

Report to **Planning Committee**  
Date **22<sup>nd</sup> November 2017**  
By **Director of Planning**  
Local Authority **Lewes District Council**  
Application Number **SDNP/17/04225/HOUS**  
Applicant **Mr J Johnston**  
Application **Ground floor side kitchen extension and first floor side extension over kitchen and garage**  
Address **Beechland  
The Avenue  
Kingston  
BN7 3LL**

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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**

### **1 Site Description**

- 1.1 The application site is located in the village of Kingston and within an Area of Established Character and the SDNP. The property is within the defined planning boundary for Kingston. The property is set within a large double width plot of about 14m wide x 40m deep. The house is set back about 13m from the road and access from The Avenue is via the neighbouring drive situated to the east of the site. The front boundary is formed by dense hedging, screening front views of the house from the road.

### **2 Proposal**

- 2.1 The application proposes a side extension to the house to link the house with the garage, with a first extension over the ground floor extension and the garage. Like the house, the first floor would be contained within a pitched roof, so the form of the extension would follow that of the existing house. The extension would feature a gable fronting forward and a rear dormer. The extension would provide additional living accommodation for the house.
- 2.2 A small sun room would be added at first floor level to the front of the existing roof, leading onto an existing terrace.

### **3 Relevant Planning History**

- 3.3 None.

## 4 Consultations

### Southern Gas Networks

4.1 Comments awaited.

### Parish Council Consultee

4.2 Kingston Parish Council objects to this application on the following grounds:

- 1) The impact of the proposed extension will be to cause overshadowing which will significantly reduce the natural daylight in the kitchen and dining area of the neighbouring dwelling, High Beech, which is located on the east side of Beechland. This is because the east end wall of the extension is adjacent to the boundary with High Beech whose west wall is itself very close to the boundary. Light will be lost due both to the proximity of the heightened new east wall of the extension and more importantly from the bulk and height of the enlarged and raised roof above the existing garage as well as due to the new dormer located on the north side of the extension which is not aligned with the existing dormer.
- 2) The overall appearance of the proposed enlarged house in the street will not be in keeping with other houses in the Avenue. This is because, unlike the other houses, there is only a small distance between the end walls of the two houses whereas elsewhere on the Avenue, house are separated by a reasonable distance which emphasises the individual size and character of the houses as well as minimising overshadowing.
- 3) The proposed construction of a sun room on the first floor on the front of Beechlands will result in some additional loss of privacy for the neighbours when using their lower patio area in the front garden of the dwelling known as Hamewin on the west side of Beechlands.

## 5 Representations

5.1 The occupiers of 'High Beech' have objected on grounds that:

5.2 The extension would bring 'Beechlands' closer to 'High Beech', taking it almost to the boundary. The extension appears overbearing and out of character in terms of appearance, and the massing would give the effect of 'terracing', thus destroying the 'street scene'. There would be loss of amenity and light and the extension would be contrary to Policies RES13 and RES14 of the Lewes District Local Plan (which refer to bulk and massing, the character of adjacent properties, and the impact of major changes to the character of the building or its impact on the landscape).

5.3 If approval is granted, consideration should be given to retaining the existing boundary gap and providing a rear rooflight instead of a dormer. The impact of the dormer is considerable in terms of light and the compromise of a hipped roof without a dormer seemed a reasonable compromise.

## 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 (2003)** and the following additional plan(s):

- Lewes District Council - The Core Strategy (Local Plan Part 1) 2014
- SDNPA Partnership Management Plan 2014

Other plans considered:

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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:

- NPPF12 - Conserving and enhancing the historic 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 **Lewes District Local Plan (2003)** are relevant to this application:

- ST3 - Design, Form and Setting of Development
- RS13 - All Extensions
- H12 - Areas Of Established Character

The following policies of the **Lewes District Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CP11 - Built and Historic Environment and Design

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 50

### 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 Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26<sup>th</sup> September to 21<sup>st</sup> November 2017. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced are currently afforded some weight.

## **8 Planning Assessment**

- 8.1 The application was initially submitted with a gable end to the rear of the extension. This was subsequently amended so that the rear gable was removed to leave a conventional hipped roof to the rear, with a rear dormer window.
- 8.2 The existing house is relatively large and, although the scale of the extension is proportionately quite substantial, the extension covers the existing footprint of the house and garage. The front gable feature would differentiate the extension from the house.
- 8.3 The appearance of the extension would reflect the style, materials and detailing on the existing house, and the chalet-style character of the property would be maintained. The house is largely screened from The Avenue by vegetation to the front boundary. Although the extension at upper floor level would add built development between the house and 'High Beech', the hipped end would mean that the spacing between the house, it is considered, would be retained to a reasonable level so that the houses do not look cramped together. It is considered that the extension would not compromise the qualities of this Area of Established Character. Similarly, it is not considered that the extension would have any wider landscape impact or would compromise the qualities of this part of the South Downs National Park.
- 8.4 The existing garage is about 0.6m off the side boundary and the upper floor extension would be built over the garage, thus to the same 0.6m off the boundary as the garage as it stands (although the gutter is likely to be closer). As indicated above, the hipped roof would pitch away from the boundary, while the eaves would be about 0.45m higher than the eaves of the garage. Neighbouring 'High Beech' is at a higher level than the application property. and has doors and windows in the side which would face the extension. These are, however, secondary windows, and the fact that the extension would be built at a lower level than 'High Beech', and that the roof would be hipped away from the boundary, means that the impact on outlook, and loss of light, would not be so significant as to justify refusal on grounds of a reduction in the living conditions of occupiers of 'High Beech'. The amendment made (to remove a rear gable) after the initial submission helped reduce the bulk of the extension as seen from 'High Beech'.

- 8.5 The rear dormer may result in the ability to see into the neighbouring rear garden. This window would serve the bedroom, which would also have a window in the front gable. Some overlooking of the gardens of neighbouring properties is typical of suburban areas generally, and is normally accepted.
- 8.6 The proposed sun room at first floor level would not cause any additional overlooking of either neighbouring properties, and is considered to be acceptable.
- 8.7 Overall, while taking into account the objections of the neighbouring occupier and Parish Council, the application is considered to be acceptable on planning grounds and is recommended for approval.

## **9 Conclusion**

- 9.1 The proposal is considered to be acceptable.

## **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. 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.

3. No windows, doors or openings of any kind shall be inserted in the upper north or east elevations of the development hereby approved, other than those expressly permitted by this consent.

Reason: To protect the privacy and residential amenity of neighbours having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. The development hereby approved shall be finished in external materials to match those used in the existing building.

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

## **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 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.

**Tim Slaney**  
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**South Downs National Park Authority**

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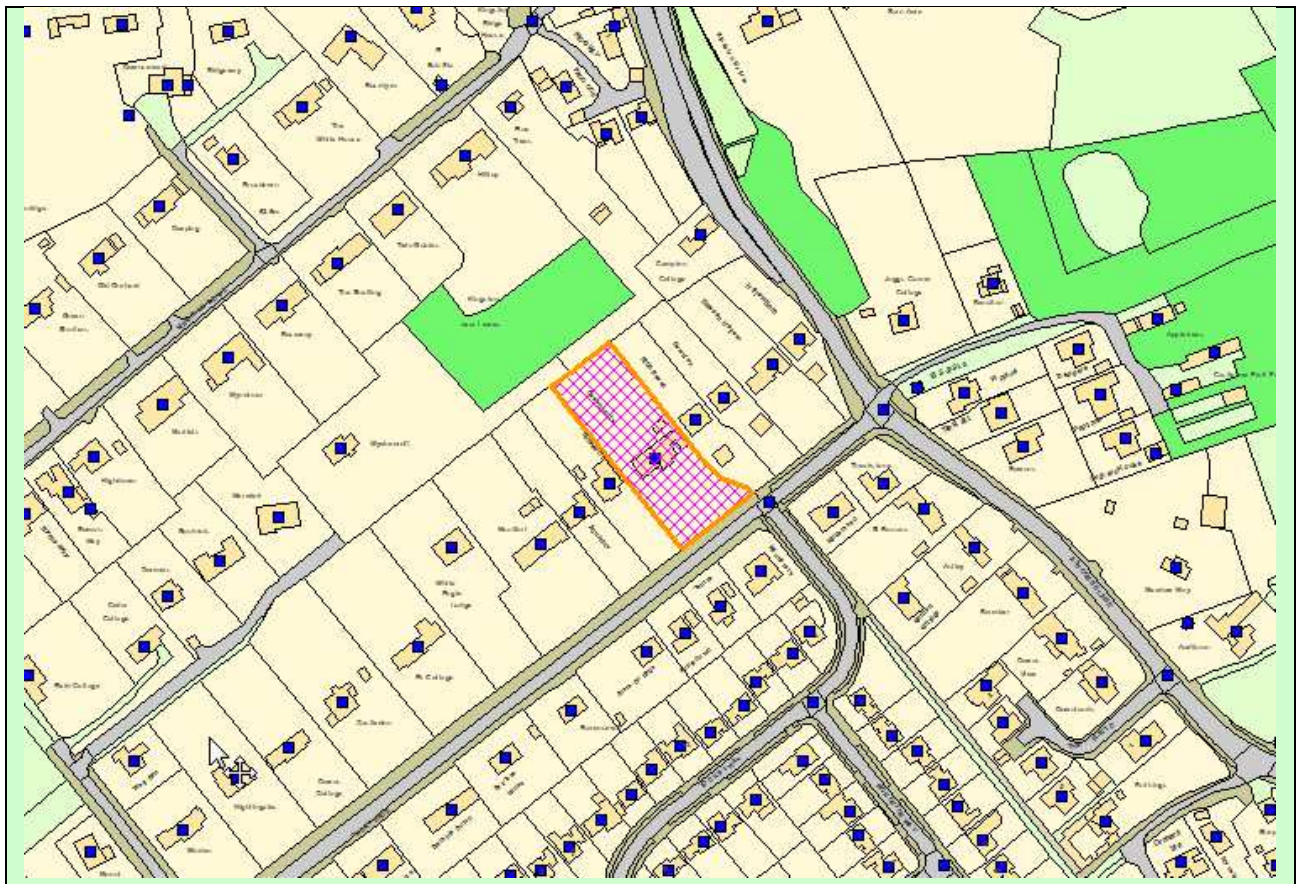
Appendices                      Appendix 1 - Site Location Map  
    Appendix 2 – Plans Referred to in Consideration of this Application

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 - Existing Location and Block Plan	2735/001		16.08.2017	Approved
Plans - Proposed Block Plan	2735/003		31.08.2017	Approved
Plans - Existing Floor	2735/010		16.08.2017	Approved
Plans - Existing Roof	2735/011		16.08.2017	Approved
Plans - Existing Elevations	2735/020		16.08.2017	Approved
Plans - Existing Sections	2735/030		16.08.2017	Approved
Plans - Proposed Floor	2735/100		16.08.2017	Superseded
Plans -	2735/100	Rev C	29.09.2017	Approved
Plans - Proposed Roof	2735/110		16.08.2017	Superseded
Plans -	2735/110	Rev C	29.09.2017	Approved
Plans - Proposed Elevations	2735/200		16.08.2017	Superseded
Plans -	2735/200	Rev C	29.09.2017	Approved
Plans - Proposed Sections	2735/300		16.08.2017	Superseded
Plans -	2735/300	Rev C	29.09.2017	Approved
Application Documents -	support statement		16.08.2017	Approved

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