

Planning Applications Committee 8 August 2018



Working in Partnership



Time and venue:

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

Membership:

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

Quorum: 5

Published: Monday, 30 July 2018

Agenda

1 Minutes (Pages 1 - 6)

To confirm and sign the minutes of the previous meeting held on 18 July 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

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/18/0359 - Former Abundant Grace House, 133 Firle Road, Seaford, East Sussex (Pages 7 - 10)**
- 7 LW/18/0347 - Chapelfield House, Harveys Lane, Ringmer, East Sussex, BN8 5AG (Pages 11 - 16)**
- 8 LW/18/0268 - Pleasant House, Palmerston Road, Newhaven, East Sussex, BN9 0NS (Pages 17 - 22)**

Non-planning application related items

9 Written questions from councillors

To deal with written questions from members pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

10 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 29 August 2018 in the Council Chamber, County Hall, St Anne's 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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Working in Partnership



Planning Applications Committee

Minutes of meeting held in Council Chamber - County Hall, St Anne's Crescent, Lewes on 18 July 2018 at 5.00 pm

Present:

Councillor Sharon Davy (Chair)

Councillors Jim Sheppard (Deputy-Chair), Liz Boorman, Graham Amy, Peter Gardiner, Vic Ient, Tom Jones, Tony Rowell, Richard Turner (Minutes 42 to 50 and Minutes 52 to 55), and Dave Neave

Officers in attendance:

Andrew Hill (Specialist, Planning), Steve Howe (Specialist, Planning), Jennifer Norman (Committee Officer), Joanne Stone (Lawyer, Planning) and Helen Monaghan (Lawyer, Planning)

42 Minutes

The minutes of the meeting held on 27 June 2018 were submitted and approved, and the Chair was authorised to sign them as a correct record.

43 Apologies for absence/Declaration of substitute members

Apologies for absence had been received from Councillors Linda Wallraven and Stephen Catlin. Councillor Neave declared that he was acting as substitute for Councillor Catlin for the duration of the meeting.

44 Declarations of interest

Councillor Neave declared a non-prejudicial interest in agenda item 8 (planning application LW/18/0338) as he was a member of Peacehaven Town Council.

Councillor Turner declared a non-prejudicial interest in agenda item 9 (planning application LW/18/0331) as he was a member of Ringmer Parish Council.

Councillor Turner declared a personal and prejudicial interest in agenda item 10 (planning application SDNP/18/02353/FUL) as he knew the applicant's brother.

Councillor Jones declared a non-prejudicial interest in agenda item 7 (planning application LW/18/0200) as he was a member of Ditchling Parish Council.

45 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 published to the website).

46 Petitions

There were none.

47 LW/18/0318 - Chailey School, Mill Lane, Chailey, East Sussex, BN8 4PU

Councillor Ken Jordan spoke on behalf of Chailey Parish Council. Jeremy Collins, Stephen Sudall and Sherry Worthington spoke against the proposal. Tim Spencer, Chris Murfin and Clare Gregory spoke for the proposal.

Resolved:

That planning application LW/18/0318 for demolition of the existing EFAA, EFAP and EFAG buildings and development of a new part two and part three storey school building, Multi Use Games Area (MUGA), with associated parking, landscaping and external works as a temporary access point for construction purposes be refused, subject to the reasons set out in the report, with reason one to be amended to include the design and appearance of the building as part of the reason for refusal.

(Note: Cllr Turner was not in the room for the full duration of this item. He therefore took no part in consideration, discussion and voting thereon.)

48 LW/18/0200 - The Royal Oak, Ditchling Road, Ditchling Common, Ditchling, East Sussex, RH15 0SJ

Chris Frost spoke for the proposal.

Resolved:

That planning application LW/18/0200 for extension and conversion of existing garage building to create a 2-bedroom bungalow with associated access and landscaping be approved, subject to the conditions set out in the

report and supplementary report. An informative was added which requires 30mph speed restriction signs to be installed and placed on the approach to the bend and the site, viewable from both directions.

(Note: Cllr Jones declared a non-prejudicial interest in this item as he was a member of Ditchling Parish Council. He therefore took part in the consideration, discussion and voting thereon.)

49 LW/18/0338 - 25 Glynn Road, Peacehaven, East Sussex, BN10 8AT

Resolved:

That planning application LW/18/0338 for proposed erection of pair of semi-detached dwellings be approved, subject to the conditions set out in the report.

(Note: Cllr Neave declared a non-prejudicial interest in this item as he was a member of Peacehaven Town Council. He therefore took part in the consideration, discussion and voting thereon.)

50 LW/18/0331 - Land North of Chapters, Bishops Lane, Ringmer, East Sussex

Julie Terry spoke against the proposal. Simon Packer spoke for the proposal.

Resolved:

That option 2 listed in paragraph 1.5 on page 32 of the report for planning application LW/18/0331 for approval of Reserved Matters Application for Application for approval of the Reserved Matters following Outline Permission LW/14/0127 (Allowed on Appeal) for the erection of up to 110 dwellings relating to appearance, landscaping, layout and scale (resubmission of application LW/17/0045) be approved, subject to the conditions set out in the report and supplementary report, and subject to Planning Officers securing amended plans for the removal of LEAP from the scheme.

(Note: Cllr Turner declared a non-prejudicial interest in this item as he was a member of Ringmer Parish Council. He therefore took part in the consideration, discussion and voting thereon.)

(Note: Cllr lent left the room for part of the duration of this item. He therefore took no part in consideration, discussion and voting thereon.)

51 SDNP/18/02353/FUL - Kingston, The Street, Kingston, Lewes, East Sussex, BN7 3PB

Councillor Tony Wheeler spoke on behalf of Kingston Parish Council. Dan Muldoom, Mrs Pearson and Heidi Copland spoke against the proposal. Clive Stillman and Heather Rea spoke for the proposal.

Resolved:

That the amended planning application SDNP/18/02353/FUL for locating mobile food van and static store to retail food and drink from a static position time limited 1st July 2018 to 30th October 2018 and thereafter from 1st April 2019 to 30th October in every year thereafter be refused for the reasons set out in the report.

(Note: Councillor Turner declared a personal and prejudicial interest in this item as he knew the applicant's brother. He therefore left the room for the duration of this item and took no part in consideration, discussion and voting thereon.)

52 SDNP/18/01297/FUL -Land at Wootton Farm, Novington Lane, East Chiltington, Lewes, East Sussex, BN7 3AU

Councillor Mary Symes spoke on behalf of Chiltington Parish Council. Mr Boulton, Mr Israel and Sarah Otway spoke against the proposal. Mr Mayhew, Mr Vaisey and Mrs Vaisey spoke for the proposal. Hamish Black spoke on behalf of Councillor Sarah Osborne in her capacity as a Lewes District Ward Councillor.

Resolved:

That planning application SDNP/18/01297/FUL for proposed change of use and conversion of existing building to form holiday lets; surrender of storage yard (B8) use; and use of workshop as ancillary outbuilding be approved, subject to the conditions set out in the report and supplementary report, and subject to the following additional conditions:

- 1) No external amplified music outside the fabric of the building;
- 2) No external lights; and
- 3) Glazing measure to reduce light pollution impact on dark night skies.

53 SDNP/18/02565/LIS - 10 Waterloo Place, Lewes, BN7 2PP

Resolved:

That planning application SDNP/18/02565/LIS for renewal of two first floor windows to the west elevation, and two bay windows to the ground and first floors south elevation be approved, subject to the conditions set out in the report.

54 Written questions from councillors

There were none.

55 Date of next meeting

(Note: Before the close of the meeting, the Committee wished to express its sincere gratitude for all of the hard work Mr Howe (Specialist, Planning) had done over the years, as it was Mr Howe's last meeting before his departure from the Authority at the end of the month. The Chair presented a small gift to Mr Howe on behalf of the Committee and wished Mr Howe the best of luck in his future endeavours.)

Resolved:

That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 8 August 2018 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, commencing at 5:00pm, be noted.

The meeting ended at 8.55pm.

Councillor Sharon Davy (Chair)

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Agenda Item 6

APPLICATION NUMBER:	LW/18/0359		
APPLICANTS NAME(S):	South Coast Nursing Homes Ltd	PARISH / WARD:	Seaford / Seaford North
PROPOSAL:	Planning Application for Provision of additional car parking area		
SITE ADDRESS:	Former Abundant Grace House 133 Firle Road Seaford East Sussex		
GRID REF:	TQ 48 00		



1. SITE DESCRIPTION / PROPOSAL

1.1 The site is Abundant Grace House, a 66-bed residential nursing home located on the built-up edge of north Seaford, set within landscaped grounds.

1.2 The nursing home has vehicular access via a single width access road off the end of Firle Road, just past Seaford Golf Club. At the point where the single width road turns into the entrance to Abundant Grace House, a footpath continues on which effectively links the end of Firle Road with The Ridings and Lexden Road away to the south.

1.3 Abundant Grace House was granted planning permission in 2011 (LW/10/1148) and is therefore a comparatively modern establishment. It replaced buildings in institutional use on the site (understood to have been built in 1905, and used variously as a boarding school, preparatory school, children's home and base for a residential Christian community).

1.4 Abundant Grace House was approved, on the advice of the Highway Authority, with 29 parking spaces on-site, an ambulance bay and cycle spaces. This application is to provide a further 13 parking spaces on-site, to make a total of 42. One small tree on the site would be lost as a result of the proposal. The proposal includes new '10mph' signs at both ends of the single width road and two speed bumps (at locations to be agreed).

2. RELEVANT POLICIES

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

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/10/1148 - Erection of a 66 bedroom residential nursing home (including communal lounges, dining rooms, sensory room, wellness room, staff facilities, kitchen, laundry and plant room), restoration of pond, new hard & soft landscaping, car parking and cycle storage - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Seaford Town Council – Support. The Committee welcomed the proposed increase in parking spaces but the proposals should be subject to the approval of the Council's Arboriculturalist as to any adverse impact on the existing trees

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Two representations of objection from neighbours at the end of Firle Road, who front onto the approach road to the site. The grounds of objections are that:

- There is no justification for increasing the number of parking spaces;
- The single track access can barely cope as it is;
- Traffic drives too fast, and there is conflict with pedestrians, including school children;
- There is adequate parking off-site adjacent to Seaford Gold Club;

- The lack of passing spaces means drivers often pull use the driveways of residents or verges when cars need to pass;
- Highway hazards arise involving people, pets and property;
- More parking spaces will increase traffic along a narrow section of Firle Road, seriously increasing the risk of serious incidents.

6. PLANNING CONSIDERATIONS

6.1 The applicant has commented that:

"Whilst (the original parking provision) was thought to be sufficient for the homes needs this has now been found not to be the case. It should be noted that part of the home caters for dementia patients and this has led to longer parking times for their visitors thereby restricting the anticipated turnover of spaces. Staffing numbers have been increased to comply with statutory requirements and some of these additional staff drive to work and need to park. The access road does not allow for parking to occur. The current lack of parking has to be managed by the staff with double parking being needed most of the time. This is obviously a problem as relatives have to break into their visits to move their cars to allow access to those who have arrived before them and access for emergency vehicles and wheelchair taxis becomes very difficult".

6.2 The number of bed spaces on the site is not being increased.

6.3 While clearly access to Abundant Grace House via the single width road is not ideal, the nursing home generates traffic which should be accommodated satisfactorily within the site boundary. It seems unlikely that, given that the number of bed-spaces is not to be increased, a material increase in traffic would arise from the increase in parking spaces. Any increase in traffic is likely to be minor, and to arise from car borne visitors or staff who would otherwise park in the vicinity of the gold club and walk down to the site.

6.4 The issue of safety along the approach road is clearly very important. To slow traffic down, the applicant proposes '10mph' signs at both ends of the single width road and 2 speed bumps (at locations to be agreed). These are considered to be positive measures which help increase safety along the road.

6.5 Seaford Town Council has highlighted that trees would be affected by the proposal. The application has been supported by an Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement. The Council's Tree Officer has no objection to the proposal. The generously landscaped setting of the site will be retained.

6.6 The proposal is recommended for approval.

7. RECOMMENDATION

That planning permission be granted.

The application is subject to the following conditions:

1. Prior to the commencement of development, details of 10 mph signs (to be erected either end of the single width approach road to the site) and 2 speed bumps on the approach road, shall be submitted to and approved by the Local Planning Authority. The signs and speed bumps shall be implemented prior to commencement of use of the approved parking spaces.

Reason: In the interests of safety, having regard to Policy ST3 of the Lewes District Local Plan.

2. The Arboricultural Method Statement (PJC ref: 4835/18-03 Rev 01) and plan submitted in support of the application shall be adhered to in full, subject to the pre-arranged tree protection monitoring and site supervision, detailed in (section 2.28) of the report, by a suitably qualified tree specialist.

Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990.

INFORMATIVE(S)

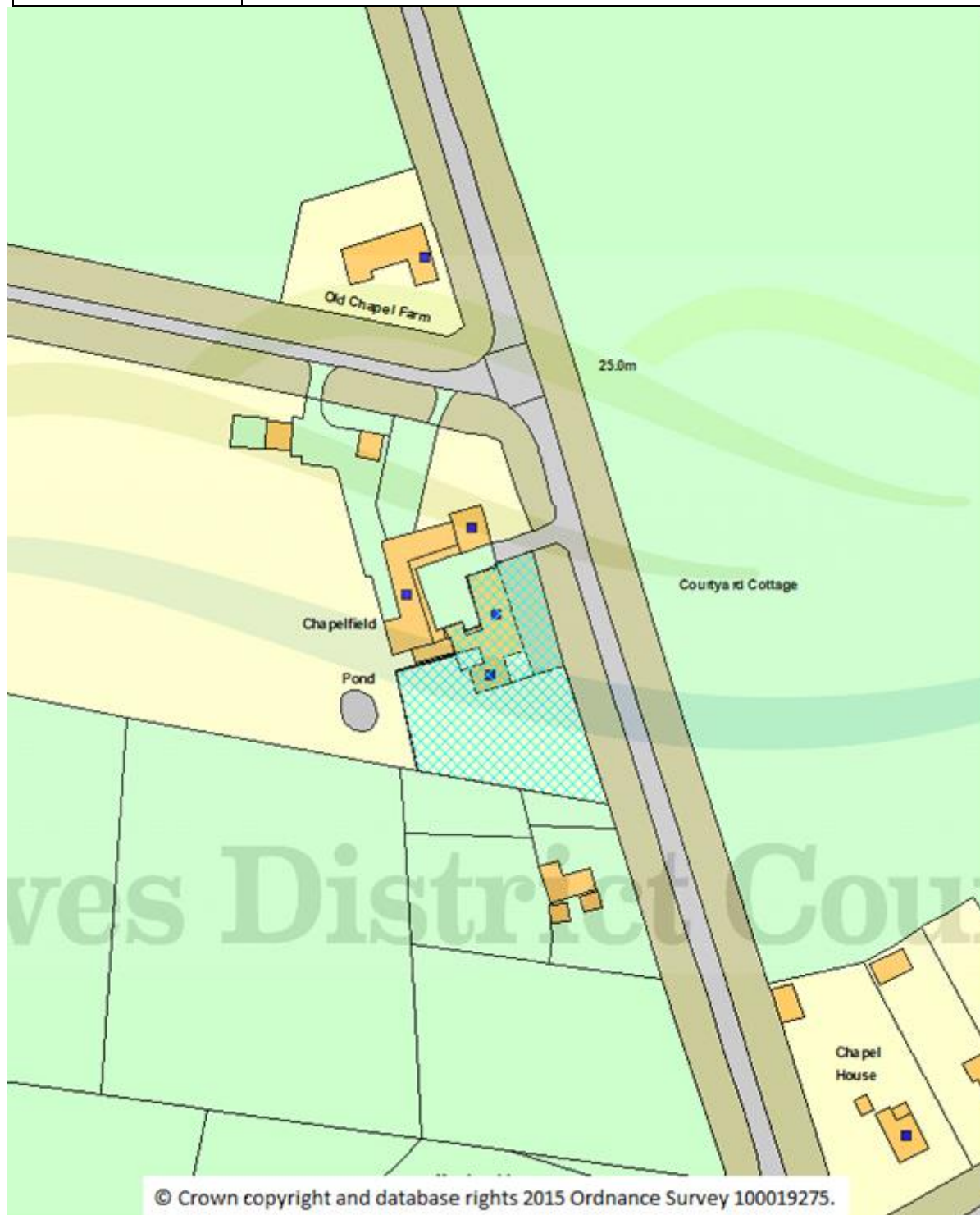
1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission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

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 May 2018	
Proposed Layout Plan	2 May 2018	0011
Location Plan	2 May 2018	0012
Existing Block Plan	2 May 2018	0013
Location Plan	4 May 2018	1:1250
Tree Statement/Survey	2 May 2018	AIA
Tree Statement/Survey	2 May 2018	AMS
Tree Statement/Survey	2 May 2018	INITIAL TREE SURVEY

Agenda Item 7

APPLICATION NUMBER:	LW/18/0347		
APPLICANTS NAME(S):	Mr & Mrs White	PARISH / WARD:	Ringmer / Ouse Valley & Ringmer
PROPOSAL:	Planning Application for 2 story extension, dormer windows and enclosure of side courtyard to existing dwelling		
SITE ADDRESS:	Chapelfield House Harveys Lane Ringmer East Sussex BN8 5AG		
GRID REF:	TQ 47 13		



1. SITE DESCRIPTION / PROPOSAL

1.1. The application site consists of a traditional Sussex farmhouse style property that forms one of three dwellings that were created through an old farmhouse (with surrounding farm buildings) conversion. There is an existing contemporary single storey extension to the front of the property, as well as a wraparound dominant UPVC conservatory on site, which at present serves as the entrance porch to the entrance that is used for the dwelling. The site is located in the countryside and outside of the defined settlement boundary.

1.2. This application seeks planning approval for the proposed two storey gable-end extension; single storey extension filling in the existing courtyard to form a large dining room and enlarged kitchen; and a corner/side dormer adjacent to the proposed gable-end element. The proposed works include internal layout rearrangements. It is also proposed to remove the chimney throughout the floors.

2. RELEVANT POLICIES

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

LDLP: – **RES13** – All extensions

LDLP: – **RES14** – Extensions in the Countryside

LDLP: – **CT01** – Planning Boundary and Countryside Policy

LDLP: – **CP11** – Built and Historic Environment & Design

LDLP: – **RNP411** – Policy 4.11-Light Pollution

LDLP: – **RNP91** – Policy 9.1-Design, Massing and Height

LDLP: – **RNP93** – Policy 9.3-Materials

3. PLANNING HISTORY

LW/10/0078 - Section 73A retrospective application for variation of sole condition attached to planning approval LW/02/381 to allow occupation of the annexe by persons not in connection with Chapelfield House - **Refused**

LW/12/0087 - Change of use from annexe to part of principal dwelling house - **Approved**

LW/88/1909 - Erect double garage - **Approved**

LW/86/0971 - Change of Use to residential unit with extension. - **Approved**

LW/86/1661 - Planning and Building Regulations Applications for stable block. Building Regulations Refused. - **Approved**

LW/01/1628 - Application to vary condition 1 on Planning Consent LW/94/0868F to permit the use of the stabling for private use unconnected with Chapelfield House (no commercial use) - **Approved**

LW/94/0868 - Single storey detached stable block and tractor shed with fodder store on concrete base for private use - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Ringmer Parish Council – Objection.

4.2 Ringmer Parish Council considers the extension to be over developed and is out of character for a property in the countryside. The proposed extension gives the appearance of a 3-storey development which contravenes Ringmer Neighbourhood Plan.

4.3 Ringmer NP policy 9.1 (Design, massing and height of buildings): New development should be of high quality and be designed to fit in with its surroundings. To achieve this, applicants should give careful consideration to the height, massing and scale of a proposal. Houses of more than two storeys are generally inappropriate in a village setting. A degree of design variety within a development is essential but it must take into account the design and detailing of adjacent buildings and the spatial, visual and historical context in which it resides. This is particularly important in Character Areas 1, 2, 4 & 6, and especially within the Conservation Area or near heritage buildings. Exceptional modern design is not precluded. Development applications in Ringmer village should demonstrate how they enhance the visual integration of the village and its open spaces with the enveloping SDNP.

4.4 Due to the massing and size of the extension in a rural area. Ringmer Parish Council has requested that a Ward District Councillor requests this application be called in, to enable the Planning Applications Committee to determine the decision and not a Planning Officer.

4.5 Ringmer Parish Council would also like to reiterate the previous comments submitted which are amplified below:

4.6 Ringmer Parish Council recommends refusal of this application for the following reasons;

- The proposed is not in accordance with the Village design statement
- The design has a negative impact on the street scene
- There is significant over development of the site
- There is a clear contravention of Ringmer Neighbourhood Policies

4.7 Ringmer Parish Council has requested this application be considered by the Planning Applications Committee.

4.8 Design, massing and height of buildings

4.9 Policy 10.1: New development should be of high quality and be designed to fit in with its surroundings. To achieve this, applicants should give careful consideration to the height, massing and scale of a proposal. Houses of more than two storeys are generally inappropriate in a village setting. A degree of design variety within a development is essential but it must take into account the design and detailing of adjacent buildings and the spatial, visual and historical context in which it resides. This is particularly important in Character Areas 1, 2, 4 & 6, and especially within the Conservation Area or near heritage buildings. Exceptional modern design is not precluded. Development applications in Ringmer village should demonstrate how they enhance the visual integration of the village and its open spaces with the enveloping SDNP

5. REPRESENTATIONS FROM LOCAL RESIDENTS

None received.

6. PLANNING CONSIDERATIONS

6.1. The application site falls outside of any planning boundary as defined by the Lewes District Local Plan therefore policy CT1 is relevant. This policy seeks to resist new development other than in exceptional circumstances. Furthermore, policy RES14 (Extensions in the Countryside) permits extensions of existing properties by up to 50% habitable floorspace, providing that the character of the property is maintained and there is no impact on the landscape. In this instance, the Council's records do not show any additions to the existing dwellinghouse. However, it is assumed that the existing conservatory was added without consent in the past. Consequently, the existing floorspace minus conservatory footprint is considered as original in policy terms.

6.2. Given the site history, it is important to ensure that development works are within policy limits and acceptable in planning terms for this countryside location. However, notwithstanding the site history and cumulative floorspace above policy limits (more than 50% habitable floorspace increase), the impact of the additional floor must be considered on its merits.

6.3. This application follows pre-application advice reply ref. PREAPP/18/0085. The case officer summarised that did not have an objection to the proposed works, although advised to reduce the proposed dormer's width, as well as Ringmer Neighbourhood Plan's policy 4.11 Avoidance of Light Pollution should be addressed.

6.4. The initially submitted proposals have been amended as per case officer recommendations. The two storey front extension was reduced in depth by approximately 0.8 metre, as well as its contemporary nature was revised to be more in keeping with the traditional fabrics of the property. In addition to that, a contemporary bulky zinc box dormer with terrace balcony was amended to a gable-end element with a corner dormer of significantly reduced size and massing, being less intrusive to the roof scope. It is considered that the proposed scheme mitigate all concerns raised during pre-application advice regarding light pollution.

6.5. The local parish consider 'the extension to be over developed' being 'out of character for a property in the countryside'. It was also stated that 'the proposed extension gives the appearance of a 3-storey development which contravenes Ringmer Neighbourhood Plan (RNP)'. Furthermore, the proposed designed is considered to have a negative impact upon the street scene, and the proposed extension is felt to give the appearance of a 3-storey development which contravenes Ringmer Neighbourhood Plan Policy 9.1 (Design, massing and height of buildings).

6.6. The main house is set back from the main road by approximately 15 metres, and the existing mature trees on site would be retained to provide extra screening. The proposed flat roof over the existing enclosed courtyard to the west of the building would not be visible from any public view points. Whereas the two storey gable-end extension with a corner subservient dormer would be not readily visible from the road. Consequently, it is not considered that the development as proposed would contribute to any harmful impact upon the street scene or existing countryside settings.

6.7. The Council's adopted 'Residential Extensions Planning Advice Note' states 'it is important that any extension appears to be designed to integrate with the original dwelling and not dominate the existing character and appearance of the main house'. It is not

considered that the development as proposed due to its subservient scale would contribute to overdevelopment of the site. However, the removal of some of the permitted development rights via condition is proposed to ensure that future development of the site respects the identity and character of the built form, landscape character and neighbouring amenity.

6.8. The two storey element does not create additional floor level. There are existing bedrooms within the attic space and the existing habitable area is to be enlarged. Matching external facing materials are to be introduced what is effectively in line within the RNP Policy 9.3 (Materials). The existing bedroom 1 and 4 is to be enlarged, whereas bedroom 5 would be replaced by a study. Consequently the total number of bedrooms on site would be reduced.

6.9. Impact upon neighbouring amenities has been assessed. It is officer's view that the proposed works would not cause any adverse overlooking of neighbouring amenities, neither overshadow them.

6.10. It is therefore considered that the proposed works would not have a significant effect on the bulk, mass and outline of the building. Moreover, it is officer's view that there would be no additional harm to the character and appearance of the countryside. As such, it is considered that the harm to countryside policy would be acceptable.

7. RECOMMENDATION

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

The application is subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in in Schedule 2, Part 1, Classes A, B, C and E, other than hereby permitted, shall be undertaken unless the Local Planning Authority otherwise agrees in writing.

Reason: A more intensive development of the site would be likely to adversely affect the appearance and character of the area having regard to policies ST03, RES13 and RES14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	1 May 2018	01
Existing Floor Plan(s)	1 May 2018	02
Existing Floor Plan(s)	1 May 2018	03
Existing Floor Plan(s)	1 May 2018	04
Existing Elevation(s)	1 May 2018	05
Existing Elevation(s)	1 May 2018	06

Proposed Floor Plan(s)	29 June 2018	10F
Proposed Floor Plan(s)	29 June 2018	11F
Proposed Floor Plan(s)	29 June 2018	12F
Proposed Elevation(s)	29 June 2018	13F
Proposed Elevation(s)	29 June 2018	14F
Other Plan(s)	1 May 2018	15

Agenda Item 8

APPLICATION NUMBER:	LW/18/0268		
APPLICANTS NAME(S):	9 Points Property Ltd	PARISH / WARD:	Newhaven / Newhaven Denton & Meeching
PROPOSAL:	Planning Application for Variation of condition 2 relating to planning approval LW/16/0634 to provide for an additional occupant within the residential home		
SITE ADDRESS:	Pleasant House Palmerston Road Newhaven East Sussex BN9 0NS		
GRID REF:	TQ 45 02		



SITE DESCRIPTION / PROPOSAL

1.1 The site is a detached house, comprising a children's home with five resident children, which (notwithstanding the site name on the application) is Hilltop House. The house is at the corner of Palmerston Road and Fairholme Road, which are unmade roads, and opposite Howey Crescent. The site is principally accessed from Palmeston Road, off Seaview Road.

1.2 The site is within, but on the edge of, the Planning Boundary for Newhaven in the JCS. Access to the site is through the Mount Pleasant residential area, while beyond the site is the open countryside.

1.3 The permission for the house to be used as a children's home (use class C2 of the Use Classes Order) was given on 3 November 2016. A planning condition stated that "The premises shall be used for accommodating up to five children in a residential children's home....." The reason for the condition was "In the interest of residential amenity having regard to policies ST3 of the Lewes District Local Plan and CP11 of the Joint Core Strategy, and to comply with National Policy Guidance contained in the National Planning Policy Framework".

1.4 This application proposes an increase in the number of resident children to six. The above condition would therefore be changed to "The premises shall be used for accommodating up to six children in a residential children's home....."

1.5 The covering letter with the application states that "the house is large enough to accommodate an additional resident and the applicant does not need to make physical changes to the application plans to facilitate this...". Further commentary on the applicant's submissions is given in section six of this report.

1. RELEVANT POLICIES

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

2. PLANNING HISTORY

LW/16/0634 - Change of use from dwelling house to C2 (Residential Institution) - Approved

3. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Newhaven Town Council – Object on the following grounds:

- Concerns raised as residency only commenced in October 2017 so these changes are very soon after implementation.
- Impact on parking for the residents which is likely to increase in demand by an additional student proposed.
- Insufficient parking which currently is causing negative impacts on nearby properties.
- Already poor on street parking.
- Unneighbourly noise issues which are likely to intensify with an additional student.

4.2 Note - Members requested that Environmental Health be approached to investigate noise and public amenity impacts.

4.3 Environmental Health – The EHO has commented as follows:

4.4 "There are comments from local residents/Town Council as to complaints of noise [shouting] & excessive artificial light. I have searched under Pleasant House & Compass Children's Home on M3 & there are NO complaints registered. Other comments as to parking, I will leave to highways. Thus I have no objections".

4. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Seven local objections (from the neighbouring properties in Palmerston and Fairholme Roads, and in Howey Close), have been received on grounds that:

- An extra child would mean extra staff, with additional traffic and pressure for on-road parking;
- Parking congestion is frequently an issue;
- The extra child will lead to more noise and disturbance in the locality. One resident has commented "Noise.....is bad enough now without adding to it. The shouting and swearing can be heard throughout (Howey) Close....";
- The home is in the wrong place, "...this was a quiet rural part of Newhaven but sadly it is not anymore";
- The parking situation would not allow a fire engine through to the upper road;
- Upper floor lighting is extremely bright and is left on all night, causing light pollution and disturbance for local residents;
- Assurances that were made in the original application have simply not been kept.
- Staff block the road and the road has been damaged, the rubbish bins outside the front are unsightly, the noise pollution created by the boys is irritating and the back bedrooms cause overlooking.

5.2 Also:

- Contextual Significance.
- Effect on AONB.
- Flooding.
- Inadequate Access.
- Noise and Disturbance.
- Overbearing Building/Structure.
- Parking Issues.
- Traffic Generation.
- Within the Conservation Area.

5.3 The applicant's agent has commented that (summarised):

- a. Whilst five residents was applied for at the time, it could equally have been six and I doubt that the additional number would have made any difference in the planning balance in reaching the decision at the time.
- b. No further staff will be required to facilitate the sixth resident. There will be no additional associated car movements.
- c. Whether it is quiet or noisy, one additional resident cannot be considered to change the situation to a materially significant degree.
- d. The lack of formal complaints seems conclusive that there is not a problem with the existing residents such that a sixth occupant would materially change the situation.

- e. There is no restriction on cars parking on the street around the property.
- f. I do not believe any professional noise or highway consultant would successfully be able to argue that a single additional person could tip the planning balance into the negative in relation to this application.
- g. Finally, the importance of providing a home space for a new resident who might otherwise not have the advantage of the kind of experience offered by Pleasant House needs to be considered. The NPPF identifies that planning should play a Social Role, supporting healthy communities and meeting the needs of present and future generations.

5. PLANNING CONSIDERATIONS

6.1 The position is that the house is large enough to accommodate an additional resident without any physical changes. Furthermore, there is sufficient capacity within existing staffing levels to accommodate an additional resident without extra staff. The assessment of this application should therefore concentrate on whether the additional resident would cause an over-intensive use, which would materially increase harm to the living conditions of nearby residents.

6.2 The issue of noise and disturbance is clearly of local concern. However, it does not necessarily follow that one extra resident would result in an increase in noise and disturbance in the locality. Factors which influence whether that would be the case or not include the behaviour of the individual resident and supervisory measures to manage any disturbance which does arise.

6.3 As the proposed increase in occupation is one (as opposed to, say, five) it is considered difficult to argue that the proposed increase in occupation amounts to an over intensive use of the property.

6.4 The case officer met the manager of Hilltop House at the premises soon after it opened in November 2016. Following consultation on this application and the issues raised about noise and parking, officers have been back in touch with the manager to request that staff are advised to park considerately (and perhaps further away) from the premises and that noise should, of course, be controlled as far as is reasonably possible.

6.5 The premises do fulfil a role in providing accommodation and support for the young people in occupation, and the application would provide a further space.

6.6 In the circumstances, this small increase in occupancy is considered to be acceptable in planning terms and approval is recommended.

6. RECOMMENDATION

That planning permission be granted.

The application is subject to the following conditions:

1. The premises shall be used for accommodating up to six children in a residential children's home; and for no other purpose (including any other purpose in Class C2 (therefore C2a); of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interest of residential amenity having regard to policies ST3 of the Lewes District Local Plan and CP11 of the Joint Core Strategy, 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 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.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Design & Access Statement	27 March 2018	

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