

Planning Applications Committee 20 January 2021



Working in Partnership



Time: 4.00pm

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 (Vice-Chair); Graham Amy, Lynda Duhigg, Tom Jones, Christoph von Kurthy, Sylvia Lord, Imogen Makepeace, Milly Manley, Laurence O'Connor and Nicola Papanicolaou

Quorum: 5

Published: Monday, 11 January 2021

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 16 December 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/20/0652 - Land adjacent to Co-op, Fort Road, Newhaven (Pages 9 - 20)

9 LW/20/0413 - Brickyard Farm, Town Littleworth Road, Barcombe, East Sussex, BN8 4TD (Pages 21 - 40)

Planning applications within the South Downs National Park

10 SDNP/20/04009/HOUS - Cedar Cottage, Church Lane, Kingston, BN7 3LW (Pages 41 - 50)

Non-planning application related items

11 Date of next meeting

To note that the next meeting of the Planning Applications Committee which is scheduled to commence at 4:00pm on Wednesday, 17 February 2021, 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 the 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 the Committee.

A member must give notice of the question to the Committee and Civic Services Manager 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.

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Working in Partnership



Planning Applications Committee

Minutes of the meeting held remotely (via Microsoft Teams) on 16 December 2020 at 4.00pm

Present:

Councillor Sharon Davy (Chair)
Councillors Steve Saunders (Vice-Chair), Graham Amy, Roy Clay (Substitute), Lynda Duhigg, Tom Jones, Christoph von Kurthy, Sylvia Lord, Imogen Makepeace, Laurence O'Connor and Nicola Papanicolaou

Officers in attendance:

Andrew Hill (Senior Specialist Advisor, Planning)
Jennifer Norman (Committee Officer, Democratic Services)
Leigh Palmer (Interim Head of Planning)
Joanne Stone (Solicitor, Planning)

67 Introductions

The Chair introduced members of the Committee via a roll call, and those officers present during the remote meeting.

68 Apologies for absence/Declaration of substitute members

An apology for absence had been received from Councillor Milly Manley. Councillor Roy Clay declared that he was acting as substitute for Councillor Manley for the duration of the remote meeting.

69 Declarations of interest

There were none.

70 Minutes

The minutes of the meeting held on 25 November 2020 were submitted and approved, and the Chair was authorised to sign them as a correct record.

71 Petitions

There were none.

72 Written questions from councillors

There were none.

73 LW/20/0702 - Land at Railway Quay, Newhaven, East Sussex

A written representation for the proposal was read aloud by the Committee Officer on behalf of Simon Moore (Agent).

Resolved:

That planning application LW/20/0702 for the creation of a community hub with 10 converted shipping containers with PV panels for use as cafe with decked seating area, information hub, travel hubs, workshop hubs and three geodomes to support tourism, community uses and sustainable transport be approved, subject to the conditions set out in the report.

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

Resolved:

- 1) That application LW/19/0371 for stopping up and diversion of public footpaths at Newhaven Port under Section 257 Town and Country Planning Act 1990 be approved, subject to the conditions set out in the report; and
- 2) That the Director of Regeneration and Planning be granted delegated authority to make and confirm:
 - A. A Stopping Up and Diversion Order relating to part of Public Footpath 7b, part of Public Footpath 40a and part of Public Footpath 40b;
 - B. To carry out all legal steps required to publicise and consult on the Order; and
 - C. Subject to no objections being received or any objection received having been withdrawn, to make and confirm the Order and to publicise it as required by the legislation.

75 SDNP/20/00497/FUL - Lewes House site, Friars Walk, Lewes, East Sussex

Resolved:

That planning application SDNP/20/00497/FUL for construction of emergency exit ramp to rear of library be approved, subject to the conditions set out in the report.

76 Date of next meeting

The Chair, on behalf of the Committee, wished to thank Democratic Services Officers for their hard work, continued support and dedication during an unprecedented year. The Chair also thanked all members of the Committee for their continued commitment to the planning applications process and the other officers involved in supporting the Committee.

Resolved:

That the next meeting of the Planning Applications Committee which is scheduled to commence at 4:00pm on Wednesday, 20 January 2021, 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, be noted.

The meeting ended at 5.16pm.

Councillor Sharon Davy (Chair)

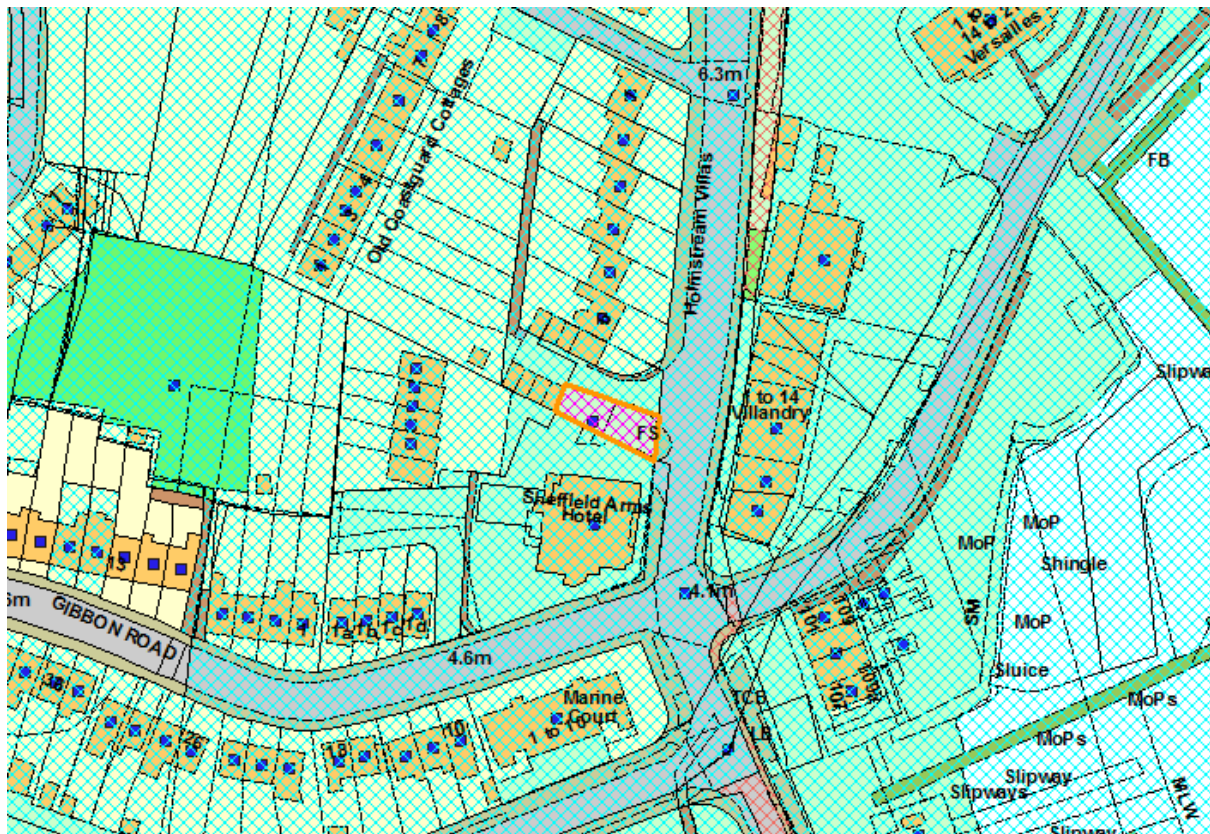
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Agenda Item 8

Report to: Planning Applications Committee
Date: 20th January 2021
Application No: LW/20/0652
Location: Land adjacent to Co-op, Fort Road, Newhaven
Proposal: Erection of 1 x 2 bedroom dwelling with courtyard and roof terrace.
Applicant: Dr Ansari – AA Homes and Housing Ltd
Ward: Newhaven South
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** Julie Cattell
E-mail: julie.cattell@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. **Executive Summary**

- 1.1 The proposed development is acceptable in principle and meets all relevant planning policies.
- 1.2 Accordingly, approval is recommended, subject to conditions.
- 1.3 This application has been called in to committee by Cllr Amy.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

2.2 Lewes District Local Plan

LDLP: - CP2 - Housing Type, Mix and Density

LDLP: - CP11 - Built and Historic Environment & Design

LDLP: - CP13 – Sustainable Travel

LDLP: - CP14 - Renewable and Low Carbon Energy

LDLP: - DM1 – Planning Boundary

LDLP: - DM25 – Design

LDLP: - DM26 – Refuse and recycling

2.3 Newhaven Neighbourhood Plan

Policy H1 – A Spatial strategy for Newhaven

Policy D1 – Promoting good design

Policy D2 – Design and climate change

3. **Site Description**

- 3.1 The wider site, which is partly in the control of the applicant is located on and accessed from the west side of Fort Road, close to the junction with Gibbon Road. To the immediate south of the site is the access road serving the adjacent Co-op convenience shop and a terrace of five houses. The Co-op building dates from 1891 and was formerly a hotel. The upper parts were converted into flats within the last five years. To the north, fronting Fort Road is a terrace of six houses known as Holmstraeu Villas. At the back of Holmstraeu Villas and set at a higher level is a further row of eight houses known as Old Coastguard Cottages. To the immediate north and west of the application site are two rows of garages, two of which have been converted into additional living space for the first property in Holmstraeu Villas. The site access serves the garages and a private footway serving the rear gardens of Holmstraeu Villas.
- 3.2 The application site comprises a tapered rectangular piece of land extending from the back edge of pavement to the edge of the garage block, covering 128m². Half is laid to grass on which stands a disused

flagpole and an information board connected to the former Coastguard use, and the other half is laid to concrete.

- 3.3 Opposite the site is a block of commercial and residential units known as Villandry, developed in the early 2000s, part of the West Quay Development. Of relevance to this application is the contemporary, flat roof design of this block.

4. **Relevant Planning History**

- 4.1 None relevant to this application.

5. **Proposed Development**

- 5.1 Planning permission is sought to develop the entire site to provide a two storey, two double bedroom house with a split-level flat roof. The entrance to the house will be in the north facing elevation. The ground floor is based around a central courtyard garden which the kitchen/dining room to the front and second/guest bedroom to the rear open on to. There is a bathroom next to the bedroom.
- 5.2 The lounge will be on the first floor front and the master bedroom and en-suite bathroom at the rear. The lounge will open on to a small east facing balcony. An external staircase leads to a roof terrace over the lounge, which will have a 1.6m high parapet wall around the perimeter. The rear, lower part of the roof would be finished as a 'brown roof' and a 9.4m² array of Photovoltaic panels. The courtyard will be enclosed on the ground floor with an obscure glazed privacy screen at first floor.
- 5.3 Bins and bikes would be stored in the garden.
- 5.4 The contemporary design of the new house reflects much of the 21st century development in Newhaven, notably Villandry, opposite the site. However, the external wall finishes will be in a mix of white brickwork on the south elevation and brown brickwork on the north and east to mirror the adjacent buildings.

6. **Consultations**

6.1 Newhaven Town Council

- 6.1.1 The Town Council objects to the application on the following grounds:

- Over development of the site.
- Out of keeping with the existing street-scene.
- Insufficient parking provision and reliance upon already oversubscribed on-street parking in the surrounding area.
- Potential issues of loss of light and over-looking from nearby flats.
- The issue of delivery lorry access from Fort Rd. to the rear of the Coop store need to be examined further.

6.2 Planning Policy

- 6.2.1 This planning application should be considered against the adopted 2016 Lewes District Local Part 1: Joint Core Strategy (LPP1) and 2020 Local Plan Part 2: Site Allocations and Development Management Policies (LPP2). The proposal should also be given consideration against the National Planning Policy Framework (NPPF).
- 6.2.2 The Newhaven Neighbourhood Plan (NNP) was 'made' on 27 November 2019 and is also therefore a material consideration.
- 6.2.3 The site is situated within the Planning boundary of Newhaven and South Highton. Policy DM1 of the LPP2 states development within the planning boundaries will be permitted providing it is in accordance with other policies and proposals in the development plan.
- 6.2.4 This is in line with Policy H1 of the NNP which states that planning application within the development boundary will be supported as meeting the spatial strategy to focus development within the existing built-up area.
- 6.2.5 Therefore there is no policy objection to the principle of the proposal providing the Case Officer considers the proposal to be in accordance with policies of the development plan, the NP and relevant sections of the NPPF, in terms of its siting, design, massing and impact on the character of the area, and in terms of the impact on the amenity of surrounding properties.

6.3 District Services – Waste and Recycling

- 6.3.1 No comment to make on proposal.

6.4 Environmental Health

- 6.4.1 No comments received

6.5 Southern Water

- 6.5.1 Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer. To make an application visit: developerservices.southernwater.co.uk and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements. The applicant has not stated details of the proposed means of disposal of surface water from the site. This should not involve disposal to a public foul sewer. In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

7. Neighbour Representations

7.1 Two objections received from residents in the immediate vicinity of the site and one from the wider area who has a relative living close by. The objections raise the following issues:

- Design is out of character with the area.
- Lack of parking.
- Road safety issues due to lack of parking.
- The access road to the Coop and houses to the rear is often blocked and difficult to access, doors to Coop refuse store often left open.
- Where will building materials be stored.
- Disruption and noise during building works.
- Extent of applicant's ownership outside of the application site challenged.
- Comments on applicant's other projects in the vicinity of the site.

8. Appraisal

8.1 Principle of Development

8.1.1 The site is within the planning boundary, so the principle of developing this brownfield windfall site is supported by policies DM1 and H1.

8.1.2 Policy CP2 supports smaller dwellings of one and two bedrooms.

8.2 Amenity of adjoining occupiers and the surrounding area and future occupiers:

8.2.1 There are flats in the two floors above the Co-op with habitable room windows that face the site. The impact of the proposed new house has been considered in terms of overlooking and daylight, using the original drawings for the conversion that resulted in those flats. As there are no windows in the south facing elevation, the only potential for mutual overlooking is from the roof terrace.

8.2.2 Due to the angle of the site, the distance between the Co-op and the proposed new house varies. Sections on drawings 122 (section CC) and 123 (section DD) show the critical distances in relation to overlooking and overshadowing to be 9.118m towards the rear of the new house and 6.997m towards the front. The section drawings demonstrate that the potential for mutual overlooking is extremely limited and would not be a sufficient to recommend refusal on this ground. The windows on the first floor of the north facing elevation serve as secondary windows to the living room, the master bedroom and the upper hallway. However, none of these windows directly face the side wall of 6 Holmstreu Villas.

8.2.3 In terms of the impact on daylight to the first floor windows of the flats above of the Co-op, drawings 122 and 123 demonstrate, using

the Building Research Establishment guidelines, that there would be no measurable loss of daylight to the adjacent residential properties.

- 8.2.4 The proposed new house, with a floor area of approximately 180m², exceeds National Floor Space Standard as do the two double bedrooms and storage areas. The house will have three areas of open amenity space and a balcony. Refuse and recycling will be kept in the courtyard area until collection. The Waste Team has not raised an objection.
- 8.2.5 In terms of amenity of the surrounding area as well as for future residents, it is considered that the proposal meets the relevant parts of policies CP11, DM25 and DM26.

8.3 Design

- 8.3.1 The contemporary design is considered to be appropriate in this location. It not only marks the change between the more traditional house type to the north of the site and the grand decorative style of Co-op building to the south, but also reflects 21st century developments in Newhaven, specifically of the site opposite. In this case, it is considered that the removal of Permitted Developments is justified.
- 8.3.2 The layout of the house is considered to be innovative in its response to this relatively tight site, creating a light and airy living space with a choice of outdoor space, whilst avoiding unfavourable impacts on the living conditions of both future residents and those in surrounding properties.
- 8.3.3 It is considered that in respect of design, the proposal meets the relevant parts of policies CP11, DM25 and D1.

8.4 Transport

- 8.4.1 The proposal does not include off-street parking; the ESCC Parking Calculator indicates that the new house would generate demand for 1 car parking space. It should be noted that the site is well located in relation to public transport links and is located next door to a large convenience shop. Although there are parking restrictions in place in the immediate locality of the site there is on-street capacity where these do not apply. It is considered that a refusal on the grounds of lack of on-site parking would not be justified and would unlikely to be upheld at appeal.
- 8.4.2 Cycle storage is indicated in the courtyard, of which details will be secured by condition.
- 8.4.3 The proposal is considered to comply with policy CP13.
- 8.4.4 Comments about traffic movements within the Co-op's service yard are noted. However, these are outside of the applicant's control.

8.5 Sustainability

- 8.5.1 A Sustainability Statement was submitted with the application which demonstrates how the detailed design of the proposed new house would be capable of reducing carbon emissions by use of fabric first building techniques, use of materials with low embedded carbon, photovoltaic cells and an air source heat pump. The Statement also commits to a reduction of water usage and attenuation of surface water.
- 8.5.2 A condition is recommended to secure a further sustainability report based on the scheme's Building Regulations submissions to demonstrate that the carbon reduction has been achieved.
- 8.5.3 The Sustainability Statement as submitted satisfies the requirements of policies CP14 and D2.

8.6 Other matters

- 8.6.1 Regarding comments raised by local residents that have not been covered above, disruption during building works is unavoidable but a condition has been recommended to secure a Construction Management Plan. Comments about the developer's ownership have been clarified and revised site and location plans submitted to rectify this. Finally, comments about the developer's other developments are not planning matters.
- 8.6.2 A condition has been recommended to secure safe retention of the information board prior to a suitable new location for it to be displayed in the vicinity of the site, in conjunction with the Town Council.

9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

- 10.1 The proposal meets all of the relevant plan policies and it is recommended that planning policy is granted subject to conditions.

10.2 Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved drawings:

| PLAN TYPE | DATE RECEIVED | REFERENCE |
|--------------------|----------------------|------------------|
| Site Location Plan | 23 December 2020 | AOC 239 001B |
| Site Block Plan | 23 December 2020 | AOC 239 002C |
| Floor Plans | 22 December 2020 | AOC 239 100B |

| PLAN TYPE | DATE RECEIVED | REFERENCE |
|---------------------------------|----------------------|------------------|
| North Elevation | 22 December 2020 | AOC 239 110A |
| East Elevation | 22 December 2020 | AOC 239 111A |
| South Elevation | 22 December 2020 | AOC 239 112B |
| West Elevation | 22 December 2020 | AOC 239 113A |
| Existing & Proposed Sections AA | 22 December 2020 | AOC 239 120A |
| Existing & Proposed Sections BB | 22 December 2020 | AOC 239 121A |
| Proposed Section CC | 22 December 2020 | AOC 239 122 |
| Proposed Section BB | 22 December 2020 | AOC 239 123 |

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

2. No development shall commence until proposals for the removal, storage and re-location of the information board on the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Town Council. The information board shall be relocated in the agreed location prior to the occupation of the new house hereby approved.

Reason: In the interest of preserving the local historical context of the site.

3. No development shall commence, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:
 - the anticipated number frequency and types of vehicles used during construction;
 - the method of access and egress and routeing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - details of the precautions and facilities put in place to guard against the deposit of mud and substances from the application site on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed in order to be free of mud and similar substances prior to entering the public highway;

and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders;

- details of public engagement both prior to and during construction works;
- measures to control the emission of dust, dirt, air pollution and odour during demolition and construction;
- temporary lighting for construction and security;
- public engagement both prior to and during construction works;
- means of safeguarding public rights of way or providing temporary diversions;
- details outlining the proposed range of dust and dirt control measures and noise mitigation measures during the course of construction of the development, having regard to Section 61 consent under the Control of Pollution Act 1974;
- details of off-site monitoring of the CEMP; and
- assurance that the construction will be undertaken in accordance with the Considerate Constructor's Scheme.

The approved CEMP shall thereafter be implemented and adhered to throughout the entire site preparation and construction period.

Reason: In the interests of highway safety and the environmental amenities of the area, having regard to guidance within the National Planning Policy Framework.

4. No development shall take place above ground floor slab levels until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed prior to the first occupation or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development in keeping with the locality having regard to policy DM25 of the Lewes District Local Plan Part 2 and Policy CP11 of the Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework.

5. No development above ground floor slab level of any part of the development hereby permitted shall commence until a report has been submitted to, and approved in writing by, the Local Planning Authority, to include details and drawings to demonstrate how a minimum of 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage.

The report shall identify how renewable energy, passive energy and energy efficiency measures will be generated and utilised for each of the proposed buildings to collectively meet the requirement for the development. The approved details shall be implemented with the construction of each dwelling and thereafter retained.

Reason: To secure a proper standard of development having regard to policy CP14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

6. No part of the development shall be occupied into use until details of the cycle parking are submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To promote sustainable ways of transport in accordance with policies CP13 of the Lewes District Joint Core Strategy National Policy Guidance contained in the National Planning Policy Framework.

7. No site clearance or construction works shall take place outside 0800 hours to 1800 hours Mondays to Fridays and 0830 hours to 1300 hours on Saturdays and works shall not be carried out at any time on Sundays or Bank/Statutory Holidays.

Reason: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM21 of the Lewes District Local Plan and the National Planning Policy Framework.

9. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 1995 (or any order revoking and re-enacting that Order with or without modification) no development described in Part 1, Classes A to F 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 Policies CP11 and DM25 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

11. **Background Papers**

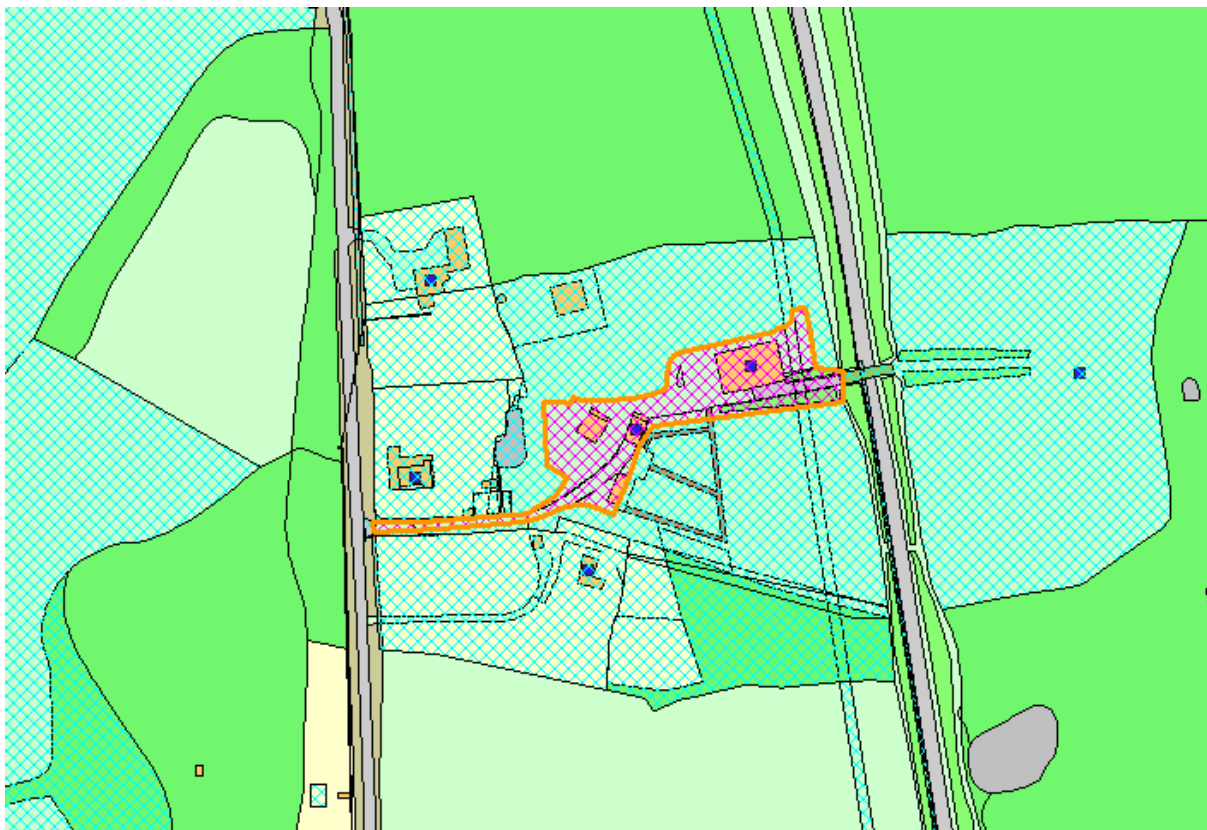
11.1 None.

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Agenda Item 9

Report to: Planning Applications Committee
Date: 20th January 2021
Application No: LW/20/0413
Location: Brickyard Farm, Town Littleworth Road, Barcombe, East Sussex, BN8 4TD
Proposal: Partial change of use of existing barn (Class B1/B8) to a flexible campsite facility building and change of use and replacement of the existing shower block into 2no. class B1 studios and associated parking.
Applicant: Mr T Bullen
Ward: Chailey, Barcombe & Hamsey
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** Sarah Scannell
E-mail: Sarah.Scannell@lewes-eastbourne.gov.uk

Map Location:



1. **Executive Summary**

- 1.1 The proposed development is acceptable in principle.
- 1.2 Accordingly approval is recommended, subject to conditions.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework 2019

2.2 Lewes District Local Plan

LDLP: – CP4 – Economic Development and Regeneration

LDLP: – CP5 – The Visitor Economy

LDLP: – CP7 – Infrastructure

LDLP: – CP8 – Green Infrastructure

LDLP: – CP9 – Air Quality

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP12 – Flood Risk, Coastal Erosion and Drainage

LDLP: – CP13 – Sustainable Travel

LDLP: – CP14 – Renewable and Low Carbon Energy

LDLP: – DM1 – Planning Boundary

LDLP: – DM10 – Employment Development in the Countryside

LDLP: – DM12: Caravan and Camping Sites

LDLP: – DM14: Green Infrastructure

LDLP: – DM20: Pollution Management

LDLP: – DM21: Land Contamination

LDLP: – DM23 – Noise

LDLP: – DM24 – Protection of Biodiversity and Geodiversity

LDLP: – DM25 – Design

LDLP: – DM27 – Landscape Design

LDLP: – DM33 – Heritage Assets

3. **Site Description**

- 3.1 Brickyard Farm lies in the open countryside to the east of Town Littleworth Road. The wider site is approximately 0.47ha used as a campsite and for other commercial uses. The access leads to a parking area and a complex of 1-2 storey buildings used as:

- the campsite reception with a kitchen and storage and leased offices (occupied by a firm of ecologists at first floor level) ('the Nest');
- a toilet and shower block ('Bulbs'- 32sqm);

- a designer's studio/ workshop (the 'Matchbox');
 - a small wash-up station; and
 - a large barn (380sqm) used for storage by an auctioneer.
- 3.2 Much of the remainder of the site is maintained/ wildflower grassland interspersed with scrub, hedges and trees. The site is bounded by ancient woodland to the north, east and south. Local Wildlife Sites adjoin the site.
- 3.3 The access is also used for the applicant's dwelling, 'The Old Brickhouse', which lies to the south and is Grade II listed; and 'Woodside' which adjoins the entrance to the site to the north. White Lodge, a B+B, is further north and has a separate access.
- 3.4 There are currently 18 camping pitches on the site (with a live application seeking to increase this to 21). The business limits each pitch to 4 adults and 7 people in total however the average number of guests per pitch is 3. The number of guests on average in peak season is therefore in the range of 54, up to 126 at maximum capacity. The site has approximately 30 parking spaces currently.

4. **Proposed Development**

- 4.1 The application proposes the partial change of use of the large barn (Class B1/B8) to a 'flexible campsite facility' and change of use and replacement of the existing toilet/ shower block 'Bulbs' into 2 no. B1 studios with associated parking.
- 4.2 The applicant seeks to improve the legibility of the campsite and to make better use of the existing buildings as the barn is unrelated to the camping use but is closest to the majority of pitches. As a result there is a degree of ambiguity as to which buildings and parking spaces are accessible to guests and which are leased privately/ associated with other businesses.
- 4.3 The floor area of the barn would be increased by 165sqm through the insertion of a mezzanine and would contain all campsite operations including a reception, storage, kitchen, dining area, patio/ terrace, showers and toilets. A communal indoor space would be used by guests during bad weather and for learning activities and presentations for guests, school and youth groups and members of the public. The remaining floor space would be retained in B1 use to be leased to a local business.
- 4.4 The hours of use of both buildings are stated as unknown on the application form however the planning statement states that the reception, store and B1 office/ studio in the converted barn would be open during 'office hours'. The showers and toilets would be open 24/7.
- 4.5 The proposals also seek to improve the appearance and sustainability of the buildings through, in the case of the barn, replacement of much of the existing fibre cement cladding with oak louvre panels, clear glazing and fixed vertical cedar cladding with holes to encourage wildlife; clear polycarbonate corrugated panels mounted over the existing cladding; and wall planting. Solar thermal panels which cover one roof slope would be reinstated. The toilet/ shower block would be replaced with a building of the same mono-pitched form containing two studios. Its footprint would be increased by

approximately 10sqm and it would be finished in timber-cladding with a green roof.

- 4.6 Note- an amended site plan was received to correct the location of the workshop approved under LW/19/0864 and show the ancient woodland buffer conditioned under LW/11/1500.

5. Relevant Planning History

- 5.1 The existing buildings were replaced or converted from the agricultural buildings associated with a historic nursery use, Chubbs Nursery. The relevant planning history of Chubbs Nursery/ Brickyard Farm is as follows:

Campsite/ camping pitches

- LW/11/1500 Change of use of existing agricultural land for use as a campsite and conversion of existing building for use as a toilet block. Approved Mar 2012 subject to conditions incl. hedge to Chubbs Bungalow (1); ancient woodland buffer (2); restricted check in/ out times 08:00-20:00 (3); limit of 15 separate campsite pitches (4); provision of parking on approved plans (5); cycle parking (6); approved plans (7).
Officer report refers to each pitch having a fire pit; parking for 17 cars in addition to 10 existing parking spaces for other uses; traffic generation report provided; and previous use being a garden centre and nursery.
- LW/12/0593/CD Discharge of condition 1 of application LW/11/1500.
- LW/12/0917 Variation of conditions 2, 4 & 5 relating to planning approval LW/11/1500 to allow the installation of a 'Tree-Tent' and car parking space. Approved Jan 2013 subject to conditions incl. maintenance of ancient woodland buffer (1); max of 16 separate campsite pitches (2); additional parking space (3); approved plans (4).
- LW/13/0636 Variation of conditions 2 and 3 relating to planning approval LW/11/1500 & LW/12/0917 to provide for an additional two pitches and two parking spaces. Approved Nov 2013 subject to conditions including a max of 18 separate pitches (1) parking (2) 30 spaces altogether; and approved plans (3).
- LW/20/0417 Variation of conditions 1, 2 and 3 attached to planning approval LW/13/0636 to provide for an additional three pitches, parking spaces and the siting of camping pods - live application (not yet determined).

Current campsite reception and offices –The Nest

- LW/16/0614 Demolition of existing packing shed and replacement with office building (120sqm). Approved.
Condition 5 restricts the use to B1 in the interests of residential amenity and highway safety. No parking condition. Report states substantial area for parking vehicles.
- LW/17/0210/CD Discharge of condition 4 (materials) relating to planning approval LW/16/0614.

- LW/17/0244 Variation of condition 1 relating to planning approval LW/16/0614 to increase natural light into the building. Use restricted to B1 only.

The Matchbox

- LW/09/0546 Change of use and conversion of former shop to B1 office use. Approved July 2009.
- LW/10/0041 Change of use and conversion of former shop to B1 office use (amendment to planning approval LW/09/0546) [Match Box approx. 55sqm]. Approved Mar 2010.

Conditions requiring approved parking area to be provided and retained (2); and restricting use to B1 (condition 4).

- LW/13/0132 Non-material amendments to planning approval LW/10/0041 [to convert and re-use existing building and clad it rather than remodel it]. Approved Feb 2013.

The Barn

- LW/06/1255 Change of use of barn to classes B1 light industrial and/or B8 storage (360-380sqm). Approved Feb 2007 subject to conditions incl. no machinery/ industrial processes/ deliveries outside 8-18 M-F, 8-13 Sat (1); use restricted to B1 and B8 (2); area hatched green on the plan shall be cleared and kept free of obstruction above 600mm(3).

New workshop building

- LW/19/0864 Demolition of polytunnel structure, erection of one storey workshop and storage building (144sqm), also introduction of a new wildlife area (550sqm with a pond) [to the north/ north west of the reception]. Approved 13/05/2020.
- Conditions relating to a Travel Plan; CMP; lighting restrictions; noise limits; restricting use to R+D, storage and assembly using hand tools and battery operated drills/ drivers in the building only (due to traffic generation and amenity); restricted hours 9-17 M-F and 9-12 Sat and Sun; no rooflights on the northern roof slope.

6. Consultations

6.1.1 Parish Council -

Objection to this and the concurrent application for additional campsite pitches (LW/20/0417) on the following grounds:

- overdevelopment of the site.
- a departure from the original ethos of the site due to increase in numbers.
- lack of comment by ESCC Highways.
- harm to privacy of neighbours and other businesses in the area due to increase in traffic and noise.
- significant increase in parking spaces to 40.

- potential for 'flexible campsite facility' to form a hub drawing visitors to one point with associated noise.
- relocation of all pitches to the east of the railway line would be appreciated by neighbours.

6.2 Environmental Health – Proposal supported

- No conditions necessary in the context of EH as believed no potential impacts for neighbouring residents.

ESCC Highways – No objection

- considering the number of non-guests attending talks and timing would be limited by condition and considering the level of control under historic permissions currently.
- No concerns raised about more intensive use of access/ site or level of parking. Total parking spaces could be secured by condition which would be beneficial considering existing level of control.
- Conditions suggested including parking and turning, dimensions of spaces and cycle storage

Biodiversity Officer – Recommend for approval subject to conditions:

- No designations on the site however number of local wildlife sites in the vicinity and 20m from ancient woodland. Measures to improve ancient woodland buffer together with nature, scale and location of the proposed development means there is unlikely to be any impacts on designated sites and ancient woodland.
- Proposal would largely affect poor semi-improved grassland and scattered trees which are to be translocated/ replaced. Parking area to be grasscrete/geocrete and sown with wildflowers and grass seed.
- Measures to protect and enhance habitats for protected species acceptable and would result in net gain. Submitted Preliminary Ecological Appraisal (PEA) is acceptable.

7. **Neighbour Representations**

7.1.1 Objections were received from neighbouring residents and business owners which raise the following concerns in summary:

- Narrow road with poor visibility. Highway safety concerns. Increase in parking spaces and volume of traffic especially if the site is used for groups and events and the commercial facilities are expanded. HGVs and cars. Travel plan ineffective. No public transport. Highways should be consulted.
- Hardstanding could be used for additional parking beyond what's formally shown.
- Disturbance from additional traffic in close proximity to neighbours.
- New studio would not be same proportions as stated- submitted plans show ridge would be 1.1m higher. Office previously built larger than approved and had to be regularised.

- Overdevelopment of the site. Concern studios would become a light industrial use/ 4 additional light industrial units proposed. Existing buildings should be used by campsite instead of being let out.
- Proposal contradicts original justification for restricting number of pitches (neighbouring amenity).
- Lack of clarity on use and hours of communal space. Likely to be used as event hub for non-guests intensifying use of the site and increasing traffic. Could be used for groups of approximately 156 people or more congregating 24 hours a day year round playing music etc. Potential for anti-social behaviour.
- Impact of alcohol licence should be considered.
- Impact of relocation of communal bin storage to behind neighbouring properties in terms of nuisance from flies, smells and noise disturbance.
- Cumulative impact of previous and current applications. If approved appropriate conditions should be used and retained to prevent gradual erosion of amenity with each new application.
- Introduction of windows, numerous openings and terrace to buildings resulting in light pollution in an area of dark sky and harm to neighbouring amenity and wildlife. Mature screening should be provided and openings removed from north and west elevations.
- Noise mitigation measures should be provided.
- Air pollution from fires and additional cars. Cumulative effect with Covid-19.
- Harm to tranquillity, character and appearance of the area.
- Harm to wildlife.
- Loss of privacy and overlooking of neighbouring property including woodland. Buildings visible from neighbouring properties and ancient woodland.
- Recently approved workshop is 5m closer to neighbouring properties on submitted plans than approved.
- Concurrent application LW/20/0417 relies on parking under this application even though it would result in an increase in traffic in itself.
- Noise and smoke (from camp fires) resulting in disturbance, air pollution and health problems.
- No complete site plan and number of pitches unclear. Clarity needed on how many people are allowed per pitch. Number of pitches doesn't tally with campsite licence. Number of pitches is due to increase as is extent of camping period (to become year-round).
- Ancient woodland buffer not provided as previously required by condition and infringed by campers.
- Ecology report does not cover light or air pollution.

- Comments received in support are not from people who live in the immediate area.
- 7.2 A number of letters of support/ positive comments were submitted and are summarised as follows:

- Relocation of the campsite reception/ hub further east is welcomed.
- Positive use of an old farm building.
- Planting, wildlife enhancement, conservation, eco-tourism, education and a quiet and spacious environment at forefront of site operation.
- Site provides an opportunity for families and others to visit and experience nature. Proposal would provide an area for learning for various groups.
- Other businesses on the site chosen due to their quiet, complementary nature. Lovely peaceful environment to work from. Have never experienced anti-social behaviour or disturbance from traffic or other factors on the site.
- Site is well run and an asset to the local economy/ community with knock on benefits for nearby farm shop, pub and café.
- Proposal is proportionate and it's sensible to refine site.
- Proposed studios would meet a local demand.

8. **Appraisal**

8.1 Key Considerations

- 8.1.1 The main considerations relate to the principle of the use; the character and appearance of the area; the amenity of residents and visitors; highway safety; and biodiversity.
- 8.1.2 Further matters such as light pollution, drainage and heritage are also discussed below.

8.2 Policy

- 8.2.1 The site is outside the planning boundary where, under Policy DM1, the distinctive character and quality of the countryside will be protected and new development will only be permitted where it is consistent with a specific development plan policy or where the need for a countryside location can be demonstrated.
- 8.2.2 Core Policy 4 states that to stimulate and maintain a buoyant and balanced local economy, to support the rural economy and to ensure the district's economy does not become reliant on one or two sectors, the local planning authority will take a flexible and supportive approach to economic development through the measures including
- supporting the delivery of new office space to meet modern requirements.
 - encouraging and supporting small, flexible business units include economic growth in rural areas through the conversion of existing

buildings and appropriate, well-designed new buildings for suitable business uses and for sustainable tourism developments.

- promoting the development of sustainable tourism, including recreation, leisure, cultural and creative sectors.

- 8.2.3 Policy DM10 states that, outside the planning boundaries, proposals for small-scale employment development will be permitted where it involves the conversion, re-use or replacement of existing agricultural/ rural buildings where this would result in a more sustainable development than could be achieved through converting the building. Other criteria include an acceptable impact on the character and appearance of the area, lighting, residential amenity and highways. The preamble to the policy states that its objectives are to positively focus growth on sustainable settlements, to help protect the intrinsic character and beauty of the countryside and to prevent the cumulative erosion of the distinctive character and qualities of the district's countryside.
- 8.2.4 Policy DM12 permits proposals for the extension of existing camp sites subject to certain criteria including a reasonably accessible location, an intensity of use compatible with the location and the use of existing buildings or structures where possible, to provide ancillary facilities.
- 8.2.5 CP5 expresses a presumption in favour of the retention and improvement of the existing visitor accommodation stock, including camping and caravan sites, and supports the development of an all year-round visitor economy.

8.3 Principle of the Proposed Uses

- 8.3.1 'Bulbs' is a mono-pitched timber building of no particular historic/ architectural merit and would be replaced with a more sustainable building (in terms of energy efficiency and use of a green roof) of higher quality design. The building would be taller to accommodate the green roof but would remain a modest single storey building with a mono-pitched form. The visual impact of this would be neutral given the relative scale and siting. The building would be over 40m from the closest residential plot (Woodside) and 60m from the dwelling itself. With a footprint of 42sqm it would constitute small-scale employment development which could diversify and complement the campsite use, provide opportunities for small start-ups and would be likely to be low key by virtue of its limited floor area and use. The submitted information refers to an intended use as artists' studios and B1 'business' use generally. B1 uses can operate in residential areas without detriment to amenity by definition. The removal of permitted development rights and a restriction on hours of use is merited to prevent alternative uses which may have limited economic benefits or be inappropriate in terms of traffic generation/ private car use, the character of the area and neighbouring amenity.
- 8.3.2 The justification for clustering all of the campsite activities in the large barn closer to the majority of pitches is logical in operational

terms and would move some activity further from neighbouring dwellings/ the B+B. It is not uncommon for campsites to have a hub with communal facilities. Part of the building would be retained in B1 use to be leased to a business. The current use of the barn for storage by an auctioneering firm appears to be very low key. The historic commercial use of the wider site and the potential for the barn to lawfully be used for a much more intensive B1/ B8 use notwithstanding its basic utilitarian nature are material considerations. Machinery use, industrial processes and deliveries are precluded in the barn outside the hours of 08:00-18:00 Monday-Friday and 08:00-13:00 Saturday however, in planning terms, the building could otherwise be used 24/7. The original application for a change of use of the wider site to a campsite restricts check in/ out between 08:00 and 20:00. The proposed increase in floor space would be not be insignificant however would be contained within the existing building and it appears that planning permission would not be required for a mezzanine floor under the current use. It would also constitute a more efficient use of buildings on the site. The proposal would improve the external appearance and environmental performance of the barn, which is of no particular historic/ architectural merit. It would provide biodiversity enhancements in the form of living walls and would enrich guests' experience through the provision of indoor kitchen and dining facilities, socialising and learning space. This would be likely to attract more guests outside of peak season and help to bolster a year-round visitor economy. It is noted that the campsite normally closes from the end of October until the end of March however a year-round operation is not precluded by condition. Use of the barn for educational talks as described would complement the character of the campsite and have benefits in terms of fostering an interest in the environment, bringing people together from the wider community and making use of the building for a positive purpose when the weather is poor at quieter times, be it mid-week or out of season.

- 8.3.3 The case officer has visited the site on two occasions. It is evident that nature, education, the quiet rural environment and sustainability are fundamental to the ethos of the business. Numerous pitches were occupied by families with children. Stag/ hen parties, pets and music are not allowed. Post 10pm is 'quiet time'.
- 8.3.4 Notwithstanding these factors, uncontrolled use of the barn would not be appropriate. The site/ business could be sold to another operator. The site is isolated and not readily accessible by public transport. The lack of a footpath or cycling infrastructure would be likely to discourage people from using more sustainable modes of transport. While groups may opt to travel by minibus, it is likely that the majority of attendees would travel by private car which is discouraged by CP13. While guests' arrivals would be spread out, it is likely that non-guests would arrive/ depart over a short space of time. Traffic and other activity on the site could result in an adverse impact on the quiet rural environment and amenity of occupants of neighbouring properties as well as other visitors to the area contrary

to DM10 and DM25. It has not been suggested that there is a shortage of community space in neighbouring settlements which the proposal seeks to provide for. It is noted that the campsite has recently been granted an alcohol licence.

8.3.5 Further details were requested about the intended use of the barn. The following information was provided:

- there is no intention to rent out or use the building as a venue for weddings, parties, general meetings or exercise classes/ workshops for example.

- the aim is to provide an opportunity for peaceful groups to learn more about wildlife, the local environment and sustainability with reference to the 7 action areas of Lewes District Council's draft Climate Change and Sustainability Strategy Framework to meet its objective to become carbon neutral by 2030.

- such talks would be open to guests during holidays and weekends and non-guests at other times when the campsite is typically closed or very quiet.

- non-guests could be school or community groups, wildlife and environment groups, local business teams (as a team learning/bonding activity) or members of the local community. The number of attendees could be capped at 30 and the number of non-guest talks could be capped at 18 per annum and no more than 2 a month.

- campers attending would already be staying on site and using the allocated parking.

- any visiting non-guests would be arriving when the campsite is quiet as outlined. Irregular visits from local residents are unlikely to have a tangible impact on the local highway.

- talks would be predominantly in the day/ early evening. The campsite has a quiet after 10pm policy. Ideally the talks could run until 10pm however there may be limited occasions when the subject matter would be better suited to early in the morning or late at night such as a dark night sky talk.

8.3.6 A 10pm finish for talks/ events for non-guests could result in a disturbance to neighbouring residents/ B+B guests through noise from traffic leaving the site among other factors. The requirement for non-guests to have vacated the site by 9pm would be more reasonable. This and control of the site through the parameters outlined above would generally strike a reasonable balance between facilitating sustainable rural economic growth per various adopted policies outlined above and preventing material harm to the character and appearance of the area including tranquility, the environment, neighbouring amenity, highway safety and the capacity of the road network. On balance, a condition limiting hours of use of the barn by guests and staff would not be reasonable or enforceable considering the lawful B1/B8 use could be 24/7; that campsite check in/out is controlled by condition under the original

change of use application; that the toilets, showers, office and storage would need to be more accessible over a broad range of hours; and the separation distance from the closest, aforementioned neighbouring plots (approximately 75m and 90m). A condition limiting use of the barn for purposes ancillary to the campsite (sui generis) also adds a layer of control preventing use for general events.

8.4 Impact on the Amenity of Residents and Visitors

- 8.4.1 There would be no material harm to neighbouring amenity through loss of privacy taking into account cumulatively the historic and established commercial activity; vegetation on and around the site; the topography of the site; the separation distance involved; the measures used to minimise light spill; the wall enclosure to the first floor patio; and the wooded nature of land to the north.
- 8.4.2 No concerns were raised by the Environmental Health Officer in his consultation response and a subsequent site visit did not alter his initial views. Standard hours of construction are secured by condition in the interests of neighbouring amenity.
- 8.4.3 Use of the barn as a space for guests for dining, cooking, socialising and relaxing would not be unreasonable. As outlined, the premises were recently granted an alcohol licence and there are separate licencing mechanisms in place to review this. It would not be reasonable to prevent the playing of any music per se and excessively loud music and other noise would be within the remit of Environmental Health. Guests would already be on the site and this application would not affect the numbers of guests.

8.5 Highway Safety

- 8.5.1 Paragraph 109 of the NPPF 2019 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.5.2 The background of the site, the proposal and recommended conditions have been discussed with ESCC's Highway Officer who has no objection subject to securing the proposed parking and turning spaces, limiting the number of talks per month and per annum, as well as the number of non-campsite guests who could attend to ensure there would not be an excessive volume of traffic arriving/ departing the site at any one time and that there would be sufficient onsite parking.

8.6 Lighting

- 8.6.1 DM20 restricts development with potential to contribute to unacceptable levels of light as well as soil, air and noise pollution. DM10 states that external lighting, or light spillage from internal lighting, should be kept to the minimum necessary for operational or safety purposes.
- 8.6.2 There is no formal dark sky designation which applies to the site however it is in a relatively isolated rural area with limited light

pollution. The proposal would result in an increase in glazing to both buildings, particularly the barn where wall cladding would be replaced with large windows. There are existing polycarbonate rooflights on the barn which are not shown on the plans and it is noted that the building could currently be altered under permitted development rights. The barn proposal includes an enclosed but uncovered first floor patio space involving removal of part of the roof at the north eastern corner. Light spill from the barn would be minimised cumulatively through limited night time use of the building, louvres to angle light downwards, the wall enclosure around the patio and a restriction on any increase in the area of rooflights. The studio would predominantly be used during daylight hours and the proposed glazing to it would not be excessive. A condition is attached to secure details of any artificial external lighting on the two buildings and the applicant has suggested that an existing flood light on the barn would be removed. The proposal would not result in unacceptable levels of light pollution taking into account the above factors.

8.7 Biodiversity and the Natural Environment

- 8.7.1 The application is supported by an Ecological Assessment which sets out various measures to prevent harm to and provide a net gain in biodiversity.
- 8.7.2 The proposal is supported by East Sussex County Council's Ecologist subject to conditions to secure the measures proposed. Further details are secured by condition to ensure that these measures would be enforceable.
- 8.7.3 Details of measures to prevent infringement of the ancient woodland buffer have been submitted following complaints over the summer however the buffer is secured by condition under an earlier planning application and it would not therefore be reasonable, necessary or relevant to repeat this under the current application.

8.8 Further Matters

- 8.8.1 Without prejudice to the outcome of the other live application for the site [LW/20/0417 Variation of conditions 1, 2 and 3 attached to planning approval LW/13/0636 to provide for an additional three pitches, parking spaces and the siting of camping pods], the cumulative impact of a potentially higher number of pitches and/or guests on the site has been taken into account in the recommendation set out in this report.
- 8.8.2 Additional information on the number of pitches has been provided by the agent in respect of the other live application. An increase in smoke from camp fires is not relevant to this application.
- 8.8.3 Objections have referred to the siting of the bin stores closer to neighbouring properties. This is not a matter for consideration under the current application. In any case, this would not result in material harm to neighbouring amenity given the separation distance involved and the use of the wider site.

- 8.8.4 The proposal would have a neutral impact on the setting of the listed dwelling (to the south of the access) in the context of the historic and existing commercial uses and the scale and nature of the proposed development.

9. **Human Rights Implications**

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. **Recommendation**

- 10.1 The proposal is supported in principle by policies CP4, CP5, DM10 and DM12.
- 10.2 There would be no material harm in terms of factors such as the amenity of residents and visitors to the area, the character and appearance of the area, highway safety, light pollution, biodiversity and the natural environment.
- 10.3 In any case, the proposal would result in overriding social, economic and environmental benefits through the enhancement of campsite facilities, small-scale diversification, use of the site at quieter times for educational talks, higher quality design and biodiversity enhancements.
- 10.4 The application is therefore recommended for approval.

10.5 Conditions

1. Demolition, site clearance, site preparation and construction shall be restricted to between 08:00-18:00 hours Monday to Friday and 09:00-13:00 hours on Saturdays and not at all on Sundays or bank holidays. No machinery shall be operated, no industrial processes shall be carried out and no deliveries or collections shall be made in association with the development/ uses hereby approved outside of these specified times.

Reason: To protect the amenity of neighbouring residents and visitors to the area and safeguard the character of the locality in accordance with DM10, DM12, DM20, DM23 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020 and the NPPF 2019.
2. The use of the smaller building (known as 'Bulbs') shall be restricted to Class B1 'Business' of the Town and Country Planning (Use Classes) Order 1987 or Class E(g) of the Town and Country Planning (Use Classes) Order 1987 as amended and the building shall not be used for any other purpose whatsoever, including within Classes B or E, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 2015 or the provisions of any statutory instrument amending, revoking and re-enacting those Orders. The building shall not be used outside the hours of 09:00-18:00 Monday-Friday and 09:00-13:00 Saturdays, Sundays and bank holidays.

Reason: To protect the amenity of neighbouring residents and visitors to the area and safeguard the character of the locality in accordance with DM10, DM20, DM23 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020 and the NPPF 2019.

3. Unless otherwise specified by a condition under this permission, the larger building (the barn) shall be used as a campsite reception and hub ancillary to the use of the wider campsite (sui generis) and/or for Classes B1 'Business' and B8 'Storage and Distribution' of the Town and Country Planning (Use Classes) Order 1987 or Class E(g) of the Town and Country Planning (Use Classes) Order 1987 as amended and for no other purposes whatsoever, including within Classes B or E, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and the provisions of any statutory instruments amending, revoking and re-enacting that order or the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to protect the amenity of neighbouring residents and safeguard the character of the area in accordance with DM10, DM12 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the National Planning Policy Framework 2019.

4. Notwithstanding condition 3 and unless otherwise agreed in writing by the Local Planning Authority, the barn shall be not be open to members of the public who are not camping on the site overnight with the exception of attendance for educational talks/ educational events which shall be limited to
 - a maximum of 18 days per annum;
 - no more than one event per fortnightly period;
 - days which do not fall within any school holidays, days of the weekend including Fridays, bank/ public holidays;
 - a maximum of 30 attendees at any one time;
 - between the hours of 10:00 and 20:30, with all attendees having vacated the wider site by 21:00.

Reason: In order to protect the amenity of neighbouring residents and visitors to the area, to safeguard the character of the area, in the interests of highway safety and to allow for economic growth and year round use of the site during quieter periods whilst acknowledging the site's isolated location and limited public transport connections in accordance with CP13 of Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; DM10, DM20, DM23 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the National Planning Policy Framework 2019. No development shall take place until a scheme to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall be fully implemented throughout the duration of construction works, with all

equipment maintained in accordance with the manufacturer's instructions at all times until completion of the development.

5. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to first use of the buildings hereby approved. The scheme shall include more specific details of ground surfacing; hedge, tree and other planting (including the number, size and species to be planted/ translocated); the green wall of the barn; and the green roof for the replacement building, 'Bulbs'.

Upon approval:

a) the scheme shall be carried out in the planting season following occupation of the buildings or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

b) all planting shall be carried out in accordance with British Standards, including in respect of plant storage and ground conditions at the time of planting;

c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

d) the whole scheme shall be subsequently retained.

Reason: To ensure that the hard and soft landscaping is secured and appropriate to the rural character of the site; and in the interests of sustainable urban drainage and achieving biodiversity enhancement in accordance with CP10, CP11, CP12 of Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; DM24 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the NPPF 2019. Details of any artificial lighting to be used on the site shall be submitted to and approved in writing by the Local Planning Authority prior to use and shall accord with the approved details thereafter.

6. Details of any external artificial lighting to be used on the barn or the replacement building, 'The Bulbs', shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and shall accord with the approved details thereafter.

Reason: To prevent unnecessary light pollution in the interests of protecting the amenity and rural character of the area and biodiversity whilst allowing for passive solar gain, natural light and security in accordance with CP11 and CP14 of Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; DM10, DM20 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the NPPF 2019.

7. Angled louvres shall be installed on the windows of the barn prior to first occupation of the building in accordance with the approved plans and the Proposed Lighting Plan received on the 11/11/20 and shall be retained thereafter.

Reason: To prevent unnecessary light pollution in the interests of protecting the amenity and rural character of the area and biodiversity whilst allowing for passive solar gain, natural light and security in accordance with CP11 and CP14 of Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; DM10, DM20 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the NPPF 2019.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and/ or re-enacting that Order), any rooflights on the replacement roof of the barn shall not exceed the area of rooflights on the existing roof.

Reason: To prevent excessive light pollution in the interests of protecting the amenity and rural character of the area and biodiversity whilst allowing for passive solar gain, natural light and security in accordance with CP11 and CP14 of Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; DM10, DM20 and DM25 of Lewes District Local Plan Part 2: Site Allocations and Development Management Policies Submission Document 2020; and the NPPF 2019.

9. Details of 4 electric car charging points for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. They shall be installed in accordance with the approved details prior to first use of the buildings hereby approved and retained and maintained in accordance with the manufacturer's instructions thereafter.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions and minimising the impact of the development on air quality, in accordance with policies CP13 and CP14 of the Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; and the NPPF.

10. Prior to the first use of the buildings hereby permitted, details of secure and sheltered cycle parking storage for a minimum of ten bicycles shall be submitted to and approved in writing by the Local Planning Authority and provided and retained in accordance with the approved details thereafter.

Reason: To reflect the more intensive use of the site proposed, to encourage alternative, more sustainable modes of transport and to reduce local contributing causes of climate change in accordance with Policies CP13 of Lewes District Local Plan and the NPPF 2019.

11. The development hereby approved shall be carried out in accordance with the precautionary and mitigation measures under section 7 of the submitted Ecological Assessment dated June 2020. Further and specific details of the enhancement measures under section 8 and a timetable for their installation shall be submitted and approved by the Local Planning Authority prior to first use of the buildings hereby approved. The enhancement measures shall be installed in accordance with the approved details and retained thereafter.

Reason: In the interests of biodiversity protection and enhancement in accordance with CP10 of the Lewes District Local Plan Part 1 Joint Core Strategy 2010-2030; and DM24 of Lewes District Local Plan Part 2: Site

Allocations and Development Management Policies Submission Document 2020 and the NPPF 2019.

12. Use of the buildings hereby approved shall not commence until the parking and turning spaces have been provided in accordance with the approved Site Proposals Plan received 25th August 2020 with each parking space measuring at least 2.5m by 5m (add an extra 50cm where spaces abut walls). The parking and turning spaces shall thereafter be retained for that purpose only and shall not be used other than for the parking and turning of motor vehicles.

Reason: To ensure there would be sufficient onsite parking and turning and in the interests of highway safety in accordance with CP11 and CP13 of Lewes District Local Plan Part One Joint Core Strategy 2010-2030 and the NPPF 2019.

10.6 Informatives

1. Buildings constructed or refurbished before 2000 may contain asbestos. An asbestos survey should be undertaken by a competent person in accordance with the guidance given in HSG264 Asbestos: The survey guide and a mitigation plan should be prepared to address the risk to future occupiers, construction workers and other parties from exposure to asbestos.
2. All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste.
3. The Local Planning Authority has acted positively and proactively in determining this application by engaging with stakeholders, visiting the site and neighbouring properties to get a better understanding of the operation and issues, seeking further information to address 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.
4. The development hereby permitted shall be carried out in accordance with the following approved drawings:

| PLAN TYPE | DATE RECEIVED | REFERENCE |
|--|----------------|-------------------|
| Location and Proposed Block Plans | 2 July 2020 | SCB-LUM001 Rev 01 |
| Proposed Elevations Barn (Blding 1) | 2 July 2020 | SCB-LUM007 Rev 01 |
| Proposed Floorplans Barn (Blding 1) | 2 July 2020 | SCB-LUM008 Rev 01 |
| Proposed Elevations Studios (Blding 2) | 2 July 2020 | SCB-LUM009 Rev 01 |
| Proposed Floorplans Studios (Blding 2) | 2 July 2020 | SCB-LUM010 Rev 01 |
| Site Plan Proposals | 25 August 2020 | SCB-LUM006 Rev 02 |

| PLAN TYPE | DATE RECEIVED | REFERENCE |
|--------------------------------|----------------------|-------------------|
| Proposed Lighting Plan Barn | 11 November 2020 | SCB-LUM011 Rev 01 |

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

11. **Background Papers**

11.1 None.

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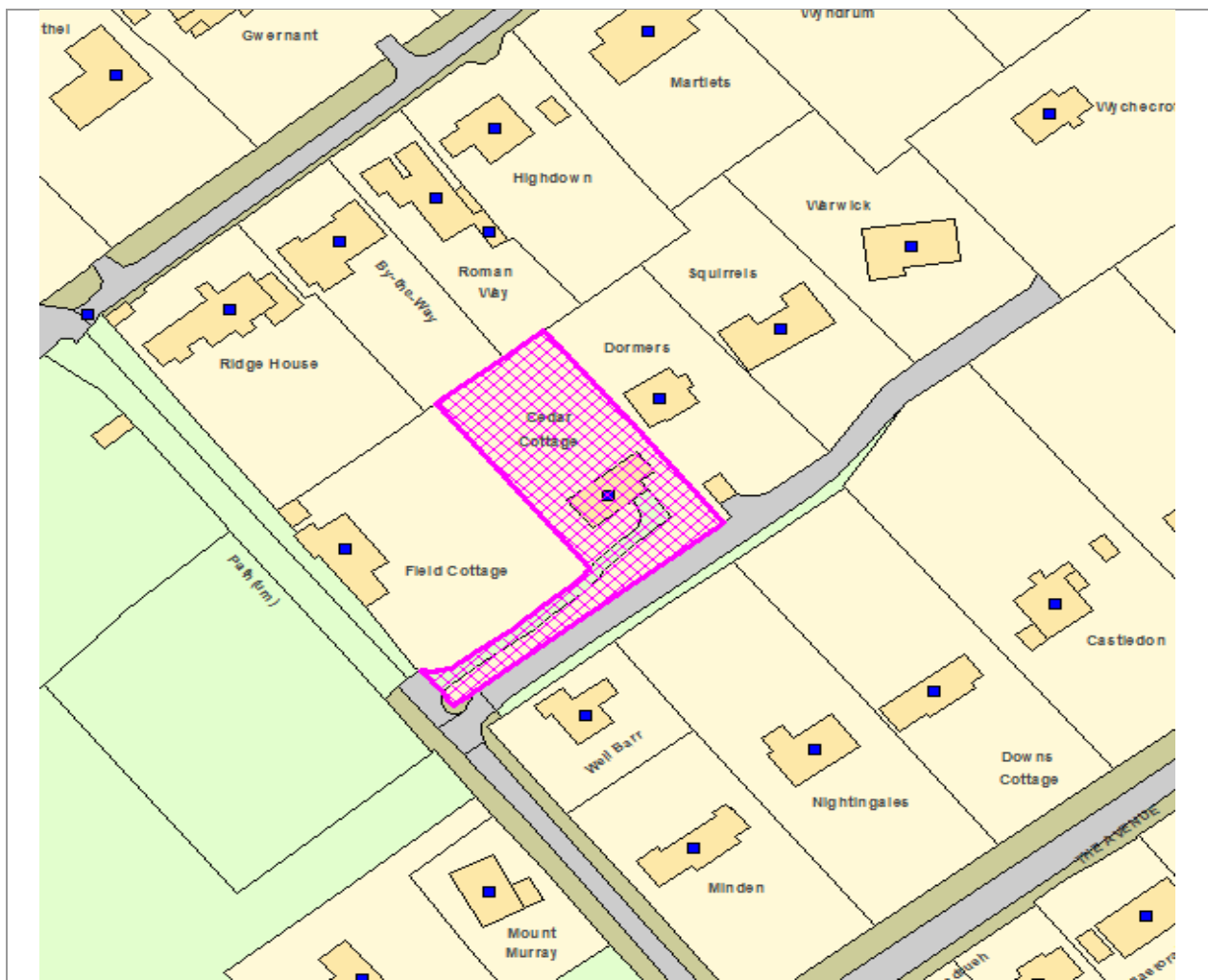
Report to: Planning Applications Committee
Date: 20th January 2021
Application No: SDNP/20/04009/HOUS
Location: Cedar Cottage
Church Lane
Kingston
BN7 3LW

Proposal: Demolition of single storey addition, proposed replacement two-storey side extension with associated landscaping, change to cladding colour, replacement windows and new rooflights, new balcony to south elevation, and new outbuilding.

Applicant: Mrs V Holden
Ward: Kingston Ward
Recommendation: Approve subject to conditions.
Contact Officer: **Name:** Russell Pilfold
E-mail: russell.pilfold@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL Liable.

Map Location:



1. Executive Summary

- 1.1 The proposed development is acceptable in principle.
- 1.2 Accordingly approval is recommended, subject to conditions.

2. Relevant Planning Policies

2.1 South Downs Local Plan

Core Policy SD2 - Ecosystems Services

Strategic Policy SD5 - Design

Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

3. Site Description

- 3.1 The application property is a detached dwelling located on the north-west side of Church Lane, an unmade, private track accessed from The Avenue, Kingston. It sits within a large plot and is set back and above the highway, due to the fall in level from the front of the property. All properties in the immediate vicinity are set within their own large plots, with no uniformity in design. The dwelling itself consists of two prominent gable ended sections, linked by a pitched roof between the two. The elevations are clad in timber with a tiled roof. The property is not a listed building or within a conservation area, but is within the South Downs National Park.

4. Proposed Development

- 4.1 It is proposed to demolish the existing single storey addition to the side and erect a two storey replacement extension, of similar appearance to the existing gable ended projections, with a first floor balcony, repaint the existing cladding and replace the existing windows, and erect a detached garden building adjacent to the existing driveway.

5. Relevant Planning History

- 5.1 LW/09/0243 - Erection of single storey side & rear extensions, conversion of garage to form habitable room, installation of juliet balcony at first floor at front and alterations to retaining wall at front – Approved
- 5.2 LW/76/1330 - Formation of new bedrooms on first floor with single private bathroom. Front porch on ground floor and minor alterations – Approved

6. Consultations

6.1 Kingston Parish Council – Objection

- 6.2 It is accepted that the proposal has been revised following the Planning Officer's comments but it is still felt that the two-storey extension is bulky, substantially enlarging the current building from what was once a small cottage. It is very close to the boundary with the neighbouring property, Dormers, and will substantially affect the light in Dormer's garden.

- 6.3 It is said that the zinc cladding would pick up on the local agricultural setting, but there is little zinc in the area so this seems to be rather far-fetched. Indeed, it is felt by some neighbours that the zinc could be more of a fire risk in direct sunlight than wood cladding.
- 6.4 It is not clear from the plans about the exact site of the proposed one storey outbuilding. It is difficult to judge the height of this but its bulk and proposed colour will have a direct effect on the neighbouring property Well Barr, which enjoys the afternoon sun in the family room. A plan showing the cross sections down the slope would be useful to help judge the impact of the building. On the block plan it appears to cross the site boundary (although this may merely be a drawing issue).
- 6.5 Finally, it is essential that a building management plan could be produced which recognises the particular issues of the site access. The bridle way is very popular with walkers accessing the Downs, children use it to get to and from the village school, as well as delivery vans. We would suggest that any management plan should include: details of the number, frequency and type of vehicles used in the building work; details of how the safety of other users along the bridle way can be protected; details of the routing of vehicles during construction through Kingston; details of how the vehicles will be loaded, unloaded and parked; and details of how the neighbours will be kept informed and engaged.

7. Neighbour Representations

- 7.1 Four objections received from neighbouring properties, which can be summarised as follows:
- Highways issues during construction, due to lack of room for construction vehicles, with the potential to block access for other residents and be dangerous for users of the bridle path.
 - The height of the proposed outbuilding adjacent to Church Lane
 - Ownership Issues relating to the access drive, and the location of services
 - The proposed works would be overbearing, reduce the view of the South Downs, and cause loss of light and privacy issues to the adjoining property, Dormers.
 - The works would be out of keeping with other properties in the immediate vicinity

8. Appraisal

- 8.1 The application property is a two-storey detached dwelling set back from the highway. Due to a fall in land height, the properties along this side of Church Lane are all raised above, and prominent within the street scene. Church Lane itself is a private, unmade track, which also serves as a public bridleway. Cedar cottage is accessed from a spur off of the main track, which serves six properties, itself sharing a further access driveway with the property immediately adjacent.

- 8.2 The proposed works include the erection of a two-storey side extension, including balcony to front, and a detached, single-storey car port along the access driveway, along with various repair/improvement works to the main property.
- 8.3 Policy SD31 (Extensions to existing dwellings and provision of annexes and outbuildings) of the South Downs Local Plan governs the size of residential extensions, seeking to keep them to a maximum of a 30% increase in the total floor area of the dwelling. The main driver for this policy is to prevent the loss of small/medium size dwellings across the National Park.
- 8.4 The demolition of the existing, single storey side extension, and erection of a two-storey replacement extension, would only create approx. 7% additional floor space within the main dwelling, well within the amount allowed by policy SD31.
- 8.5 Furthermore, the property would remain a four-bedroom dwelling, and therefore there would be no loss of a small/medium size dwelling, in accordance with Policy SD31. The proposed outbuilding would create a further 24sqm of floor space, but this is not required to be included within the calculation of percentage increase, in accordance with the Technical Advice Note produced by the National Park.
- 8.6 The Parish Council's comment that the proposed extension would convert 'what was once a small cottage' with a bulky extension is therefore, largely, unfounded, being that works would only add an additional 7% to the existing dwelling.
- 8.7 Policy SD31 also states that proposed extensions should respect the established character of the area and not be overbearing or be detrimental to the amenity of nearby residents. Similarly, Policy SD5 (Design) requires development proposals to utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing.
- 8.8 The proposed two storey extension replaces an existing single storey addition, which was originally an attached garage, later converted to a habitable room. The footprint of the proposed extension would be slightly smaller than the existing, as the front elevation would be set back. The form/style of the proposed extension largely copies that of the existing 'saw-tooth' gable ended roof form. However, it was requested at pre-application stage, that the roofline and elevation be lower and set back compared to the existing dwelling, so that the proposed extension could be read as a modern addition, and demarcated from the original dwelling. This advice has been adopted in the submitted design.
- 8.9 The applicant has chosen to clad the proposed extension in zinc. This would be a stark contrast to the existing dark-stained timber cladding, but would also help demarcate it from existing building. There is no uniformity in design or building materials along Church Lane, with a contemporary dwelling recently erected immediately adjacent to the application property. The application property itself is of distinctive appearance, with its two prominent gable ends and wood cladding, and is clearly visible from the access track. However, views to the wider public would be limited, as the

access track is only used by those properties situated along it, and the dwelling is not visible from the public bridleway. That being said, the use of zinc to clad the proposed extension would be a positive contribution to the property, enhancing the already unique appearance of the building through the use of sustainable materials. This largely mitigates the objections of the Parish Council, who have objected to the use of zinc to clad the proposed extension. Whilst the material would be unique to this specific area of Church Lane, the varying styles of design and use of materials in the neighbouring properties, and the limited visibility to the wider public, ensures that the use of zinc complies with Policy SD5.

- 8.10 The owners of the neighbouring property, 'Dormers', which is situated immediately adjacent to the proposed extension, have raised concerns regarding the height, massing and style of the extension, and the impact this will have on overshadowing, privacy and the views from their property. Similar concerns have been raised from the Parish Council.
- 8.11 The proposed extension replaces an existing ground floor extension, and so it is only the proposed second-floor/roofline that makes a material difference to the neighbouring property. The roofline is in keeping with the existing roof, in that it has a tall gable, with the roofslope angled away from the neighbouring property. Having visited the neighbouring property, it is clear that, whilst the proposed roof would be clearly visible, the existing roofline is already similarly visible, and there would be minimal impact on the outlook, or loss of privacy/light to the property. From ground floor level, the proposed extension would be largely shielded from view by existing hedging and trees on the boundary, and from second floor level, the extension would only be visible from a spare bedroom. Loss of view cannot be taken into consideration as part of determining an application, however, there would only be a slight loss of a small part of a much wider vista, at an oblique angle from the bedroom window.
- 8.12 Similarly, whilst the proposed extension would be visible in the rear garden of the neighbouring property, it would have little to no impact on the amount of light that would reach what is a sizable sloping rear garden.
- 8.13 Therefore, the objections of both the neighbouring property and Parish Council can largely be assuaged, as the creation of a second floor adjacent to 'Dormers' would have a minimal impact on the residential amenity of the neighbours, in accordance with Policy SD31.
- 8.14 The proposed rooflight to the side and rear window, which would be the only windows with the risk of overlooking to the neighbouring property, are to serve a dressing room and en suite bathroom, and therefore it is reasonable to suggest they would be obscure glazed, but this can be secured by condition.
- 8.15 The proposed balcony at first floor level would be situated to the front of the property, overlooking the front garden. Due to existing trees/hedging, there would be no loss of privacy for the neighbouring dwellings.
- 8.16 For the above reasons, the proposed extension is deemed to comply with Policies SD5 and SD31 of the South Downs Local Plan.

- 8.17 Policy SD31 (Extensions to Existing Dwellings and Provision of Annexes and Outbuildings) of the South Downs Local Plan allows for the erection of buildings within the curtilage of an existing dwelling, provided they demonstrate that they are required for a use incidental to the use of the host dwelling. Furthermore, Policy SD31 only allows development where there would not be an adverse impact on neighbouring residential amenity and the proposal respects the character of the area.
- 8.18 The proposed out building would be constructed on a strip of land that could currently be described as 'scrubland', located between the access drive to the application property and the access lane to other properties further down. It would consist of a single storey, three bay carport, with a pitched roof, constructed of timber cladding with a tiled roof.
- 8.19 Concerns have been raised by the Parish Council, neighbouring properties and the property on the other side of the access track about the height of the proposed outbuilding against the access track, and also about the ownership of the land it is to be constructed on. The ownership issue is not something it is possible to comment on as part of the planning application, but the applicants are advised to confirm this before construction, if permission is granted.
- 8.20 The proposed outbuilding would be set in a location that currently has an 'open feel', in that there are no buildings of any substance located against this part of the access track, when viewed from the bridleway. However, neighbouring properties further down do benefit from garaging at highway level. The impact of the proposed garaging on neighbouring properties would be minimal. The property on the other side of the access track, is some distance from the proposed carport, with it only being visible from the side elevation. It's debatable that they would be able to see the carport from groundfloor/rear garden level, due to existing hedging, and so there would be no impact on light that property.
- 8.21 More important is the appearance of the outbuilding from the track itself, and from the adjoining bridleway. As previously mentioned, the access track is only used by those properties located along it, and so the structure would only be visible to the wider public when viewed down the access track, from the adjoin bridleway. Whilst it would encroach on the open feel of this part of the access track, there is little reason to believe this would cause substantial harm to the appearance of the immediate vicinity. The scrubland is not especially attractive and, whilst the proposed building would break up the green hedge line along this part of the track, it would only be a small part of it. The use of cladding and the angle of the pitched roof would also help soften the impact, creating a sustainable, functional building. Therefore the objections from neighbouring residents and the Parish Council can largely be mitigated, and the outbuilding is deemed to be in accordance with Policy SD31 of the South Downs Local Plan.
- 8.22 The Parish Council and neighbouring residents have raised concerns about construction traffic and the safety of bridleway users, if permission were to be granted. However, as previously mentioned, a new build dwelling has recently been completed next door to the property in question, and this is the property that shares an access track with the application property. Clearly there is room for large vehicles to access the site via the bridleway,

although, it may be useful for the applicants to submit a 'Construction Management Plan' prior to the commencement of works, to help mitigate any issues surrounding safety of other bridleway users. This should help address the concerns of residents and the Parish Council, and isn't reason to refuse the application itself.

- 8.23 Policy SD2 (Ecosystem Services) seeks to ensure new development contributes positively to the goods and services that we receive from the natural environment through delivering on a number of different opportunities.
- 8.24 The applicants have committed to installing water butts to collect water from the pitched roofs, for use in the garden, along with the installation of permeable surfacing, creation of a compost heap and selective planting. Therefore the proposal accords with Policy SD2.
- 8.25 The erection of a two storey side extension and detached carport would not impact on neighbouring residential amenity or the wider public, and has the potential to create an impressive addition to an already unique building, in accordance with Policies SD5 (Design), SD2 (Ecosystem Services) and SD31 (Extensions to Existing Dwellings and Provision of Annexes and Outbuildings) of the South Downs Local Plan.

9. Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

10. Crime and Disorder Implications

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

11. Human Rights Implications

- 11.1 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.

12. Equality Act 2010

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

13. Proactive Working

- 13.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning

permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

14. Recommendation

14.1 It is recommended that planning permission be granted, subject to the following conditions.

14.2 Conditions

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 of the Town and Country Planning Act 1990 (as amended).

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

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

3. Before the first occupation of the building/extension hereby permitted the new window/windows(s) on the roofslope and first floor level rear elevation shall be fitted with obscure glazing. The window(s) shall be non-opening below 1.7 metres from the finished floor level of the room in which the window is installed. The window(s) shall be permanently retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining property.

4. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters:

- the method of access and egress and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway/public safety and the amenities of the area, in accordance with Policy SD5 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

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

| Plan Type | Reference | Version | Date on Plan | Status |
|------------------------------------|------------|---------|--------------|-----------|
| Plans - LOCATION & BLOCK PLANS | 1614/E/100 | | 21.09.2020 | Submitted |
| Plans - EXISTING GROUND FLOOR PLAN | 1614/E/101 | | 21.09.2020 | Approved |

| | | | | |
|---|-------------------------------|--|------------|----------|
| Plans - EXISTING FIRST FLOOR/ROOF PLANS | 1614/E/102 | | 21.09.2020 | Approved |
| Plans - EXISTING SECTIONS | 1614/E/103 | | 21.09.2020 | Approved |
| Plans - EXISTING ELEVATIONS | 1614/E/104 | | 21.09.2020 | Approved |
| Plans - PROPOSED SITE PLAN | 1614/P/100 | | 21.09.2020 | Approved |
| Plans - PROPOSED GROUND FLOOR PLAN | 1614/P/101 | | 21.09.2020 | Approved |
| Plans - PROPOSED FIRST FLOOR & ROOF PLANS | 1614/P/102 | | 21.09.2020 | Approved |
| Plans - PROPOSED SECTIONS | 1614/P/103 | | 21.09.2020 | Approved |
| Plans - PROPOSED ELEVATIONS | 1614/P/104 | | 21.09.2020 | Approved |
| Plans - PROPOSED OUTBUILDING DETAILS | 1614/P/105 | | 21.09.2020 | Approved |
| Application Documents - | PLANNING SUPPORTING STATEMENT | | 21.09.2020 | Approved |
| Application Documents - | BASELINE ASSESSMENT CHECKLIST | | 21.09.2020 | Approved |

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

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