

Planning Applications Committee 7 August 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); Councillors Steve Saunders (Deputy-Chair),
Graham Amy, Lynda Duhigg, Tom Jones, Christoph von Kurthy, Sylvia Lord,
Sean MacLeod, Imogen Makepeace, Laurence O'Connor and Nicola Papanicolaou

Quorum: 5

Published: Tuesday, 30 July 2019

Agenda

1 Minutes (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 26 June 2019
(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).

6 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

- 7 LW/19/0324 - 54 Arundel Road, Denton, Newhaven, East Sussex, BN9 0NF**
(Pages 9 - 16)

Planning applications within the South Downs National Park

- 8 SDNP/19/02185/HOUS - 4 Park Road, Lewes, East Sussex, BN7 1BN**
(Pages 17 - 24)

Non-planning application related items

- 9 Enforcement Monitoring from 1 April 2019 to 30 June 2019 (Part A)**
(Pages 25 - 28)
Report of Director of Regeneration and Planning
- 10 Enforcement Monitoring from 1 April 2019 to 30 June 2019 (Part B)**
(Pages 29 - 32)
Report of Director of Regeneration and Planning
- 11 Summary of appeal decisions received from 1 April 2019 to 30 June 2019**
(Pages 33 - 38)
- 12 Summary of SDNPA appeal decisions received from 27 February 2019 to 24 June 2019** (Pages 39 - 58)
- 13 Date of next meeting**

To note that the next meeting of the Planning Applications Committee is scheduled to be held on Wednesday, 28 August 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 the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE, on 26 June 2019 at 5.05pm

Present:

Councillor Sharon Davy (Chair)

Councillors Steve Saunders (Deputy-Chair), Graham Amy, Tom Jones, Julie Carr (Minutes 20 to 25), Lynda Duhigg, Sylvia Lord, Sean MacLeod, Imogen Makepeace, Laurence O'Connor and Nicola Papanicolaou

Officers in attendance:

Andrew Hill (Senior Specialist Advisor, Development Management)
Emily Horne (Committee Officer, Democratic Services)
Jennifer Norman (Committee Officer, Democratic Services)
Joanne Stone (Solicitor, Planning)

15 Minutes

The minutes of the meeting held on 5 June 2019 were submitted and approved, and the Chair was authorised to sign them as a correct record.

16 Apologies for absence/Declaration of substitute members

There were none.

17 Declarations of interest

There were none.

18 Petitions

There were none.

19 Written questions from councillors

There were none.

20 LW/18/0566 - Nuggets, Valebridge Road, Burgess Hill, West Sussex, RH15 0RT

Mr Robin Walker spoke against the proposal. Mr Julian Walker spoke for the proposal.

Resolved:

That planning application LW/18/0566 located on the eastern side of Valebridge Road on the western edge of Lewes District and within the Parish of Wivelsfield, for demolition of two existing dwellings (Pump House and Nuggets) in order to create access, and development comprising construction of 24 residential dwellings on land east of Valebridge Road (amended plans) be approved, subject to a S106 agreement with the caveat that Officers can refuse under delegated powers should no meaningful progress toward the completion of the S106 agreement have been made within six months, and the conditions set out in the report and supplementary report. The Committee added two informatives regarding installing a barrier at the western end of the existing access track to Nuggets, and to avoid disturbing birds during nesting season and no installation of tree netting.

(Note: Councillor Carr arrived during the presentation of this application and was advised by the Council's Solicitor that she was not eligible to participate in the discussion or voting thereon.)

21 LW/19/0277 - 53 Hillcrest Road, Newhaven, East Sussex, BN9 9EE

Edward Tuckley and Oliver Tuckley spoke against the proposal. Alice Eldridge spoke for the proposal.

Resolved:

That planning application LW/19/0277 be refused.

Reason for refusal:

The proposal, by virtue of its form and location, would result in a detrimental impact on the amenities of the adjacent occupiers to the north (51 Hillcrest Road) through overlooking, loss of privacy and reduced natural light, contrary to Policies ST3 of the LDLP and DM25(7) of LDLP Part 2.

22 LW/19/0256 - Broyleside Farm, Broyle Lane, Ringmer, East Sussex, BN8 5PQ

Resolved:

That planning application LW/19/0256 for construction of two-storey dwelling with access onto Broyle Lane be approved, subject to the conditions set out in the report and the additional condition in the supplementary report.

23 LW/19/0088 - Aqua House, 370 South Coast Road, Telscombe Cliffs, East SussexResolved:

That planning application LW/19/0088 for proposed extension of existing building to create 2 no. studios on the ground floor be approved, subject to the conditions set out in the report and the additional condition in the supplementary report.

24 SDNP/19/01270/FUL - West Laine House, Church Lane, Kingston, East Sussex, BN7 3LW

Councillor Tony Wheeler spoke on behalf of Kingston Parish Council. Mr Kingsley Roger Jones, Peter Haines and Helen Dudley spoke against the proposal. Stephen Belcher, Andrew Gill and Marion Brandis spoke for the proposal.

Resolved:

That planning application SDNP/19/01270/FUL for erection of a four bedroom detached dwelling be approved, subject to the conditions set out in the report and additional conditions regarding hours of work, hours of delivery, and amendments to condition 3 and 10 to safeguard impact during construction and enhanced protection of trees. The Committee delegated authority to the Senior Specialist Advisor (Planning) to add further conditions considered necessary to strengthen the requirements of the Construction Management Plan.

25 Date of next meetingResolved:

That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 17 July 2019 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm, be noted.

The meeting ended at 7.40pm.

Councillor Sharon Davy (Chair)

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Agenda Item 7

APPLICATION NUMBER:	LW/19/0324		
APPLICANTS NAME(S):	Mr D Liggett	PARISH / WARD:	Newhaven / Newhaven Denton & Meeching
PROPOSAL:	Planning application for proposed 2 bed dwelling to the side, single storey rear extension and alterations		
SITE ADDRESS:	54 Arundel Road Denton Newhaven East Sussex BN9 0NF		
GRID REF:			



1. SITE DESCRIPTION / PROPOSAL

1.1 The application site forms part of the existing residential curtilage of the dwelling known as 54 Arundel Road, Denton, Newhaven. It is located on the north-east side of Arundel Road, a residential street comprising a mix of housing styles and designs, with predominantly split-level bungalows on the south-west side and two-storey houses on the north-east. This mix of designs is largely informed by the topography of the land, with the road traversing a slope running north-east to south-west.

1.2 54 Arundel Road is one of a pair of semi-detached two-two storey dwellings, finished in render and painted off-white/cream. It is an unattractive building and appears to be in need of some repair/refurbishment.

1.3 The site is neither within a conservation area nor within the South Downs National Park. The plot lies within the planning boundary of Newhaven.

1.4 The proposal is to erect a two-storey dwelling on land to the south-east of the existing property, currently used for off-street parking, and which will be attached to the host dwelling. The design includes a rear-single storey projection, which would match the proposed extension to the host property. The dwelling would be attached to the existing dwelling, thus turning the semi-detached pair into a terrace of three. The current residential curtilage of 54 Arundel Road would be spilt, creating defined rear gardens for both properties. New off-street parking for two cars would be created for the new dwelling with electric charging points controlled via planning condition. In addition to the new dwelling, works would be carried out to the existing dwelling, including the repositioning of the entrance door to the front of the property and a single-storey rear extension.

2. RELEVANT POLICIES

LDLP: – CP2 – Housing Type, Mix and Density

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP: – ST03/DM25 – Design, Form and Setting of Development

3. PLANNING HISTORY

LW/19/0324 - Proposed dwelling to the side, single storey rear extension and alterations -

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Main Town Or Parish Council – The committee objected to this proposal on the following grounds:

- o Loss of parking for host dwelling.
- o Adjacent semi-detached house becomes an end of terrace.
- o Rear corner of proposed dwelling very close proximity (less than 1 metre) to adjacent property.
- o Not in keeping with street scene.
- o Over development.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

Seven representations have been received; four objecting to the proposal and three in support.

The objections can be summarised as follows:

- o New building will create an unattractive and unbalanced terrace of houses
- o Loss of sense of space between adjacent dwellings
- o Loss of value of semi-detached property
- o Loss of parking for the host property
- o Terrace of houses out of keeping with the rest of Arundel Road
- o Over-development of site
- o Over-looking and loss of privacy for neighbouring dwellings

The letters of support can be summarised as follows:

- o No/little loss of value of neighbouring properties caused by the development
- o No issue with parking in Arundel Road
- o Creation of dwelling addresses lack of housing in the area
- o New property would allow access and facilities for disabled users
- o Owner of neighbouring property, who does not reside in the property, has no concerns and supports the creation of a new dwelling

6. PLANNING CONSIDERATIONS

Policy Considerations

Lewes District Local Plan

6.1 Policy CP2 (Housing Type Mix and Density) of the Lewes District Local Plan (LDLP) states that "housing developments should reflect the site context including the character of the surrounding area". It is considered that the location of the dwelling is in keeping with the built-up feel of this part of Arundel Road and the wider Mount Pleasant area. The mix of housing types and design in the immediate vicinity means that the creation of a terrace of three is considered acceptable.

6.2 Policy CP11 (Built and Historic Environment) requires that new developments should "respond sympathetically to the site and its local context". It is considered that the siting of the dwelling adjoining the host property responds sympathetically to the site and character of the surrounding area. The proposal is considered to not result in the overdevelopment of the application site.

6.3 Policy CP14 (Renewable and Low Carbon energy and Sustainable Use of Resources) states that "the local authority will encourage the use of renewable and low carbon energy in all development" and "support applications for low energy and renewable energy installations". To this end, the local authority will seek to secure adequate bike storage facilities and sufficient electric vehicle car charging points through condition. This, coupled with the sites location close to established public transport links, will ensure that the development has a sustainable element, in line with the above policy.

6.4 Saved policy ST3 (Design) states that "development should respect the overall scale, height, massing, alignment, site coverage, density, landscaping, character, rhythm and layout of neighbouring buildings and the local area more generally". It is considered that the location of the dwelling within the plot between two existing residential dwellings, would

not unduly impact on the scale, massing, site coverage, density, character, rhythm and layout of the surrounding area and would not be to the detriment of the appearance, character and layout of the streetscene.

Design and Appearance

6.5 The proposed dwelling will be of a similar design to the host dwelling and its semi-detached neighbour, being two storeys with a pitched roof facing the highway, and a gable end to the side.

6.6 It is set back slightly from the host dwelling to allow for the creation of off-street parking. The ridge height is also slightly lower than the existing dwelling. Despite these small differences, to all intents and purposes, the new dwelling will create a terrace of three very similar buildings when viewed from the front.

6.7 At the front, the new property would be 2.3m from the nearest elevation of the neighbouring property to the south-east, and 1.35m from the boundary. Due to the angle of the boundary, this gap is reduced to 90cm at the rear of building; however the gap between the elevations remains the same.

6.8 Both the host dwelling and new dwelling would be finished in new render and painted to match the existing finish of the semi-detached pair. The current render of the existing dwelling is in a poor state and so re-rendering would improve the appearance of this dwelling. New UPVC windows are proposed for the host dwelling to match those used for the new dwelling.

6.9 It is proposed to split the curtilage of the host dwelling along the line of the boundary created by the new dwelling. This would provide ample rear amenity space for both dwellings. At the front, the groundfloor has been set back from the host dwelling by 1m to allow for off-street parking.

6.10 It is not possible to retain/create off-street parking for the host dwelling owing to the lack of space between the existing front elevation and the road. New access steps will be created for the host dwelling to allow for the repositioned front door.

6.11 The application site lies within the Planning Boundary and the proposals may be considered as infill development on an unidentified site, in accordance with Spatial Policy 2 of the Joint Core Strategy. In principle such proposals are acceptable, subject to the visual impact and the effect on the character of the locality and the impact on amenity.

6.12 The surrounding properties are of various design and materials, with little uniformity on the north-eastern side of Arundel Road, save that the majority are two-storey semi-detached pairs. There are examples of horizontal cladding, brick, render and pebble-dash finishes to the properties.

6.13 Despite the lack of terrace housing within the immediate vicinity, it is considered that the creation of a terrace of three would not have a detrimental impact on the streetscene. The existing semi-detached pair are relatively small dwellings, and so the addition of another dwelling would mean the total frontage of all three would be of a similar width to neighbouring semi-detached pairs, albeit slightly wider.

Impact on Amenity

6.14 The plot size can easily accommodate an additional dwelling. Ample rear amenity space would be available for each property. Although there are concerns about the

proximity of the rear of the proposed south-east elevation to the neighbouring property, being less than one metre, it should be considered that this element of the proposal is single storey, and that the distance between the two dwellings does not decrease, only the distance between the dwelling and the boundary.

6.15 The original plans showed that the proposed dwelling was intended to be a three bedroom property. However, the floor area of the bedrooms did not comply with national minimum space standards for a three bed dwelling, as adopted by Lewes District Council. Following discussion with the agent, amended plans were submitted which reduced the number of bedrooms within the dwelling to two, both of which now comply with the national minimum space standards, as does the rest of the property.

6.16 Furthermore, amendments were requested to include adequate bin storage at the front of both properties. The original drawings did not contain any provision for the storage of bins, and it was felt that this would contribute to an untidy appearance of both the host dwelling and new dwelling, and would negatively impact the streetscene. The amended drawings now contain a small timber-slatted storage space for each dwelling, which alleviates these concerns. One window above ground floor level is proposed on this side elevation, but this serves a stairwell and therefore overlooking is not considered an issue.

6.17 The materials proposed are in keeping with the existing semi-detached pair. The existing building is in need of refurbishment and has a 'tired' look to it. The re-rendering of this building would be seen as an improvement to the streetscene, along with the installation of UPVC windows.

6.18 The new rear extension to the host dwelling is the same depth as the rear extension of the neighbouring property to the north-west, and would be considered permitted development, save for the height of the central roof lantern, which takes the overall height to 3.7m. This is considered acceptable.

Accessibility and Sustainable Transport

6.19 The proposed new dwelling has been designed with the use of wheelchair access in mind. The doors are of sufficient width to allow access on the groundfloor, and there are facilities downstairs that can be used by wheelchair users if required.

6.20 Arundel Road is in close proximity to existing bus routes, which benefit from regular a service along the coast from Brighton to Eastbourne. It is also within walking distance of Newhaven Town Station, with trains arriving half-hourly on the Seaford Branch Line, which feeds into the extensive Southern Network of train services.

6.21 The provision of cycle storage is encouraged, as cycle routes are located nearby, and therefore such facilities have been made the subject of a condition.

Design and Sustainability

6.22 The proposed dwelling has been designed to complement the existing semi-detached pair of dwellings. The two-storey front elevation with pitched roof and gable end has been designed to create the sense of a terrace of three dwellings. This is considered acceptable in this location, as it creates uniformity with the host dwelling and the other semi-detached property, and therefore lessens the impact on the streetscene. The windows located on the side of the proposed dwelling have been sited so as not to have any impact on the neighbouring property in terms of overlooking.

6.23 The re-rendering of the existing dwelling would improve the current visual amenity within the streetscene, and the new dwelling would create a uniform terrace of three dwellings, and not unduly impact on the immediate vicinity.

6.24 Newhaven Town Council and a number of residents have objected on the grounds that the addition of a dwelling in this location would be out of character and over-development of the site. These comments are noted, however the mix of housing types in the vicinity, coupled with the design of the proposed dwelling, means that there is little impact on the character of the area. Furthermore, the size of the plot means that there is sufficient space for a new dwelling with adequate provision of residential amenity.

6.25 The off-street parking provision for two cars for the new dwelling is considered acceptable, in-line with the advice given by ESCC Highways. However, the loss of off-street parking for the host dwelling must also be taken into consideration. Concerns have been raised by residents and the Town Council to this affect, but it has been noted that there is ample off-street parking for other dwellings within the immediate vicinity, freeing up on-road parking availability. It was observed that plenty of space was available when visiting the site, and therefore, whilst the loss of parking is regrettable, it is not considered a material reason to refuse the development.

6.26 The creation of a new dwelling with off-road parking will necessitate the need to provide acceptable electric vehicle charging points at the property, in line with Policy CP14 of the joint core Strategy. This can be secured through a condition to any planning approval, requiring the provision of such facility before the house is occupied.

General Issues

6.27 The owner of the neighbouring property to the south-east has written in support of the application. It should be noted that he does not reside in the property, as it is let out to tenants. However, it is considered that there would be a minimal impact on the residents of this property in terms of overlooking, and there is a sufficient distance proposed between the properties that the new dwelling would not be overbearing or detrimental to the neighbouring amenity.

6.28 The reduction in property value of the neighbouring semi-detached dwelling and the host dwelling are not a material consideration of the planning process, and cannot be taken into consideration. However, it is considered the creation of a terrace of three dwellings will not adversely impact the adjoining dwellings or other neighbouring properties, and therefore the effect on their value will be negligible.

Summary

6.29 It is considered the proposal, due to its siting and design, will not have a detrimental impact on the character or appearance of the streetscene, or impact on neighbouring residential amenity, in accordance with saved policy ST3, and Core Policies CP2, CP11 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy.

7. RECOMMENDATION

7.1 It is recommended that planning permission is approved subject to the following conditions.

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>
Design & Access Statement	2 May 2019	
Proposed Block Plan	22 July 2019	
Location Plan	2 May 2019	
Existing Floor Plan(s)	2 May 2019	01
Proposed Floor Plan(s)	22 July 2019	02
Existing Elevation(s)	2 May 2019	03
Existing Section(s)	2 May 2019	03
Proposed Elevation(s)	22 July 2019	04
Proposed Section(s)	22 July 2019	04

2. 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 ST3 of the Lewes District Local Plan.

3. The development hereby approved shall be finished in external materials to match those used in the existing building.

Reason: To ensure a satisfactory development in keeping with the locality having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

4. No windows, doors or openings of any kind shall be inserted in the south-east elevation of the development hereby approved, other than those expressly permitted by this consent.

Reason: To protect the privacy and residential amenity of neighbours having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

5. Details of the siting and design of the external electric car charging points and covered, secure cycle storage to be provided, shall be submitted to and approved in writing by the Local Authority prior to installation. The works hereby permitted shall be carried out in accordance with the approved details before the units are occupied.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

6. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

without modification) no development described in A-E of Schedule 2, 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 ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

Report to	Planning Applications Committee
Date	7 August 2019
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/19/02185/HOUS
Applicant	Mr Jolyon Brewis
Application	First floor extension to existing single-storey house including timber cladding with black window frames, photovoltaic panels mounted at new roof level, new ground floor entrance lobbies and replacement windows, with timber spandrel panels to match new first floor extension, new sedum-planted roof coverings to existing flat roofs, and general improvements to hard landscaping to front of house
Address	4 Park Road Lewes BN7 1BN

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 first floor extension to a bungalow in a conservation area.

1 Site Description

1.1 The site is located on the east side of Park Road situated in Lewes Conservation Area and within the South Downs National Park. Park Road accommodates 6 dwellings, all of which are traditional two storey detached Edwardian dwellings, except for the application property, which is a 1960's architect designed single storey flat roof bungalow, largely unaltered and in excellent condition. It is set back from the street and is partially obscured by shrubs. To the front is a tarmac drive, serving as the access to the property and as an off street parking area.

2 Proposal

2.1 It is proposed to erect a first floor extension to the existing single-storey dwelling, maintaining the cubist form of the dwelling and consisting of a linear extension aligned over the central portion of the dwelling in an east-west alignment. The works will also include timber cladding with black window frames, photovoltaic panels mounted at new roof level, new ground floor entrance lobbies and replacement windows, with timber spandrel panels to match new first floor extension, new sedum-planted roof coverings to existing flat roofs, and general improvements to hard landscaping to front of house.

3 Relevant Planning History

3.1 SDNP/19/04105/DINPP - Second storey extension - Acceptable in principle. It is considered that due to the appearance of the design, the extension has the potential to enhance the character and appearance of the property and this part of the conservation area. The key to getting the extension to enhance the property is the use of high quality materials for the cladding and roof finish.

4 Consultations

LE - Design and Conservation Officer

The application seeks consent for a first storey extension to a bungalow within the Lewes Conservation Area and Article 4 Area (an area where permitted development rights have been removed for certain types of development). The property is set slightly lower than the street level, and so the new first floor will not exceed the height of the neighbouring properties.

The building has a distinctive architectural style and does not conform to the surrounding building style and aesthetic of the Conservation Area. Therefore, the proposed first floor extension is not considered to have a negative impact on the Conservation Area as the property is already distinct from the surrounding buildings.

The original proposed first floor extension was considered to be too dominant of the existing ground floor due to the brise soleils and the first floor being taller than the ground floor so the building read as significantly top heavy. Following discussions with the applicant, the brise soleils have been removed and the height of the first floor been reduced as much as possible. This is considered to overcome the issue of over dominance and the proposed extension now reads as appropriate and proportionate to the existing building. The colour of the cladding has been discussed with the applicant with options discussed of natural coloured cladding or a darker colour. The colour of the cladding should be conditioned so sample panels of the different colours can be viewed on site.

The application is recommended for approval.

Parish Council Consultee

Welcome the sustainability features and it was felt that the applicant should be encouraged to seek a free-of-charge assessment by Sussex Ornithological Society to see whether a Swift nest box (or other conservation element) might be incorporated as part of the development (Subject to Planning regulation etc.)

5 Representations

Friends of Lewes - Does not object in principle but has concerns and considered that the scale, materials and flat roof of the first floor proposed should be in the same idiom as the Schwerdt design and respect the heritage of the original building, both internally and externally. The success of the design is dependent on the detailing of the building which the Society has been unable to assess from the drawings submitted with the application. It would welcome more details being provided.

Twentieth Century Society - Objects to the application as it will have a negative impact on the architectural significance of the existing house.

Neighbour objections - One neighbour objects to the proposal being over-dominant, affect the character of the building and impact the conservation area.

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 Local Plan 2014-2033** and any relevant minerals and waste plans. Other plans considered:

- Lewes Neighbourhood Plan

The development plan policies and other material considerations considered relevant 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:

- NPPF - Conserving and enhancing the historic environment

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 Local Plan** are relevant to this application:

- Strategic Policy SD5 - Design
- Strategic Policy SD12 - Historic Environment
- Strategic Policy SD48 – Climate change and sustainable use of resources
- Development Management Policy SD15 - Conservation Areas
- Development Management Policy SD51 – Extensions to dwelling

Partnership Management Plan

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

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

- General Policy 50

Lewes Neighbourhood Plan

- Policy LE1 Natural Capital
- Policy HC3A – Heritage Protection of townscape and landscape

8 Planning Assessment

8.1 The proposed extension will measure approximately 7.7m wide, 17.3m deep and 3.72m high. This application also includes a creation of a front lobby with a covered area from the first floor extension above, the lobby extension will measure approximately 2.9m wide, 2.5m deep.

8.2 The proposed extension will over hang the existing dwelling from the rear (east) by approximately 2.7m and the front (west) elevation by 1.5m. It was proposed to have two brise soliel attached to the front and side of the extension, but these have been removed following request from officers. PV panels and stainless steel flue is proposed to be installed to the roof and it is also proposed to install sedum roof to the existing roof not covered by the proposed extension. It is proposed that the first floor flat roof extension will be clad in natural timber, the details of which will be the subject of a condition.

8.3 Due to the spatial separation of the dwellings along Park Road, together with the scale, location and orientation of the extension it is not considered that the proposal will have a detrimental impact on the amenity of adjacent occupiers. The proposed windows to the north and south elevation will be facing neighbouring garages and a window to 6 Park Road which is presumed to allow light to a staircase, is sufficient distance (17m) to the south to not be detrimentally impacted upon. There is sufficient vegetation to the rear of the site to not harm the amenity of the neighbouring properties on Rufus Close, 35m to the east and which back onto the site.

8.4 The design of the proposed extension will be in keeping with the existing style of the original dwelling, being of a simple rectangular box form, and of a scale that respects the original design. The punctuation of the facades with simple rectangular fenestration also serves to reinforce the sympathetic design.

8.5 The Lewes Town Council have been consulted and supports the application with the sustainability features. One neighbour representation has been received objecting to the application due to the proposal being over-dominant, seriously affect the character of the building and impact on the conservation area, and the integrity of the original design.

8.6 The Twentieth Century Society objects to the application owing to the negative impact the proposals will have on the architectural significance of the house. The Society's primary concern is the first floor extension, as this will erode the house's subtle presence in the streetscape, and will obscure the massing of the existing building which is formed of a group of low clusters of rooms with the prominent chimney stack as a contrasting vertical feature; a design choice that is characteristic of modern houses dating from this period. The Society is not opposed to the principle of extending the house, however we view the proposed additional storey to be over-dominant and we are not convinced that it is impossible to extend the house to meet the applicants' needs in other, less harmful, ways.

8.7 Friends of Lewes have commented and do not object in principle provided it is done with sensitivity, respects the qualities of the existing house and does not have a significant adverse impact on neighbours. It considers the scale, materials and flat roof of the first floor proposed should be in the same idiom as the Schwerdt design and respect the heritage of the original building, both internally and externally. The success of the design is dependent on the detailing of the building which the Society has been unable to assess from the drawings submitted with the application. It would welcome more details being provided.

8.7 The Design and Conservation Officer has been consulted and confirms that the proposed first floor extension is not considered to have a negative impact on the Conservation Area as the property is already distinct from the surrounding Edwardian building. Therefore, recommends approval subject to conditions relating to the proposed colour of the cladding.

8.8 The comments have been noted and discussions have been made between the agent, Conservation Officer and the planning officer, in order for the extension to be more balanced in height of the proposed extension, which has been lowered by 0.2m to be more in line with the height and scale of the existing dwelling, the brise soliel have been removed so that it does not distract from the historical significance of the existing dwelling, and details of the cladding will be confirmed by condition, to ensure that it will be sympathetic to the existing dwelling and surrounding area.

8.9 It is considered that the proposals provide an honest attempt to respect the integrity and original design of the dwelling whilst allowing it to adapt to meet the needs of the current occupiers. It is not considered to have a negative impact on the character of the property and the surrounding area, in accordance with Policies SD5 (Design), SD12 (Historic Environment) and SD15 (Conservation Areas) of the South Downs Local Plan.

8.10 The scheme, with its PV panels and sedum roof, together with enhanced insulation offers a proportionate response to policies contained within both the SDLP and Lewes Neighbourhood Plan which aim to secure sustainable design features which respond to the issues of climate change and which enhance natural capital of the site.

8.11 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 50 which deals with housing, design, and supporting balanced communities.

9 Conclusion

It is proposed that planning permission is granted.

10 Reason for Recommendation and Conditions

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

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

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

2. Approved Plans

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

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

3. Cladding details

Details of the proposed timber cladding to the proposed first floor extension shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To maintain the special architectural and historic interest of the property and to comply with Policy SD5 of the South Downs Local Plan.

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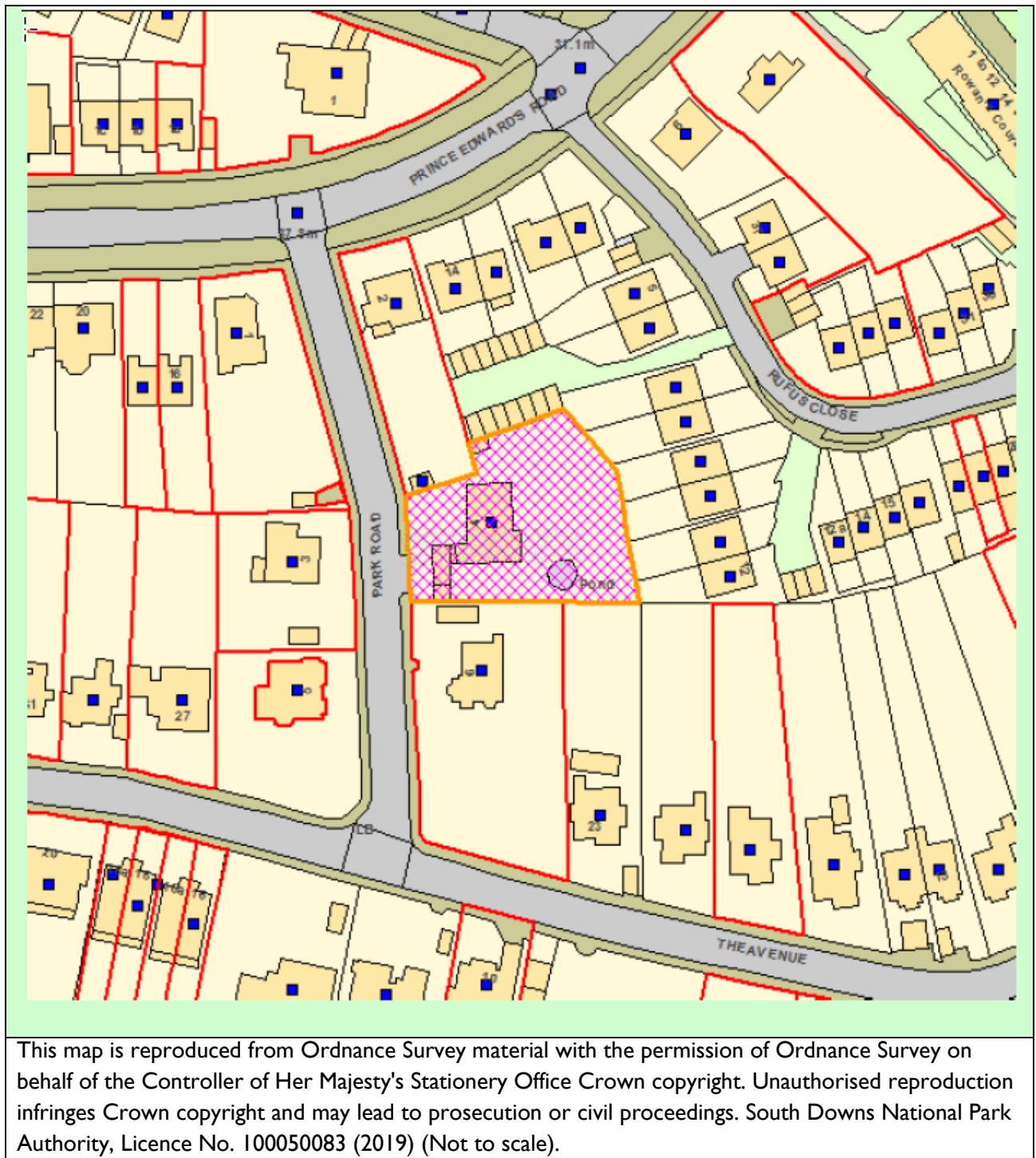
Appendices
Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



Appendix 2 – Plans Referred to in Consideration of this Application

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 -	1:500 Block Plan		07.05.2019	Approved
Plans -	Existing East and West Elevations		07.05.2019	Approved
Plans -	Existing Ground Floor		07.05.2019	Approved
Plans -	Existing North and South Elevations		07.05.2019	Approved
Plans -	Existing Roof Plan		07.05.2019	Approved
Plans -	Location Plan		07.05.2019	Approved
Plans -	Proposed East and West Elevations		07.05.2019	Superseded
Plans -	Proposed First Floor Plans		07.05.2019	Approved
Plans -	Proposed North and South Elevations		07.05.2019	Superseded
Plans -	Proposed Roof Plan		07.05.2019	Approved
Plans -	Proposed Sketch Plan		07.05.2019	Superseded
Plans -	Street Scene View		07.05.2019	Superseded
Application Documents -	Design and Access Statement		07.05.2019	Approved
Application Documents -	Heritage Statement		07.05.2019	Approved
Application Documents -	CIL Questions		09.05.2019	Approved
Revised Drawing -	Dimensioned section		28.06.2019	Approved
Revised Drawing -	Section A-A		28.06.2019	Approved
Revised Drawing -	Sketch from Street View		28.06.2019	Approved
Revised Drawing -	South Elevation		28.06.2019	Approved
Revised Drawing -	West Elevation		28.06.2019	Approved

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

Committee: Planning Applications Committee
Date: 7 August 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 April 2019 – 30 June 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 74 complaints (12 of which are National Park (NP) cases) were received in the period, as follows:-

Alleged breaches of planning control	59	(12 NP cases)
Other complaints – Untidy sites, adverts etc.	3	(0 NP cases)

During this period the total number of cases disposed of was:- (18 of which were National Park (NP))	50	(18 NP cases)
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No breach found	11	(5 NP cases)
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Compliance achieved	12	(8 NP cases)
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No action to be taken	9	(5 NP cases)
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2 Enforcement Action Authorised

2.1 Section 215 Notices	0	(0 NP cases)
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2.2 Breach of Condition Notices	0	(0 NP cases)
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2.3 Enforcement Notices	2	(0 NP cases)
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2.4 Prosecution Proceedings or Direct Action/Injunction	1	(0 NP cases)
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2.5 Stop Notices & Temporary Stop Notices	0	(0 NP cases)
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2.6 Planning Contravention Notices	0	(0 NP cases)
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3 Enforcement Notices Served etc.

3.1 Section 215 Notices	0	(0 NP case)
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3.2 Breach of Condition Notice	0	(0 NP case)
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3.3 Enforcement Notices	1	(0 NP case)
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3.4	Prosecution Proceedings/Court Action	1	(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 14 sites:-

		Submitted following enf officer investigation
1	53 Hillcrest Road, Newhaven – LW/19/0277 – Section 73A Retrospective application for the replacement of living room window with sliding French doors, oak balcony erected to the rear of the property	✓
2	1 Penn Crescent, Ringmer – LW/19/0303 – Section 73A retrospective application for the retention of an outbuilding within 2 metres of the boundary and a height of 2.8 metres high	✓
3	Theydon House, Green Lane, Ringmer – LW/19/0384 – Section 73A retrospective application for the retention of a boundary fence	✓
4	Land adj to Castle House South Road, Plumpton – LW/19/0329 – Certificate of Lawful Use (Existing) static caravan used as a residential property, outbuilding as a workshop, store yard used as a builders yard	
5	Banks House, Banks Road, North Chailey – LW/19/0311– Section 73 A retrospective application for the retention of a pool building	
6	6 Gote Lane, Ringmer – LW/19/0373 – Section 73A retrospective application for the retention of a garage and car port	✓
7	7 Barn Road, Lewes – SDNP/19/001667/HOUS – Section 73A retrospective application for the erection of garage to side elevation and front porch	✓
8	Hawthorn Cottage, Kingston – SDNP/19/02093/CND – Variation of condition 1 of the application SDNP/17/05243/NMA to remove the obscure glazing	✓
9	34 King Henry's Road, Lewes – SDNP/19/01985/FUL – Section 73A Retrospective application for erection of a bin store	✓
10	Moorings, Lewes – SDNP/19/00233/FUL – Section 73A retrospective application for replacing old scaffold poles, rusty gates. Scrap iron and rocks with sandbags filled with dry mix (ballast and cement)	✓
11	22 Sun Street, Lewes – SDNP/19/02406/FUL – Section 73A retrospective application for refurbishment of existing building	

- 12 **22 Sun Street, Lewes** – SDNP/19/02407/LIS – Retention of refurbishment of existing building
- 13 **Undercliffe House, Malling Street, Lewes** – SDNP/19/02080/FUL – Section 73A retrospective application for the creation of vehicular crossover to formalise an existing access ✓
- 14 **The Bull, 2 High Street, Lewes** – SDNP/19/03033/FUL & SDNP/19/03034/LIS – 400mm increase in levels to the West end of the car park ✓

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
16/07/2019

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Committee: Planning Applications Committee

Date: 7 August 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 April 2019 – 30 June 2019

Address/Breach	Current Position	SDNP area
<p>IFORD</p> <p>Iford Farm Shoot, Iford SDNP/18/00346/COU</p> <p><u>Breach</u></p> <p>Use of land for shooting for over the 28 day permitted rights</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 14 August 2018 • Enforcement notice appealed • Awaiting appeal start date from the Planning Inspectorate 	✓
<p>ITFORD</p> <p>YHA, Itford Farm, Itford – SDNP/16/00406/OPDEV</p> <p><u>Breach</u></p> <p>Unauthorised shower and WC cabin unit</p>	<p><u>Current Position</u></p> <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 • Compliance achieved and the shower/WC has been removed 	✓

Address/Breach	Current Position	SDNP area
<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 • Awaiting site visit date from the Planning Inspectorate 	<p>✓</p>
<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>

Address/Breach	Current Position	SDNP area
	<ul style="list-style-type: none"> • Appeal dismissed and enforcement notice upheld, compliance period to vacate the current tenants and remove the mobile home from the land is 6 months 	
<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 • Court Action took place on 12.07.2019, the Court granted the Injunction and the occupier now has until 23 August 2019 to comply with the terms of the Injunction, which is to cease the use and remove the items from the land 	

Address/Breach	Current Position	SDNP area
<p>NEWHAVEN</p> <p>Downland Caravan Park, Court Farm Road, Newhaven EN/19/0084</p> <p><u>Breach</u></p> <p>Breach of condition – 29 caravans permitted on site and 30 now in place</p>	<p><u>Current</u></p> <ul style="list-style-type: none"> • Enforcement notice served on 27.06.2019 to remove one caravan from the site • If no appeal is lodged then the enforcement notice becomes effective on 02.08.2019 	
<p>TELSCOMBE CLIFFS</p> <p>16 The Esplande, Telscombe Cliffs – EN/16/0072</p> <p><u>Breach</u></p> <p>Unauthorised structure in the front garden</p>	<p><u>Current Position</u></p> <ul style="list-style-type: none"> • Enforcement notice authorised and papers being drawn up for the service of the notice • Planning application submitted so enforcement notice on hold 	

Contact Officer

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

Ian Fitzpatrick,
Director of Regeneration and Planning
16/07/2019

Report to	Planning Applications Committee
Date	7 August 2019
Title of Report	Summary of appeal decisions received from 1/4/19 to 30/6/19
Purpose of Report	To update the Planning Applications Committee Members on appeal decisions received

Recommendation: To note the outcome of appeal decisions.

I. Overview

- I.1 The attached table (**Appendix I**), ordered by date of decision, provides Members with a summary and brief commentary on the appeal decisions recently received by the Authority. This covers those appeals dealt with by the Lewes District Council for the Lewes District Council area but not those dealt with by Lewes District Council on behalf of the South Downs National Park Authority. These decisions will be reported by the SDNP.
- I.2 In summary, in the last 3 months there were:
 - 7 appeal decisions, 6 of which were dismissed (85%) and 1 allowed (15%).
 - No award of costs.
 - No Judicial Reviews.
- I.3 The Authority's appeal performance in the financial year to date is 85% of appeals being dismissed.
- I.4 Whilst the appeal decisions are individually important none raise issues of wider strategic importance to the Authority as a whole.

Key to Appeals Reporting

Appeal method

All are through written representations unless otherwise specified

Allowed A
Dismissed D

Planning Appeals			
Planning Application No	Site	Description of Development	Decision
LW/17/0779 APP/P1425/W/18/3197657	14 The Glade, Newick BN8 4QR	New detached dwelling with new vehicular access to Newick Hill.	A 17 April 2019 committee decision contrary to recommendation
Inspector's Reasoning <ul style="list-style-type: none"> The unusually large size of the existing garden would allow the verdant and open character to be preserved. The proposed dwelling is of a size and scale that reflects those in the immediate vicinity creating a sympathetic and well-designed addition to the built form of Newick, complementing the prevailing character and appearance. NNP Policy H01.6 does not specifically state that such development will always be prevented, so whilst acknowledging conflict with the thrust of policy which seeks to avoid developments in existing gardens, there would be no harm to the prevailing pattern of development or to the character and appearance of the area. The plan also sought to prevent the creation of dwellings with more than 4 bedrooms – there is no policy in the plan which specifically seeks to restrict such development, and it has not been demonstrated that harm would arise from such development on this site. Also found that the access was acceptable and that there would be no harm to the integrity of the European Site (Ashdown Forest). 			

Planning Application No	Site	Description of Development	Decision
LW/18/0653 APP/P1425/W/18/32215206	The Fielding 18 Firle Road Seaford Bn25 2HY	Construction of a new bungalow at the rear of property and form new vehicular access.	D 30 May 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> The dwelling was considered to be modest in size and form, constructed from traditional materials. It would relate appropriately to the existing dwelling and would not result in the loss of shrubs or trees. As a consequence the proposed dwelling would be readily assimilated into the surroundings. Notwithstanding this the new access and removal of front boundary wall would materially detract from the character and appearance of the street scene, failing to preserve the character and appearance of the conservation area and detract from its significance. It is not considered that the proposal would not have a material harmful impact on the living conditions of local residents. 			
Planning Application No	Site	Description of Development	Decision
LW/18/0195 APP/P1425/W/18/3218686	The Flat Berrymead Spatham Lane Westmeston BN6 8XL	Replacement dwelling through demolition of the unit and erection of a new detached dwelling	D 31 May 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> Whilst the floorspace volume and mass would be similar to the existing buildings, it is located in a field and not within the grounds of the main dwelling and therefore would be visually very different to the existing situation. Therefore it would not be in a similar location to the dwelling it replaces and contrary to adopted policy RES6 and CT1 and not supported by any other locational policies in the development plan or framework, being a new dwelling on a greenfield site and within an area of undeveloped countryside It has not been demonstrated that it is necessary to relocate the existing dwelling within the paddock and as such would conflict with Policy CT1. The new dwelling would also be located in close proximity to several large Oak trees resulting in a cramped layout and detracting from the open setting. The development is considered to conflict with policies ST3, RES6, RES8 and CPI I – in reaching this conclusion it is also contrary to DM25 of the Draft DMP 			

Planning Application No	Site	Description of Development	Decision
LW/18/0319 APP/PI425/W/18/3213605	161 Ambleside Avenue, Telscombe Cliffs BN10 7LH	Change of use of land to residential and erect 6 feet high fence	D 31 May 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> Site is characterised by modern detached and semi-detached dwellings in an established residential area. A prominent position adjacent to a road junction with wide verges giving spacious and open quality. Due to its location at the back edge of the pavement the fence would appear visually stark and utilitarian, it would also detract from the spacious green appearance of the junction and street scene in general, appearing incongruous and out of context. As a consequence it would undermine and materially harm the open green character of the immediate and wider area. 			
Planning Application No	Site	Description of Development	Decision
LW/18/0402 APP/PI425/W/8/3220596	41 Firle Road Peacehaven BN10 8DB	Single storey rear and two storey side extension to form 2 bed dwelling	D 3 June 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> The site lies in an established and accessible residential area with a diverse mix of housing types and designs. The existing dwelling is a modern end of terrace two storey dwelling. From the front and rear the proposed dwelling would be seen as a continuation of the existing terrace, respecting the character and appearance of the host dwelling and the street scene. Due to its proximity to the side boundary the development, the combined length and height of the development and the resultant plain flank wall would be visually stark and oppressive within the street scene, with no openings or detailing to add relief, seriously harming the character and appearance of the host terrace and street scene, and as such would result in unacceptable harm to the character and appearance of the area contrary to policies ST3 and CPII of the LDLP. It was not considered that the proposal would impact on amenity of neighbours. 			

Planning Application No	Site	Description of Development	Decision
LW/18/0371 APP/P1425/W/18/3218427	South of Shoulders, North Common Road, Wivelsfield RH17 7RJ	2 no. two storey detached houses on existing tennis court	D 10 June 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> The main issue is the suitability of the site for housing with particular regard to the effect on the character and appearance of the area and pattern of development. The site is mainly open land with a tennis court and tree house. Separated from the main dwelling the site has a separate secondary character and appearance compared to the garden more closely associated with the main dwelling, and is more closely associated with the character and openness open rural character of the countryside in which the site sits. The introduction of two new dwellings with associated car parking and residential paraphernalia would result in an urban developed character to this site. This would be contrary to policies CT1 and SP2 of the LDLP and Policy I of the WNP. No issue on general design form or setting. 5 year HLS was considered but the development was not considered to the sustainable development in terms of the revised Framework. 			
Appeal Reference	Site	Description	Decision
LW/18/0622 APP/P1425/W/18/3216468	24 Blakeney Avenue, Peacehaven BN10 8UY	Change of use to residential dwelling	D 13 June 2019 Delegated decision
Inspector's Reasoning <ul style="list-style-type: none"> The proposal is the change of use of a rural building to a dwelling. The building is already in use as a dwelling with a CLU application having been refused. It is unclear whether the building itself is actually lawful. The site is located in an area of open countryside south of the A259, the area remains largely undeveloped and therefore contributes to the open and semi-rural open gap adjacent to the coast and between the settlement of Newhaven and Peacehaven. The site consists of paddock, stables, storage building and a mobile home. It is considered that the development would have a suburbanising effect on the appeal site and the immediate area exacerbated by the existing mobile home. 			

- It is concluded that the proposal would unacceptably harm the open and semi-rural character and appearance of this area of countryside, conflicting with CT1 and CPI0 of the LDLP, as well as conflicting with the Framework. The proposal would conflict with the Council's settlement strategy and harm the character and appearance of the countryside and the environmental objective of sustainable development.
- These conflicts are not outweighed by other material considerations including provisions of the Framework and paragraphs 11, 73, and 74.



Report to	Planning Committee
Date	11 July 2019
Title of Report	Summary of appeal decisions received from 27 February to 24 June 2019
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation: To note the outcome of appeal decisions.

I. Overview

- I.1 The attached table (**Appendix I**), ordered by date of decision, provides Members with a summary and brief commentary on the appeal decisions recently received by the Authority. This covers both those appeals dealt with by the host authorities and directly by the Authority.
- I.2 In summary, in the last 4 months there were:
 - 31 appeal decisions (some dealt with simultaneously), 20 of which were dismissed (65%) and 11 (35%) allowed.
 - 3 applications were made by appellants for an award of costs, all of which were refused.
 - No Judicial Reviews.
- I.3 The Authority's appeal performance in the last financial year was good with 69% of appeals being dismissed. The fact that the rate has remained similar is welcome given the varying weight that Inspectors have been giving to the emerging South Downs Local Plan and the policies within it. However this will shortly be resolved as the South Downs Local Plan is, as of early July, the development plan for the National Park and the weight to be attached to it in planning decisions is unequivocal. Decisions must be taken in accordance with this development plan, unless material considerations indicate otherwise.
- I.4 Whilst the appeal decisions are individually important none raise issues of wider strategic importance to the National Park as a whole.

TIM SLANEY
Director of Planning
South Downs National Park Authority

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Appendices:	I. Appeal Decisions
SDNPA Consultees:	Director of Planning, Legal Services

Key to Appeals Reporting

Method of decision All are delegated decisions unless otherwise specified
Appeal method All are through written representations unless otherwise specified

Allowed A
Dismissed D

Planning Appeals				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/16/00676/COU and SDNP/17/00363/FUL APP/Y9507/C/18/3195795 and APP/Y9507/W/17/3192334	Chichester	Land at New Barn Farm, Funtington PO18 9DA and Moors Barns, Watery Lane, Funtington, PO18 9DA	<p><i>Appeal against an enforcement notice.</i></p> <p>Without planning permission the change of use of the land to B8 commercial storage.</p> <p>Retrospective application to use existing hard standing for the siting of metal containers in connection with a B8 commercial use.</p>	<p>D</p> <p>6 March 2019</p>
Inspector's Reasoning <ul style="list-style-type: none"> Both appeals relate to roughly the same development on the same site, notwithstanding the different site addresses. The site as a whole is a large former farmyard now in a mixed use with buildings in agricultural and non-agricultural commercial uses. There are extensive areas of hardstanding and roadways through the site. The placement of metal containers for use as storage is a material change of use of the land and therefore enforcement action can be taken up to 10 years after the change has taken place. Main issues – Does the development represents a sustainable form of development in the rural area and the effect on character and appearance of the National Park. The SDNPA Partnership Management Plan and emerging South Downs Local Plan can be accorded some weight. The presence within the National Park of around 180 shipping containers would generally be perceived as an alien and discordant feature. It is largely screened from public views by a bund, but the low level of visual impact does not entirely mitigate the harm to the character of the area. The additional activity associated with the facility, and the seasonal need to provide lighting during its hours of operation, which extend beyond those of the neighbouring business uses, are also likely to harm the relative tranquillity of the National Park and its character generally. The development fails to conserve or enhance the natural beauty of the area, it is contrary to the development plan and emerging policies seeking to restrict inappropriate development in the rural area and direct it to areas that minimise the need to travel. There were found to be very limited 				

rural diversification, social and economic benefits.

- The storage of cars on part of the site and the erection of fencing around the vehicular compound is also unauthorised and their removal is required.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06412/FUL APP/Y9507/W/18/3202197	SDNPA (Wealden)	7A Chestnut Cottages, High Street, Alfriston BN26 5TB	Change of use of former hair salon to 1 bedroom holiday let.	A 15 March 19

Inspector's Reasoning

- Attached substantial weight to the retail policies within the emerging South Downs Local Plan. No relevant policies in the Wealden Local Plan (1998).
- Main issue - whether the loss of the retail unit would have an unacceptable effect on the vitality of the village and local availability of shops. The retail unit falls in Class A1. The SDNPA was concerned that there is an absence of marketing evidence to demonstrate that retail use is no longer economically viable. Its loss could have an adverse impact on the economy and vitality of the High Street.
- The site is located in part of the High Street characterised by few retail units. It is predominantly residential with a tea room, B&B and hotel / restaurant. The main shopping area is to the north, there are a number of vacant shops currently being marketed. Given the availability of other retail premises the Inspector considered that it was easy to conclude that a fringe site like this would struggle to find tenants. Its loss would not significantly reduce the supply of shops in the village. Evidence from an accountant demonstrated that former business was running at a loss and unable to sustain one person working full-time on minimum wage.
- The Inspector commented that they were required to determine the appeal in accordance with the development plan unless material circumstances indicate otherwise. In this case compelling evidence has been submitted and the loss of the premises to retail would not result in unacceptable harm to village services and additionally, the proposed holiday let would be compatible with nearby uses.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/00340/HOUS APP/Y9507/W/18/3209923	SDNPA (Call-in)	The Tote House, The Motor Road, Old Racecourse, Lewes, East Sussex UK BN7 1UR	Erection of a five loose box stable block as an extension to existing stables. <i>Committee Refusal</i>	A 15 March 2019

Inspector's Reasoning

- Attached substantial weight to the policies within the emerging South Downs Local Plan
- Main issues – effect of the development on the character and appearance of the area, having regard to its location within the SDNP and within the

setting of the historic Lewes Battlefield.

- The site relates to part of the Lewes Old Racecourse, which was redeveloped in the 1980s to an equestrian and residential complex. The appeal relates to an existing stable block.
- It is the inspectors view that the significance of the Battlefield in relation to this proposal is derived from is open grassland landscape which is essentially unchanged since the time of the battle in 1264.
- The design of the stable boxes with matching materials, attached to existing stables when viewed against the backdrop of adjoining tall hedge planting, would have an acceptable visual appearance. They would not be harmful to the open character of the area.
- Given the established equestrian use of the land, the proposal would not result in any harm to local distinctiveness.
- The stables would be situated on existing hard standing, so there would be no loss of vegetation and therefore the appeal was allowed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05255/FUL APP/Y9507/W/18/3214453	SDNPA (Call-in)	The Tote House, The Motor Road, Old Racecourse, Lewes, East Sussex UK BN7 1UR	Renew existing and install new fencing work with access gates to reform grazing paddocks for horses into 3 new enclosures. New access tracks for vehicles to the south of the site running parallel to the gallops and a cross route to allow access to the old racetrack gallops land to the west of the site. The work is within an Article 4 Direction area. <i>Committee Refusal</i>	D 15 March 2019

Inspector's Reasoning

- Attached substantial weight to the policies within the emerging South Downs Local Plan
- Main issues – effect of the development on the character and appearance of the area, having regard to its location within the SDNP and within the setting of the historic Lewes Battlefield.
- The Inspector considered that the use of chestnut cleft and rail fencing, and the dark grey surface material would not be in keeping with the character of the open downland area. Furthermore the dark grey access track material is at odds with the existing underlying geology which is chalk.
- The extent of fencing proposed together with the dark grey surfacing tracks would form a prominent and stark feature in the open downland landscape which would fail to conserve the landscape and scenic beauty of the SDNP and the significance of the historic interest of the battlefield.
- The provision of a more robust track which would form part of the bridleway would have some public benefit but this does not outweigh the harm.

Planning Application No	Authority	Site	Description of Appeal	Decision
SDNP/18/04138/FUL APP/Y9507/W/18/3217663	Chichester	Heyshott Meadows, Polecats, Heyshott, GU29 0DA	Construction of tennis court to replace horse menage	D 20 March 2019
Inspector's Reasoning <ul style="list-style-type: none"> • Main issue - The effect of the proposal on the character and appearance of the area. • The site comprises a horse exercising area. It sits within a part of a field, just outside the garden area of the property. This field has an undeveloped and rural character. • The menage (to be replaced by the tennis court) was constructed recently and sits on a levelled area. It has a dark, earth like, artificial surface and is surrounded by a post and rail fence. • Equestrian activity is traditionally and functionally associated with the countryside. This is not true of tennis courts, which are ordinarily associated with domestic settings or built up areas. Despite its modest size, the visual appearance of the tennis court and surrounding open mesh fencing, together with the activity being carried out on it, would jar with the open and undeveloped character of the remainder of the field. • The inspector considered that the proposal would appear as a domestic encroachment into the surrounding rural landscape. It would appear incongruous. Should the menage fall into disuse it would still be likely to have an appearance typical of a countryside setting. It was also felt that the health and well-being benefits would not outweigh the harm and therefore the appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/03475/HOUS APP/Y9507/D/18/3194134	Chichester	The Farmhouse, The Street, Bury	Extensions, alterations & refurbishment of dwelling, including part demolition.	A 25 March 2019
Inspector's Reasoning <ul style="list-style-type: none"> • The site comprises a large detached house set within a group of buildings on the edge of the village. The area was originally part of a farmstead and has a more rural feel with open fields beyond. It forms part of the Bury Conservation Area. • Main issues – whether or not the proposal would preserve or enhance the character or appearance of Bury Conservation Area, the host property and the wider landscape of the South Downs National Park. • Since the appeal was submitted planning permission has been granted for extensions and alterations of the property. In addition the Neighbourhood Development Plan has been made which includes a revised settlement policy boundary which includes the Farmhouse but not all of its curtilage. 				

- Views of the property are limited but the building, especially the frontage, is pleasant and positively contributes to the character of the Conservation Area. Although the house has been substantially altered, its historic core remains and it can be considered to be a non-designated heritage asset.
- Some of the previous extensions detract from the original farmhouse and their removal would be a benefit of the scheme.
- The resulting property would be much larger than the existing one, but the design concept has been carefully considered and is informed by the original farmhouse. In addition the property sits in a large plot. The contemporary design would provide a distinction between the old and new and the scale and form would be acceptable. The emerging SD Local Plan indicates a limit of no more than 30% increase in floorspace which this scheme would be in excess of, but this policy was not referred to in the reasons for refusal and cannot at this stage be given full weight.

Cost Decision – REFUSED

- The appellant claims that the Authority failed to: produce well founded evidence to substantiate the reasons for refusal, in particular the effect of the development on the conservation area and wider landscape contrary to the advice of its own conservation officer; provided vague and inaccurate assertions about the impacts of the proposal; and that planning conditions could have been imposed to address the concerns. They also note that the Officers report was only made available on their website 23 January 2018, following the refusal which was dated 2 November 2017.
- The Inspector concluded that the reasons for refusal set out in the decision notice are complete, specific and clearly states the policies of the Local Plan to which the proposal would conflict. Whilst the applicant might not agree with the conclusion of the SDNPA, and the Inspector has also come to a different conclusion, this does not mean they have acted unreasonably and the application for costs was refused.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/02788/HOUS APP/Y9507/D/18/3218648	SDNPA (Arun)	Wood End, Slindon Bottom Road, Arundel	Demolition of existing rear extension, erection of two storey extension.	D 28 March 2019

Inspector's Reasoning

- The emerging South Downs Local Plan is yet to be adopted and although the Inspector had regard to the policies she did not give them full weight.
- Main issues – the effect of the proposal on the character and appearance of the area, and whether it would retain the supply of small and medium sized homes in the area.
- The property is one of a number of dwellings which forms a ribbon of development along the A29, it is a modest bungalow set within a long, relatively narrow plot.
- The two storey extension would extend the building considerably. It would not only extend to the rear, but the mass of the extension would be wider than the host dwelling and would be visible on either side when looking at the front of the dwelling. It would swallow the host dwelling, be incongruous and overly dominant.

- The Inspector commented that the extension would resemble a bland and imposing tunnel.
- The level of glazing would result in light spill which would have a detrimental impact on the Dark Skies Reserve.
- The proposal would result in 3 additional bedrooms being added which would conflict the emerging SD Local Plan policies seeking to retain a mix of homes and restricting the size of floorspace additions. However the Inspector commented that as the plan is yet to be adopted this in itself was not an additional reason for dismissal of the appeal.

Appeal Reference	Authority	Site	Description	Decision
APP/Y9507/D/18/3218674 SDNP/18/04136/HOUS	Horsham	Pythingdean Manor Cottage, Coombelands Lane, Pythingdean.	First floor extension and minor window alterations to the existing dwelling.	A 8 April 2019

Inspector's Reasoning

- Main issues – the effect of the proposed extension on the character and appearance of the existing building as a non-designated heritage asset.
- The Inspector commented that although drawn correctly, the plans do not convey the actual impact of the extension on the house.
- The extension would, at worst, have a neutral effect on the character and appearance of the existing building and its significance as a heritage asset. The adaptation of a dwelling to permit a reasonable standard of living accommodation for future occupiers is 'sustainable development' under the terms of the NPPF when taken as a whole.
- The extended building would continue to sit comfortably within the landscape of the National Park, particularly as it would be difficult to see the addition from any public view.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03543/HOUS APP/Y9507/D/18/3216516	Chichester	Crofters, Titty Hill, Milland, GU29 0PL	Extension to east and west of existing cottage, new dormer to north side of existing cottage and new dormer to existing first floor of garage block.	A 11 April 2019

Inspector's Reasoning

- The South Downs Local Plan has not been finalised and therefore only limited weight can be attached to policy SD31 limiting the size of extensions.
- Main issue - The effect of the proposal on the character and appearance of the building and surrounding area, which is within the South Downs National Park.
- The property is an amalgamation of 3 cottages dating back to at least the nineteenth century. It has been extended on a number of occasions and is considered to be a non-designated heritage asset.
- The proposals would further extend the building to each side. Because of the modest overall bulk of the proposed extensions, the older parts of

- the building and the historic architectural features contained within it would retain their visual prominence in views from the front and rear.
- The existing building sits within a large garden with a lot of space around it. The extended building would appear as a large, well-proportioned residential property.
 - The design and materials used would be sympathetic to the character and appearance of the host building and the Inspector allowed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/04296/FUL APP/Y9507/W/18/3216153	Chichester	Cedar Field, Five Acres Close, Funtington PO18 9LX	Change of use of the existing building to a separate residential dwelling together with a linked extension to provide further residential accommodation.	D 16 April 2019

Inspector's Reasoning

- Main issue - The effect of the proposal on the character and appearance of the area
- Five Acres Close is characterised by large detached dwellings in substantial mature landscaped plots and has a relatively secluded, spacious character.
- The proposal is to divide a portion of the plot at Cedar Field and substantially extend a low-profile ancillary building in order to create a separate dwelling.
- The proposal would result in a plot size for the proposed new dwelling which would be significantly smaller than is characteristic of the close. It would appear incongruous.
- The Inspector felt that the proposal seeks to significantly extend the existing building, which would further exacerbate the incongruous relationship of the proposed new dwelling with the smaller plot area.
- The addition of a further dwelling, in an accessible location which provides for disabled access and high standards of water and energy efficiency does not outweigh the harm identified and the appeal was dismissed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03310/OUT APP/Y9507/W/18/3214080	East Hants	Glencairn, Winchester Road, Chawton, Alton, GU34 1SL	Terrace of three new dwellings to the west of Glencairn (OUTLINE)	D 18 April 2019

Inspector's Reasoning

- Main issues - The effect on the character and appearance of the area given its location in the National Park, proximity to heritage assets; whether or not the location is appropriate, having regard to the development plan; whether or not a satisfactory living environment would be provided in respect of noise; and, whether or not a safe and suitable access would be provided.

- The site forms part of the garden of Glencairn, a modern bungalow. It is on the edge of Chawton.
- The terrace replicates the appearance of others found in Chawton but would diverge significantly from the adjoining 2 suburban style bungalows. It would create an awkward visual relationship. The site is just outside the Conservation Area but due to the bulk and forward position of the proposed homes, it would fail to preserve the setting of the Conservation Area.
- The site is outside the settlement boundary and not identified as a suitable location for housing. It is not a form of development that has a genuine and proven need for a countryside location.
- The issue of noise impact from the A31 could be dealt with by planning condition.
- There is a safe and suitable access.
- The proposal would provide 3 homes. It is argued they are more deliverable than others in Chawton due to flood risk and environmental matters. However the public benefit does not outweigh the harm identified.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06404/FUL APP/Y9507/W/18/3202700	SDNPA (Arun)	Adams Field House, School Hill, Slindon BN18 0RA	Demolition of the existing derelict building and construction of a new dwelling, re-location of the garages on the site with associate ecological and landscape works.	A 24 April 2019

Inspector's Reasoning

- The Inspector determined this appeal in accordance with the Arun Local Plan 2018 – *However, this is not the correct development plan for the application site. The SDNPA wrote to the Planning Inspectorate to highlight this and our complaint was upheld. PINS acknowledged the error but also concluded that, having reviewed the justification for the approval, the use of the incorrect plan made no material difference to the outcome.*
- The Inspector acknowledged the emerging South Downs Local Plan; which, due to its very advanced stage, was been given weight.
- Main issue - the effect of the proposal on the character and appearance of the area, including on the setting of the Conservation Area.
- The site partially falls within the Conservation Area. There is no distinct front building line and the dwellings sit within spacious individual plots. The existing dwelling is uninhabitable due to a severe fire.
- The proposed dwelling would be within a group of evergreen trees and set within an existing pattern of development. The proposal is contemporary in design and was considered by the Inspector to be of high quality. It would use the existing access and be a positive addition to the village. The materials would reflect those found in surrounding development. Views of the building from outside of the Conservation Area will be seen in the context of other large dwellings.
- The dwelling itself is outside the settlement boundary but is a replacement of an existing property.
- The Inspector acknowledged the desire for smaller homes, but commented that this was a large home to replace a fire damaged large family home so it was considered acceptable.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03092/HOUS APP/Y9507/D/18/3215438	Chichester	Corner House, The Street, Bury, RH20 1PF	2 storey extension and internal alterations	D 25 April 2019
Inspector's Reasoning <ul style="list-style-type: none"> The emerging South Downs Local Plan was given limited weight. Main issue - whether the proposal would preserve or enhance the character or appearance of the Conservation Area and the host property. The house is in the centre of the village in a slightly elevated position screened from the road by vegetation. The original house is a linear form with a two storey extension added to the rear. The replacement extension would introduce features not exhibited on the original property and due to its scale and form would appear as a separate element particularly noticeable on the eastern elevation. The dormer windows would increase the visual presence of the roof. In contrast to the existing simple form of the extension the complexities of the proposal would be out of keeping and unsympathetic. It would be a dominant feature. There are no public benefits that outweigh the harm and the appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/03750/FUL APP/Y9507/W/18/3219010	Winchester	Lion Hill House, Alton Road, West Meon GU32 1JF	I new dwelling at land to the rear of Lion Hill House. <i>Committee refusal (Officer recommendation to approve overturned)</i>	A 25 April 2019
Inspector's Reasoning <ul style="list-style-type: none"> Only limited weight was attached to the emerging South Downs Local Plan however, the policies within it share similar objectives to the current development plan. Main issue - the effect of the proposal on the character and appearance of the Conservation Area The site is to the rear of a Grade II listed building. It is visible from the approach to the village on A32 and partially visible from the churchyard which is a significant open space in the Conservation Area. The proposal is for a modest, detached, single-storey dwelling on a part of the site which was formerly the pub car park. The building would be more contemporary and lightweight than the traditional buildings that surround it. It would add visual interest without dominating and is 				

constructed of natural materials and avoids a pastiche approach to the design.

- The plot is large enough to accommodate the house and it would be set down within the site and sufficiently separate from the neighbouring buildings not to appear cramped or overdeveloped and therefore the appeal was allowed.

Cost Decision – REFUSED

- As the design of the proposal and its impact on the character and appearance of the area is a largely subjective matter, it is not unreasonable that the committee exercised reasonable planning judgement and departed from the officer's professional view in this regard. The Authority has not acted unreasonably by issuing a refusal notice contrary to the advice of its planning officer.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/16/06136/FUL APP/Y9507/W/18/3216910	SDNPA (Call-in)	The Oaks, The Motor Road, Old Racecourse, Lewes, East Sussex UK BN7 1UR	Construction of manege, fenced surround and shallow earth bank <i>Committee Refusal</i>	D 26 April 2019

Inspector's Reasoning

- Attached substantial weight to the policies within the emerging South Downs Local Plan
- Main issues – effect of the development on the character and appearance of the area, having regard to its location within the SDNP and within the setting of the historic Lewes Battlefield.
- The site lies on part of a former racecourse. It is located on an exposed ridge, high in the open downland outside Lewes. Despite areas being subdivided by fences to form paddocks / gallops, the immediate landscape to the site remains predominantly open.
- Construction of the manege would require the excavation of a substantial amount of earth across a reasonably large area of the existing sloping ground. The level surface created would cut into the slope, whilst the bunding would rise above it. The works would be acutely at odds with the open and naturally undulating character of the site and its landscape setting.
- It would be apparent in views from rights of way and its isolated position would make it more conspicuous.
- The manege would be on the edge of the designated Battlefield. Its character stems from its apparently unaltered character and therefore a substantial change to the setting would detract from its appreciation.
- The limited public benefits do not outweigh the harm.

Planning Application No	Authority	Site	Description of Development	Decision
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SDNP/18/00491/FUL APP/Z3825/W/18/3217826	Horsham	Camping Site, The White House, Newham Lane, Steyning, BN44 3LR	Erection of a 1.5m high fence	A 1 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> • Main issue - the effect of the proposed development on landscape and scenic beauty. • The proposal is for 27.8m of fence alongside part of Newham Lane. The fence adjoins an existing fence that continues north. Opposite the site is a commercial yard / quarry which is unattractive. • The proposed fence is seen in the context of the commercial yard / quarry. It is a timber fence that will mature in the rural landscape. There will be no harm to landscape character as it mellows. A condition is attached to the permission preventing staining of the fence to ensure it weathers naturally. 				
Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/01143/FUL APP/Y9507/W/18/3208726	SDNPA (Arun)	4-6 Queen Street, Arundel BN18 9JG	Conversion of café (Use Class A3) to create 4 x three-bed dwellings.	D 2 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> • Significant weight has been attached to the emerging South Downs Local Plan. • Main issues – Would the development conserve or enhance the Conservation Area, adjoining listed buildings, their setting and the cultural heritage of the National Park and the effect of the development on living conditions of neighbouring properties. • The site occupies a prominent street frontage within the Conservation Area. The property is currently used as a café / shop. • The building dates from 1789 and was originally a Malthouse. The property is not listed but adjoining premises are. This premises physically links two listed buildings and has a direct, historic, functional and constructional relationship with both. It makes a highly important contribution to the setting of the two listed buildings. • It is a non-designated heritage asset that makes an important and positive contribution to the significance of the Conservation Area. • There is insufficient detail on how the conversion would be achieved and there is potential for structural or physical effects on the fabric of the adjoining listed buildings. Deferring consideration of such potential impacts to the conditions clearance stage is not appropriate. • The design of the front ground floor level adds an array of finishes, details, windows, forms etc which would not harmonise with street scene. • The tight-knit nature of the buildings in the location means that the level of overlooking on the adjoining properties would have an unacceptable adverse effect on the privacy of neighbouring dwellings. 				

- The modest public benefit of 4 homes would not outweigh the harm caused.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/00378/FUL APP/Y9507/W/18/3216793	East Hampshire	West Fork, Farnham Road, Liss, GU33 6LA	Retention of barn for agricultural storage and as a workshop in relation to the camping and caravanning business.	D 2 May 2019

Inspector's Reasoning

- Main issue – The effect on the character and appearance of the area.
- The site lies within a clearing in a loosely wooded area outside the built-up area of Liss. It is just beyond a camping and caravanning business and in a rural area. The building is a large utilitarian, metal structure found on farms and commercial / industrial developments. It is used as a workshop in connection with the buying and selling of caravans. It has an urbanising effect on its surroundings.
- The building and use appears as an encroachment of the caravan business into the surrounding countryside.
- Little detail is provided as to the need for the building for agriculture nor in the split between the uses.
- The Inspector concluded that the proposals results in harm to the character and appearance of the area.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06399/FUL & SDNP/18/02917/FUL APP/ Y9507/W/18/3210101 & APP/Y9507/W/18/3217199	Chichester	The Old Tanneries, Byworth Road, Byworth, Petworth, GU28 0HL	Stopping up of existing domestic access and use of existing agricultural holding access to serve the dwelling (the Old Tanneries) and holiday let. Upgrading existing agricultural holding access, resiting of agricultural holding gate and boundary fence facing onto Byworth Lane.	D 3 May 2019

Inspector's Reasoning

- Main issue – The effect on the landscape, Byworth Conservation Area and the setting of listed buildings.
- The site is a large, irregularly shaped field on the edge of Byworth with varied topography and abutting the road. The proposals involve a change of use of part of the field to provide a new access to the dwelling and holiday let at Tanneries. They involve the creation of a new driveway across the field. There are two entrances being considered. The construction of the driveway is likely to involve creation of a hardstanding.
- It is suggested that the driveway would have a grass seeded appearance, but permanent retention would be difficult to enforce. There are no mechanisms to ensure the appearance would be preserved.
- One option would result in an access longer than the other, but the shorter one requires a new access cut into the bank facing the road.

- The creation of an access track would urbanise this part of the field which is detrimental to the natural beauty of the National Park. Any attempt to screen it would appear out of place.
- The slight adverse effect on the undeveloped setting of the nearby heritage assets would be countered by the slight benefit on the immediate setting of the area around a listed building through the reduction in vehicle traffic in the immediate location.
- There is no evidence that the existing access arrangements are fundamentally unsafe. The Inspector has sympathy for the particular circumstances of the residents (one has a disability) and has considered the needs in accordance with the Equality Act but these do not outweigh the harm identified.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/03320/FUL APP/Y9507/W/18/3217501	East Hant	New Barn Farm Barn, New Barn Farm Lane, Blendworth, Waterlooville PO8 0QG	Conversion of barn to dwelling, use of three grain silos for ancillary residential use and two parking spaces after demolition of attached workshop.	D 14 May 2019

Inspector's Reasoning

- Main issue – Whether the conversion of the barn to a dwelling and the removal of the attached workshop is justified having regard to its location and current use; and, the effect of the proposal on existing bat roosts.
- The proposal seeks to convert the flint barn to a dwelling. The East Hampshire Joint Core Strategy allows for residential use when all reasonable efforts have been made to secure a suitable long-term reuse for employment or community use, or the building and location is not suitable for such uses.
- The appellant identifies a variety of uses but these are then ruled out due to the relationship and impact of vehicle movements with the adjoining holiday let accommodation. However, the holiday lets were only recently permitted alongside the existing agricultural uses and this was deemed acceptable. Furthermore the barns and yard are all under the same operator who can control such relationships.
- The policy also allows for tourist facilities and accommodation which may be appropriate and whilst other community buildings may exist in the area, this does not negate the need for an assessment of whether the barn would fulfil a need.
- The Inspector felt that suitable justification for the conversion of the barn has not been given.
- Clear evidence has not been supplied that the workshop to be demolished is beyond repair and it provides space for a tenant of the farm. Its use contributes to local employment.
- The proposed conversion of the barn would introduce domestic features such as french doors and internal partitioning which may not benefit the open simple agricultural building and its attractive qualities.
- The barn is a confirmed bat roost. These are a European Protected Species (EPS) under the Habitats Regulations. Whilst parties agree that suitable mitigation for the works could be conditioned, they may require an EPS Licence from Natural England. This licence first requires the development to be for “overriding public interest” and there must be “no satisfactory alternative”. Given the findings on the first main issue, the proposal is not considered of overriding public interest and it is unlikely to be granted an EPS licence. The appeal was therefore dismissed.

Planning Application No	Authority	Site	Description of Development	Decision
APP/Y9507/C/18/3209193	Chichester	Foxbury Farm, West Burton Lane, West Burton RH20 1HD	<i>Appeal against an enforcement notice.</i> The breach of planning control as alleged is construction of a concrete hardstanding. The requirements of the notice are to break up and remove the concrete hardstanding from the land and then level and re-seed with grass within 3 months.	D 14 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> • Hardstanding was laid in 2016 and a temporary caravan placed on it. The caravan has been removed leaving the hardstanding. • The hardstanding is utilitarian in design and an alien feature in the field causing significant harm that does not conserve or enhance the scenic beauty of the National Park. • The Inspector considered that there is little evidence of a need for the hardstanding to serve a growing business. There is little evidence of horticulture or agriculture activity on the site and there is plenty of room elsewhere on the site for such activities. The appeal was dismissed. 				
Planning Application No	Authority	Site	Description of Development	Decision
APP/Y9507/C/18/3210229	Chichester	The Old Church, The Street, Houghton, West Sussex, BN18 9LW	<i>Appeal against an enforcement notice.</i> The breach of planning control as alleged is the siting of one caravan without planning permission. The requirements of the notice are to remove the caravan within 3 months.	D 14 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> • Inspection on site and the appellants' evidence indicates that the caravan is not used for living accommodation. The appellant report that they lived in it on an occasional basis and if it was removed they would consider themselves to be homeless. However the Inspector concluded that the caravan was not the appellants' home and was used mainly for site security, to store personal belongings and use as an office. • The caravan is stationed on the site of a partly converted house, the conversion works have not been completed and it is not known when they will be. There is no construction currently occurring. • There are permitted development rights allowing temporary buildings or structures required in connection with a development. The Inspector considers that the works would have to be occurring in some material way for the caravan to fall within this category. If works are not materially proceeding as is apparent here, then he does not consider the caravan is associated with the duration of the works. If this were not the case, works could simply be commenced and never completed and temporary structures could effectively become permanent. • The appellant says that it is unreasonable in these circumstances to take enforcement action as the caravan/mobile home is to be removed after the 				

permission is completed. However, the Inspector commented that the Authority does not know if a planning permission is to be implemented and the work may cease for some reason and the mobile home could then remain in place for an unacceptable length of time.

- The caravan, which is in a very prominent position, is harmful to the character and appearance of the countryside and it is not unreasonable that the Authority should seek its removal through the enforcement notice. Moving it on the site would not sufficiently overcome that harm.
- The need for security and difficulties with insurance does not overcome the harm of the caravan being in place and the appeal was dismissed.

Cost Decision – REFUSED

- It is noted that the appellant intends to remove the caravan once works are completed, but this is too open ended and it is entirely reasonable for the Authority to take enforcement action.
- The argument related to permitted development is noted but rejected given that the work is not currently proceeding.
- Corrections required in relation to the enforcement notice were agreed with the appellant, there was little expense incurred and no unreasonable behaviour had been demonstrated.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/05645/HOUS APP/Y9507/D/19/3223187	Chichester	3 Loppers Ash, Elsted Road, South Harting, Petersfield, GU31 5LR	Construction of off-street parking bay and pedestrian disabled access ramp.	A 17 May 2019

Inspector's Reasoning

- The main issue – effect on the character and appearance of the area.
- The site is one half of a pair of semi-detached homes. It is elevated and has a steep bank that leads down to the road. The proposal is to excavate this to provide for two tandem parking spaces parallel to the land with a ramp to improve accessibility to the property.
- The character of the immediate area is mixed and the gardens were manicured, well maintained and obviously residential in character. They were not rustic in appearance.
- The inspector notes the effect of such changes on the character of historic rural roads. The works would change the appearance of the frontage but they would be seen within the context of their setting in which such alterations are commonplace.
- The use of a vegetated retaining wall would create a verdant backdrop to the parking space that would mature over time and the appeal was allowed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/06109/HOUS APP/Y9507/C/18/3206989	Chichester	Land at Flint Acre Farm, Bignor Park Road, West Sussex, RH20 1EZ	<i>Appeal against an enforcement notice.</i> The breach of planning control as alleged is the change of use of a building to a single dwellinghouse without planning permission. The requirements of the notice are to cease use of the building and remove multiple domestic items within 6 months.	D 20 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> The appellant argues that no enforcement action can be taken as the use took place for more than 4 years before the notice was issued. The appellant's case is that the use of the building commenced on the 27 July 2013 and declarations have been supplied by her, her relatives and her friends to confirm this. The Inspector has applied a number of tests to establish whether the building can afford those using it the facilities required for day to day private domestic living. The parties disagree as to whether the site has continuously contained sufficient cooking facilities to meet the tests of being a dwelling house and photos / notes taken by the Authority in 2017 show no microwave or cooking equipment present in contrast to what was on display in 2018. There is no TV licence, Council Tax or other bills and no entry on the electoral register until 2015, albeit these factors are not individually conclusive. The onus of proof is on the Appellant and the Inspector considers that she has not been able to show continuous use of the site since June 2014. The Inspector, based on the evidence presented, cannot conclude that the site has continuously contained basic cooking facilities for the relevant period and it follows that it cannot be concluded that the appeal site has been used as a single dwellinghouse for 4 years. The Appellant argues that the time to comply with the enforcement notice is too short, she has nowhere else to live and wishes to stay close to family. There is a lack of rental accommodation and there is insufficient room in the main house. The Inspector concludes that allowing 8 months would strike the right balance and amended the enforcement notice accordingly. 				
Appeal Reference	Authority	Site	Alleged Breach of Planning Control	Decision
SDNP/17/05776/FUL APP/Y9507/W/18/3209990	Winchester	The Woodman Inn, Winchester Road, Upham SO32 1HA	Demolition of the existing public house and construction of 4 no. dwelling houses <i>Committee Refusal</i>	A 30 May 2019
Inspector's Reasoning <ul style="list-style-type: none"> The emerging South Downs Local Plan policies are at a very advanced stage and regard has been had to them. 				

- Main issue – effect on character and appearance and loss of a non-designated heritage asset.
- The dwellings front both Upham Street and Winchester Road. The proposal would create a positive development of an appropriate scale and layout.
- It accords with Winchester Local Plan Policy MTRA3 which allows infilling of a small site within a continuously developed frontage.
- The appeal site is not specifically identified in the Village Design Statement as having any particular features or associations of significance with regards to local history, architecture, character or other interest. There is little documentary evidence presented as to the building's history. It is of traditional form and materials, but little remains in situ or on display and possesses very little special interest. In its current state it fails to make a positive contribution to the street scene.
- It is noted that there has been a permission to convert the building. The heritage lies in the historic association of a public house being on the site and its service to passing travellers, such contribution having decreased through the passage of time. It is not considered that the extant permission would actually achieve the retention of the heritage asset insofar as it would be altered beyond recognition and provide little link to its past.
- The Inspector felt that this current proposal would significantly improve the character and appearance of the area and allowed the appeal.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/05926/FUL and SDNP/17/05927 Appeal A: APP/Y9507/W/18/3209175 Appeal B: APP/Y9507/Y/18/3209174	SDNPA (Call-in)	Adhurst St. Mary, Petersfield, Hampshire GU31 5AD	Security panel to top of external staircase	D 5 June 2019

Inspector's Reasoning

- Main issues – would the proposal preserve the Grade II listed building 'Stables, Coach House and Archway North East of Adhurst St Mary' or its setting, or any features of special architectural interest and the effect on the living conditions of occupants of the adjoining property.
- The Inspector considered that the proposed new screen would appear as an alien feature unrelated to the original design or purpose of the porch. The panel would produce an awkward and unrelated relationship that jars with the original feature and design of this part of the listed building, from which it would detract.
- The proposed development would not result in material harm to the living conditions of adjoining occupants.
- No public benefits of the proposal have been identified. The purpose and intent is founded in a private dispute and the Inspector dismissed the

appeal given the harm to the Listed Building.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/18/06612/HOUS APP/L3815/D/19/3227391	Chichester	24 Taylors Field, Midhurst, GU29 9PH	Two storey side extension and alterations	A 13 June 2019

Inspector's Reasoning

- Main issue – effect on character and appearance
- The property is one half of a semi-detached house. The proposal would result in the host property having a greater width than its neighbour. However the new windows would have a similar appearance to the existing windows and the existing half hipped roof would be replicated in the extended part of the building.
- The extension would replace an existing single storey addition. The change in footprint would be minimal and its design has had regard to the character of the host building and replicates important elements of its design. There would be little change in the overall appearance of the host building.
- Regard has been had to policy SD31 of the emerging South Downs Local Plan; however, the plan has not yet been finalised and only moderate weight was attached to it by the Inspector. The appeal was allowed.

Planning Application No	Authority	Site	Description of Development	Decision
SDNP/17/01762/FUL APP/Y9507/W/18/3211505	Chichester	Manor of Dean, Dean Lane, Tillington, GU28 9AP	Change of land use and creation of a tennis court with surround fencing	D 18 June 2019

Inspector's Reasoning

- Main issue – effect on the Grade II Registered Historic Park and Garden, and the setting of the Manor of Dean, a Grade II* listed building.
- The proposal would introduce a tennis court into the grassed area that due to the necessary levelling, hard surface and surrounding fencing would be a harmful, discordant incursion into this undeveloped area. Notwithstanding the efforts to reduce the impact of the proposal, there would nevertheless be an adverse impact out of character with the informal appearance of this part of the grounds. For similar reasons, it would have an adverse impact on the significance of the registered park and garden itself.
- The public benefit would be minimal and does not outweigh the harm identified by the Inspector who, dismissed the appeal.

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