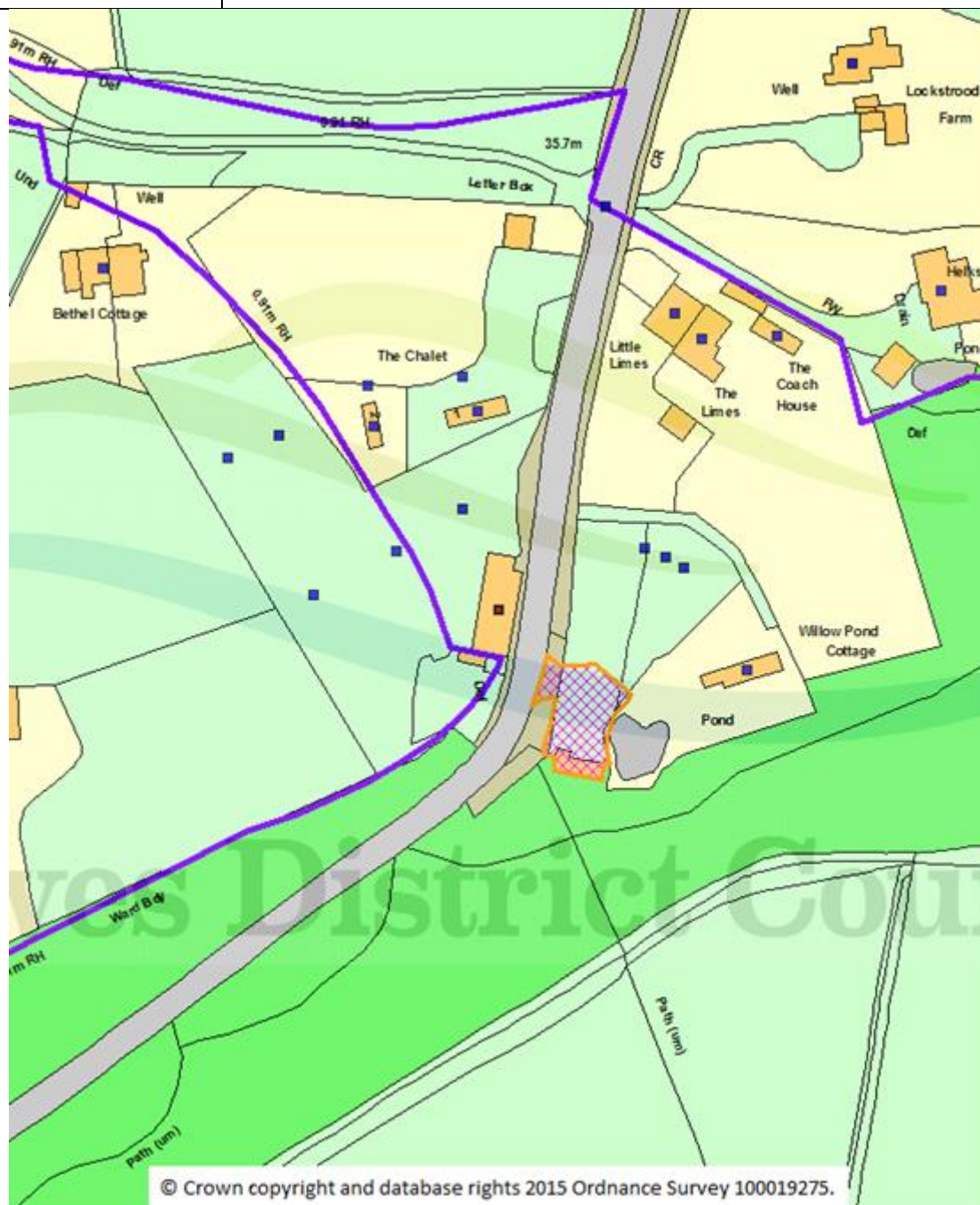


APPLICATION NUMBER:	LW/18/0200		
APPLICANTS NAME(S):	Gold Property Development Limited	PARISH / WARD:	Ditchling / Ditchling & Westmeston
PROPOSAL:	Planning Application for Extension and conversion of existing garage building to create a 2-bedroom bungalow with associated access and landscaping		
SITE ADDRESS:	The Royal Oak Ditchling Road Ditchling Common Ditchling East Sussex RH15 0SJ		
GRID REF:	TQ 33 19		



1. SITE DESCRIPTION / PROPOSAL

SITE DESCRIPTION

1.1 The application site lies on the eastern side of the B2112, Ditchling Road some 500m to the south of the village of Wivelsfield Green. The site used to form part of the Royal Oak pub. The application is not within a Conservation Area and it is not within the South Downs National Park.

1.2 The site of the former Royal Oak pub building itself, on the western side of the B2112, along with the former car park on the eastern side of the road, is being redeveloped by way of seven dwellings (ref. LW/15/0827). Two of these dwellings lie within the northern portion of the former car park on the eastern side of the road. In front of these properties are parking and turning areas.

1.3 Subsequent proposals for one and two additional dwellings (LW/17/0788 and LW/17/0789 respectively) have been refused planning permission and are currently the subject of a live appeal.

1.4 This application relates to a small outbuilding in the south-eastern corner of the former pub car park. Should either of the above appeals succeed, the current proposals cannot be implemented, and similarly, should the current proposals be implemented, neither of the appeal schemes could be constructed.

PROPOSAL

1.5 The application seeks planning permission to extend an existing outbuilding within the southern part of the former pub car park side, which aligns closely with the apex of a relatively sharp bend in the B2112. The extended outbuilding will form a detached single-storey dwelling with two bedrooms.

1.6 The outbuilding is set back from the edge of the highway by approximately 8.5m and it has an L-shape footprint just less than 11m in length and 3.6m in width. The building is proposed to be extended by an addition alongside the eastern boundary of the site and by increasing the depth of the existing building. The new building will still have an L-shape footprint but will be double the existing footprint, which will be increased from 42 square metres to 84 square metres.

1.7 The building will be positioned close to both the eastern and southern boundaries of the site, which adjoin the open countryside.

1.8 The proposed floor plan comprises two bedrooms within the portion closest to the road, a bathroom/W.C. and a combined kitchen and living room within the longer extended portion of the development.

1.9 The property will have pitched and hipped roofs, three rooflights on the southern roof slope and five rooflights on the eastern roof slope.

1.10 The development will not have a consistent eaves height and will have a basic and simple design using artificial blue-black slate style roof tiles and Chailey Rustic facing brickwork by Ibstock.

2. RELEVANT POLICIES

LDLP: – CT01 – Planning Boundary and Countryside Policy

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

LDLP: – SP2 – Distribution of Housing

LDLP: – CP10 – Natural Environment and Landscape

LDLP: – CP11 – Built and Historic Environment & Design

LDLP: – CP13 – Sustainable Travel

3. PLANNING HISTORY

LW/15/0459 - Erection of 12 dwellings to include 2, 3 and 4 bedroom housing with associated landscaping and road layout following demolition and removal of existing Royal Oak Public House and change of use to C3(a) dwellinghouses - **Withdrawn**

LW/15/0827 - Erection of 5 x four bedroom and 2 x three bedroom dwellings with associated landscaping and road layout following demolition and removal of existing Royal Oak Public House - **Approved**

LW/17/0788 - Erection of three dwellings with associated access and landscaping - **Refused**

LW/17/0789 - Full application for 4 dwellings with associated access and landscaping - **Refused**

APPEAL/17/0030 - Erection of three dwellings with associated access and landscaping - **Appeal In Progress**

APPEAL/17/0031 - Full application for 4 dwellings with associated access and landscaping - **Appeal Lodged**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

4.1 Wivelsfield Parish Council – Objection

4.2 Wivelsfield Parish Council objects to the application. A previous application (LW/17/0788) to create three dwellings on this site, was turned down, and the Parish Council does not believe that this application is sufficiently different to warrant permission now being approved. Rather the Parish Council believes that its original objections to the former application are still valid in relation to these new plans.

4.3 ESCC Highways – No objection, subject to conditions.

4.4 In response to amended plan No. 1682-03 revision 02 received direct from the agent on 21st June 2018.

4.5 The amended plans have addressed the highway concerns namely:-

4.6 Provided 3 car parking spaces [2 for the new bungalow and 1 for visitors to serve the whole of the red and blue site areas].

4.7 The proposed post and rail fence now shown to be positioned clear of the public highway.

4.8 Therefore subject to the access being carried out under previous planning permissions LW/15/0827 & LW/17/1009 and implemented prior to occupation of this proposed development I recommend highway conditions be included in any grant of consent:

1. No part of the development shall be occupied until the car parking has been constructed and provided in accordance with the approved plans. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To provide car-parking space for the development

2. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

3. No part of the development shall be occupied until the access onto the B2112 [Ditchling Road] has been implemented in accordance with the previous planning permission LW/15/0827 & LW/17/1009.

Reason: In the interests of highway safety.

4.9 Environmental Health – No contaminated land objections, subject to conditions relating to unsuspected contamination and asbestos.

4.10 Forestry Commission – No objection, with standard advice given.

4.11 Environmental Health – No objection, subject to conditions relating to hours of construction, management of waste materials and there being no bonfires on site.

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Representations have been received from Helks Barn, Jacobs Post; The Coach House; Bankside Farm; Lockstrood Farm; The Limes; Little Limes, objecting to the application for the following reasons:-

- Not in keeping with neighbourhood.
- Building in countryside.
- Out of character.
- Loss of open space.
- Over development of small site.
- Conservation of the local area.
- Conservation significance.
- Contextual significance.
- Within Conservation Area.
- Historical significance.
- Highway safety.
- Second highest rated crash site in East Sussex.
- First rated serious injury site in East Sussex.

- Highway hazards.
- Inadequate access.
- Parking issues.
- Traffic generation.
- Infringement on privacy.
- Loss of light.
- Overbearing building/structure.
- Overload/lack of current infrastructure.
- Effect on wildlife.
- Increase water in cellar.
- Drainage.
- Flooding.
- Not sustainable.

5.2 Ditchling Parish Council raises no comment to the proposed development.

6. PLANNING CONSIDERATIONS

6.1 The main considerations in the determination of the application include the principle of development, the design and visual impact, the effect on residential amenity, and accessibility and sustainable transport.

Principle of development-

6.2 This site is outside of a defined Planning Boundary and forms part of the site to a rural public house in the countryside. However, residential development of the site overall has previously been established by application LW/15/0827, a proposal for seven residential units. This development is at an advanced stage of implementation and has altered the character of the immediate locality, which previously comprised landscaping, car park and public house.

6.3 These changes have been sanctioned by national Government policy contained in the National Planning Policy Framework, including the definition of previously developed land.

6.4 In view of the fact that seven houses have already been approved, and are indeed at an advanced stage of completion, it would be unreasonable and inconsistent to now object in principle to residential development, and it is noted that half of the footprint of the proposed dwelling would be formed by an existing building thereby being compliant with paragraph 55 of the NPPF.

6.5 Policy HSG 1: "Set out and apply acceptance criteria to housing applications" of the Neighbourhood Plan for Ditchling, Streat and Westmeston, adopted in May 2018, is relevant to the application and states that:-

1. Housing proposals will be supported that provide:
 - a. one-, two- or three-bedroom houses or flats;
 - b. housing units for an ageing population in close proximity to village services and suitable for adapted living.
2. Affordable housing will be delivered in accordance with the development plan.

6.6 The proposal in this instance is to provide a two bedroom property, which is compliant with policy HSG1.

6.7 For the above reasons, and notwithstanding the objections received, the proposed development is held to be acceptable in principle.

Design and visual impact-

6.8 The proposed dwelling will be single storey, having a diminutive scale set against the boundaries of the site. The form and style is simple and traditional and the property will be set back from the road view from which will be filtered by landscaping and planting.

6.9 The design and appearance of the property is not particularly innovative or contemporary, but will serve to blend the development into its surrounding without appearing unduly dominant or incongruous.

Residential amenity-

6.10 There are no neighbouring properties that are in such close proximity to the site as to be affected by its single storey scale, in terms of overlooking or an overbearing impact. The nearest residential property is, in fact, closer to the previously approved housing within the north part of the former car park land, and just over 20m from the corner of the additional dwelling currently proposed. This amount of separation, taking into account also that the proposed dwelling is single storey, is sufficient to preclude loss of privacy and overlooking.

6.11 The current proposals, for an additional small scale two bedroom single storey property are not considered likely to have a significant adverse impact on neighbour amenity.

Accessibility and Highway Safety-

6.12 The many objections received from nearby residents and from Wivelsfield Parish Council are acknowledged and noted. Also, the consultation comments from East Sussex County Council as highway authority for the area are also noted.

6.13 The proposed dwelling will use a previously approved vehicular access onto the B2112 (ref. LW/17/1009 and LW/15/0827) and the current application does not propose an additional vehicular access directly onto this road. The previously approved access has been held to be acceptable in previous applications in terms of highway safety. The current planning application will result only in increased use of this access from journeys associated with the new dwelling, but the number of additional traffic movements from this individual dwelling is not likely to have a material impact on highway safety, over and above the previously approved housing development.

6.14 The position of the proposed dwelling will also be further back from the road than the siting of the new dwellings shown on the plans submitted with applications LW/17/0788 and LW/17/0789, which are currently being considered at Appeal. The property in the southern part of the site was much closer to the edge of the highway.

6.15 The current proposals provide scope for landscaping between the property and the highway, which can also help to slow down vehicles using the B2112, which is subject to a 40mph speed limit in this location.

7. RECOMMENDATION

7.1 In view of the above approval is recommended.

The application is subject to the following conditions:

1. No development shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The submitted details must demonstrate that the capacity of the surface water drainage system will not be compromised by ground water and if necessary supported by an appropriate geotechnical or hydrogeological assessment. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity having regard to Policy 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the Policies within the National Planning Policy Framework 2012.

2. No construction shall commence on site unless and until a maintenance and management plan for the drainage system has been submitted to and agreed in writing by the local planning authority. This plan should clearly state who will be responsible for managing all aspects of the surface water drainage system.

Reason: To reduce the risk of flooding, both on and off site, to improve and protect the water quality and improve habitat and amenity having regard to Policy 12 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the Policies within the National Planning Policy Framework 2012.

3. No development shall commence on site until details of the proposed means of foul sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. No dwelling shall be occupied until the approved sewerage details have been fully implemented in accordance with the approved details.

Reason: To ensure that sewage disposal can be provided from the site without detriment to the existing sewage system, having regard to guidance within the National Planning Policy Framework 2012.

4. No demolition, site clearance or building operations shall commence until a scheme to ensure the implementation of arboricultural protection measures has been approved in writing by the Local Planning Authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- o Supervision by a qualified arboriculturist instructed by the applicant and approved by the Local Planning Authority
- o Identification of individual responsibilities and key personnel
- o Personnel induction and training in awareness of arboricultural matters
- o Timing and methods of site visits
- o Record keeping, including updates
- o Procedures for dealing with variations and incidents
- o Delegation of responsibilities and powers

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

Reason: To protect the existing trees on and adjacent the site and in the interests of local amenity having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy.

5. A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plans shall be carried out as approved.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme approved in writing with the Local Planning Authority.

Reason: To enhance the general appearance of the development having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, details indicating the positions, design, materials and type of boundary treatment to be erected within the site, including separation between neighbouring dwellings and on the edge boundaries of the site, the design and composition of which should respect this edge of settlement location. The boundary treatment shall be completed before the dwelling is occupied 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 enhance the general appearance of the development having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2012.

8. The development hereby approved shall be implemented in accordance with the details of the external facing and roofing materials submitted, including all surfacing materials.

Reason: To ensure a satisfactory development in keeping with the locality having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2012.

9. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed roads, surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

10. Prior to the commencement of any development (including demolition) a Construction Traffic Management Scheme shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation which should avoid the peak traffic times and details of contractors parking during demolition and construction.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

11. During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

12. The development shall not be occupied until the turning spaces for vehicles have been provided and constructed in accordance with the details submitted and the turning spaces shall thereafter be retained for that use and shall not be used for any other purpose.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

13. The development shall not be occupied until the parking areas have been provided in accordance with the details submitted and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles by residents of, and visitors to, the new dwelling.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

14. The development shall not be occupied until the secure and covered cycle parking facility has been provided in accordance with the details which have been submitted, including the siting and the facility shall thereafter be retained for that use and shall not be used other than for the parking of cycles by residents of, and visitors to, the new dwelling.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

15. The new dwelling shall not be occupied until the access onto the B2112 [Ditchling Road] has been implemented in accordance with the details approved as part of applications LW/15/0827 and LW/17/1009.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

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

Reason: In the interest of residential amenities of the neighbours having regard to retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy and the National Planning Policy Framework 2012.

17. Shrub clearance on the site should be only be undertaken outside the main bird nesting season (March to August inclusive).

Reason: To ensure the favourable conservation of this protected species and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

18. No lighting or other means of external illumination shall be installed on the dwelling or erected on site without the prior written approval of the Local Planning Authority.

Reason: To preserve the rural setting of the locality and prevent light pollution, in accordance with retained policy ST3 and policy CP11 of the Lewes District Local Plan Part One: Joint Core Strategy.

19. No development shall commence unless and until details of ecological mitigation measures and enhancements have been submitted to and approved in writing by the Local Planning Authority, and all works should take place in accordance with the approved details.

Reason: To ensure the favourable conservation of protected species and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

20. 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 Core Policy 11 of the Lewes District Local Plan Part One: Joint Core Strategy, and the National Planning Policy Framework.

21. No development shall take place until details of electric vehicle charging points have been submitted to and approved in writing by the local planning authority. The electric vehicle charging points shall be installed in accordance with the approved details prior to the first residential occupation of the development hereby permitted and retained as such thereafter.

Reason: To encourage the uptake of electric vehicles in the interests of reducing harmful emissions in accordance with policies CP9, CP13 and CP14 of the Lewes District Local Plan Part One: Joint Core Strategy and having regard to the National Planning Policy Framework 2012.

INFORMATIVE(S)

1. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

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

3. The applicant is reminded of the Control of Asbestos Regulations 2012 when carrying out the works, including demolition of the existing building.

4. All waste material arising from any clearance and construction activity at the site should be stored, removed from the site and disposed of in an appropriate manner. It is an offence to burn trade waste, so there should be no bonfires on site.

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

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Transport Assessment	2 March 2018	
Location Plan	2 March 2018	01
Proposed Block Plan	2 March 2018	02
Proposed Layout Plan	2 March 2018	03
Proposed Floor Plan(s)	2 March 2018	04
Proposed Elevation(s)	2 March 2018	05
Existing Floor Plan(s)	2 March 2018	06
Existing Elevation(s)	2 March 2018	06
Other Plan(s)	2 March 2018	3533/300
Other Plan(s)	2 March 2018	5126/105
Additional Documents	2 March 2018	ECOLOGY UPDATE
Additional Documents	2 March 2018	EOLOGY REPORT
Design & Access Statement	2 March 2018	PDAS
Landscaping	2 March 2018	RCO150-02
Landscaping	2 March 2018	RCO150-03
Landscaping	2 March 2018	TREE LAYOUT PLAN