

Report to	Planning Committee
Date	21 February 2018
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/17/06183/HOUS
Applicant	Mr P Seagrave
Application	Rear and side ground floor extensions, creation of front porch and insertion front & rear dormer.
Address	4 Fairhaven Plumpton BN7 3AH

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

Executive Summary

I Site Description

1.1 4 Fairhaven is one of 6 dwellings approved in 1988 on a former industrial site approximately 2km to the south of Plumpton Green. It is a two storey detached dwelling located on the western edge of the small cul-de-sac of residential development. To the front of the dwelling is a detached double garage.

1.2 The application site falls outside of any planning boundary as defined by the Lewes District Local Plan and within the South Downs National Park.

2 Proposal

2.1 Planning permission is sought for rear and side ground floor extensions, creation of a front porch and insertion of front and rear dormer.

2.2 The proposed porch at the front would involve a small infill of the existing recessed entrance, with the introduction of a small open canopy 0.8 metres deep by 2.25 metres in width.

2.3 To the side, the existing porch is to be removed and replaced with a larger lobby, measuring 3 metre in width by 4.8 metres in depth. This would have a hipped roof with a maximum ridge of 5.4 metres.

2.4 To the rear it is proposed to extend off the back of the existing kitchen. This addition would measure some 4 metres in depth by 5.8 metres in width, extending beyond the existing rear elevation of the dwelling by approximately 2 metres. This addition would have a flat roof with a maximum height of some 3 metres.

2.5 The existing pitched roof dormer window in the rear elevation would be replaced with a larger mono-pitched dormer window some 3.6 metres in width. A matching dormer is proposed in the front elevation.

3 Relevant Planning History

LW/88/0311 - Outline application for erection of six detached houses with garages - Approved

LW/91/0182 - Approval of reserved matters (LW/88/0311) for the erection of six detached dwellings and ancillary works - Approved

4 Consultations

Parish Council Consultee

The Committee agreed that a site visit would be necessary and the decision on this proposal was therefore postponed

Parish Council Consultee

The Committee did not support this proposal.

It was felt that the proposed design was not in keeping with and sympathetic to the design of the rest of the property and the other houses in that development. In particular, we noted that the front and rear dormers are not hipped.

We would also like to ask that SDNPA ensure that potential increased light pollution from the velux windows is within acceptable levels as specified in its dark skies for the national park.

5 Representations

Three letters of objection:

- Flat roofed dormers proposed are not in keeping with the existing dwelling or other dwellings in the cul-de-sac which all have pitched roof dormers.
- The materials for the proposed dormers must match the existing dwelling.
- Side extension looks too large
- Will result in a loss of light and views.
- The front window of the side extension is also not in keeping.
- Contravenes Strategic Policy SD8: Dark Night Skies, of the South Downs Local Plan and paragraph 125 of the NPPF with respect to the introduction of rooflights.

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 1) 2014** and the following additional plan(s):

- Lewes District Local Plan (2003)
- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Pre-Submission September 2017

Other plans considered:

- Plumpton Neighbourhood Plan

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

National Park Purposes

The two statutory purposes of the SDNP designation are:

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

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

7 **Planning Policy**

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF07 - Requiring good design

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

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

- CPI 1 - Built and Historic Environment and Design

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

- ST3 - Design, Form and Setting of Development
- RS13 - All Extensions
- RS14 - Extensions In The Countryside

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

- General Policy 1

The following policies of the **South Downs National Park Local Plan - Pre-Submission September 2017** are relevant to this application:

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 I

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 26th September to 21st 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.

Plumpton Neighbourhood Plan

Plumpton Parish Council is currently preparing a Neighbourhood Plan for the Parish of Plumpton.

The plan was published for consultation under Regulation 16 of the Neighbourhood Planning General Regulations 2012 (as amended) and the Localism Act 2011 and the consultation ran between 5th October 2017 to 22nd November 2017. An Independent Examiner has been appointed to carry out the Examination of the Plumpton Neighbourhood Plan. The Examiner will assess whether the Neighbourhood Plan meets certain legal requirements known as 'basic conditions' and will consider comments/representations made on the Plumpton Neighbourhood Plan.

On this basis the emerging policies of this plan only be afforded limited weight and are not relied upon in the consideration of this application, however the following policies are considered relevant:

- Policy 2
- Policy 3

8 Planning Assessment

8.1 Policy RES13 of the Lewes District Local Plan allows in principle the extension of existing dwellings, whilst seeking to ensure that all extensions and alterations complement and integrate with the existing dwelling in respect of materials and design. It also requires proposals to respect the scale, height, site coverage, bulk, massing and character of adjacent properties in the street scene and requires that extensions be subsidiary to the existing building. Policy ST3 of the Local Plan is a general design policy and states that development should respect the amenity of adjoining properties. The requirements of these policies are also complemented by the requirements of Core Policy 11 of the Joint Core Strategy.

8.2 Also of particular relevance to the consideration of this application is Policy RES14 of the Local Plan. This states:

"Policy RES14 will apply to applications for extensions to existing dwellings outside Planning Boundaries.

In the case of extensions in excess of 30% of the original floorspace (where planning permission was granted as at September 1988) the Council will need to be satisfied that there is no major change to the character of the building or its impact on the landscape.

Extensions in excess of 50% of the original floorspace will not normally be granted."

8.3 The proposed additions would increase the floor area of the existing dwelling by approximately 26%, therefore within the tolerances of policy RES14.

8.4 The main issues to consider therefore are whether the additions are in keeping with the character of the existing dwelling and wider street scene, and whether there would be any harm to neighbour amenity.

8.5 As noted above objections to these proposals have been received, concerned that the style of the proposed dormer windows are out of keeping with the other dwellings in the cul-de-sac. Whilst it is true that the other dwelling exhibit pitched roof dormers, with the exception of numbers 4 and 5, the style of the other dwellings in the cul-de-sac varies. The cul-de-sac arrangement and spacious distances between the dwellings also means that each dwelling is viewed separately rather than as a combined street therefore variation in design between the dwellings is not a significant issue and will simply bring further interest and variety to the development, individualising each dwelling. The proposed dormer windows, whilst being larger than the existing window in the rear elevation will not dominate the roof slopes and are considered to complement the existing character of the dwelling. With the property being tucked into the rear of the cul-de-sac, wider visual impact from these proposals is limited. For these reasons it is considered that a refusal based on the design of the dormer windows would be difficult to sustain.

8.6 With regard to the impact on neighbour amenity as a result of the size of the side extension and its impact on light and views, the main issue is in relation to the impact with no. 5 Fairhaven. This property lies to the east of the application site at a slightly higher level. It is also set at an angle to no. 4 meaning that direct lines of vision from the rear of the dwelling are to the north west. Whilst it is quite probable that oblique views across the application site to the views beyond are currently possible from no. 5, planning law dictates that there is no right to a view and it would therefore be unreasonable to refuse this application on this basis. Furthermore with a minimum intervening distance of some 17 metres, it is not considered that the single storey side extension will cause significant loss of light to this neighbouring property, especially bearing in mind the intervening presence of a large detached double garage, boundary hedging and the fully hipped nature of the roof.

8.7 Objections have also been received from the occupiers of no. 1 Fairhaven and Oak Cottage. These properties lie even further away from the application site and therefore it is considered that it would be difficult to sustain a reason for refusal due to harm to their amenities.

8.8 With regard to the concerns that have been raised in respect of breach of the South Downs Local Plan Dark Night Skies policy, as explained above as an emerging document whilst a material consideration the emerging policies can only be afforded limited weight at this stage.

9 Conclusion

9.1 In conclusion it is considered that the proposed additions to this dwelling are appropriate and will complement and integrate with the existing dwelling in terms of materials and design and will not detract from the wider character of the locality. No significant harm is likely to be caused to neighbour amenity and for these reasons the application is considered to comply with Policies ST3, RES13 and RES14 of the Lewes District Local Plan and Policy CPI 1 of the Joint Core Strategy.

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. 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 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.

South Downs National Park Authority

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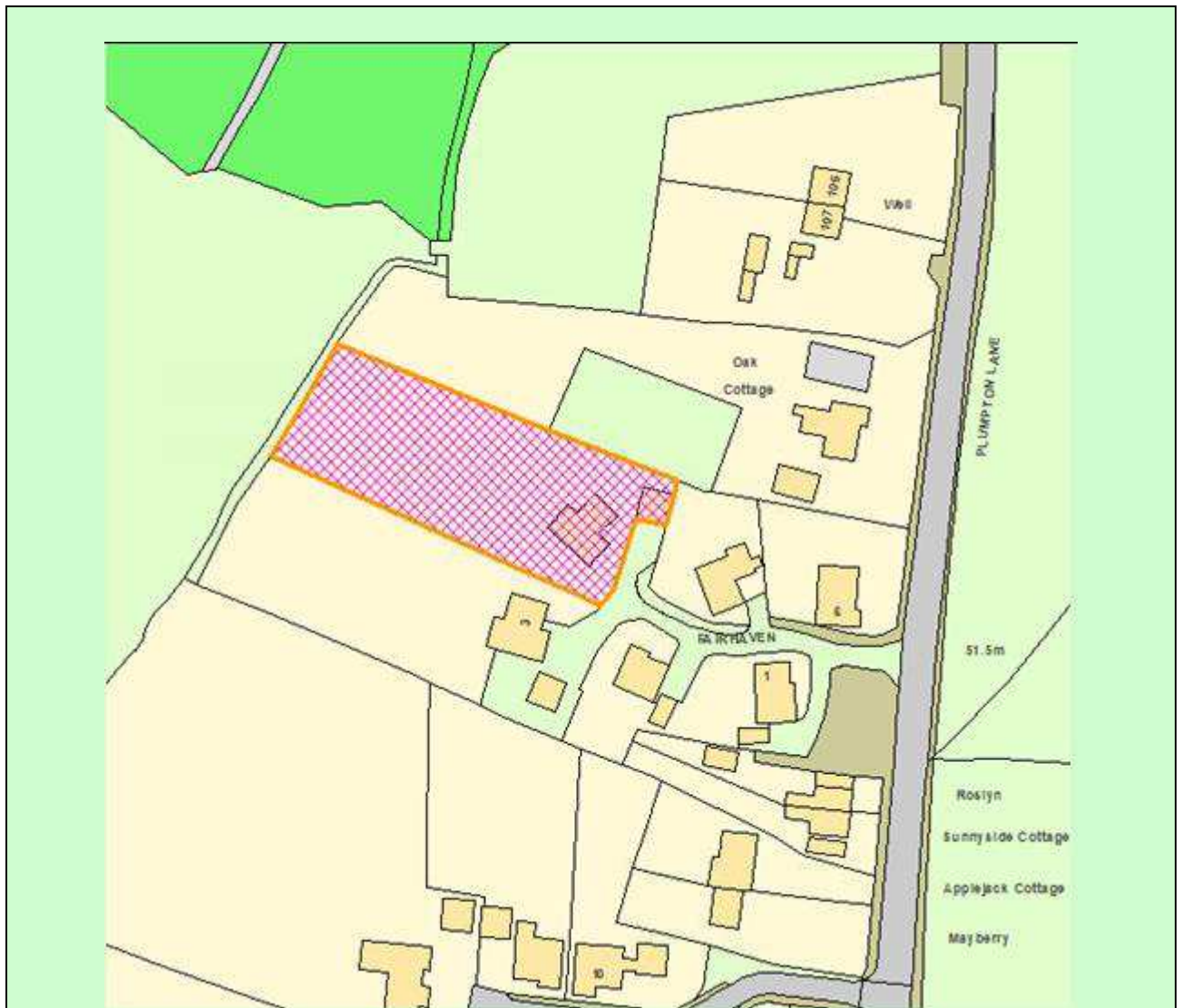
Appendices Appendix 1 - Site Location Map
 Appendix 2 – Plans Referred to in Consideration of this Application

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 - Location plan	I70706/S0		01.12.2017	Approved
Plans -	I70706/P0		01.12.2017	Approved
Plans - Existing site, roof, floor, elevation and section plans	PLAN S1 to S9		01.12.2017	Approved
Plans - Proposed site, roof, floor, elevation and section plans	PLAN P1 to P8		01.12.2017	Approved
Application Documents - PARKING PROVISION	PARKING PROVISION		01.12.2017	Approved
Application Documents - CIL ADDITIONAL INFORMATION REQUIREMENT FORM	CIL		01.12.2017	Approved

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