

# Planning Applications Committee

29 May 2020



Working in Partnership



Time: 10.00am

**PLEASE NOTE:** This will be a 'virtual meeting', held remotely in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

Members of the press and public can view or listen to proceedings by clicking on the link provided on the agenda page on the Council's website.

Instructions for members of the Committee and Officers to join the meeting have been circulated separately.

## Membership:

Councillor Sharon Davy (Chair); Councillor 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: Wednesday, 20 May 2020*

# Agenda

- 1 **Introductions**
- 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 **Minutes** (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 19 February 2020 (attached herewith).

## **5 Urgent items**

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be posted on the Council's website prior to the start of the meeting to update the main reports with any late information.

## **6 Petitions**

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

## **7 Written questions from councillors**

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

## **Planning applications outside the South Downs National Park**

**8 LW/20/0154 - Attrees, School Hill, Barcombe Cross, East Sussex, BN8 5DU**  
(Pages 9 - 12)

**9 LW/19/0835 - 58 Tudor Close, Seaford, East Sussex, BN25 2LY**  
(Pages 13 - 18)

## **Non-planning application related items**

## **10 Date of next meeting**

To note that the next meeting of the Planning Applications Committee which is scheduled to commence at 5:00pm on Wednesday, 10 June 2020 will take place in a virtual capacity, via Microsoft Teams, and in accordance with section 78 of the Coronavirus Act 2020 and section 13 of the related regulations.

## 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:** 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.

**Public participation:** Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to submit a speech on a matter which is listed on the agenda if applicable. Where speeches are normally allowed at a committee, live public speaking has temporarily been suspended for remote meetings. However, it remains possible to submit speeches which will be read out to the committee by an Officer.

## 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 meeting while the matter is being considered (unless he/she has obtained a dispensation).

**Councillor right of address:** A member of the Council may submit a question to ask the Chair of a committee or sub-committee 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.

**Other participation:** Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

## Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

**Email:** [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

**Telephone:** 01273 471600

**Website:** <http://www.lewes-eastbourne.gov.uk/>



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## **Planning Applications Committee**

**Minutes of the meeting held in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE on 19 February 2020 at 5.00pm**

### **Present:**

Councillor Sharon Davy (Chair)

Councillors Steve Saunders (Deputy-Chair), Graham Amy, Liz Boorman (Substitute) Lynda Duhigg, Christoph von Kurthy, Jim Lord (Substitute), Sylvia Lord, Sean MacLeod, Imogen Makepeace and Laurence O'Connor

### **Officers in attendance:**

Andrew Hill (Senior Specialist Advisor, Planning)

Helen Monaghan (Lawyer, Planning)

Jennifer Norman (Committee Officer, Democratic Services)

### **110 Minutes**

The minutes of the meeting held on 29 January 2020 were submitted and approved, and the Chair was authorised to sign them as a correct record.

### **111 Apologies for absence/Declaration of substitute members**

Apologies for absence were received from Councillors Tom Jones and Nicola Papanicolaou. Councillor Liz Boorman declared that she was acting as substitute for Councillor Jones for the duration of the meeting and Councillor Jim Lord declared that he was acting as substitute for Councillor Papanicolaou for the duration of the meeting.

### **112 Declarations of interest**

Councillor MacLeod declared a personal and non-prejudicial interest in agenda item 7 (planning application LW/19/0371) as he was a member of Community Action Newhaven.

Councillor Saunders declared a personal and non-prejudicial interest during the discussion and consideration of agenda item 7 (planning application LW/19/0371) as he was a member of the Newhaven Town Council Planning Committee.

**113 Petitions**

There were none.

**114 Written questions from councillors**

There were none.

**115 LW/19/0371 - Land south and west of the East Sussex County Council Port Access Road, Southern Roundabout**

Daniel Frisbee (Agent) spoke for the proposal.

Resolved:

That planning application LW/19/0371 for construction of two link roads between Newhaven Port and the East Sussex County Council Port Access Road along with associated gates, fencing and landscaping be approved, subject to a S106 agreement and the conditions set out in the report and supplementary report. The Committee requested that the financial contribution secured as part of the S106 agreement should be used not only for the hydrological study, but also for broader mitigation measures in consultation with Newhaven Town Council.

*(Councillor MacLeod declared a personal and non-prejudicial interest in this item as he was a member of Community Action Newhaven. He therefore took part in the consideration, discussion and voting thereon.)*

*(Councillor Saunders declared a personal and non-prejudicial interest in this item as he was a member of the Newhaven Town Council Planning Committee. He therefore took part in the consideration, discussion and voting thereon.)*

**116 LW/19/0882 - 72 Northwood Avenue, Saltdean, East Sussex, BN2 8RG**

Resolved:

That planning application LW/19/0882 for demolition of existing bungalow and erection of replacement single family dwelling be approved, subject to the conditions set out in the report.

**117 LW/19/0877 - Land rear of 53 Cissbury Avenue, Peacehaven, East Sussex**

Resolved:

That planning application LW/19/0877 for proposed erection of single storey detached bungalow be approved, subject to the conditions set out in the report with the addition of a condition to ensure that the access road is constructed before the dwelling.

**118 LW/19/0589 - Hortons, Hemsleys Lane, Streat, East Sussex, BN6 8SB**Resolved:

That planning application LW/19/0589 for removal of barn, stable and cowshed for the provision of a 4 bed detached house with double garage be approved, subject to the conditions set out in the report and supplementary report. The Committee added two informatives on precautions on asbestos in the buildings and appropriate waste management measures as a result of the demolition of the existing buildings.

**119 Summary of SDNP appeal decisions received from 19 September 2019 to 27 January 2020**Resolved:

That the summary of SDNP appeal decisions received from 19 September 2019 to 27 January 2020, be noted.

**120 Date of next meeting**Resolved:

That the next meeting of the Planning Applications Committee that is scheduled to be held on Wednesday, 11 March 2020 in the Council Chamber, County Hall, St Anne's Crescent, Lewes, BN7 1UE, commencing at 5:00pm, be noted.

The meeting ended at 6.18pm.

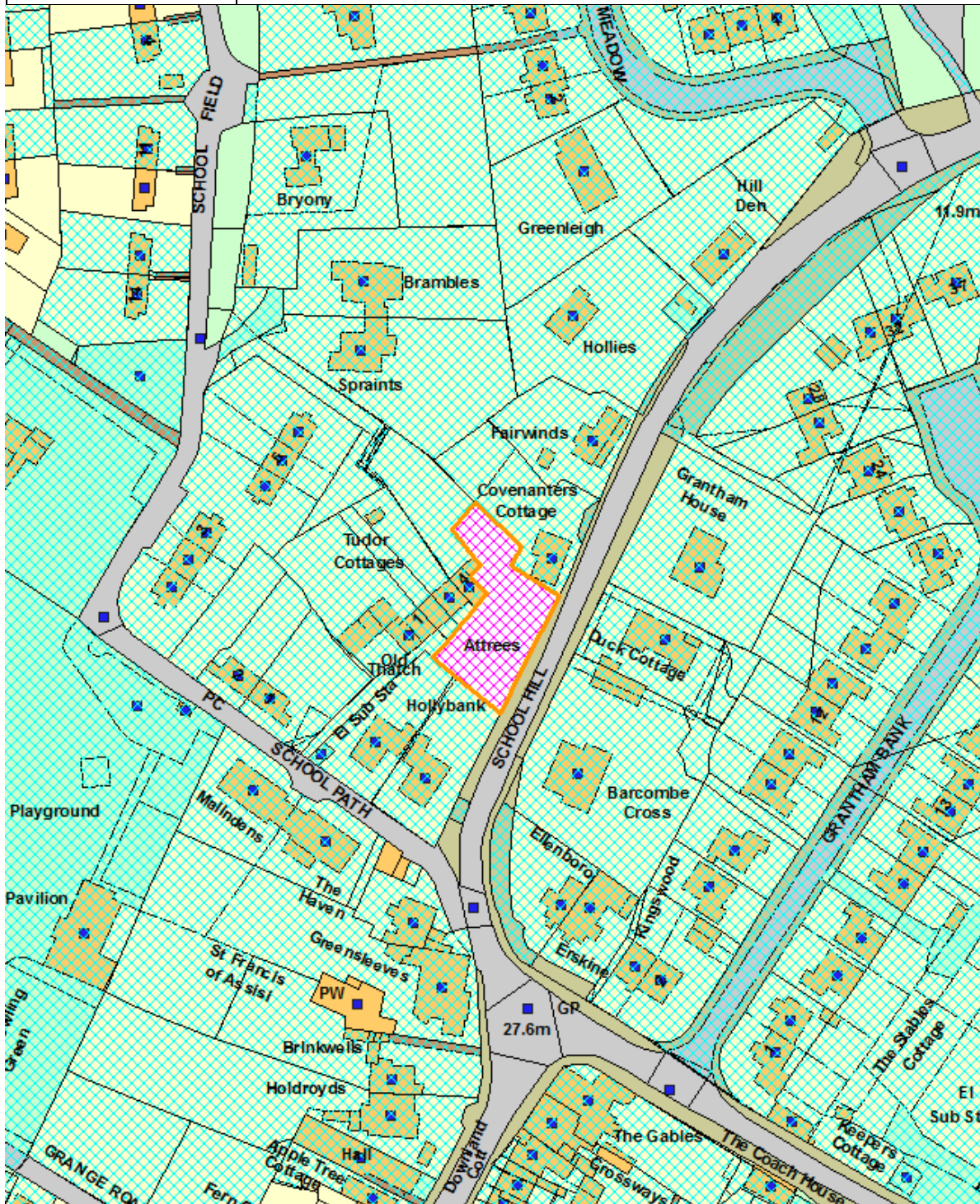
Councillor Sharon Davy (Chair)

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# Agenda Item 8

<b>APPLICATION NUMBER:</b>	LW/20/0154		
<b>APPLICANTS NAME(S):</b>	Dr. A MacGillivray	<b>PARISH / WARD:</b>	Barcombe / Chailey, Barcombe & Hamsey
<b>PROPOSAL:</b>	Listed building consent application for installation of external hand rail on steps leading to front door and internal loft hatch on second floor landing		
<b>SITE ADDRESS:</b>	Attrees, School Hill, Barcombe Cross, East Sussex, BN8 5DU		
<b>GRID REF:</b>			



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The application site is a brick built dwelling house with faux Tudor framing set back from School Hill within the Barcombe Cross Conservation Area. The property is believed to originate from the 17th Century and much changed during the 1900s. Attrees is Grade II listed with the neighbouring Old Thatch and 3 and 4 Tudor Cottages.

1.2 The application seeks consent for the installation of a metal handrail to a set of external stairs and the creation of a secondary loft hatch above the second floor.

## 2. RELEVANT POLICIES

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

## 3. PLANNING HISTORY

**LW/10/0715** - Installation of liner to chimney flue - **Approved**

**LW/11/0371** - Installation of secondary glazing to two ground floor and three first floor windows - **Approved**

**LW/11/0664/CD** - Discharge of condition 1 relating to Listed Building consent LW/11/0371 - **Approved**

**LW/13/0493** - Installation of secondary glazing to six ground floor and two first floor windows - **Approved**

**LW/14/0654** - Installation of electric power supply to combination radiator - **Approved**

**LW/16/0778** - Erection of summer house in front garden - **Approved**

**LW/19/0647** - Installation of two buttresses to stabilise external brick retaining wall - **Approved**

**LW/19/0648** - Installation of two buttresses to stabilise external brick retaining wall - **Approved**

**LW/02/1310** - Erection of gates at front drive - **Approved**

**LW/95/0863** - Listed Building Consent for two velux roof lights in attic - **Approved**

## 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**Design & Conservation Officer** – No objection.

**Main Town Or Parish Council** – Positive.

Suggestion they might look better painted green but assume white for better visibility in the dark?

## 5. REPRESENTATIONS FROM LOCAL RESIDENTS

No representations received.

## 6. PLANNING CONSIDERATIONS

6.1 A white metal handrail was installed during the late 1900s to a short retaining wall that sits forward of the front facade. The proposed new handrail is located in close proximity to this and is in a style to match the existing. The external stairs the handrail would be located on is not considered to be visually compromised by the introduction of the handrail and is thought to have a neutral impact on the significance of the listed building. A suggestion was made by the Parish Council for the handrail to be painted green instead of white. It is acknowledged this may make the handrail more incongruous, however, it is felt more appropriate to match the colour of the existing handrail as they will be in close proximity to each other.

6.2 The property is understood to have been largely altered prior to Attrees being formally recognised within the group listing. The installation of the additional loft hatch is not considered to further compromise the significance of the listed building and is found acceptable.

6.3 The proposed changes are considered to preserve the significance of the listed building and, therefore, comply with policy DM33 (heritage assets) of the Lewes District Local Plan, Core Policy 11 of the Lewes District Joint Core Strategy and Chapter 16 of the National Planning Policy Framework.

## 7. RECOMMENDATION

7.1 It is recommended that listed building consent is granted.

### The application is subject to the following conditions:

#### 1. Matching Materials

The finishes of the development hereby permitted shall exactly match in material, colour, style, bonding and texture those of the existing building.

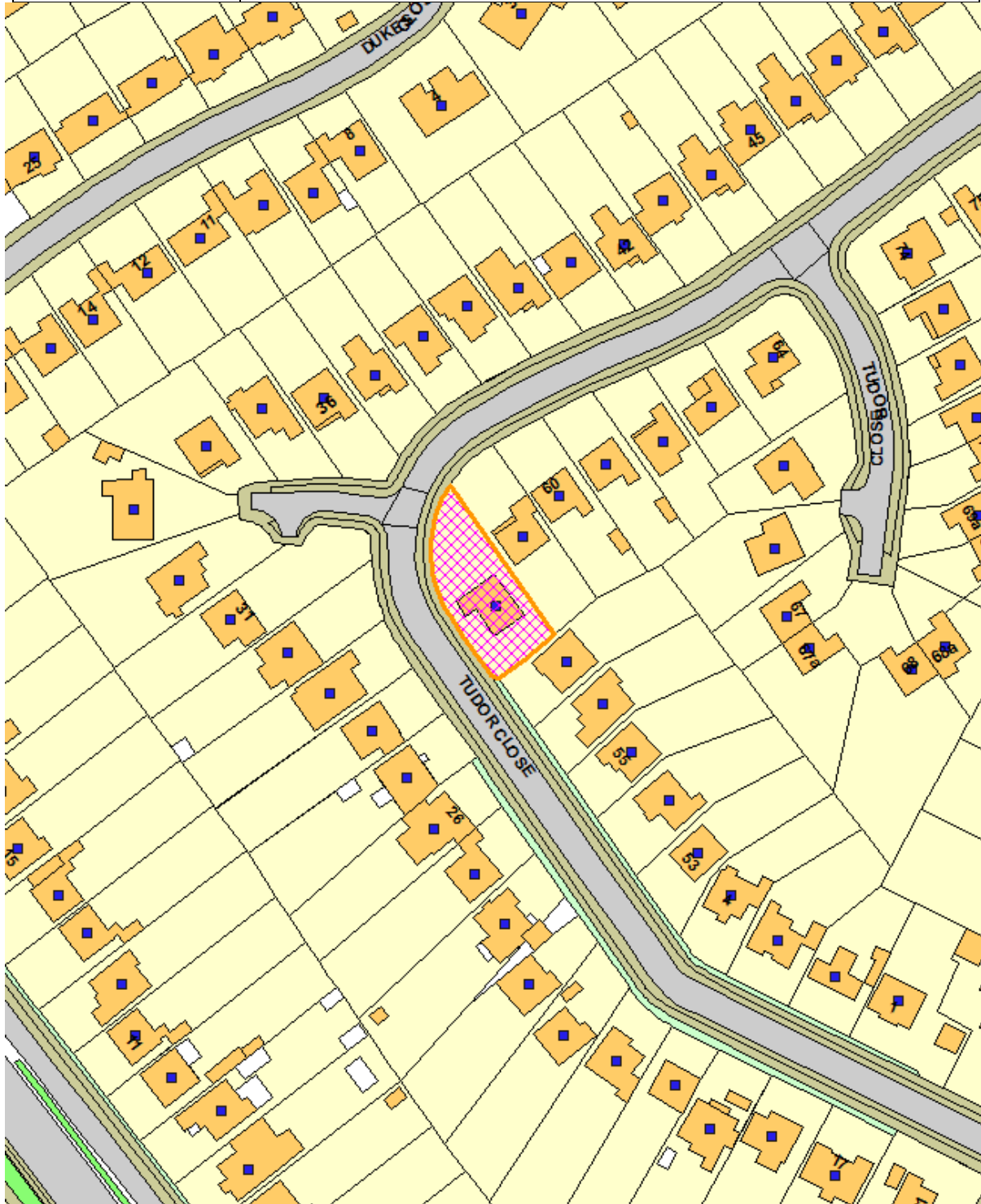
**Reason:** To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	17 March 2020	
Other Plan(s)	17 March 2020	
Other Plan(s)	17 March 2020	Handrail
Other Plan(s)	17 March 2020	Site Plan
Proposed Block Plan	17 March 2020	
Justification / Heritage Statement	10 March 2020	
Photographs	10 March 2020	

Location Plan	10 March 2020
Other Plan(s)	10 March 2020
Other Plan(s)	10 March 2020
Other Plan(s)	10 March 2020

<b>APPLICATION NUMBER:</b>	LW/19/0835		
<b>APPLICANTS NAME(S):</b>	Mr R Tutt	<b>PARISH / WARD:</b>	Seaford / Seaford West
<b>PROPOSAL:</b>	Householder for proposed double storey side extension		
<b>SITE ADDRESS:</b>	58 Tudor Close, Seaford, East Sussex, BN25 2LY		
<b>GRID REF:</b>			



## 1. SITE DESCRIPTION / PROPOSAL

1.1 The site is a two storey detached dwelling located on the corner of Tudor Close in Seaford. The property is not a Listed Building, within a Conservation Area or the South Downs National Park.

1.2 Planning permission is sought to replace the existing detached single storey flat roof garage with a two storey side extension which will be used as an annexe to the existing dwelling. The scheme has been amended since originally submitted to address the concerns.

## 2. RELEVANT POLICIES

2.1 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 -

**LDLP: DM8 – Residential Sub-divisions and Shared Housing**

**LDLP: DM25 – Design**

**LDLP: DM28 – Residential Extensions**

**LDLP: DM29 – Garages and other buildings ancillary to existing dwellings**

## 3. PLANNING HISTORY

**S/53/0019** - Layout. - **Refused**

**LW/81/0209** - Application for sun lounge. - **Approved**

**LW/88/1116** - Planning and Building Regulations Application to convert garage into bedroom and provide new garage and access. Building regs approved. Completed. - **Approved**

**S/62/0046** - Planning and Building Regulations Application for a house. B Regs approved - **Approved**

**S/61/0036** - Planning and Building Regulations Application for an extension of tudor close. B Regs approved - **Approved**

**LW/78/0653** - Planning application for garage and internal alterations. - **Approved**

**LW/97/1288** - New conservatory - **Approved**

## 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**ESCC Highways** – Thank you for consulting the Highway Authority on application no LW/19/0835. On this occasion I do not consider it necessary to provide formal Highway Authority comments and advise you to consult the minor planning application guidance (2017).

**Main Town Or Parish Council** – The Planning and Highways Committee RESOLVED to OBJECT to the application on the following grounds:-

That the 'extension' would constitute an over-development of the property in that it would enlarge the existing footprint by 100%

The proposals would be out of scale and character with the existing area and therefore contrary to saved policy ST03.

A single-storey extension would have been more appropriate in this location.

The proposed extension, being a separate self-contained dwelling, albeit with an internal link to the existing dwelling, would not be subservient to the existing dwelling

The bulk and general scale of the proposed 'extension' would be detrimental to the amenities of the occupier of the neighbouring dwelling at no. 59

The members also expressed concerns that the application had been registered as a 'householder' application. The description of the proposal as a double-storey side extension was misleading. It was not a simple extension but would lead to the development of a pair of semi-detached self-contained dwellings. It should therefore have been submitted as a full application with all the necessary additional information. Also there should, in the circumstances, be a referral back to the Highways Authority for their response to the highways and traffic implications of an additional access and additional traffic movements on this corner site as it was not a valid householder application

#### **Main Town Or Parish Council – comments on the amended plans –**

The Council's original objection to the proposal should stand for the following reasons:-

The enlargement of the existing footprint and the bulk of the two storey extension constitutes over development of the restricted plot

The siting of the extension close to the boundary with no 59 Tudor Close will be overbearing and seriously detrimental to the amenities of that property.

The bulk and siting of the property on a prominent corner will be intrusive and out of character with and detrimental to the existing street scene

The siting of the new access will also lead to additional traffic movements at the corner of the Close and will be detrimental to highway safety

If the District Council is minded to approve the application the Town Council requests a condition requiring the occupation of the extension to be subservient to the occupation of the existing dwelling as the existing plot is too restricted to accommodate two separate dwellings

### **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

One objection has been received from the adjoining neighbour at 59 Tudor Close, who raised concerns regarding to inaccuracy of drawings, overdevelopment for the site and the area, overshadowing and a safety hazard of proposed vehicular access.

### **6. PLANNING CONSIDERATIONS**

Visual amenity/design

6.1 The two storey side extension, as amended, would measure approximately 10.8m wide, 10m deep with an eaves height of 5m and a maximum height of 7m. It is also proposed the two storey extension will have dormers to the front and rear of the property to

match the existing style of the dwelling, rear roof lights, a roof terrace and a three bay garage facing the north-west side. All the proposed materials would match the existing dwelling.

6.2 It is considered that the original proposal due to its form and scale, would be out of keeping with the streetscene as properties within the area are mostly detached chalet bungalows or detached two storey dwellings. This proposal would create the appearance of a large semi-detached dwelling which would not be similar appearance of style of the surrounding area. The proposed extension was not considered to be subservient to the existing dwelling by design, with no shared facilities to be considered ancillary to the main dwelling.

6.3 These concerns were communicated to the agent, and a revised proposal was submitted, reducing the height of the extension to appear more subservient to the existing dwelling, the removal of the additional front door to the extension and clear shared facilities for the extension to be ancillary to the existing property. The car ports have been re-designed to have one garage door to the north-west side and two garage doors to the front west elevation to appear more residential in character.

6.4 The design and size of the extension has been reduced significantly to reduce the impact on the existing dwelling, the neighbouring dwelling and the surrounding streetscene, The extension now measures approximately 8.2m wide, 9.9m deep with an eaves height of 4.9m and maximum height of 6.3m. This revised extension includes a Juliette balcony to the north-west side, two dormers to the front, a rear rooflight to provide light to the hallway and a flat roof rear dormer which will be obscurely glazed to protect the neighbour's amenity.

#### Residential Amenity

6.5 One neighbour representation was received from the adjoining neighbour at 59 Tudor Close which is located to north-east of the site, set behind the property.

6.6 The neighbour objected the original proposal as the extension was not seen as being subservient to the existing dwelling and the size of development was considered to be a significant overdevelopment and, more significantly would overshadow their property. This objection also added the inaccuracy of one of the drawings which appeared to show the garage to have a pitched roof. Conditions have been proposed to prevent the flat roof being used as a roof terrace and to ensure the new windows on the north east elevation are obscure glazed.

6.7 No additional comments were received on the revised proposal.

6.8 The Seaford Town Council were consulted with the original and revised proposal and both received objections from the Town Council as the proposed development was considered to be over development of the restricted plot, the siting of the extension close to the boundary with no59 Tudor Close will be overbearing and seriously detrimental to the existing streetscene and the siting of the new access will also lead to additional traffic movements at the corner of the Close and will be detrimental to highway safety.

6.9 The Seaford Town Council also mentioned that if the application was minded to approve the application, then it is requested that a condition be added to require the occupation of the extension to be subservient to the occupation of the existing dwelling as the existing plot is too restricted to accommodate two separate dwellings.



6.10 These comments were taken into consideration and amendments requested from the agent. The subsequent amendments resulted in a reduction in size of the extension and a revised design that is subordinate to the existing dwelling. The reduction in the massing and redesign, together with the orientation of the properties to one another, overcame the issue of excessive bulk and mass and the impact on the street scene, as well as the overshadowing that would have occurred to the neighbouring property.

6.11 Concerns have been raised about the vehicular access. The East Sussex County Council Highways department did not consider the works significant enough to warrant providing comments. However it is not considered that the vehicular access would prejudice highway safety.

#### Conclusion

6.12 It is considered that on balance the proposed development will not be demonstrably harmful to the occupiers of the surrounding properties or be detrimental to the character and appearance of the area, in accordance with policies DM8 (Residential Sub-Divisions and Shared Housing), DM25 (Design), DM28 (Residential Extensions) and DM29 (Garages and other buildings ancillary to existing dwellings) of the Lewes Local Plan Part 2 and SEA2 - Design of the Seaford Neighbourhood Plan.

## 7. RECOMMENDATION

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

### **The application is subject to the following conditions:**

1. The two storey side extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 59 Tudor Close.

Reason: To prevent the creation of an additional dwelling having regard to DM28 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

2. 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 DM5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

3. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of how the development will incorporate measures to reduce carbon energy use, facilitate renewable energy installations, and lower household water consumption, have been submitted to and approved in writing by the local planning authority. The approved measures shall be put in place prior to the first occupation of each of the residential units, and shall be retained as such thereafter.

Reason: In order to reduce locally contributing causes of climate change in accordance with policy CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2019.

4. The 2 new windows in the north east elevation at first floor level to serve the living room and bathroom shall be in obscure glazing (obscurity level 4) and be permanently fixed

shut except for any fanlight windows above 1.7m FFL which can be openable, and these windows shall be maintained as such.

Reason: To protect the privacy and residential amenity of neighbours having regard to CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

5. The flat roof area of the extension to the north east hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific approval in writing from the Local Planning Authority.

Reason: In the interest of residential amenity having regard to Policy CP11 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2019.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	20 March 2020	REV B
Design & Access Statement	20 March 2020	REV B
Proposed Block Plan	20 March 2020	REV B
Proposed Elevation(s)	20 March 2020	drawing no 08 REV B
Proposed Elevation(s)	20 March 2020	drawing no 06 REV B
Proposed Floor Plan(s)	20 March 2020	drawing no 02 REV B
Proposed Floor Plan(s)	20 March 2020	drawing no 04 REV B
Proposed Roof Plan	20 March 2020	drawing no 10 REV B
Existing Floor Plan(s)	20 March 2020	drawing no 03 REV B
Existing Elevation(s)	20 March 2020	drawing no 05 REV B
Existing Roof Plan	20 March 2020	drawing no 09 REV B
Existing Floor Plan(s)	20 March 2020	drawing no 01 REV B
Existing Elevation(s)	20 March 2020	drawing no 07 REV B