the much newer development to which it looks. It seems to turn its back on properties of the same period. This surely cannot be the way it was intended when first built.*

There is an opportunity now to invest in the house and make it fit for the next generations of owners and this can surely be done without damaging, indeed by improving, its fit into its location in a growing village. Lots of new houses will surely be built in Ringmer and the opportunity to help one of its older properties fit better into the housing stock can and should be taken.

I understand that Ringmer Parish council supports this application. They are right to do so.”

2. *“We have been surprised to hear that the planning application of Mr and Mrs Horton has been refused. There were no objections from interested parties and the Ringmer Parish Council which, we would suggest, knows more about the village’s built environment than Lewes D.C., was in favour of the proposals.*

The Old Malt House has been rented for many years and the Hortons need to improve and upgrade it for 21st century living. Their proposals are not over development and do not impinge on their neighbours who do not object to the changes proposed. It is worth noting perhaps that the house is the surviving part of a former terrace and its front door was where the Hortons wish to reinstate it.

My wife and I support the Hortons plans and believe they will do nothing but improve the house. At a time when Ringmer is about to be surrounded by new estates of houses lacking character, space and design we find Lewes District Council's response to this application difficult to understand."

3. *"The main consideration here must be the effect on the character and appearance of the Ringmer Conservation Area (RCA). The principle of the acceptability of the proposed extension is presumably otherwise accepted.*

Statute and policy both require that character and appearance should be preserved or enhanced. If the proposal does not actually detract from, or harm the character and appearance of the RCA then it must be preserved, leaving aside whether it is actually enhanced.

I consider that the proposed extension not only preserves the character and appearance of the RCA but would actually enhance it. This is clearly also the view of the Parish Council. It is hard to see how it can be argued that the extension would detract from the RCA

The RCA, as the District Council's Conservation Area Statement says, has a mix of properties within it. This includes detached houses and terraced properties. There are two terraces north of the Old Malthouse on Lewes Road. This type of property was included in the RCA boundary presumably because it contributed positively to its appearance and character. It must therefore be presumed the both terraced and detached properties are consistent with the RCA.

It is noted that a single storey extension at the Lynchetts, next door, has been approved. The officer's report and consultees' comments relating to the Lynchetts application contain no reference to the possible effect of that extension on The Yews, a listed property next door, nor to any concern with gaps between properties. Indeed, other existing single storey extensions are referred to. It is assumed therefore that a single story extension of the Old Malthouse would also be approved, if applied for. Significantly, the Parish Council did not consider the application at the Lynchetts to constitute and enhancement of the RCA, as it does for the current application at the Old Malthouse.

The issue therefore appears to become one only of the bulk of the proposed second storey.

There is clearly no issue with gaps between properties at ground floor level. There would still be a sizeable gap between The Old Malthouse and The Lynchetts at second storey level. Even if the two properties were considered close, there can be no issue with actual terracing per se in the RCA because existing terraces are already included.

Furthermore, the gaps between existing terraces and adjoining two storey properties is already very small eg between Sylvester Cottage and Lovegrove Villas, The Briars and Pear Tree Cottages and Horseshoe Cottage and Pear

Tree Cottages. In the case of the last example, Horseshoe Cottage is a recent development presumably granted planning permission even though it is very close to Pear Tree Cottages.

Given the existence of terraces and small gaps between properties which already characterise the RCA to the north of The Old Malthouse on Lewes Road it is hard to see how it can be considered that the gap between The Old Malthouse and The Lynchetts at second storey level would detract from the character and appearance of the RCA. That character and appearance is already established by properties in close proximity to each other in this part of the RCA. If there is no detracting then there must be preservation.

In addition, I consider the proposed appearance of the new front elevation of the building can only be said to be an enhancement of the RCA. The existing road elevation is actually a side elevation, with the front door facing an adjoining property and not the road. This gives an extremely odd appearance which has a negative impact on the RCA. The proposed elevation is clearly an improvement.

It must be the case that the appearance of the RCA would be enhanced by the proposal and given the makeup and layout of the other properties on Lewes Road within the RCA it is hard to see how the proposal could detract from its character.”

4. *“We are the immediate neighbours to the Old Malt House with our property, Lynchetts being directly North and adjacent to the proposed two storey extension. In principle we are in support of improving the Old Malt House and the enhancement it shall bring to the Ringmer Conservation Area.*

Following consultation with the applicants on the 2nd October following their submission we are pleased the side two storey extension has now been set back from our boundary by at least 1000mm to be in line with 'Lewes District Council Residential Extension Design Guidance dated 2010 and in particular where RES13 advising proposed two storey extensions should respect the scale, height, site coverage, massing and 'character' of adjacent properties and the street scene.

In conclusion we are satisfied that the updated proposal drawings illustrate the proposed extension now being 1000mm from the boundary rather than the original proposal of 350mm and eaves eaves/timber/gutter overhang of only 150mm maximum from our boundary fence.”

5. *“I wish to support the application on the following grounds:*

1. *This is a well designed and sympathetic proposal that will enhance the proportionality of the existing building along its frontage. The proposed use of matching materials will ensure it is complementary to the street scene.*

2. *There appear to be no grounds for rejecting this proposal other than those relating to its position within the conservation area. As it stands it will ensure*

the existing property is enhanced as a dwelling, improve its functionality, and as such is likely to ensure its continued upkeep and maintenance well into the future and to the continuing advantage of the conservation area. It is the case that there are a number of cases involving new build and extensions within the conservation area and it would be unfortunate if this scheme were to fall where others have been supported.

3. The neighbouring property has, amongst other things, recently been granted permission for a very contemporary single storey side extension. The practical implication of this is that even with a two storey side extension on the Old Malt House there will still be significant space between the two properties such that the visual impact on the area will not be greatly changed.

4. Finally it is notable that Ringmer Parish Council has raised no objections regarding the conservation area. As an ex parish councillor I am aware of the importance they placed on the village's built environment as witnessed in the provisions of the Neighbourhood Plan. Given this and the design merits of the proposal I hope that district councillors will support this application."

6. "This seems an appropriate development of a family home which will correct past planning errors leaving a front door facing on to the street not a brick wall while reducing visual impact of modern houses to rear on this more traditional street scene."

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**SDNP/17/04225/HOUS
Kingston**

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Neighbouring occupier objects on grounds of overlooking of the neighbouring front garden, which is used for amenity purposes, from the proposed first floor sun room.

Occupier two houses away objects on grounds that the proposal conflicts with AEC policy; That the extension would be very cramped and inches from the neighbouring house, that the proposed build has a very high elevation from the boundary line and that the extension would severely close the gap between the properties and would detract from the established character of The Avenue,