

Planning Applications Committee

5 June 2019



Working in Partnership



Time and venue:

5.00pm in the Council Chamber, County Hall, St Anne's Crescent, Lewes,
East Sussex, BN7 1UE

Membership:

Councillor Sharon Davy (Chair); Councillor Graham Amy, Tom Jones, Julie Carr,
Lynda Duhigg, Sylvia Lord, Sean MacLeod, Imogen Makepeace, Laurence O'Connor,
Nicola Papanicolaou and Steve Saunders

Quorum: 5

Published: Friday, 24 May 2019

Agenda

1 Election of Vice-Chair

To elect a Vice-Chair of the Planning Applications Committee for the 2019/2020 municipal year.

2 Minutes (Pages 1 - 4)

To confirm and sign the minutes of the previous meeting held on 24 April 2019 (attached herewith).

3 Apologies for absence/Declaration of substitute members

4 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.

5 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.

6 Petitions

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

7 Written questions from councillors

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

Planning applications outside the South Downs National Park

8 LW/19/0877 - Gresham, Lewes Road, Ringmer, East Sussex, BN8 5NE
(Pages 5 - 10)

9 LW/19/0246 - 111-133 Hillcrest Road, Newhaven, East Sussex, BN9 9EZ
(Pages 11 - 14)

Planning applications within the South Downs National Park

10 SDNP/18/01906 - Stud Farm, Gorham's Lane, Telscombe Village, Lewes, East Sussex, BN7 3HZ (Pages 15 - 28)

11 SDNP/19/01502 - 16 Cleve Terrace, Lewes, East Sussex, BN7 1JJ
(Pages 29 - 36)

Non-planning application related items

12 Enforcement Monitoring from 1 January 2019 to 31 March 2019 (Part A)
(Pages 37 - 40)

Report of Director of Regeneration and Planning

13 Enforcement Monitoring from 1 January 2019 to 31 March 2019 (Part B)
(Pages 41 - 44)

Report of Director of Regeneration and Planning

14 Date of next meeting

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 26 June 2019 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 the meeting held in Council Chamber, County Hall, St. Anne's Crescent, Lewes, BN7 1UE, on 24 April 2019 at 5.00pm

Present:

Councillor Sharon Davy (Chair)

Councillors Liz Boorman, Stephen Catlin, Vic Ient, Tom Jones, Dave Neave and Tony Rowell

Officers in attendance:

Andrew Hill (Senior Specialist Advisor, Development Management)
Matthew Kitchener (Specialist Advisor, Planning)
Jennifer Norman (Committee Officer, Democratic Services)
Joanne Stone (Lawyer, Planning)

150 Minutes

The minutes of the meeting held on 3 April 2019 were submitted and approved, and the Chair was authorised to sign them as a correct record.

151 Apologies for absence/Declaration of substitute members

Apologies for absence had been received from Councillors Graham Amy, Jim Sheppard, Linda Wallraven and Richard Turner.

Councillor Turner did not sit as a Member of the Committee for the duration of the meeting but was present in the public gallery (minute 152 below refers).

152 Declarations of interest

Councillor Turner declared he had pre-determined agenda item 8 (planning application LW/18/1011). He was present in the public gallery until the conclusion of agenda item 9 (planning application SDNP/18/06575) and spoke for planning application LW/18/011 in his capacity as a Lewes District Ward Councillor. After speaking from the public gallery, Councillor Turner left the room whilst the Committee debated and voted on this application.

153 Petitions

There were none.

154 Written questions from councillors

There were none.

Planning applications outside the South Downs National Park

155 LW/18/0472 - Land at western end of Riddens Lane, Plumpton, East Sussex

Councillor Nick Beaumont spoke on behalf of Plumpton Parish Council. Rob Banks and Doug Wright spoke against the proposal. Mark Best and Robin Carr spoke for the proposal.

Resolved:

That outline planning application LW/18/0472 for up to 20 dwellings (including 40% affordable), access, landscaping, footpath diversion and associated infrastructure (amended site plan and drainage strategy – public footpath no diverted) be approved, subject to a S106 agreement, the conditions set out in the report, supplementary report and an additional condition to secure low carbon and renewable energy installations.

156 LW/18/1011 - Land adjacent to Neaves House, Laughton Road, Ringmer, East Sussex

Gavin May and Mr. Pengelley spoke for the proposal. Councillor Richard Turner spoke in his capacity as a Lewes District Ward Councillor.

Resolved:

That outline planning application LW/18/1011 for erection of 6 dwellings (four affordable), resubmission following refusal of planning application LW/17/100 be approved, subject to a S106 agreement, the conditions set out in the report, supplementary report and an additional condition to secure low carbon and renewable energy installations.

NB Councillor Turner left the room whilst the Committee debated and voted on this application.

Planning applications within the South Downs National Park**157 SDNP/18/06575 - Lower Tulleys Wells Farm, Beechwood Lane, Cooksbridge, BN7 3QG**

Jenny Begeman spoke against the proposal. Mr. Page and Guy Grimstone spoke for the proposal. Councillor Isabelle Linington spoke in her capacity as a Lewes District Ward Councillor.

Resolved:

That planning application SDNP/18/06575 for construction of an earth banked farmyard manure store be approved, subject to the conditions set out in the report.

158 SDNP/18/03306 - Holdings Farm, The Street, Kingston, Lewes, East Sussex, BN7 3NT

Fiona Harrison spoke on behalf of Kingston Parish Council. Sandra Banks and Stuart Brisdon spoke against the proposal. Ben Jones spoke for the proposal.

Resolved:

That planning application SDNP/18/03306 for erection of new 2-bedroom detached dwelling on land adjacent to Holdings Farm (amended plans) be refused due to the impact on the setting of the listed building, loss of the garden space and impact on the Conservation Area, inappropriate materials, and impact on views out of the conservation area to the countryside beyond, contrary to the Joint Core Strategy, SDNP Local Plan and the Kingston Conservation Area Appraisal.

159 SDNP/19/00076/FUL - 2 South Street, Lewes, East Sussex, BN7 2BPResolved:

That planning application SDNP/19/00076/FUL for change of use from D1 (non-residential institutions) to a mixed use of A3 (restaurants and cafés) and D1 (non-residential institutions) be approved, subject to the conditions set out in the report.

160 SDNP/19/01139 - 6 Hill Road, Lewes, East Sussex, BN7 1DBResolved:

That planning application SDNP/19/01139 for proposed erection of cabin in the rear garden, ancillary to the use of the main dwelling be approved, subject to the conditions set out in the report.

Non-planning application related items

161 Date of next meeting

Resolved:

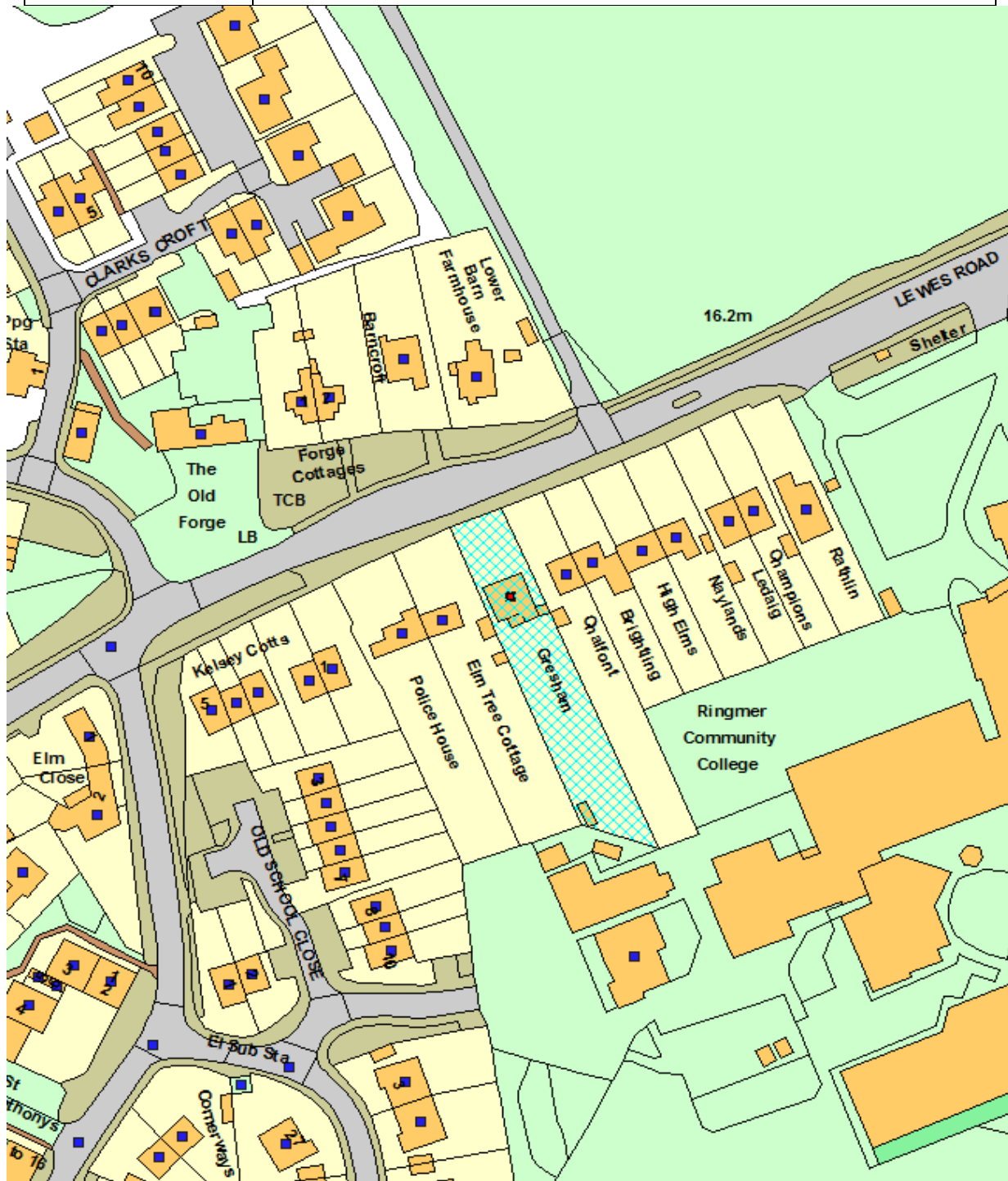
That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 5 June 2019 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm, be noted.

The meeting ended at 7.25 pm.

Councillor Sharon Davy (Chair)

Agenda Item 8

APPLICATION NUMBER:	LW/18/0877		
APPLICANTS NAME(S):	Mr R Purdon	PARISH / WARD:	Ringmer / Ouse Valley & Ringmer
PROPOSAL:	Planning application for proposed two-storey wraparound extension and new roof to create a master-suite and all associated works (Revised drawings)		
SITE ADDRESS:	Gresham Lewes Road Ringmer East Sussex BN8 5NE		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is a detached two storey dwelling located on the east side of Lewes Road in Ringmer. The dwelling is set back approximately 14m from the back edge of the pavement with a large front garden which accommodated off road parking. The property is not located in a conservation area or a listed building.

1.2 The proposal seeks consent for a contemporary two storey wrap extension to the south-west side and rear elevations. The extension will also create a hip to barn end roof extension that will facilitate creation of a room in the roof.

2. RELEVANT POLICIES

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

LDLP: – RES13 – All extensions

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/91/0204 - First floor rear extension. - **Approved**

E/57/0082 - Planning and Building Regulations Applications for proposed dwellinghouse adjoining the school playing field. Building Regulations Approved. Completed. - **Approved**

E/57/0519 - Proposed vehicular access to new house adjoining school playing field. - **Approved**

E/50/0455 - Planning and Building Regulations Applications for proposed house. Building Regulations Approved. - **Approved**

LW/18/0877 - Proposed two-storey wraparound extension and new roof to create a master-suite and all associated works (Revised drawings) -

E/72/1911 - Planning and Building Regulations Applications for extension to living room. Building Regulations Approved. Completed. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – Ringmer Parish Council objects to this application for a number of reasons:

There is over-development of the site.

It is un-neighbourly and not conducive with the street scene.

There are discrepancies in the drawings.

No information on parking spaces has been provided.

The application clearly shows the dwelling to consist of 3 floors.

ESCC Archaeologist – It is noted the application documentation has not met the requirements of Policy 189 of the NPPF. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of planning conditions which are outlined in this response.

ESCC Highways – No comment.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Original scheme

Four objections have been received from the neighbouring properties relating to overbearing, loss of light, loss of privacy from the first floor windows & roof terrace, devalue their property, an increase from two storey to three storey building, inaccurate plans, over-development of the property, the proposed would have a monolithic terrace-like appearance and would have insufficient car parking/turning spaces to enter the highway.

Amended scheme

Five objections have been received from surrounding neighbours regarding the proposal still being over-bearing three storey building which will create loss of light, invasion of privacy from pitched windows to the eastern and western sides and creation of balcony, change of materials out of keeping with the street scene, structure being created in the rear garden that is not within the proposal, possibility of the property becoming a House in Multiple Occupancy, front rooflight will overlook the neighbouring property, the roof design will create a terrace-like appearance, insufficient car parking, the development would not be able to accommodate the construction of the proposal, the development would bring no architectural benefit to the neighbouring amenity or street scene.

One letter of support from neighbour - happy with the plans & feel that the overall house will be in keeping with the rest of the street, as all the properties next to & opposite are large houses, some of them 3 storey. I have no objection to these plans and look forward to seeing the finished result.

(The comments made regarding the house being a possible HMO is not part of the proposal and cannot be considered. The loss of value to a property is not a planning matter and cannot be considered.

The neighbours have raised concerns over the accuracy of the existing and proposed block plans which were originally provided by the agent, this has been corrected and the agent has subsequently submitted an amended block plan to accurately show the adjoining neighbouring properties in relation to the site address).

6. PLANNING CONSIDERATIONS

6.1 As submitted the scheme showed an overly large development which was considered to be detrimental to the appearance and character of the original dwelling.

6.2 The original scheme showed the width of the extension as being approximately 3.4m wide from the side elevation, 10.8m deep and projecting 4.2m from the rear elevation and 9.8m wide.

6.3 Following concerns from neighbours (as outlined above), amendments were requested to address the concerns raised. The rear elevation of the proposal has been reduced by 1.5m to minimise the impact on the neighbouring property. The revised design keeps the original form of the existing dwelling, but now with an addition of the contemporary extension, instead of remodelling the whole dwelling to create a two storey wrap around extension and new roof. To reduce the impact of the roof line, the existing roof ridge will be raised by 0.25m and dormers are proposed to the north and south elevations. The proposal walls will be finished in timber cladding with the proposed roof finished in standing seam metal.

6.4 The amended design results in the side extension element stepped back from the principal elevation by 0.5m, the width of the extension from the side elevation being approximately 3.4m with a depth of 10.2m and the extension would project from the rear elevation by 2.7m and would be 9.8m wide.

6.5 The original and additional comments have been assessed and it is considered that the amended scheme keeps the existing style of the dwelling, with the proposed extension appearing as a contemporary addition to the building set down from the roof ridge and set back from the front elevation. The dormers have been added to create head space to the loft space but will not create overlooking as the windows will be opaque.

6.6 The agent has provided a sun path study to show the impact of the proposed extension on the neighbouring dwellings in terms of overshadowing. Whilst it is accepted that there will be some overshadowing to both neighbours, this is limited to certain times of the day and will alter as the sun's position changes throughout the day. As such it is not considered that, due to the orientation of the property, the proposed extension would not cause demonstrable harm to the amenities of the adjacent dwellings.

6.7 There are windows already in place on the north-east elevation, therefore would not be any additional loss in privacy and the proposed rear roof terrace is sunken into the roof slope so overlooking to the neighbouring properties would be minimal.

6.8 It is considered the extensions although relatively large, do not detract from the character and appearance of the original dwelling and the additions to the roof would not cause demonstrable harm to the neighbouring properties and the surrounding streetscene. There is sufficient space within the front garden area to provide sufficient off street parking to meet the needs of the extended dwelling.

6.9 It is considered the proposal will not have a detrimental impact on the character of the property and streetscene, and will not unduly impact on the residential amenities of local residents, in accordance with Policy RES13 (Extensions), ST3 (Design, Form and Setting of Development) and CP11 (Built and Historic Environment) of the Lewes District Local Plan.

7. RECOMMENDATION

7.1 It is recommended that, on balance, planning permission be granted.

The application is subject to the following conditions:

1. Before the development hereby approved progresses above foundation level details and samples of all external materials including facing and roofing 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 2019.

2. The rooflights hereby approved shall not project more than 0.15m above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and comply with policy ST3 of the Lewes District Local Plan

3. Construction work shall be restricted to the hours of 0800 to 1800 Monday to Fridays and 0830 to 1300 on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interest of residential amenities of the neighbours having regard to Policy ST3 of the Lewes District Local Plan.

4. This planning decision relates solely to the following plan(s):

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Existing Floor Plan(s)	12 November 2018	776-01
Location Plan	12 November 2018	TQ 4512
Proposed Floor Plan(s)	19 March 2018	776-04 REV A
Existing Roof Plan	12 November 2018	776.01
Existing Elevation(s)	12 November 2018	776.01
Design & Access Statement	12 November 2018	Design and Access Statement
Existing Block Plan	18 January 2019	776-08 REV A
Proposed Block Plan	18 January 2019	776-09 REV A
Proposed Elevation(s)	19 March 2018	776-06 REV A
Proposed Elevation(s)	19 March 2018	776-07 REV A
Proposed Roof Plan	19 March 2018	776-05 REV A
Proposed Floor Plan(s)	19 March 2018	776-05 REV A

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APPLICATION NUMBER:	LW/19/0246		
APPLICANTS NAME(S):	Lewes and Eastbourne District Council	PARISH / WARD:	Newhaven / Newhaven Denton & Meeching
PROPOSAL:	Planning application for proposed works to replace all existing timber canopies, glazed screens and entrance doors to all communal entrances to the block		
SITE ADDRESS:	111-133 Hillcrest Road Newhaven East Sussex BN9 9EZ		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The proposal site is a two storey block which consists of 6 flats situated in the south side of Hillcrest Road. The proposal seeks to replace all existing timber canopies, glazed screens and door entrances with white glass reinforced plastic (GRP) units. The proposed works require planning consent as flats do not have the benefit of permitted development rights.

1.2 This application is being presented to the committee as the applicant is Lewes District Council.

2. RELEVANT POLICIES

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

3. PLANNING HISTORY

LW/99/0309 - Formation of balcony access/store on rear elevation - **Approved**

LW/15/0514 - Section 73A Retrospective application for the retention of a retaining wall and fence around the boundary of the garden - **Approved**

LW/99/1048 - Rear access step - **Approved**

LW/97/0645 - Enclosure of balcony at rear and infill below - **Approved**

LW/89/1762 - Satellite Dish. - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – No objection

5. REPRESENTATIONS FROM LOCAL RESIDENTS

None received

6. PLANNING CONSIDERATIONS

6.1 The proposed works to replace the existing timber details are necessary to replace deteriorating timber features. It is considered that the works of replacing some of the timber elements with Upvc elements will lead to an enhancement of the property and reduce the need for costly and frequent maintenance. The replaced elements will be coloured white to match the existing.

6.2 It is considered that the proposed replacement of the canopies, glazed screen and entrance doors will not have a detrimental visual impact within the local area and will result in the enhancement of the appearance of the property within the street scene.

6.3 Policy ST3 (Design, Form and Setting of Development) of the Lewes District Local Plan (LDLP) seeks to ensure that the style of development and materials used respects the character of the existing, and neighbouring, buildings. The proposed replacement features

match the style of the existing and will not have an adverse impact on the character of the property or surrounding area in accordance with Policy ST3.

7. RECOMMENDATION

7.1 It is recommended that planning permission be approved.

The application is subject to the following conditions:

1. This planning decision relates solely to the following plan(s):

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Proposed Elevation(s)	26 March 2019	1377-004
Proposed Elevation(s)	26 March 2019	1377-003
Existing Elevation(s)	26 March 2019	1377-002
Existing Elevation(s)	26 March 2019	1377-001
Location Plan	26 March 2019	1377-000
Existing Block Plan	26 March 2019	1377-000
Design & Access Statement	26 March 2019	

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.

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Report to	Planning Applications Committee
Date	5 June 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/01906/FUL
Applicant	Gorham's Gift Trust
Application	Conversion of agricultural barn to dwelling with associated landscaping and car parking
Address	Stud Farm Gorham's Lane Telscombe Village Lewes East Sussex BN7 3HZ

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

This application relates to the conversion of a listed barn building to a residential dwelling.

I Site Description

1.1 The site consists of agricultural land within Telscombe village which is 10km South of Lewes. The site falls on the west side of the village and has access from the east of the site close to the entrance of the Stud Farm. The site consists of a main farm house and flint walled agricultural buildings to the west. The application building itself is a flint walled building with a Sussex hipped roof with a timber clad gable end and tiled roof. The existing barn building was used for housing cattle at the time the application was submitted but has now become redundant.

1.2 The site falls outside of any planning boundaries due to its rural nature. The barn falls within the South Downs National Park as well as being within the Conservation Area. The barn is Grade II listed, and is surrounded by a number of other listed buildings.

2 Proposal

2.1 The applicant is seeking planning permission to convert the existing agricultural building to a dwelling with associated landscaping and car parking. The residential dwelling would provide three bedrooms with the former yard area being converted to parking.

2.2 The layout has been amended internally and externally following conversations with the planning officer and conservation officers.

3 Relevant Planning History

LW/74/1157 Alterations and improvements to Stud Farm House to reinstate semi-detached farmhouse for use as domestic dwelling- Approved.

4 Consultations

Parish Council Consultee

The Committee members resolved to OBJECT the application on the following grounds:-

- i. The proposal is contrary to the Gorham Gift Charity, which lists the maintenance of the rural and historic nature of the village
- ii. The proposal is contrary to the statutory purpose of the South Downs National Park to conserve heritage and promote public understanding
- iii. It does not blend in with the surrounding dwellings
- iv. It sets precedent for further conversions
- v. Likely high rents unaffordable to locals
- vi. The barn has been removed by the Trustees and no alternative offered.
- vii. The loss of revenue to the current tenants who will now be unable to rear the stock
- viii. The yard floods often due to the water running down from the surrounding fields
- ix. The pipe and guttering drainage from the stable yard has not been considered
- x. 50 years of stock contamination in both barn and yard, and likelihood of continued contaminated seepage not considered.
- xi. Rebuild is outside revised Class Q permitted development criteria
- xii. Structural survey suggest major work to walls
- xiii. No provision for cycle sheds, recycling, oil storage tanks etc.

LE - Environmental Health

No comments received

LE - Design and Conservation Officer

The application is seeking consent for the change of use of a Grade II listed barn to a dwelling house and associated alterations. The barn is one of a pair of barns that are Grade II listed together. The building also forms part of a larger farm site that is still a working farm within the Telscombe Village Conservation Area.

Since the application was initially made, additional supporting documents have been provided to demonstrate the barn is not suitable for modern agricultural use. The principle of converting the barn into a dwelling is therefore accepted.

Following further discussions with the applicant, the design of the proposed conversion has been amended to address concerns raised. The current design is considered to be acceptable. Any negative impact on the listed building identified throughout the application process has either been removed, limited or justified.

Natural England - NE

No comment

Specialist Advisor- Arboriculture

No Comments received

5 Representations

A lengthy letter of objection has been received from Cllr Joanna Wilkins (the full copy of which can be viewed online). Summary of objections covering material planning concerns raised as part of this letter:

- Statutory Purposes of SDNP -
The proposal contradicts the purposes of the SDNP these are stated as conserving cultural heritage & promoting opportunities for public understanding.
- The conversion of the Youth Hostel does not create a precedent.
- The proposals fenestration is not in keeping with the surrounding dwellings
- Archaeological impact to the surrounding site
- The proposal will create a precedent for other conversions
- Aspects of Tenancy
Several statements in the proposal suggest that the existing barn is vacant or not being used it does not comply with modern agricultural practice and that this is primarily the tenants' view. This is incorrect. The barn and associated yard are currently and have been for the past 50 or so years used for stock rearing.
- The farm is a significant local employer & this proposal would impact on its viability and prejudice the village's vitality.
- Flooding, Drainage, control of contaminated materials.
- Agricultural contamination risk has not been addressed
- Rebuilding rather than Conversion
The design statement refers to the application as a conversion however, on viewing the structural report, I would contend that the barn would need rebuilding.
- Lack of detailed plans & measurements accompanying this application.
- The only plan for the site provides no details on provision for mains drainage & services for the proposed dwelling & so these do not form part of the application.
- The restoration of the flint walls appears not to consider the footings or current buttressing on any elevations. It also appears to include removal of the feeding troughs to the west which could significantly weaken this elevation.
- There is no provision for the loss of privacy to Stud Farm house in terms of screening or obscured glazing to the south window. The proposed raised terrace to the south of the site will further exacerbate this loss of privacy.
- The planting of hedges/trees against a flint wall adversely impact its stability and limit maintenance.
- Access and parking provisions in relation to neighbouring properties have not been considered
- There will be subsequent applications to allow further intrusive fenestration at a later date.

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

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 wellbeing 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:

Para 117 – 118 Making effective use of land

Para 124- Achieving well designed places

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

- CPI0 - Natural Environment and Landscape
- CPI1 - Built and Historic Environment and Design
- CPI3 - Sustainable Travel

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

- Core Policy SD1 - Sustainable Development
- Strategic Policy SD4 - Landscape Character
- 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
Development Management Policy SD15 – Conservation Areas
Development Management Policy SD13 – Listed Buildings
- Development Management Policy SD41 – Conversion of Redundant Agricultural or Forestry Buildings

8 Planning Assessment

Planning policy:

8.1 The application is for the conversion of a grade II listed agricultural barn to a residential dwelling. This proposal will be primarily considered against Policy SD41 of the SDNP Local Plan as the barn is an agricultural barn outside of the defined planning settlement boundary.

Policy SD41 states that 1. The conversion of redundant agricultural or forestry buildings outside of defined settlement boundaries to an alternative use will be permitted where:

- a) The location is sufficiently well related to existing infrastructure, amenities and services;
- b) The existing vehicular access is suitable in landscape terms for the use proposed;
- c) The original building is structurally sound, is not derelict and of an appropriate design and scale for conversion to the proposed new use, without the need for substantial reconstruction, significant extensions or ancillary buildings;
- d) Conversion will not result in the need for another agricultural or forestry building on the holding;
- e) If the building proposed for conversion is not a traditional one, there are no redundant traditional buildings within the holding capable of being re-used in the first instance; and
- f) There is no adverse impact on the character of the building and its setting, in particular its agricultural / forestry character, and
- g) For residential uses, the proposed development is restricted to occupation by local workers who need to be accommodated outside of defined settlement boundaries.

2. The conversion of redundant agricultural or forestry buildings outside of defined settlement boundaries identified as heritage assets will be permitted where:

- a) Part 1 of this policy is complied with;
- b) The optimal viable use is proposed to conserve and enhance its architectural and historic significance and setting;
- c) Wherever possible, essential utilities and other functional requirements do not harm significant internal or external fabric; and
- d) Existing historic fabric and features of architectural or historic significance are retained.

8.2 It is considered that although the barn is currently used for housing cattle and has been for some time, the planning statement identifies that although it has been used it is too small to continue to be effectively used and will therefore cease functional agricultural use.

8.3 A visual survey of the building has concluded that the building could be converted and would remain structurally stable with lateral tie bars and pattress plates to restrict further movement and vertical cracking of the walls. The survey concluded that trial pits would be needed to determine if underpinning is required. Should underpinning be required this would need a further listed building consent. Based on this information it is considered that the proposal would be in accordance with SD41 (C) as the proposal would not need substantial re-construction and would be an appropriate design to accommodate residential occupancy. Comments have been received to state that there is the need for major works to the walls. It is proposed to carry out works to repair and re-instate the existing flint boundary wall, this is considered acceptable as it would be in keeping with the existing design and would not be significantly detrimental to the design or character of the building or area. If works are required to the walls that have not been applied for the applicants will need to seek further listed building consent.

8.4 The applicants have stated that they would look to have tenants who are local people to the area, as such it will be restricted by condition in order that the occupancy of local workers in order that the proposal is to be in accordance with policy SD41.

8.5 No details have been provided of utilities provisions and how these will enter the property. This can be conditioned that prior to instillation of utilities details should be approved by the local planning authority to ensure it is appropriate.

8.6 It is considered that the proposed use would allow the building to be repaired and utilised to provide much needed residential accommodation, and therefore complies with the objectives of adopted policy.

Amenity

8.7 The proposal site is located in a small village with a number of residential properties in close proximity but also backing onto farm buildings and farm land. The application building is a hipped roof barn with a courtyard to the rear enclosed by a flint wall. The proposal would include the introduction of new windows and doors into the building along with internal alterations to convert the building to residential. By way of the location of the barn and that the windows predominantly serve voids rather than rooms at first floor level, the bedrooms have small windows which would mitigate any impact of overlooking. In summary the proposal would not result in significant overlooking to adjacent properties.

8.8 The proposed works do not increase the height or the foot print of the building and as such would not result in additional overshadowing or loss of light to surrounding buildings. The proposed landscaping is also considered to not adversely impact the residential amenity of the surrounding residential properties or those of the new occupiers by way of the design and distance to residential properties.

8.9 The proposed change of use will have an impact to the area by way of the comings and goings of the occupants, however this is not considered to cause a demonstrable harm on the neighbouring properties. It is therefore concluded that the proposed works would not create a significant adverse impact to the residential amenity of the neighbouring properties and as such would be in accordance with policies ST3 of the Lewes Local plan 2003 and SD05 of the SDNP Local Plan.

Design and impact to listed buildings and conservation area

8.10 The barn building is grade II listed within the Telscombe Village conservation area. The proposed works are considered to be in keeping with the conservation area and ensure the continued use of the building and secure its repair. The proposed design of the alterations to the building and landscaping are considered to be in keeping with the historic form and character of the building. The alterations are not considered too large or out of scale with the host building or area. Although concerns have been raised regarding the amount and size of windows this has been amended as part of the application to create balance between creation of fenestration to provide natural light for the occupants and retention of the character and fabric of the listed building. The proposed materials internally and in relation to the landscaping are considered appropriate in design. The proposed alterations will not significantly adversely impact the design of the area or the street scene and are therefore it is concluded that the proposed works would be in accordance with policies ST3 of the Lewes Local Plan 2003 and SD04 & SD05 of the South Downs National Park Local Plan.

8.11 The proposal is considered to not cause demonstrable harm to either the fabric of the listed building or the historic nature of the building and on balance it is considered that the conversion would prevent the historic building becoming unused and deteriorating further.

Tree impact and landscaping

8.12 With regards the existing trees the plans show the retention of existing trees. The mature Sycamore is considered to be important to the established character of the area but also for their inherent ornament and beauty and that their loss would have a significant detrimental impact on the local environment. Their rooting zones are likely, however, to have been limited in spread by the existing boundary walls and this being the case, the car parking area and new dividing wall, despite being within the crown spread of nearby trees, may not have a detrimental impact on long-term tree health.

8.13 With regards the proposed soft landscaping scheme this can best be described as rudimentary and would not be seen from views outside the site. The soft landscaping scheme does little to mitigate the impact of the proposed development on the wider area. However it is considered on balance that the proposal would have some but a limited visibility to the street scene and would be in keeping with the residential nature of the proposed development.

Highway and road safety implications

8.14 The proposal includes a gravel driveway and turning space with two parking spaces that at the smallest points would be approx. 5m wide and approx. 5m long but would be adjacent to a large drive way. Highways guidance sets out that a parking space should be 5m by 2.5m as such the two parking spaces satisfy highways guidance. The proposal provides for an adequate turning space in order that vehicles can leave the property in a forward gear. The proposal also provides for 4 cycle storage spaces which exceeds highways guidance for a three bedroom property which requires a minimum of two spaces to be provided.

Amenity of future occupiers

8.15 The proposed dwelling complied with the Nationally Described Space Standards and provides sufficient internal storage, and is considered to provide acceptable living conditions for the occupiers. The accommodation would be spread over 2 floors and provide three bedrooms for 5 occupants. The overall floor space would be 157.3m squared. The

Nationally Described space standards requires a minimum of 99 square meters of floor space for a property of this type and as such the proposal exceeds this requirement.

8.16 The proposal provides adequate parking and turning provision within the site and complies with highways guidance. Objections have been received on the basis that there is no provision for cycle storage, sheds, recycling, oil storage tanks etc. Cycle storage has been provided as part of the amended layout plan. In regards to refuse a condition will be imposed to state that prior to occupation details of refuse storage must be approved. There has been no indication that oil storage tanks are required and should these be required the applications will need to apply for permission under a future application for these to be considered.

Issues Raised by Objectors

8.17 Objections have been raised by the parish council that the proposal is contrary to the Gorham Gift Charity, this is not a material planning concern that can be taken into account when deciding this application.

8.18 Objections were raised on the basis that the proposal is contrary to the SDNP Statutory purpose to conserve heritage and promote public understanding. Planning policy SD41 supports the conversion of redundant agricultural or forestry buildings. It is considered that the proposed development is sufficiently related to existing infrastructure for the creation of a single dwelling in an area where there is a number of other residential dwellings already. The proposed development would have suitable vehicular access for the proposed use. The original building is structurally sound and of appropriate design and scale for the conversion to residential without the need for substantial re-construction or ancillary building. The building is redundant and as such would not result in the need for another agricultural building to replace the existing. The proposed development is considered to be sympathetic to the nature and history of the building and as such would not have an adverse impact on the building and its setting or its agricultural nature. As such the proposal complies with policy SD41, there is no requirement under planning policy to require that buildings are kept for public access.

8.19 Objections have been raised on the basis that it will set a precedent for further conversions. However applications for conversions are considered on their own merits against planning policy and material planning concerns and as such the application would not create a precedent.

8.20 There has been objections raised on the basis that there is likely to be high rents; on the basis of loss of revenue to the current tenants who will be unable to rear stock; and that there were no other alternatives offered - these are not planning concerns that can be taken into account when deciding a planning application.

8.21 Objections have also been received on the basis of flooding to the yard as existing. The area is not identified as a flood risk area, however the proposal provides for extra planting and a gravel driveway along with adjusting the yard levels and drainage to falls which will mitigate away from a significant additional impact of flooding and as such flooding would not be a material ground for refusing the proposal.

8.22 Objections have been raised basis that pipe and guttering drainage not being considered. The section plan no. PWB43871 rev C shows guttering on the roofline.

8.23 Objections have been raised on the basis of stock contamination, the land is not registered under the Environmental Protection act 1990 as contaminated however a

condition has been imposed that should contamination be found that appropriate actions are taken.

8.24 Objections have been raised on the basis that the re-build is outside of class Q permitted development criteria - the application submitted is a planning application and as such class Q does not apply to this type of application.

9 Conclusion

9.1 The proposed development is considered to provide suitable accommodation for future occupiers without having a detrimental impact upon the residential amenity of the surrounding properties and maintaining the historic fabric of the listed building. The development would bring the building back into use and fit in well with the surrounding land uses. As such the proposal is considered to be in accordance with local and national planning policy and the application should therefore be approved conditionally.

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. 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. Prior to commencement of works to the barn building, details of windows and external doors, to include elevations to a scale of 1:10 or similar and sectional details to a scale of 1:2 or similar shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the special character, architectural interest and integrity of the building is preserved having regard for Policy H2 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To enable the recording of any items of historical or archaeological interest, in accordance with policies SD12 and SD16 of the emerging SDNP Local Plan 2018 coupled with the requirements of paragraphs 189 - 199 of the National Planning Policy Framework 2018.

5. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post - investigation assessment (including provision for

analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition

Reason: To enable the recording of any items of historical or archaeological interest, in accordance with policies SD12 and SD16 of the emerging SDNP Local Plan 2018 coupled with the requirements of paragraphs 189 - 199 of the National Planning Policy Framework 2018.

6. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy SD11 of the South Downs National Park Local Plan.

7. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a schedule detailing sizes and numbers of all proposed trees/plants
- b) Sufficient specification to ensure successful establishment and survival of new planting.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with SD04.

8. If, during development, contamination not previously identified is found to be present at the site then no further development 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. To ensure that risks from any 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 National Planning Policy Framework.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development to comply with policies ST03 and CPI I

10. Before the development hereby permitted is occupied details of the provision to be made for the storage and disposal of refuse from the site shall be submitted to and approved by the SDNPA in writing. This provision shall be fully implemented in accordance with the approved details before the development hereby permitted is first brought into use.

Reason: To protect the amenities of the area to comply with Policy SD05 Design

11. The dwelling hereby approved shall only be occupied by local workers who need to be accommodated outside defined settlement boundaries.

Reason: in order to comply with policy SD41 (1.g) of the SDNP local Plan.

12. Details of utilities to be installed to the building must be submitted to the local planning authority for approval prior to installation and installed in accordance with the approved plans.

Reason: to protect the historic fabric of the building in accordance with policy SD41.

13 Before the development hereby permitted is occupied, details for the provision electric vehicle car charging points shall be submitted to and approved by the SDNPA in writing. This provision shall be fully implemented in accordance with the approved details before the development hereby permitted is first brought into use.

Reason: To improve sustainability of the dwelling to comply with Policy SD48 Climate Change and Sustainable Use of Resources.

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Tim Slaney
Director of Planning
South Downs National Park Authority

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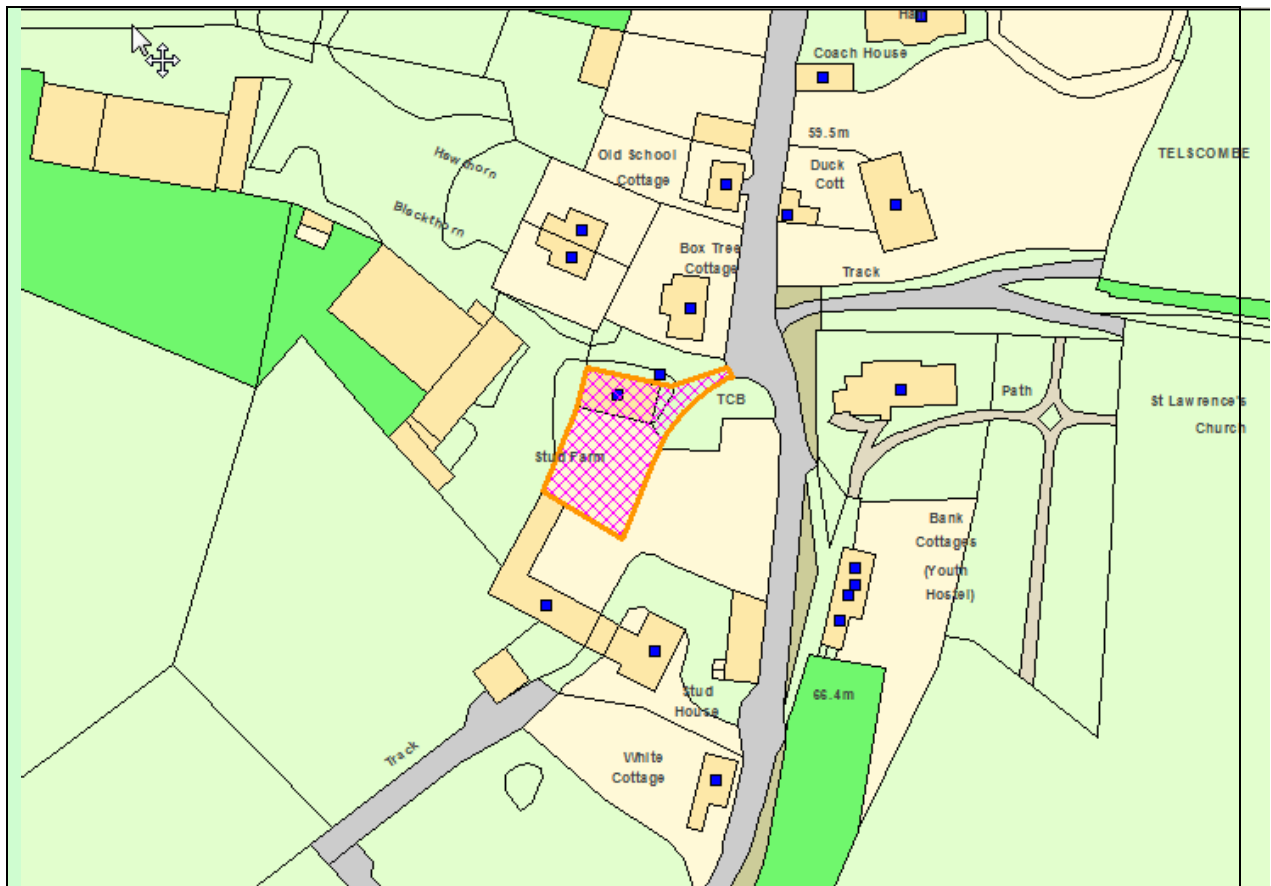
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Appendix I

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - EXISTING BLOCK PLAN	PWBU4387I		09.04.2018	Submitted
Plans - EXISTING BUILDING SECTIONS	PWBU4387I		09.04.2018	Submitted
Plans - EXISTING ELEVATIONS	PWBU4387I		09.04.2018	Submitted
Plans - EXISTING PLANS	PWBU4387I		09.04.2018	Submitted
Plans - EXISTING SITE SECTIONS	PWBU4387I		09.04.2018	Submitted
Plans - PROPOSED BUILDING SECTIONS	PWBU4387I		09.04.2018	Submitted
Plans - SITE LOCATION PLAN	PWBU4387I		09.04.2018	Submitted
Plans - PROPOSED PLANS	PWBU4387I A		09.04.2018	Submitted
Plans - PROPOSED BLOCK PLAN	002		09.04.2018	Superseded
Plans - PROPOSED SITE SECTIONS	302		09.04.2018	Submitted
Application Documents - BAT SURVEY REPORT			09.04.2018	Submitted
Application Documents - LIGHTING ASSESSMENT			09.04.2018	Submitted
Application Documents - LANDSCAPE AND VISUAL IMPACT ASSESSMENT: ...			09.04.2018	Submitted
Application Documents - REPORT ON VISUAL INSPECTION			09.04.2018	Submitted
Application Documents - PARKING PROVISION			09.04.2018	Submitted
Application Documents - PLANNING, DESIGN & ACCESS STATEMENT			09.04.2018	Submitted
Plans -	002D		01.03.2019	Approved
Plans -	101C		01.03.2019	Approved
Plans -	200C		01.03.2019	Approved
Plans -	301C		01.03.2019	Approved

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

Report to	Planning Applications Committee
Date	5 June 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/19/01502/HOUS
Applicant	Mrs Donkin
Application	Proposed replacement of 2no roof lights to the rear, installation of 1no roof light to the front and the replacement of rear extension asphalt roof with lead roof to include 2no roof lights.
Address	16 Cleve Terrace Lewes East Sussex BN7 1JJ

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

Executive Summary

The application relates to alterations to a mid-terrace dwelling located within the conservation area.

1 Site Description

1.1 The property is a mid-terrace dwelling located to the west side of Cleve Terrace

2 Proposal

2.1 The proposal is for the replacement of two existing roof lights to the rear, the installation of a small conservation style roof light to the front and the replacement of rear extension asphalt roof with lead roof to include 2 roof lights. The property is within the Lewes Conservation Area.

2.2 This application was call-in to committee by a District Councillor due to concerns upon the potential impact on the conservation area.

3 Relevant Planning History

N/A

4 Consultations

Parish Council Consultee

Members were aware of concerns expressed by the neighbours and recognised these and requested that this application be called-in for consideration by the Planning Committee

LE - Design and Conservation Officer

This application seeks permission for undertaking a range of external adaptations at this residential property located in a central conservation area setting. This involves replacing a roof area to the rear of the address and installing 3 conservation roof lights, one at the front and two to the rear.

My feeling is that the proposals are modest and appropriate, with no significant adverse impact on the character and appearance of the conservation area setting.

Accordingly, I do not wish to raise an objection.

5 Representations

Four objections were received from residents of Cleve Terrace. All were objecting to the proposal of the roof light on the front elevation which they all considered to be detrimental to the conservation area. There were no objections to the rest of the proposed work.

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 **South Downs National Park Local Plan - Submission 2018** and the following additional plan(s):

- Lewes District Council - The Core Strategy (Local Plan Part I) 2014

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 **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD5 - Design

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

- CPII - Built and Historic Environment and 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
Development Management Policy SD15 – Conservation Areas

8 Planning Assessment

8.1 There is no proposed change to existing size of the dwelling. The proposal is to reconfigure the internal layout of the existing kitchen space to allow for more light. The ground floor rear extension is as existing but with lead roof replacing the existing asphalt roof and square plateau roof lights (1.2 x 1.2m). It is also proposed to replace and reconfigure the existing roof lights in the loft with conservation roof lights of the same size bringing them in line with each other and the windows below as opposed to the current staggered orientation. The roof lights to the rear replace two existing rooflights of the same size, albeit that their location and alignment within the rear roof slope is altered slightly.

8.2 To bring natural light to the en-suite bathroom in the loft space it is proposed to insert a small conservation roof light (0.58 x 0.78m) on the front elevation located 1.6m below the height of the ridge. The roof light would measure approximately 0.04m deep. The location of the front roof light is to the top right side of the front roof slope and it is considered that due to the relatively small size and discreet off- centre placement of the roof light, the appearance of the roof scape within this part of the conservation area will not be unduly affected by the proposal. The rear extension is not visible from the public domain and will not therefore impact on the appearance of the conservation area.

8.3 Four letters have been received objecting to the addition of the rooflight to the front which they consider will spoil the character and look of the conservation area. The Design and Conservation Officer has been consulted on the proposal and has commented that the proposed

roof light on the front elevation is modest and appropriate in scale, and it is considered the proposal will not have a detrimental impact on the character or appearance of the property or conservation area.

8.4 The proposal is not considered to detrimentally affect the character of the terrace or the conservation area and the works as a whole are considered acceptable, also it is not considered that the proposal would impact on the residential amenities of local residents, in accordance with Policies ST3 (Design, Form and Setting of Development) and H5 (Conservation Areas) of the Lewes District Local Plan.

8.5 The development has also been considered against the relevant policies in the Joint Core Strategy which has been adopted by the South Downs National Park. The Core Strategy is the pivotal planning document until 2030, forming Part 1 of our Local Plan and sets out the over-arching strategies that all other planning documents will need to be in conformity with. This proposal is considered to accord with Core Policy 11 Built and Historic Environment and Design.

8.6 The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period will run from 2nd September to 28th October 2015 after which the responses received will be considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight.

8.7 The development is not considered to be contrary to the South Downs National Park Partnership Management Plan, which is the over-arching strategy document for the management of the South Downs National Park, and accords with Policy 05 which deals with housing, design, and supporting balanced communities.

9 Conclusion

9.1 It is recommended planning permission be granted

10 Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons set out below

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

14.1 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.

Tim Slaney
Director of Planning
South Downs National Park Authority

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email: martin.fagan@lewes-eastbourne.gov.uk

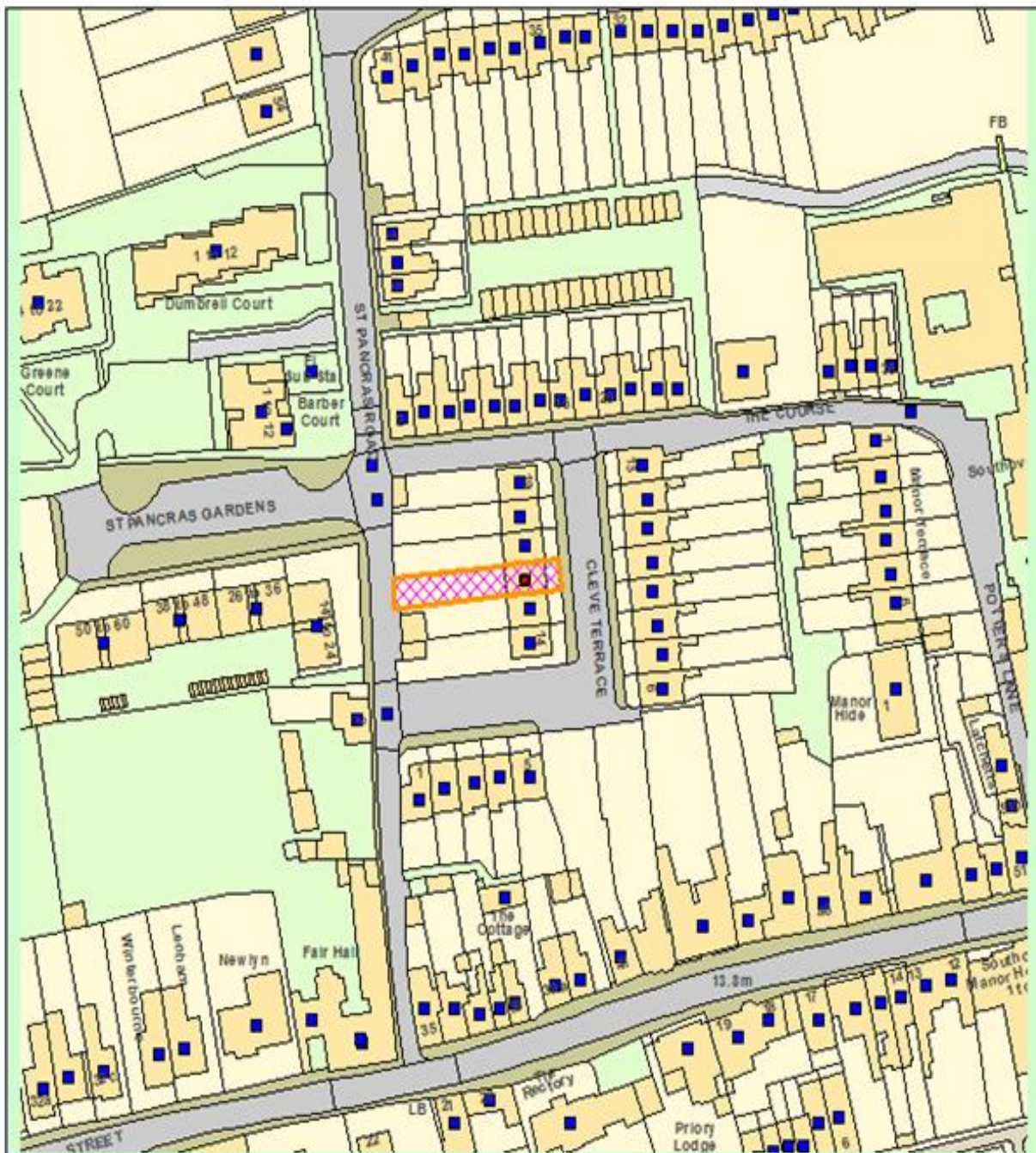
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Appendix 2 – Plans Referred to in Consideration of this Application

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 -	210 III Roof Light Specifications		14.05.2019	Approved
Plans -	002 Proposed Block & Site Plan		28.03.2019	Approved
Plans -	210 01 Existing Plan		28.03.2019	Approved
Plans -	210 02 Existing Elevations		28.03.2019	Approved
Plans -	210 03 Exiting Section A-A		28.03.2019	Approved
Plans -	210 101 Proposed Plans		28.03.2019	Approved
Plans -	210 102 Proposed Elevations		28.03.2019	Approved
Plans -	210 103 Proposed Section A-A		28.03.2019	Approved
Miscellaneous -	Design & Access Statement		28.03.2019	Approved
Miscellaneous -	Photos		28.03.2019	Approved
Plans -	001 Existing Block & Site Plans		28.03.2019	Approved

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

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Committee: Planning Applications Committee
Date: 5 June 2019
Department: Planning & Environmental Services
Subject: Enforcement Monitoring (Part A)

Purpose of Report This report provides an overview of enforcement matters throughout the Lewes District during the period 1 January 2019 – 31 March 2019. A separate report follows giving a detailed progress report for all cases where enforcement action has been commenced.

1 Complaints Received

1.1 A total of 52 complaints (16 of which are National Park (NP) cases) were received in the period, as follows:-

Alleged breaches of planning control	35	(16 NP cases)
Other complaints – Untidy sites, adverts etc.	1	(0 NP cases)
During this period the total number of cases disposed of was:- (16 of which were National Park (NP))	71	(22 NP cases)
No breach found	15	(4 NP cases)
Compliance achieved	17	(15 NP cases)
No action to be taken	17	(3 NP cases)

2 Enforcement Action Authorised

2.1 Section 215 Notices	0	(0 NP cases)
2.2 Breach of Condition Notices	0	(0 NP cases)
2.3 Enforcement Notices	1	(0 NP cases)
2.4 Prosecution Proceedings or Direct Action	1	(0 NP cases)
2.5 Stop Notices & Temporary Stop Notices	0	(0 NP cases)
2.6 Planning Contravention Notices	0	(0 NP cases)

3 Enforcement Notices Served etc.

3.1 Section 215 Notices	0	(0 NP case)
3.2 Breach of Condition Notice	0	(0 NP case)
3.3 Enforcement Notices	0	(0 NP case)

3.4	Prosecution Proceedings	0	(0 NP case)
3.5	Stop Notices & Temporary Stop Notices	0	(0 NP cases)
3.6	Planning Contravention Notices	0	(0 NP cases)

4 Retrospective Applications Submitted

- 4.1 Retrospective planning and Certificate of Lawful Use applications have been submitted in response to enforcement enquiries in respect of the following 10 sites:-

Submitted following enforcement officer investigation

- 1 **Maple House, Green Lane, Ringmer** – LW/19/0023 – Section 73A Retrospective application for the repositioning and reduction in number of roof lights to the garage/studio ✓
- 2 **Maple House, Green Lane, Ringmer** – LW/19/0024 – Section 73A retrospective application for the erection of a new fencing to the southern, eastern and part northern boundaries ✓
- 3 **6 Haven Way, Newhaven** – LW/19/0145 – Section 73A Conversion of the existing attached garage to be converted to be used as a bedroom and separate 1m x 2.5m storage area. Storage area to use existing garage door. Window added to the rear of the garage and no other external differences ✓
- 4 **89 High Street, Lewes** – SDNP/18/06152/FUL – Section 73A Retrospective application for change of use from retail (A1) with flat above to 4-bedroom house (C3) ✓
- 5 **The Bull, 2 High Street, Ditchling** – SDNP/18/06291/LIS – Retention of a store to the rear of the Public House ✓
- 6 **The Bull, 2 High Street, Ditchling** – SDNP/18/06294/FUL – Section 73A retrospective application for the retention of a store to the rear of the Public house ✓
- 7 **71 East End Lane, Ditchling** – SDNP/19/00432/HOUS – Section 73A retrospective application for the retention of a 1.5m boundary wall ✓
- 8 **71 East End Lane, Ditchling** – SDNP/19/00433/LIS – Retention of a 1.5m boundary wall ✓
- 9 **Castlegate House Castle Precincts, Lewes** – SDNP/19/00807/FUL – Section 73A Retrospective application for retention of a shed erected within the rear garden ✓
- 10 **Castlegate House Castle Precincts, Lewes** – SDNP/19/01242/LIS – Retention of a shed erected within the rear garden ✓

5 Contact Officer

The contact officer in connection with this report is Jennifer Baxter, Specialist Advisor (Planning Enforcement).

Ian Fitzpatrick,
Director of Regeneration and Planning
03/04/2019

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Committee: Planning Applications Committee

Date: 5 June 2019

Department: Planning & Environmental Services

Subject: Enforcement Monitoring Reports (Part B)

This report details the cases which have had notices authorised and/or served within the quarter 1 January 2019 – 31 March 2019

Address/Breach	Current Position	SDNP area
IFORD Iford Farm Shoot, Iford SDNP/18/00346/COU <u>Breach</u> Use of land for shooting for over the 28 day permitted rights	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Enforcement notice appealed • Awaiting appeal start date from the Planning Inspectorate 	✓
ITFORD YHA, Itford Farm, Itford – SDNP/16/00406/OPDEV <u>Breach</u> Unauthorised shower and WC cabin unit	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 19.12.2017 following refusal of retrospective planning permission • 12 month compliance period • YHA negotiating with officers to comply with notice and seek alternative location for unit • Compliance due to take place before Easter weekend 	✓

Address/Breach	Current Position	SDNP area
<p>KINGSTON</p> <p>Kingston Farm, The Street, Kingston – SDNP/17/00753/COU</p> <p><u>Breach</u></p> <p>Siting and use of unauthorised pizza van</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice pending service for the cessation of the use and removal of the unauthorised pizza van • Enforcement notice served • Appeal lodged against the enforcement notice • Appeal site visit carried out on 11.12.2018, awaiting appeal decision from Planning Inspectorate • Appeal dismissed and compliance now achieved. Pizza van now removed from the land 	<p>✓</p>
<p>LEWES</p> <p>The Volunteer, 15 Eastgate Street, Lewes SDNP/17/00131/OPDEV</p> <p><u>Breach</u></p> <p>Unauthorised smoking shelter</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning permission refused for the retention of the smoking shelter • Appeal against the refusal of planning permission dismissed • Enforcement notice pending service • Enforcement notice served and appeal lodged against the enforcement notice • Awaiting appeal start date from the Planning Inspectorate 	<p>✓</p>

Address/Breach	Current Position	SDNP area
<p>NEWHAVEN</p> <p>Foxhole Farm, Seaford Road, Newhaven SDNP/16/00444/BRECON</p> <p><u>Breach</u></p> <p>Unauthorised mobile home</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Planning permission for retention of mobile home refused and dismissed at appeal • Enforcement notice served for the unauthorised mobile home • Appealed lodged against the enforcement notice • Awaiting appeal start date from the Planning Inspectorate • Council has submitted the statement of case and now awaiting the site visit by the Planning Inspectorate 	<p>✓</p>
<p>NEWHAVEN</p> <p>Land at The Highway, Newhaven EN/16/0148</p> <p><u>Breach</u></p> <p>Unauthorised residential use and storage of the land</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 10 August 2018 • Compliance deadline for the use to cease and site to be cleared is 12 November 2018 • Enforcement notice remains in breach, quotes are now being obtained for direct action to seek the removal of the residential use and items relating to this use • Council has prepared papers to seek an injunction from the Magistrates Court • Letter has been served on the occupier to update on the above 	

Address/Breach	Current Position	SDNP area
RINGMER Upper Lodge Farm, The Broyle, Ringmer EN/17/0031 <u>Breach</u> Unauthorised siting of mobile home	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Compliance deadline 12 November 2018 • Recent site visit showed the mobile home in place, however the new owner of the mobile home is due to remove it from the site mid January 2019. Further site visit will take place at the end of January 2019 • Mobile home now removed from the land, compliance achieved 	
TELSCOMBE CLIFFS 16 The Esplande, Telscombe Cliffs – EN/16/0072 <u>Breach</u> Unauthorised structure in the front garden	<u>Current Position</u> <ul style="list-style-type: none"> • Enforcement notice authorised and papers being drawn up for the service of the notice 	

Contact Officer

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Ian Fitzpatrick,
 Director of Regeneration and Planning
 03/04/2019