

Planning Applications Committee 6 June 2018



Working in Partnership



Time and venue

5.00 pm in the Council Chamber - County Hall, St Anne's Crescent, Lewes

Membership:

Councillors Sharon Davy (Chair); Councillor Jim Sheppard (Vice-Chair); Liz Boorman, Stephen Catlin, Graham Amy, Peter Gardiner, Vic Ient, Tom Jones, Tony Rowell, Richard Turner and Linda Wallraven

Quorum: 5

Published: Friday, 25 May 2018

Agenda

1 Minutes (Pages 1 - 4)

To confirm and sign the minutes of the previous meeting held on 16 May 2018 (attached herewith).

2 Apologies for absence/declaration of substitute members

3 Declarations of interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

4 Urgent items of business

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be circulated at the meeting to update the main reports with any late information.

5 Petitions

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 13 (Page D9 of the Constitution).

Planning Applications outside the South Downs National Park

- 6 LW/18/0026 - 194 South Coast Road, Peacehaven, East Sussex, BN10 8JJ**
(Pages 5 - 16)
- 7 LW/18/0100 - 4 Ashurst Avenue, Saltdean, East Sussex, BN2 8DR** (Pages 17
- 20)
- 8 LW/18/0097 - 109 Sutton Avenue, North Peacehaven, East Sussex, BN10
7QJ** (Pages 21 - 24)

Non-planning application related items

- 9 Outcome of appeal decisions from 1 May to 24 June 2018** (Pages 25 - 36)
To receive the report of the Director of Service Delivery (attached herewith).
- 10 Written questions from councillors**
- 11 Date of next meeting**

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 27 June 2018 in the Council Chamber, County Hall, St Annes Crescent, Lewes, BN7 1UE, commencing at 5:00pm.

General information

Planning Applications outside the South Downs National Park: Section 2 of each report identifies policies which have a particular relevance to the application in question. Other more general policies may be of equal or greater importance. In order to avoid unnecessary duplication general policies are not specifically identified in Section 2. The fact that a policy is not specifically referred to in this section does not mean that it has not been taken into consideration or that it is of less weight than the policies which are referred to.

Planning Applications within the South Downs National Park: The two statutory purposes of the South Downs National Park designations are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas; and
- 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. Government policy relating to national parks set out in National Planning Policy Framework and Circular 20/10 is that they have the highest status of protection in relation to natural beauty, wildlife and cultural heritage and their conservation and enhancement must, therefore, be given great weight in development control decisions.

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Public participation: There will be an opportunity for members of the public to speak on an application on this agenda where they have registered their interest with the Planning department by 12:00pm on the day before the meeting.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: If members have any questions or wish to discuss aspects of any application listed on the agenda they are requested to contact the Planning Case Officer prior to the meeting.

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that committee or subcommittee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

Democratic Services

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Planning Applications Committee

Minutes of a meeting of the **Planning Applications Committee** held in the **Council Chamber, County Hall, St Annes Crescent, Lewes** on **Wednesday, 16 May 2018** at 5:00pm

Present:

Councillor S Davy (Chair), J Sheppard (Vice-Chair), G Amy (Minutes 1 to 7), L Boorman, S Catlin, P Gardiner, D Neave and R Turner

Officers Present:

S Howe, Specialist (Planning)
J Norman, Committee Officer
J Stone, Lawyer

Minutes

1 Minutes

The minutes of the meetings held on 4 April 2018 and 23 April 2018 were approved as correct records and signed by the Chair.

2 Apologies for Absence/Declaration of Substitute Members

Apologies for absence had been received from Councillors V Ient, T Jones, T Rowell and L Wallraven. Councillor Neave declared that he was acting as substitute for Councillor Ient for the duration of the meeting.

3 Declarations of Interest

Councillor Boorman declared a non-prejudicial interest in Agenda Item 6 (planning application LW/17/0707) and Agenda Item 8 (planning application LW/18/0169) as her husband was a member of Seaford Town Council's Planning Committee.

Councillor Neave declared that he was a Peacehaven Town Councillor representing the Peacehaven's East Ward and that he was a Lewes District Councillor representing Peacehaven's West Ward.

4 Urgent Items

The Chair had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that the Supplementary Report to the Planning Applications Committee be considered as a matter of urgency in order that the Committee could take its decisions based on the most recent information which was available (a copy of which is contained in the Minute Book).

Planning Applications OUTSIDE the South Downs National Park

5 LW/17/0707 - 10 Blatchington Hill, Seaford, East Sussex, BN25 2AH

Michael Vallely spoke against the proposal.

Resolved:

That planning application LW/17/0707 for erection of a side extension be approved, subject to the conditions set out in the report and supplementary report.

(Note: Cllr Boorman declared a non-prejudicial interest in this item as her husband was a member of Seaford Town Council's Planning Committee. She therefore took part in the consideration, discussion and voting thereon.)

(Note: After Michael Vallely spoke against the proposal and during the Committee's discussion of the application, a point of order was raised by Councillor Catlin in reference to a letter Mr Vallely referred to and which was present while he addressed the Committee. Mr Vallely explained that the letter he had received, which had been sent by Lewes District Council's Planning department to objectors of the application, stated that the current meeting of the Committee was to take place on Wednesday, 15 May 2018 instead of the correct date of Wednesday, 16 May 2018.

After consultation with the Planning Specialist and the Council's Lawyer, the Committee was advised that a number of additional representations had been received from neighbouring objectors following the publication of the agenda and despite the incorrect date on the letter, there was no evidence that the error had prevented anyone from having their views considered by committee. As such the error was not considered to warrant the application being deferred to a future committee.)

6 LW/18/0149 – 24 Cornwall Avenue, Peacehaven, East Sussex, BN10 8SG

Rashmi Dave and Hemchandra Dave spoke for the proposal.

Resolved:

That planning application LW/18/0149 for erection of front, side and rear extensions, roof extension and internal alterations (resubmission of planning application LW/17/0811) be approved, subject to the conditions set out in the report.

7 LW/18/0169 – 2 Gerald Close, Gerald Road, Seaford, East Sussex, BN25 1BE

Ian Davis and Ian Cairn spoke against the proposal. Jason Fendick spoke for the proposal.

Resolved:

That planning application LW/18/0169 for variations and design changes to approved planning application LW/10/1584 be approved, subject to the following conditions and informative:

Condition 1:

Details of solid or translucent screens, to be permanently fixed to both sides of the terrace shown on the 'Proposed Loft GA' drawing, shall be submitted to and approved by the Local Planning Authority. The screens shall be no less than 1.7m high above the level of the terrace. The terrace shall not be brought into use until the screens have been fixed in place and are in accordance with the approved details.

Reason: To reduce the potential for overlooking, having regard to Policy ST3 of the Lewes District Local Plan.

Condition 2:

Details/samples of the external timber cladding shall be submitted to and approved in writing by the Local Planning Authority and the approved materials shall be used in the finished development.

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.

Extra condition:

No fixed external lighting shall be attached to any part of the terrace without the prior written consent of the Local Planning Authority.

Reason: In the interests of the character of the locality and amenities of nearby residents, and having regard to Policy ST3 of the Lewes District Local Plan.

Informative

The applicant's attention is drawn to the need to ensure that light/glare from the upper floor accommodation is controlled by means including the use of blinds or curtains and/or tinted glass, having regard to the extent of glazing and the aim of reducing light spillage/pollution during hours of darkness.

(Note: Cllr Boorman declared a non-prejudicial interest in this item as her husband was a member of Seaford Town Council's Planning Committee. She therefore took part in the consideration, discussion and voting thereon.)

Planning Applications WITHIN the South Downs National Park

8 SDNP/18/00890/HOUS – 61 North Way, Lewes, BN7 1DJ

Resolved:

That planning application SDNP/18/00890/HOUS for conversion of an existing garage to habitable use including alterations to raise the roof be approved, subject to the conditions set out in the report.

Non-Planning Application Related Items

9 Outcome of Appeal Decisions from 13 March to 30 April 2018

Resolved:

That the report which detailed the outcome of appeal decisions from 13 March to 30 April 2018, be noted.

10 Date of Next Meeting

Resolved:

That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 6 June 2018 in the Council Chamber, County Hall, St Annes Crescent, Lewes, BN7 1UE, commencing at 5:00pm, be noted.

The meeting ended at 6:25pm.

S Davy
Chair

Agenda Item 6

APPLICATION NUMBER:	LW/18/0026		
APPLICANTS NAME(S):	Farrington Property Developments Ltd	PARISH / WARD:	Peacehaven / Peacehaven East
PROPOSAL:	Planning Application for demolition of existing bungalow and erection of 3 storey block of flats comprising three x 1 bedroom and six x 2 bedroom units		
SITE ADDRESS:	194 South Coast Road Peacehaven East Sussex BN10 8JJ		
GRID REF:	TQ41 09		



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site is occupied by a detached single storey bungalow dwelling located on the northern side of South Coast Road, within the Planning Boundary of Peacehaven. The property is adjacent to the pedestrian access and associated grass areas at the foot of Bramber Avenue, from which vehicular access to the back of the property is provided. There is a bus stop in front of the property.

1.2 The bungalow is long and narrow and has a lean-to conservatory on the southern elevation.

1.3 The neighbouring building is three storeys in height, the second floor accommodated within a tall and wide pitched roof. The ground floor is in commercial use and the upper floors are residential. On the opposite side of the Bramber Avenue junction there are two more single storey buildings, which are in commercial use. Beyond this, in a westerly direction, there is a large, modern three-storey building with a supermarket and takeaway on the ground floor and flats on the upper floors.

1.4 There are three and four storey buildings at the bottom end of Steyning Avenue, a short distance to the east of the application site.

1.5 To the rear of the site, up Bramber Avenue, the area is solely residential and comprises a mixture of two storey and single storey properties, predominantly being bungalows.

1.6 The application is not listed or located in a Conservation Area.

PROPOSAL

1.7 The application seeks planning permission for the demolition of the bungalow and for the construction of a three storey building comprising 3 x 1-bedroom flats and 6 x 2-bedroom flats, making nine residential units in total.

1.8 The front elevation will have a pitched roof and an eaves line that follows the eaves line of 192 South Coast Road. Two projecting, cantilevered bays are proposed at first and second floor level, each having an asymmetrical pitched roof perpendicular to the main roof line.

1.9 The front elevation will line up with the front elevation of 192 South Coast Road, and will taper away from the highway.

1.10 The western elevation fronting Bramber Avenue will comprise a row of three matching facades connected together, each with an asymmetrical pitched roof, bays at first and second floor level and balconies.

1.11 The north facing rear elevation is proposed to have five high-level windows and a door at ground floor level. This rear elevation will be some 2 metres further back than the existing bungalow, and there will be a garden area and a vehicular access between this elevation and the boundary with the bungalow behind, 19 Bramber Avenue.

1.12 Each floor will comprise two 2-bedroom flats with a 1-bedroom flat in between.

1.13 Proposed external materials and finishes include a metal roof, facing brick walls with areas of aluminium cladding.

1.14 The proposed development provides 18 car parking spaces, shared between the new development and the four flats above the neighbouring building.

PLANNING HISTORY

1.15 An outline application for the demolition of existing buildings and erection of block of twelve flats with associated car parking was refused in 1995 under reference LW/94/1217. Concern was mainly about impact of car parking area on neighbour amenity.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – SP1 – Provision of Housing and Employment Land

LDLP: – SP2 – Distribution of Housing

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/94/1217 - Outline application for the demolition of existing buildings and erection of block of 12 flats with associated car parking - **Refused**

LW/92/1362 - Outline Application for the demolition of existing buildings and erection of block of twelve flats with associated car parking - **Refused**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Peacehaven Town Council – Refusal Recommended due to:

- Lack of infrastructure for size of development.
- Overdevelopment for size of plot.
- Will exacerbate parking issues as it would appear the parking facilities and access will be shared with the occupants of multi dwelling premises at 192 and 194 South Coast Road. This is sited at the end of a cul-de-sac increasing parking issues in the side roads and hindering access for residents in the area, multi dwelling developments which have already been approved in this locality have sited the public car parks on the A259 as additional parking facilities, this cannot be sustained indefinitely.
- Out of keeping with street scene from Bramber Avenue aspect.
- Out of character with locality.

4.2 Environmental Health – Contaminated land. Recommends standard conditions.

4.3 Environmental Health – No objection

4.4 ESCC Highways – No formal response received at the time of writing. However, a holding response noted:

- A Transport Report needs to be submitted as part of this Application. This will need to recommend realistic proposals for providing for and improving non-car modes of travel, through walking, cycling and public transport and assess the residual impact of the development on the surrounding highway network with ameliorative measures as necessary.
- Parking - In accordance with the East Sussex County Council's parking guidelines thirteen spaces would be required for the proposed 9 flats if they are all allocated 1 space each. It is noted that the adjacent plots 190 - 192a/b are in the blue site area and appear to have parking provided within the area forming the car park to this proposed development. This would seem to serve both the retail/shop use at ground floor as well as flats [4?] above.
- This current proposal indicates that a total of 16 car parking spaces would be provided.
- Although I have not yet visited the site, from looking on google maps there appears to be at least five cars parking in the existing car park. Therefore the parking provision should be at least 18 spaces.
- It is also not clear whether the proposed ten cycle spaces are for both the existing uses [in the blue site area] and proposed development.
- Therefore this proposal does not seem to have taken into account the existing use of the existing car park both by vehicles and cycles. This therefore needs to be addressed by the applicant.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Representations have been received from 18, 18A, 19, 23, 24, 28B, 27a, 37 Bramber Avenue; 42 Rowe Avenue, objecting to the application for the following reasons:-

- Out of character.
- Contextual significance.
- Loss of bungalow.
- Over development.
- Lack of infrastructure.
- No banks.
- No doctor's surgeries.
- No police station.
- Loss of light.
- Overbearing building/structure.
- Overlooking, loss of privacy.
- Overshadowing.
- Noise and disturbance.
- Noise and litter from residents.
- Parking issues.
- Street is overloaded with parking.
- Inadequate access.

- Problems with deliveries.
- Traffic generation.
- Traffic exacerbated by church hall uses at top of Bramber Avenue.
- Traffic on A259.
- Highway hazards.
- Insufficient information.
- More bungalows should be being built.

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development; design; the impact on amenity; accessibility and sustainable transport.

PRINCIPLE

6.2 The application site is within the Planning Boundary of Peacehaven and located in a mixed use area where they are commercial premises and residential uses along South Coast Road and where the side streets are predominantly residential in character. In principle the residential development of this site is acceptable and compliant with retained policy CT1 and Spatial Policy 2 of the Joint Core Strategy, the site constituting an unidentified infill development within the existing Planning Boundary and the scheme providing much needed additional housing.

6.3 The objection from Peacehaven Town Council is acknowledged and the impact of the proposed development on the highway, parking, neighbour amenity and the appearance and character of the area are considered below.

6.4 In addition, it should be noted that the proposals will be liable for a CIL payment, a proportion of which will be given to Peacehaven Town Council and the remainder which can be used to provide community infrastructure projects, which will help to mitigate the extra pressures on services brought about by the proposed development.

DESIGN

6.5 Buildings which front South Coast Road, the main A259 route into and out of Peacehaven, are generally taller than the residential areas set further back, which are mainly characterised by bungalows and some housing. The exceptions to this include:

6.5.1 192 South Coast Road is effectively three storeys in height at the sides; 200-204 South Coast Road (with a supermarket and takeaway on the ground floor and flats above) is three storeys; as is Dorita Court and The Castle Pub, which although it has a pitched roof and eaves at two storey level, clearly has accommodation at roof level on a third storey. Lureland Court is three storeys and the more recent development at the corner of Steyning Avenue is three storeys in scale, with a recessed attic storey above.

6.6 As such there are several examples of development which are of similar height and scale to the planning application and it is noted that the overall height of the building is not dissimilar to a two storey building with a tall pitched roof. The applicant has designed the building so that the eaves are at second floor level, the third storey being contained within the roof shape and the stepped roofs on the Bramber Avenue façade having a very shallow angle of pitch.

6.7 The style of the building will be contemporary with a clear rhythm and articulation in the design details, which include cantilevered bays, balconies and dormers. These design features help to break up the massing of the elevations and add visual interest. The design is considered to be of an acceptable standard.

AMENITY

6.8 The rear elevation of the proposed development will be 13 metres from the flank elevation of 19 Bramber Avenue, the neighbouring bungalow to the north of the application site, which is also set back from the line of the proposed development.

6.9 The development will be 16.5 metres from the front elevation of 18a Bramber Avenue. This property has windows at ground floor level only, being a bungalow dwelling.

6.10 There is a public highway between the two building in the form of Bramber Avenue itself and as such a certain amount of overlooking should be expected. However, the proposed development has been designed so that the balconies and main windows to the flats on this elevation are pointing away from the bungalow opposite, towards to the bottom end of Bramber Avenue, and the sea views beyond. Other windows on this elevation will be high-level and louvered to prevent overlooking, and again the angle of the walls is such that rather than being directly opposite 18a Bramber Avenue, they are orientated with a north-westerly aspect pointing up the street.

ACCESSIBILITY AND SUSTAINABLE TRANSPORT

6.11 The adjoining building, 192 South Coast Road, was granted planning permission on 6 July 1999 (ref. LW/99/0034). The approved drawings show ten parking spaces to the rear and an area of planted landscaping along the boundary with 19 Bramber Avenue, a bungalow dwelling. This development comprises four flats and two commercial units.

6.12 18 parking spaces are proposed with the current scheme, but ten of these already belong to the neighbouring development. Ultimately, the management of these car parking spaces will be the responsibility of the developer, although it is clear that 18 parking spaces should be sufficient to serve 13 flats overall.

6.13 The application site is within walking distance of the shops and facilities along South Coast Road, notably opposite the application site, where there is a Post Office, hairdresser, takeaway and convenience store. There is a bus stop adjacent to the application site and there are frequent bus services along the coast road between Brighton, Seaford and Eastbourne.

6.14 In addition the applicant is proposing ten cycle parking spaces for the development.

6.15 For the above reasons the application site is considered to be in a sustainable location and future residents need not be solely reliant on private car use for all of their journeys. Notwithstanding the sustainable location of the application site, the applicant is proposing sufficient off-street car parking facilities.

6.16 The Highway Authority has requested a transport assessment, but in view of the transport provision to be made within the scheme, and view of the scale of development proposed, this is not considered to be necessary.

6.17 Concerns in respect of congestion and the wider impact of traffic on the A259 coast road are acknowledged. However, the increase in traffic generated by a development

of this scale is not likely to have a significant impact on the existing situation. There are alternative methods of transport available for future occupiers to use, and therefore residents will have a choice as to whether they rely solely on use of a private car and contribute to existing congestion, or choose cleaner and more sustainable transport options.

7. RECOMMENDATION

In view of the above approval is recommended.

The application is subject to the following conditions:

1. No development shall take place details and samples of all external materials including the fenestration; hard surfaces; roof materials and external finishes to the walls, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and samples and retained as such thereafter.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. No development shall take place until the details of the overall height of the proposed development together with the overall ridge heights and eaves heights of 192, 196 South Coast Road and 18a Bramber Avenue, to be measured Above Ordnance Datum (AOD), have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the details approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and neighbour amenity, and in order to comply with retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected within and, where necessary, around the perimeter of the application site. The boundary treatment shall be completed in accordance with the approved details prior to the occupation of the dwelling units hereby permitted and retained as such thereafter.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 of the Lewes District Local Plan, Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. No development shall take place until full details of the covered and secure cycle parking spaces have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be implemented prior to the first residential occupation of the development, and be retained thereafter for the parking of cycles associated with residents and visitors to the development hereby permitted.

Reason: To provide alternative travel options and encourage use of alternatives to the use of the private car, in the interests of sustainability in accordance with current sustainable transport policies including retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One:

Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. Prior to the first residential occupation of the development hereby permitted, the car parking area shall be provided in accordance with the approved plans, making provision for a minimum of 13 car parking spaces for the development hereby approved, and retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and sustainability and to provide sufficient off-street car parking for the approved development, in accordance with retained policy ST3 and Core Policy 13 of Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. Notwithstanding anything contained in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any amendment or replacement thereof), prior to the commencement of any building or engineering operations for the development, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. The CEMP shall include the following information and the development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority:-

- 1) the temporary arrangements for access and turning for construction traffic together with reinstatement as necessary at the end of each construction period;
- 2) the size of vehicles (contractors and deliveries);
- 3) the routing of vehicles (contractors and deliveries) and traffic management (to allow safe access and turning for construction vehicles);
- 4) the temporary arrangements for parking of vehicles associated with deliveries, site personnel, operatives and visitors;
- 5) a contractors' parking and Travel Plan;
- 6) facilities for the loading and unloading of plant and materials;
- 7) the location(s) for storage of plant and materials used during construction;
- 8) the location(s) of any site huts/cabins/offices
- 9) details of temporary lighting during construction;
- 10) details of the proposed security arrangements for the site including temporary site security fencing and site hoardings;
- 11) details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway;
- 12) details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;
- 13) details of off-site monitoring of the CEMP; and
- 14) assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme.

Reason: In the interests of the residential amenities of the neighbours and to secure safe and satisfactory means of vehicular access to the site during construction, having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. No development shall take place until details of the hard and soft landscaping associated with the development hereby permitted have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details

and retained as such thereafter, unless otherwise agreed in writing by the local planning authority. All hard surfaces should be either permeable materials to allow for natural soakage of surface water into the land or direct surface run-off to soakaways within the application site.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the locality as well as managing and mitigating flood risk, in accordance with retained policy ST3 and Core Policies 11 and 12 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.

8. No development shall take place until details full details of the louvres to the windows on the westerly facing elevation fronting Bramber Avenue, to include 1:20 scale elevations and sections together with the materials, colour and profile of the louvres, have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details and retained as such thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the locality as well as preserving neighbour privacy as appropriate, in accordance with retained policy ST3 and Core Policy 11 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.

9. Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to retained policy ST3 and Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

10. The lower sill levels of the high level windows at ground, first and second floor levels on the north facing elevation shall be no less than 1.7m in height above internal finished floor level of the rooms served by those windows. The development shall be maintained as such thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To protect the privacy and residential amenity of neighbouring residents, having regard to policy ST3 of the Lewes District Local Plan, policy CP11 of the Lewes District Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

12. No development shall take place, including demolition of the existing building, until a full asbestos survey on the building to be demolished has been submitted to the local planning authority. Any asbestos containing materials (ACMs) must be removed by a suitable qualified contractor and disposed off-site to a licenced facility. A copy of the report should be provided to the local planning authority together with a mitigation plan that removes the risk to future occupiers of exposure to asbestos. The works shall be carried out in accordance with these details.

Reason: To ensure that risks from asbestos to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

2. 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.

3. All waste material arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

4. The applicant is reminded of the Control of Asbestos Regulations 2012 when carrying out the works, including demolition of the existing building.

This decision is based on the following submitted plans/documents:

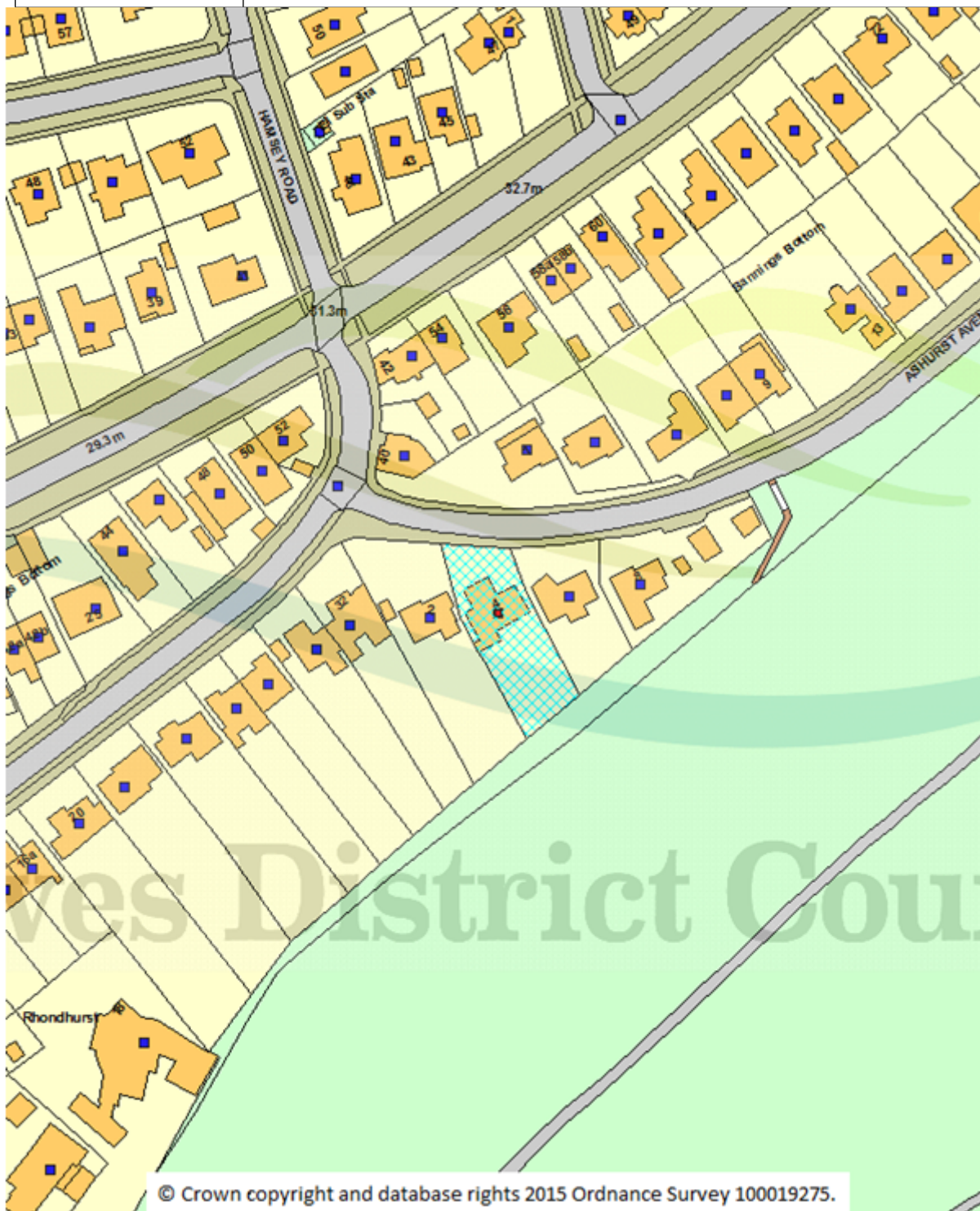
<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Justification / Heritage Statement	21 February 2018	
Planning Statement/Brief	11 January 2018	
Survey Plan	11 January 2018	16-14 REV A
Street Scene	11 January 2018	17-13/E/1
Location Plan	11 January 2018	701 PP 01C
Proposed Block Plan	14 March 2018	701 PP 02D
Proposed Layout Plan	14 March 2018	701 PP 03E
Proposed Floor Plan(s)	11 January 2018	701 PP 04C

Proposed Elevation(s)	11 January 2018	701 PP 05D
Proposed Elevation(s)	11 January 2018	701 PP 06D
Street Scene	11 January 2018	701 PP 07C
Justification / Heritage Statement	21 February 2018	CONSULTATION REPORT
Additional Documents	11 January 2018	MATERIAL PROPOSAL
Illustration	11 January 2018	PERSPECTIVES

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Agenda Item 7

APPLICATION NUMBER:	LW/18/0100		
APPLICANTS NAME(S):	Mr & Mrs R Lewery	PARISH / WARD:	Telscombe / East Saltdean & Telscombe Cliffs
PROPOSAL:	Planning Application for proposed roof conversion to include re-pitched roof with front, side and rear gables		
SITE ADDRESS:	4 Ashurst Avenue Saltdean East Sussex BN2 8DR		
GRID REF:	TQ39 01		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is a detached linear shaped bungalow with a shallow pitched roof, in an elevated position above the road, and which fronts onto Ashurst Avenue. The bungalow is flanked by other bungalows, which step up on rising land from the junction with Hamsey Road.

1.2 The proposal involves alterations to the roof. These would include "re-pitching" the roof to a steeper pitch (with an increase in height), with barn hipped ends, new full height front gables facing Ashurst Avenue and two full height gables facing the garden at the back. The proposal would provide two relatively large bedrooms in the new roof space, one with an ensuite and a landing area between the rooms.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – RES13 – All extensions

3. PLANNING HISTORY

None.

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Telscombe Town Council – Objection on the grounds of overdevelopment, overbearing, loss of light due to the additional height and the tunnelling affect between the two properties.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Neighbour at no. 6 objects, on grounds of:

- Loss of light - The rear gables will greatly cause loss of light to the kitchen/dining area at no.6, while the end gable will also block light (officer's note: now amended to a barn end); 'borrowed' light to the living room (through a glass partition) and light to two bedrooms would also be affected;
- Overshadowing - This would be caused by the side and rear gables to bedrooms and the kitchen/dining area;
- Overlooking/loss of privacy - The gables would give side views to no.8's kitchen/dining room and to the rear lawn area, which is not overlooked.
- Overall, the objector comments that the designs in themselves look lovely but these proposals would have a strong negative effect on no.6 both in terms of loss of light/overlooking/loss of privacy, and also would change the street scene and look out of place with the rest of the properties on the road, including no.6.

6. PLANNING CONSIDERATIONS

6.1 The main issues are the effect on the street scene and the effect on the living conditions of neighbouring occupiers.

Street scene

6.2 This side of Ashurst Avenue, essentially comprising 2-8 (even), constitutes 4 bungalows, each of linear form, stepping up on sloping land from the junction with Hamsey Road. The bungalows are characterised by sloping roofs back from the front, with no front additions such as dormer windows.

6.3 The proposal would have a relatively striking front elevation, with the hipped ends converted to barn hips and relatively large front gables. The barn hips would be similar in form to the gable ends on 2, 6 and 8, which already have that roof form. The gables would be different but, it is considered, would add interest to the street scene. The increase in ridge height arising from the 're-pitching' of the roof would mean that the new ridge height would still be between the heights of no's 2 and 6, and thus the 'stepping' pattern of these buildings up the slope would be retained.

6.4 The 'footprint' of the building would not be increased by the proposals. The works are concentrated on providing the new roof, with gables, and accommodation within it.

Effect on neighbouring living conditions

6.5 No. 2 has a blank side wall facing the application site. It is, however, at a lower level than the application bungalow and is set forward, meaning that the side of the new roof would be next to the immediate back of no.2. The barn hipped side of the new roof would therefore be higher than no.2, and could be regarded as being relatively overpowering when seen from the immediate rear garden of no.2. However, the barn hip would reduce the overpowering effect (compared to the initially proposed gable end). There would be no windows in the barn hip facing no.2. The effect on the living conditions of no. 2 is considered to be acceptable.

6.6 No. 6 has side windows facing the site, and the effect of the works on light entering those windows into the living accommodation is a cause of concern to its occupants. No. 6 is, however, partly set back from no.4, and the side windows tend to face over the rear and back garden of no. 4 rather than directly onto it. While the increased height and the rear gables would be in the foreground of views from the side windows, it is not considered that the works would be so obtrusive as to justify refusal. When entering/leaving the front door of the application property, the side roof would be very visible as no. 4 is set forward, but again, not to the extent which would justify refusing planning permission. It is not considered that overlooking to adjacent gardens from the new first floor level would be significant.

6.7 The change from full gables to half-hips (barn hips) to the ends was made in response to the concerns of the occupants of no.6. It is a matter of judgement whether this aspect of the proposal is acceptable, but the planning officer's view is summarised above.

Tunnelling effect

6.8 It is not considered that the 'tunnelling effect', as alleged by the Town Council, would be significant.

6.9 Overall, the proposal is considered to be acceptable.

7. RECOMMENDATION

In view of the above approval is recommended.

The application is subject to the following conditions:

1. 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 Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

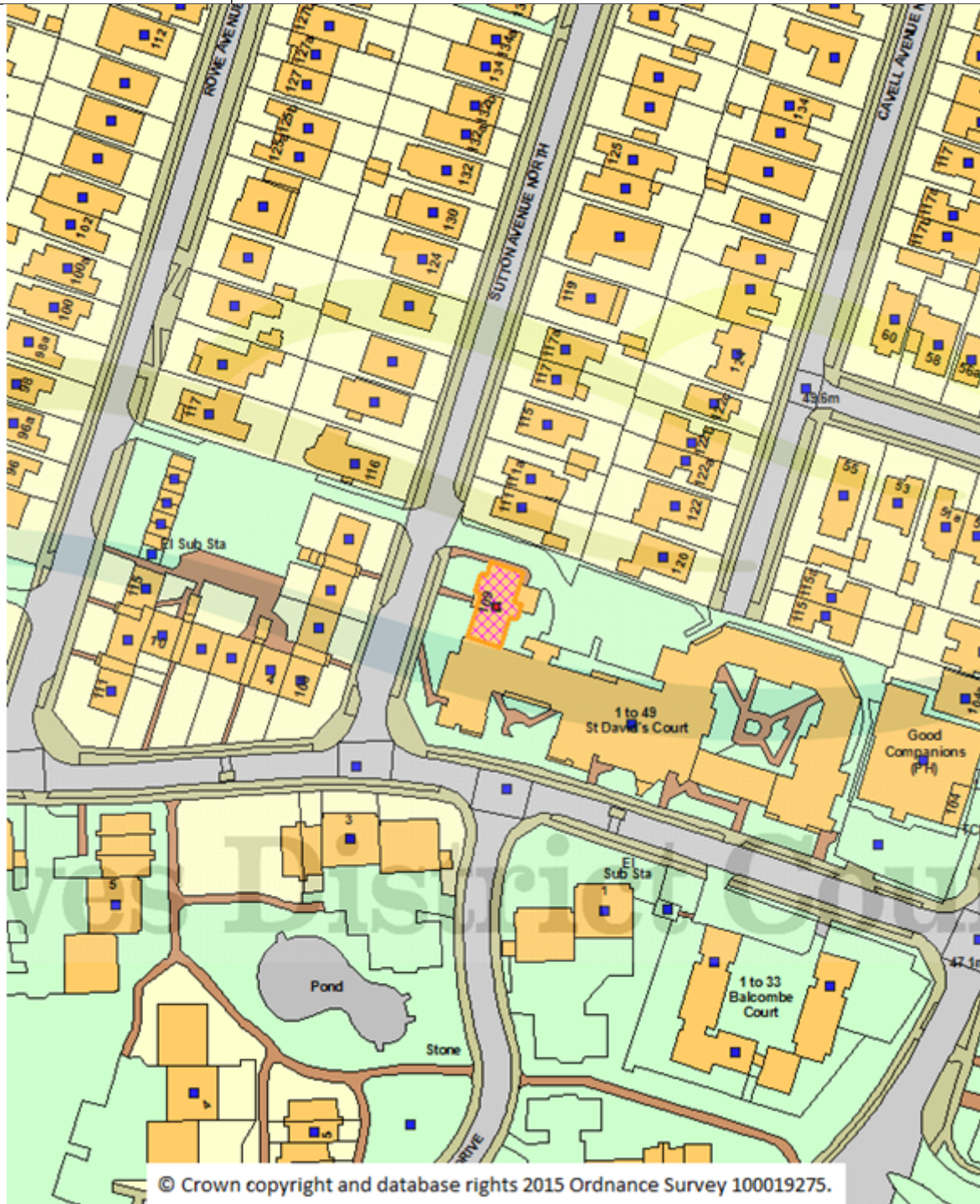
2. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the 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.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	2 February 2018	
Location Plan	16 April 2018	01A
Existing Elevation(s)	16 April 2018	01A
Proposed Roof Plan	16 April 2018	01A
Existing Floor Plan(s)	16 April 2018	01A
Proposed Elevation(s)	16 April 2018	01A
Proposed Elevation(s)	16 April 2018	02A
Proposed Section(s)	16 April 2018	02A
Proposed Floor Plan(s)	16 April 2018	02A

Agenda Item 8

APPLICATION NUMBER:	LW/18/0097		
APPLICANTS NAME(S):	Lewes District Council	PARISH / WARD:	Peacehaven / Peacehaven West
PROPOSAL:	Planning Application for Replacement of existing brown timber windows with new white PVCu, double-glazed units, and the existing brown timber glazed and louvred doors with new GRP Laminated units with double-glazing and metal louvres		
SITE ADDRESS:	109 Sutton Avenue North Peacehaven East Sussex BN10 7QJ		
GRID REF:	TQ 40 01		



1. SITE DESCRIPTION / PROPOSAL

1.1. The application site comprises part of a larger residential building containing flats. It is located within the Peacehaven Planning Boundary but is not subject to any site specific policies.

1.2. This application seeks planning permission to replace the existing brown single glazed timber casement windows to all elevations, resulting in 18 No. windows being replaced. In addition to that, the existing brown timber doors, (including louvered doors) are to be replaced with new GRP Windsor style doors from EJ Group Limited (2 No. glazed doors and 2 No. metal louvered doors). The application is called to Planning Committee as the property is owned by the Lewes District Council.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

None

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Peacehaven Town Council – No Objection

5. REPRESENTATIONS FROM LOCAL RESIDENTS

None received.

6. PLANNING CONSIDERATIONS

6.1. The proposed works would replace the existing windows in a like-for like design and fenestration to the property adjacent to it. All new window frame colours will be white to match adjacent properties. The replacement windows would improve the thermal performance of the dwellings, reduce noise pollution for residents, and upgrade general security and living standards. Consequently, there would be no visual impact upon the locality, as well as continuity across the site is to be maintained.

6.2. As such, it is considered the proposals 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 ST3 (Design, Form and Setting of Development) of the Lewes District Local Plan.

7. RECOMMENDATION

In the circumstances, it is recommended that planning permission be granted.

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	1 February 2018	GDS817/01

Proposed Block Plan	1 February 2018	GDS817/01
Existing Elevation(s)	1 February 2018	GDS817/02
Proposed Elevation(s)	1 February 2018	GDS817/03

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Agenda Item 9

Report Title: Outcome of Appeal Decisions from 1 May to 24 June 2018

Report To: Planning Applications Committee **Date:** 6 June 2018

Cabinet Member: Cllr Tom Jones

Ward(s) Affected: All

Report By: Director of Service Delivery

Contact Officer(s):

Name(s): Mr Steve Howe and Mr Andrew Hill
Post Title(s): Specialist Officer Development Management
E-mail(s): Steve.howe@lewes.gov.uk and Andrew.hill@lewes.gov.uk
Tel No(s): (01273) 471600

Purpose of Report: To notify Members of the outcome of appeal decisions (copies of Appeal Decisions attached herewith)

<p><i>Meadow Business Centre, Old Uckfield Road, Ringmer BN8 5RW</i></p> <p>Description:</p> <p><i>Provision of six parking spaces</i></p>	<p>Application No: LW/17/0598</p> <p>Committee refusal</p> <p>Written Reps</p> <p>Appeal is dismissed</p> <p>Decision: 8 May 2018</p>
<p><i>Downland Park, Court Farm Road, Newhaven, BN9 9DJ</i></p> <p>Description:</p> <p><i>Erection of mobile home on redundant parking area and variation of condition 1 relating to planning approval LW/03/1867</i></p>	<p>Application No: LW/17/0206</p> <p>Delegated refusal</p> <p>Written Reps</p> <p>Appeal is dismissed</p> <p>Decision: 10 May 2018</p>

<p><i>Marchants, Lower Station Road, Newick BN8 4HT</i></p> <p>Description:</p> <p><i>Erection of a six bedroom detached house, the provision of a detached triple garage, and creation of a new access from Lower Station Road</i></p>	<p>Application No: LW/17/0535</p> <p>Delegated refusal</p> <p>Written Reps</p> <p>Appeal is dismissed</p> <p>Decision: 10 May 2018</p>
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Robert Cottrill
Chief Executive of Lewes District Council and Eastbourne Borough Council



Appeal Decision

Site visit made on 17 April 2018

by **J Ayres BA Hons, Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 8th May 2018

Appeal Ref: APP/P1425/W/18/3193105

Meadow Business Centre, Old Uckfield Road, Ringmer BN8 5RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Scott against the decision of Lewes District Council.
 - The application Ref LW/17/0598, dated July 2017, was refused by notice dated 21 September 2017.
 - The development proposed is provision of six parking spaces.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. For clarity I have used the name of the appellant as stated on the Appeal Form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site consists of former single storey agricultural buildings which have been converted into business units. The surrounding area retains much of its agricultural character, with gently undulating fields which allow views across the landscape. When observing the appeal site from Uckfield Road the buildings are set down slightly within the landscape which almost entirely screens the parking area. There is some additional vegetation within the vicinity of the buildings, which, along with the change in land levels, softens the impact of the built form. The access road is bordered by wire fencing, and constructed of a simple track with grass verge to each side, which collectively maintains the visual permeability of the landscape.
5. The additional parking would introduce a prominent and urban use to a sensitive, largely unspoilt countryside landscape. The additional landscaping included as part of the proposal, although in the form of a hedgerow, would introduce a feature that would restrict some views of the parking, however due to the surrounding open fields the vehicles would be highly visible from Uckfield Road. The impact of the parking spaces would be visually intrusive and result in the erosion of this countryside setting. The proposal would intensify the

industrial character of the business park which would be harmful to the rural landscape.

6. I appreciate that the appellant is keen to provide additional parking for visitors in order to safeguard the viability of the site. However, I do not consider that the desire for additional parking would justify the harm to the character of the area that would be caused by this particular proposal.
7. Accordingly, I find that the proposal would result in harm to this countryside setting and would conflict with Policy CP10 1(i) of the Lewes District Local Plan Core Strategy 2016 and Policy ST3 of the Lewes District Local Plan 2003 with regards to maintaining the character of the rural environment. The proposal would also conflict with the Ringmer Neighbourhood Plan 2016 in respect of protecting the landscape.

Conclusion

8. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR



Appeal Decision

Site visit made on 17 April 2018

by **J Ayres BA Hons, Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 10th May 2018

Appeal Ref: APP/P1425/W/17/3188583

Downland Park, Court Farm Road, Newhaven, East Sussex BN9 9DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Anne Barney against the decision of Lewes District Council.
 - The application Ref LW/17/0206, dated 7 March 2017, was refused by notice dated 31 July 2017.
 - The development proposed is the provision to place a mobile home on redundant parking area. Modification of condition 1 attached to planning permission LW/03/1867 to allow 30 caravans on the overall site instead of 29.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the area; and (ii) highway safety with particular regards to emergency and refuse access.

Reasons

Character and appearance

3. The site is set beyond a low lying wall adjacent to Court Farm Road and is currently laid out for parking. To either side of the appeal site is residential development, varying in design and density. Beyond the appeal site the caravans that form Downland Park and Newhaven Heights are set spaciouly within the gently rising hillside. Downland Park clearly forms part of the character of the area, its layout enhances the open and tranquil nature of the site. The appeal site functions as a break in development and creates a buffer, setting Downland Park back from the more urban residential development along Court Farm Road.
4. The proposal would be sited forward of the neighbouring properties at Nos 51 and 51a Court Farm Road, and would stretch along a significant portion of the site. Due to the change in land levels it would be slightly raised in comparison to Court Farm Road. This introduction of additional built form, through the permanent siting of a caravan, would significantly erode the open nature of the appeal site. It would substantially block views into the spacious caravan parks beyond, and would bring the site to the road frontage, creating a continuous building line along Court Farm Road.

5. I do not agree with the appellant's assertion that the site is not a valuable piece of open land. Although it is physically laid out for parking, it provides a very wide, functional break in built form. It enhances the space of the area in general and plays an important role in providing a semi-rural setting for the caravan park beyond. The loss of this space would extinguish this physical and functional gap, harming the character of the area.
6. The appellant has referred to the placement of garages along the frontage pursuant to a permission granted in 2008. I have very limited evidence in relation to this permission, and in any event, I have determined this appeal on the basis of its own merits.
7. There is some dispute with regards to the use of the appeal site for the parking of vehicles. On the basis of the evidence, and at the time of my site visit, it is clear that the site is used for parking. This may vary depending on the time of day, and the day of the week, however I accept that the site is a valued amenity space. The use of the site for the parking of vehicles is visually compliant with the functionality of the site as a break in built form.
8. The proposal would erode this open space, creating an almost continuous building frontage along Court Farm Road. This would diminish the spaciousness of the site, and significantly harm the character of the area. The introduction of development would conflict with saved Policy ST3(a) of the Lewes District Local Plan 2003 (the Local Plan) with regards to respecting the character of the area.
9. The appellant has referred to Policy CP11 of the Lewes District Local Plan Part 1 – Joint Core Strategy (2016). Policy CP11 requires that development positively contributes to the character and distinctiveness of an area, and sympathetically responds to the site and local context. The proposal would result in harm to the character of the area, and I find that it would therefore conflict with the aims of Policy CP11.

Highway safety

10. The evidence demonstrates that the caravan park is able to accommodate visitor parking, and the provision of spaces exceeds that required when applying the East Sussex car parking calculator. On the basis of the evidence I am satisfied that the loss of the parking would not automatically lead to a dispersal of parking on Court Farm Road. I note the comments made by local residents in relation to parking levels on Court Farm Road, however, the Highway authority has confirmed that parking along Court Farm Road is not restricted. It is therefore possible for Court Farm Road to accommodate some additional parking should it be necessary.
11. I am mindful of the comments made by the council's team leader for waste services in relation to the swept analysis submitted by the appellant. However, the council has not put forward any additional evidence to dispute the accuracy of the analysis which demonstrates that access can be provided. In addition, the Highway Authority has not raised an objection on safety grounds.
12. Accordingly, on the basis of the evidence, I find that the proposal would not result in a significant restriction to the access to those caravans further along The Drive. Furthermore, there is unlikely to be the level of parking on Court Farm Road that would result in harm with regards to highway safety. It would

therefore comply with Policy ST3(d) of the Local Plan in respect of ensuring development does not create a hazardous environment.

Other Matters

13. The appellant asserts that the proposal would provide an additional unit of accommodation which would contribute to the Council's supply of housing. An additional unit would make a small contribution that weighs in favour of the scheme. However, the Framework explains that the 3 mutually dependant dimensions of sustainable development, its economic, social and environmental roles, should not be undertaken in isolation. So whilst there may some minimal economic gains relating to local spending and a social gain of an additional unit, these gains would be significantly and demonstrably outweighed by the environmental harm that the proposal would cause to the character and appearance of the area. Therefore the proposal would not amount to sustainable development and it would be contrary to the Framework.

Conclusion

14. On the basis of the evidence I have found that the proposal would not result in a harmful displacement of car parking, nor would it impede the ability of emergency and refuse vehicles to access the caravan park. However, I have found that the proposal would significantly harm the character and appearance of the area by almost entirely extinguishing the experience of space and openness that the site currently contributes to and enhances. The absence of harm in respect of highway safety does not overcome the harm that I have identified in relation to the effect on the character and appearance of the area.
15. Therefore, for the reasons above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR

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Appeal Decision

Site visit made on 17 April 2018

by **J Ayres BA Hons, Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 10th May 2018

Appeal Ref: APP/P1425/W/17/3188426

Marchants, Lower Station Road, Newick BN8 4HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Azimi against the decision of Lewes District Council.
 - The application Ref LW/17/0535, dated 19 June 2017, was refused by notice dated 15 August 2017.
 - The development proposed is erection of 1 No. 6-bedroom detached house, the provision of a detached triple garage, and creation of a new access from Lower Station Road.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the surrounding area; and (ii) whether the future occupiers would have reasonable access to shops and services by means other than private car.

Reasons

Planning Policy

3. The Development Plan includes the saved policies of the Lewes District Local Plan 2003 (Local Plan) and the Lewes District Local Plan Part 1 – Joint Core Strategy 2016 (Core Strategy). Policy CT1 of the Local Plan restricts development outside of the defined planning boundaries, except in certain circumstances. The appeal site falls outside of any planning boundary as defined by the Local Plan, falling between the villages of North Chailey and Newick. The residential development proposed as part of the scheme does not fall within any of the exceptional categories of Policy CT1.

Character and appearance

4. The appeal site is outside of any built-up area boundary as defined in the Local Plan and is, in policy terms, in the countryside, falling between the villages of North Chailey and Newick. The appeal site is bordered by Lower Station Road and Oxbottom Lane. There is a loose scattering of dwellings along Oxbottom Lane, interspersed with large mature trees and hedgerows, along a relatively narrow road with no footpath or street lighting. Lower Station Road has a

- more structured pattern of development, with the area boasting generous properties set within large, open plots, contributing to a definitive semi-rural character.
5. The proposal would use the garden to the side of Marchants for the siting of a large, 6 bedroom dwelling and triple garage. The appeal would be sited with an access onto Lower Station Road which would require the removal of part of the mature boundary. The scale of the proposal would be harmfully intrusive as it would span a large part of the width of the site. The introduction of this level of built form would demonstrably and harmfully erode the existing garden which currently enhances the open setting of the area.
 6. Due to its size and siting alongside Marchants it would be visible within the streetscene, with views afforded from both Lower Station Road and Oxbottom Lane. The proposal would have a lower ridge height than Marchant, however it would be significantly wider. Although views of the proposal would be slightly limited by the retained hedgerows, this would not be a reason to allow a scheme such as this, as it would damage the openness of the area. The significant erosion of the currently open garden would harmfully erode the character of the rural area, and the built-up appearance of the proposal, including its drive and turning area, would harm its appearance.
 7. Taking into account its location at the junction of Lower Station Road and Oxbottom Lane, I do not consider that the proposal would represent infilling. It would significantly extend the level of built form towards Oxbottom Lane, intruding into the open, semi-rural quality of the area, and introducing a level of built form that would erode the spacious and open quality of the site.
 8. I note that the appellant refers to a permission previously granted for a swimming pool and associated pool house. I consider that scheme to be materially different to the proposal before me. The swimming pool and pool house would be single storey, located to the rear of Marchants. In my view its impact on the character of the area would be lessened due to its fundamental use as an ancillary, low lying structure. The scale and mass of this proposal is on an entirely different scale which would result in harm to the open character of this site. In any event, I have determined this appeal on the basis of its own merits.
 9. Accordingly, I find that the proposal would erode the semi-rural character of the area. It would intensify development within this small hamlet, outside of any defined planning boundary, which would be contrary to Policy CT1 of the Local Plan. The scale and mass of the proposal, and the introduction of urban form, would harm the open character of the area and would be in conflict with Policy ST3 of the Local Plan and Policy CP11 of the Core Strategy.

Reliance on the private vehicle

10. The main access to the services and facilities in either Newick or North Chailey would be via the A272. This is a main road, with speed limits of up to 50mph. Pavements are provided, however there is limited street lighting. In addition Oxbottom Lane, which is the most direct route to the A272 from the appeal site, does not provide street lighting or pavements. So, for a family with children, walking or cycling would not be a safe or attractive prospect, especially during inclement weather or after dark.

11. A bus service can be accessed from the A272, however, as I have stated above, the physical prospect of walking along Oxbottom Lane, which rises in gradient towards the A272, is unlikely to appeal to future occupiers. Access to local bus services along via Lower Station Road would involve a considerably longer walk along a road with no lighting or pavements. So whilst there are a few sustainable travel options, taking into account the physical restrictions of the roads for pedestrians, the likelihood is that the future occupiers would be reliant on travel by car.
12. The fact that this situation exists for the occupiers of properties along Lower Station Road does not justify additional development. Therefore, I consider that future occupiers of the proposal would not have reasonable access to local shops and services by means other than the private car. This would be contrary to Policy CP13 of the Core Strategy which seeks to promote a sustainable system of transport, and the National Planning Policy Framework (the Framework) which aims to actively manage patterns of growth to make the fullest possible use of public transport.

Other Matters

13. There is some disagreement between the parties as to the ability of the council to demonstrate a 5-year supply of housing land. On the basis of the evidence before me I am satisfied that the Council is able to demonstrate a 5-year supply of housing land. The appellant argues that this supply is marginal, due to the restrictions of developing within the district, and that Paragraph 14 of the Framework should be applied.
14. An additional unit would make a small contribution to the 5 year housing land supply and that factor would weigh in favour of the scheme. However, the Framework explains that the 3 mutually dependant dimensions of sustainable development, its economic, social and environmental roles, should not be undertaken in isolation. So whilst the economic gains would include jobs during construction, New Homes Bonus and future occupier's local spending, and the social gain would include the new dwelling, these gains would be significantly and demonstrably outweighed by the environmental harm that the proposal would cause to the character and appearance of the area, and the poor accessibility to local shops and services. Therefore the proposal would not amount to sustainable development and it would be contrary to the Framework.

Conclusion

15. For the reasons above and taking into account all other matters raised, including the support of some nearby occupiers, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR

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