

Report to **Planning Applications Committee**
Date **20 February 2019**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/18/05602/HOUS**
Applicant **Mr & Mrs Gattiker**
Application **Proposed first floor side extension over existing single storey pitched roof side extension and open porch to front elevation**
Address **1 School Cottages
Chapel Lane
East Chiltington
BN7 3AY**

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

Executive Summary

1 Site Description

1.1 The application site is a semi-detached house located outside the planning boundary and within the designated South Downs National Park (SDNP). The existing dwelling faces south east onto the junction of Chapel Lane and Novington Lane.

2 Proposal

2.1 The application seeks planning approval for the proposed first floor side extension over the existing single storey pitched roof side extension and an open porch to the front elevation. The side extension would measure 5.5 metres wide and 5.7 metres deep. It would add a small section of a balcony overlooking the southern west section of the existing garden area. The extension would have a matching eaves and ridge height. Internally, it would add a new bedroom and toilet on first floor level with a section of mezzanine eaves storage above.

2.2 The proposed front lean-to porch would have an eaves height of 2.4 metres and ridge of 3.2 metres. It would be 1 metre deep and 3.8 metres wide.

2.3 This application is being presented to the planning committee as the applicant works for the planning authority (SDNP).

3 Relevant Planning History

E/69/0836 - Timber garage. Temporary Permission Expires 30/11/1974 - Approved
LW/86/1258 - Section 32 Retrospective Application for siting of mobile home for elderly relative for temporary period of one year. Restrictive Planning Condition No.1. Temporary Permission Expires 30/04/1987. - Approved
LW/86/1674 - Single storey side extension – Approved

4 **Consultations**

Parish Council Consultee

Comments awaited.

5 **Representations**

None received.

6 **Planning Policy Context**

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Lewes District Local Plan (2003)** and the following additional plan(s):

- South Downs National Park Local Plan - Submission 2018
- SDNPA Partnership Management Plan 2014

Other plans considered:

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The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

7 **Planning Policy**

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Conserving and enhancing the historic environment

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Lewes District Local Plan (2003)** are relevant to this application:

- ST3 - Design, Form and Setting of Development
- RS13 - All Extensions

- RS14 - Extensions In The Countryside

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

- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 50

Partnership Management Plan

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

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

- General Policy 50

The Draft South Downs National Park Local Plan

The South Downs Local Plan: Pre-Submission Local Plan was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for public consultation between 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the Lewes District Local Plan (2003)**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Strategic Policy SD5 - Design
- Strategic Policy SD6 - Safeguarding Views
- Strategic Policy SD8 - Dark Night Skies
- Development Management Policy SD31 - Extensions to existing dwellings, and provision of annexes and outbuildings

8.1 The application site falls outside of any planning boundary as defined by the Lewes District Local Plan therefore policy CT1 is relevant. This policy seeks to resist new development other than in exceptional circumstances. Furthermore, policy RES14 (Extensions in the Countryside) permits extensions of existing properties by up to 50% habitable floorspace, providing that the character of the property is maintained and there is no impact on the landscape. In this instance, 30.2% floorspace was added in the late 1980s under planning permission LW/86/1674. The current application approximately doubles it, and this combined with the proposed porch results in a total 74% floorspace increase.

8.2 Notwithstanding the policy limitations, the impact of the additional floor must now be considered on its merits. It is officer's view that the proposed works are seen to be subservient within the context of the site and reflective of the character of the original building. The site would be mostly screened by existing vegetation from most views. The proposed works would not be prominent; neither would be readily viewed from the open countryside. It is also considered that the proposed extensions would not have a significant effect on the bulk, mass and outline of the building therefore not having a demonstrable harm.

8.3 As such, it is considered that there would be no harm to the character and appearance of the original dwelling, as well as countryside settings. However, the removal of some of the permitted development rights via condition is proposed to ensure that future development of the site respects the identity and character of the built form, landscape character and neighbouring amenities. Also, that any additional glazing should be compliant with the National Park's Dark Night Skies policy.

8.4 Impact upon neighbour amenities has been assessed. Due to existing separation distances, natural screening along the site and orientation of the proposed works, there would be no adverse impact upon any of adjoined neighbouring amenities.

8.5 As such, it is considered the proposals will not have a detrimental impact on the character of the property or the open countryside settings, and will not unduly impact on the residential amenities of local residents, in accordance with Policies CT1 (Planning Boundary and Countryside), ST3 (Design, Form and Setting of Development), RES13 (Residential extensions) and RES14 (Extensions in the Countryside) of the Lewes District Local Plan, as well as CP11 of the Lewes District Joint Core Strategy. It would also comply with relevant South Downs National Park Local Plan policies, including Dark Night Skies (SD8) and Extensions to existing dwellings (SD31).

9 Conclusion

That planning permission is granted.

10 Reason for Recommendation and Conditions

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

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

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

2. Approved Plans

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

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

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

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policies ST03 and RES13 of the Lewes District Local Plan, and CP11 of the Lewes District Joint Core Strategy, as well as to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

4. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no development described in in Schedule 2, Part 1, Classes A, B, C, D, E and G, 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 ST03, RES13 and RES14 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

11. Crime and Disorder Implications

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

12. Human Rights Implications

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

13. Equality Act 2010

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

14. Proactive Working

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

Tim Slaney
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South Downs National Park Authority

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

SDNPA Consultees

Background Documents

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date on Plan	Status
Plans -	101		31.10.2018	Approved
Plans -	102		31.10.2018	Approved
Plans -	103		31.10.2018	Approved
Plans -	104		31.10.2018	Approved
Plans -	PL001		31.10.2018	Approved
Miscellaneous -	baseline assessment checklist		31.10.2018	Approved
Site Photographs -	views and viewpoint map		31.10.2018	Submitted

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