

Report to	Planning Applications Committee
Date	24 April 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/19/01139/HOUS
Applicant	Mr Russell Pilfold
Application	Proposed erection of cabin in the rear garden, ancillary to the use of the main dwelling
Address	6 Hill Road Lewes East Sussex BN7 1DB

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

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

1 Site Description

1.1 The application property is a detached dwelling, located on the south west side of Hill Road, Lewes, set in an elevated position in relation to Hill Road.

2 Proposal

2.1 The Proposal is for the erection of a cabin in the rear garden, which is to be ancillary to the main dwelling.

2.2 This application is being presented to the Committee as the applicant is a member of staff.

3 Relevant Planning History

3.1 There is no relevant planning history.

4 Consultations

Parish Council Consultee
No comment

5 Representations

Friends of Lewes - commenting that there are “concerns that the proposed cabin is not ancillary to the use of the main dwelling and could be separated into a new dwelling, served by the existing access. The drawings have not been well prepared and provide inadequate details of the development proposed.”

These comments are noted and are addressed by condition.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Lewes District Council - The Core Strategy (Local Plan Part I) 2014** and the following additional plan(s):

- South Downs National Park Local Plan - Submission 2018

Other plans considered:

- Lewes Neighbourhood Plan

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should 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:

The Development Plan policies listed below are considered to accord fully with the objectives of the NPPF, full regard to which has been given during the consideration of this application.

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

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

- CPI I - Built and Historic Environment and Design

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD5 - Design

Partnership Management Plan

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

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

The Draft South Downs National Park Local Plan

The Pre-Submission version of the **South Downs Local Plan (SDLP)** was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is in its final stage before adoption with consultation on relatively minor Main Modifications from 1st February 2019 to 28th March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight.

The following policies are of particular relevance to this case:

- Strategic Policy SD5 - Design

8 Planning Assessment

8.1 The application property is a detached dwelling, located on the SW side of Hill Road, Lewes. The Proposal is for the erection of a cabin in the rear garden, which is to be ancillary to the main dwelling. The existing rear garden is in excess of 30m in length.

8.2 The proposed cabin will be located close to the south east corner of the garden, parallel and adjacent to the south east boundary. The cabin will measure approx. 8.5m long, 2.8m high and 4.5m wide, with a mono pitch flat roof with a maximum height of 2.8m. The cabin is to be constructed with a timber frame, with timber cladding to three sides and fibre cement cladding on the rear elevation. The windows and doors will be double-glazed uPVC. The roof will have an rubber membrane finish.

8.3 The cabin has been designed to minimise impact on neighbouring properties. No windows or doors have been placed in either the rear elevation or side elevation facing the main dwelling, to prevent any overlooking issues. Due to the height of the existing fences, hedges and trees along existing boundaries it is considered that the cabin is adequately screened from neighbours.

8.4 This proposal is considered to accord with Core Policy I I Built and Historic Environment and Design.

8.5 With regard to parking, it is considered that no additional on-street parking is required as there is adequate space on the private driveway for an additional vehicle. Access to the cabin will either be through the main dwelling or via the side gate, into the rear garden.

8.6 Whilst there are trees at the top end of the garden indicated on the Block Plan, no alterations to these are included on the proposal, and it is not considered that the proposal would impact on these trees.

8.7 The building will be ancillary to the main dwelling and so will not unduly impact on the character of the property or the amenity of neighbours. The proposal will not be visible from the street scene. It is considered to fit in accordance with policy SD5 (Design) of the South Downs Local Plan.

9 Conclusion

9.1 It is recommended that planning permission be granted.

10 Reason for Recommendation and Conditions

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

1. Approved Plans

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

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

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

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

3. The cabin hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as 6 Hill Road, Lewes.

Reason: To prevent the creation of an additional dwelling and in order to protect the amenity of adjacent occupiers, 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 2019.

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Tim Slaney
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South Downs National Park Authority

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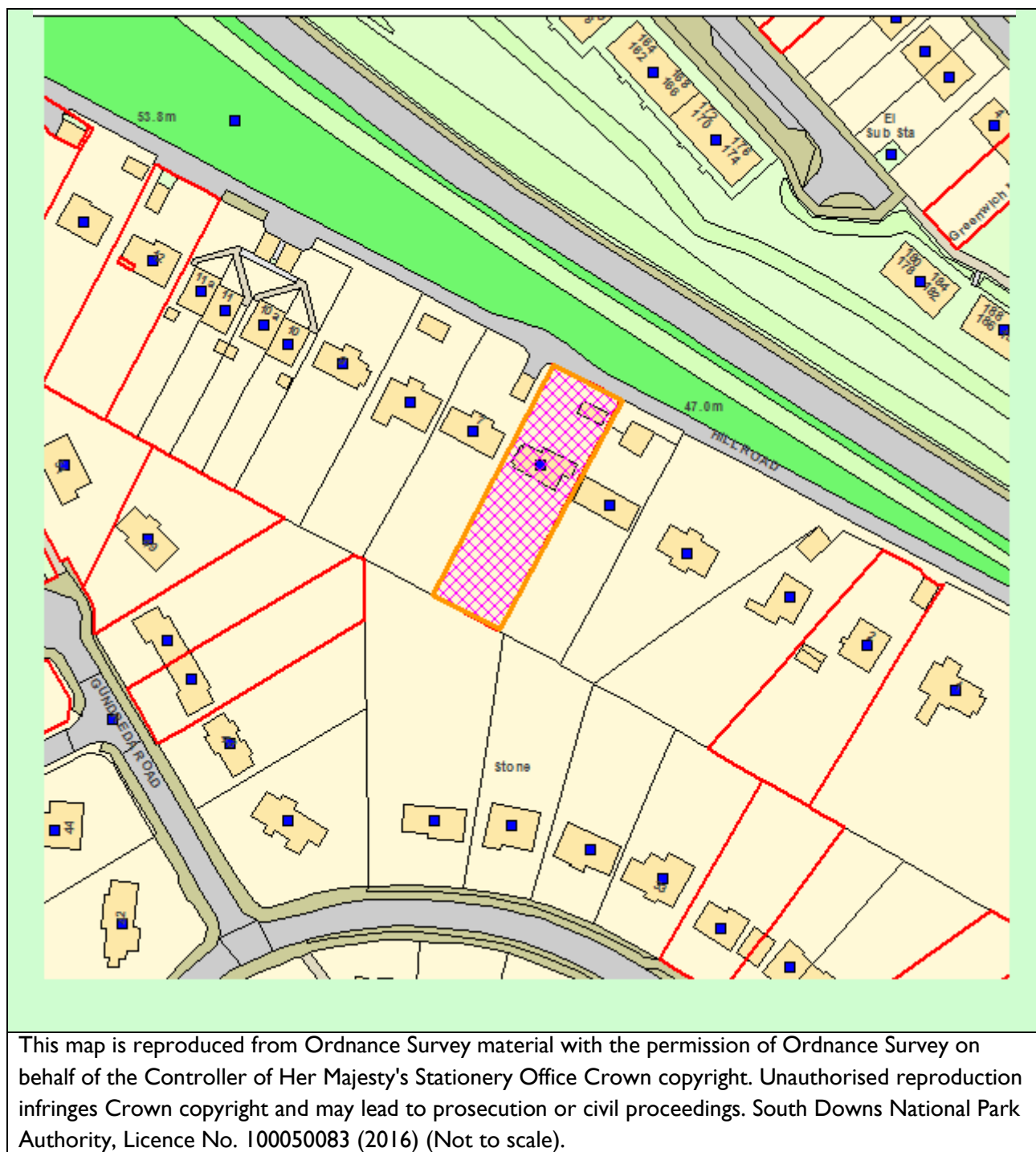
Appendices Appendix 1 - Site Location Map
 Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



Appendix 2 – Plans Referred to in Consideration of this Application

There were no plans submitted for this application.