

MID SUSSEX DISTRICT COUNCIL

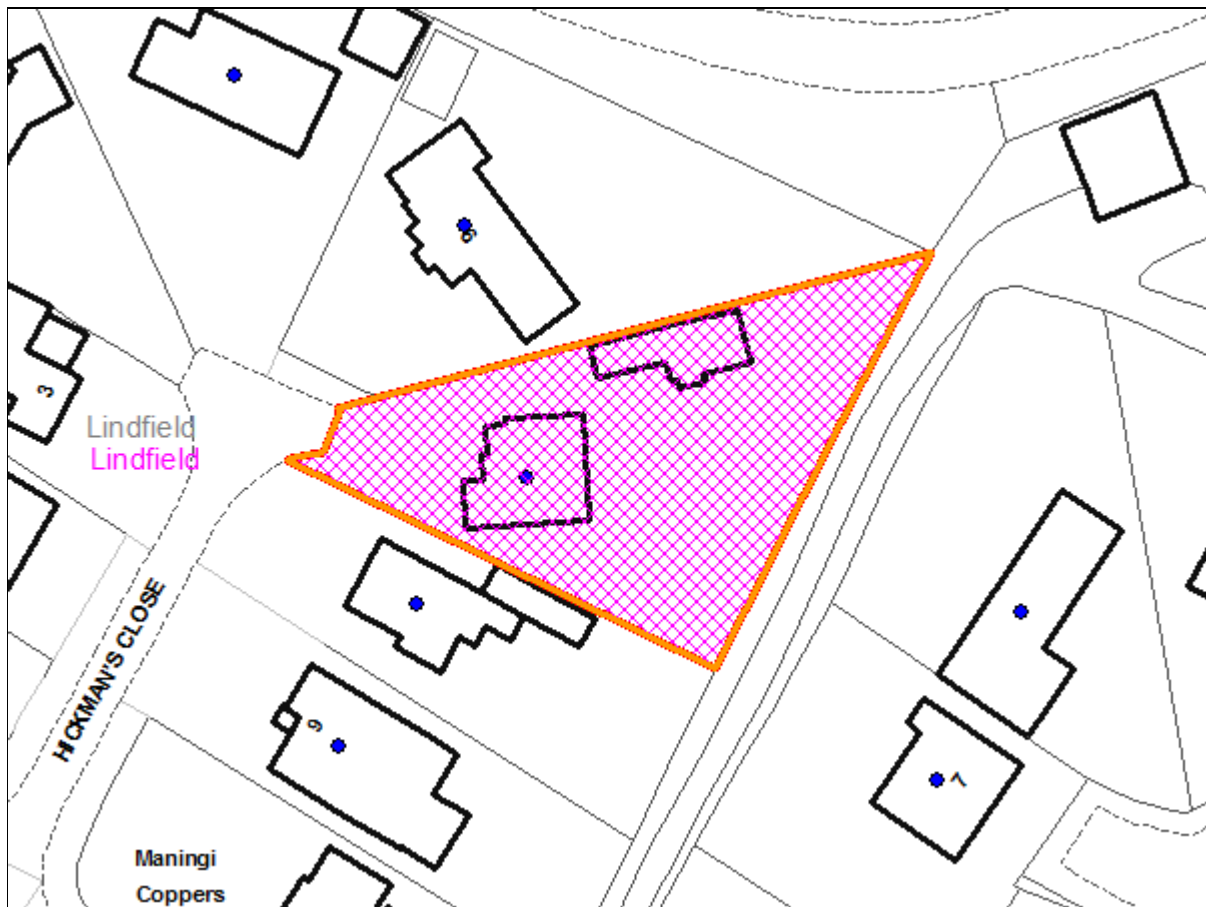
Planning Committee B

28 FEB 2019

RECOMMENDED FOR PERMISSION

Lindfield

DM/18/4002



© Crown Copyright and database rights 2012 Ordnance Survey 100021794

**7 HICKMANS CLOSE LINDFIELD HAYWARDS HEATH WEST SUSSEX
TWO-STOREY SIDE AND SINGLE-STOREY REAR EXTENSIONS TO
FORM ACCESSIBLE BEDROOM SUITE AND THERAPY ROOM WITH EN-
SUITE BATHROOM OVER. ENLARGEMENT OF KITCHEN AND LIVING
AREAS PLUS CONVERSION OF EXISTING GARAGE TO FORM
ENLARGED DETACHED ANNEXE. (REVISED PLANS RECEIVED 28TH
NOVEMBER AND 15TH JANUARY WITH REVISED DESCRIPTION 27TH
JANUARY)**

MR AND MRS RABBETTS

POLICY: Areas of Townscape Character / Built Up Areas / Aerodrome Safeguarding (CAA) / Sewer Line (Southern Water) / SWT Bat Survey /

ODPM CODE: Householder

8 WEEK DATE: 23rd November 2018

WARD MEMBERS: Cllr Margaret Hersey / Cllr Andrew Lea / Cllr Anthea Lea /

CASE OFFICER: Andrew Horrell

PURPOSE OF THE REPORT

To consider the recommendation of the Divisional Lead Planning and Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Planning permission is sought for the erection of a two-storey side and single-storey rear extension to form accessible bedroom suite and therapy room with en-suite bathroom over. Enlargement of kitchen and living areas plus conversion of existing garage to form an enlarged detached annexe.

The application has been referred to committee because it was called in by Cllr Margaret Hersey with Cllr Anthea Lea seconding that that recommendation on the grounds that the proposed in contrary to DP26 of the Mid Sussex District Plan.

The proposed extensions are considered to be of appropriate design and would not result in significant harm to the amenities of neighbours. The proposed development complies with policies DP21 and DP26 of the Mid Sussex District Plan and 7 of the Lindfield and Lindfield Rural Neighbourhood Plan as well as the Development Infrastructure and contributions SPD July 2018. The application is therefore recommended for approval subject to the conditions listed in Appendix A.

RECOMMENDATION

It is recommended that planning permission be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

The application has been amended from original submission. The amended plans have been through two further periods of advertisement for comment.

Original scheme - 4 representations received:

- Original domed therapy room out of character with existing dwelling and streetscene
- Need for condition on annexe to avoid use as separate dwelling
- Loss of outlook from 1st floor side windows of No.6
- Overdevelopment of the site
- Parking

Amended scheme (1) - 2 representations received:

- The domed therapy room is still out of character with existing dwelling and streetscene
- Rendered wall is out of keeping
- Loss of outlook from 1st floor side windows of No.6
- Impact on morning sunlight of No.5
- Block views of trees in no.7 garden from no.5.

Amended scheme (2) - 1 representation received:

- Loss of outlook from 1st floor side windows of No.6

SUMMARY OF CONSULTATIONS

Southern Water stated that have no objection. But requested that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO212SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link: <https://beta.southernwater.co.uk/infrastructurecharges>.

PARISH COUNCIL OBSERVATIONS

Lindfield Parish Council:

Original plans - Object to the proposed structure linking the roofs of the existing house and garage/annex. Whilst the Council has no objections to the proposed side and rear extensions, it considers that the proposed curved roof wall atop these extensions is overbearing to the neighbouring properties, affecting their outlook. Further that it impacts negatively on the established street scene, being visible from the street. This is particularly inappropriate in an Area of Townscape Character and contrary to Policy 7 of the Lindfield & Lindfield Rural Neighbourhood Plan 2014-31 and Policy DP 26 (Character and Design) of the Mid Sussex District Plan 2014-31.

Amended scheme (1) - The Parish Council strongly objects to this application. Whilst we acknowledge the relatively small reduction in height of the proposed hipped roof

link, it appears to serve no purpose and is considered to be unneighbourly. Further, the use of inappropriate material still impacts the street scene contrary to Policy 7 L&LRNP and Policy DP 26 MS District Plan.

Amended scheme (2) - The Parish Council objects to the proposed amended roofline, which it considers remains unneighbourly due to its impact on the outlook from nearby property.

INTRODUCTION

Planning permission is sought for the erection of a two-storey side and single-storey rear extension to form accessible bedroom suite and therapy room with en-suite bathroom over. Enlargement of kitchen and living areas plus conversion of existing garage to form an enlarged detached annexe.

The application has been referred to committee because it was called in by Cllr Margaret Hersey with Cllr Anthea Lea seconding that that recommendation.

'The reason provided for calling the application in is that it is against policy DP26:

All development and surrounding spaces including alterations and extensions to existing buildings and replacement dwellings will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside all applicants will be required to demonstrate that developments : bullet point 3: creates a sense of place while addressing the character scale of the surrounding buildings and landscape This being in line with the PC comments.'

RELEVANT PLANNING HISTORY

LF/038/86 - EXTENSION TO GARAGE TO FORM BEDROOM, BATHROOM, HALL AND LOUNGE.

LF/054/86 - SINGLE STOREY ADDITION TO EXISTING GARAGE.

SITE AND SURROUNDINGS

7 Hickmans Close is a two storey detached hipped roofed dwelling within a cul-de-sac off Hickmans Lane. The walls are characterised by a mix of face brickwork and hanging tiles and upvc doors and windows.

To the north of the site is the existing garage outbuilding with hedging and brick wall to the neighbours beyond, to the south of the site is close boarded fencing and hedging to the neighbour beyond, to the east of the site is close boarding fencing and woodland to the neighbour beyond and to the west of the site is the existing dwelling with driveway leading to the highway.

The site is within the built up area of Lindfield and an area of townscape character.

APPLICATION DETAILS

The proposal is for a two-storey side and single-storey rear extension to form accessible bedroom suite and therapy room with en-suite bathroom over. Enlargement of kitchen and living areas plus conversion of existing garage to form a detached annexe.

The proposed part single and part two storey side extension measures 9.8m in depth, 4.2m in width with a height to eaves of 2.5m and an overall height of 4.9m and forms a large wheelchair accessible bedroom and therapy room to allow for the needs of a dependent disabled resident on the ground floor and the creation of an en-suite on the first floor which measures 3.75m in depth and 2.9m in width.

The proposed flat roofed single storey rear extension measures 3.7m in depth, 8.8m in width and 2.8m in overall height. This will create a large kitchen/family room.

The existing garage/outbuilding measures 4.6m in maximum depth, 8.9m in width with a height to eaves of 2.2m and an overall height of 4.2m and will be converted to form a bedroom, living area and shower room for a carer.

LIST OF POLICIES

Mid Sussex District Plan

DP21 - (Transport)

DP26 - (Character and Design)

Development Infrastructure and contributions SPD July 2018

Lindfield and Lindfield Rural Neighbourhood Plan

On Wednesday 23rd March 2016 Mid Sussex District Council resolved to 'make' the Lindfield and Lindfield Rural Neighbourhood Plan part of the Development Plan for Mid Sussex.

Policy 7 (Areas of Townscape Character)

National Policy

The National Planning Policy Framework (NPPF) from July 2018 is also a material consideration and paragraphs 8, 11, 15, 16, 124 and 127 are considered to be of particular relevance to this application.

ASSESSMENT

The main issues are considered to be the design and scale of the development and its resulting impact on the character and appearance of the area of townscape character, coupled with impact upon neighbouring amenities and parking standards.

Scale, design and character impact

District Plan policy DP26 states:

All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- *is of high quality design and layout and includes appropriate landscaping and greenspace;*
- *contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- *creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- *protects open spaces, trees and gardens that contribute to the character of the area;*
- *protects valued townscapes and the separate identity and character of towns and villages;*
- *does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- *creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- *incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- *positively addresses sustainability considerations in the layout and the building design;*
- *take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- *optimises the potential of the site to accommodate development.*

Neighbourhood Plan Policy 7 states:

The Neighbourhood Plan designates the following areas as Areas of Townscape Character, as shown on the Proposals Map:

- i. Summerhill Lane/West Common*
- ii. Sunte Avenue/Hickmans Lane/Denmans Lane*
- iii. The Welkin*
- iv. The Wilderness*
- v. Portsmouth Wood and Portsmouth Wood Close*

Development proposals in an Area of Townscape Character will be supported, provided applicants can demonstrate they have had regard to their impact on the character and appearance of the area and have sought to retain features important to the character of the area, as defined in the Lindfield Village Design Statement.

In particular, proposals should:

- i. retain trees, frontage hedgerows and walls which contribute to the character and appearance of the area;*
- ii. retain areas of open space, (including private gardens) which are open to public view and contribute to the character and appearance of the area; and*
- iii. avoid the demolition of existing buildings which contribute to the character and appearance of the area.*

Given the size of the plot, whilst the proposed development is situated to the north of the plot, it is not deemed over-development of the site generally.

In terms of character and design, the single storey rear and part two storey side extensions are deemed acceptable, whilst the side extension is visible from the streetscene, the use of matching materials will ensure that it relates sympathetically to the existing dwelling. It should be noted that a single storey side extension was approved at No.3 in 2018 under reference DM/18/2247.

Part of the application seeks permission to use the existing garage outbuilding as an ancillary annexe building for the use of a carer when disabled daughter stays with family at weekends. The design of the proposed annexe is considered acceptable, and of an appropriate subordinate style, being well sited close to main dwelling, and would be of limited impact upon the immediate properties in relation to the existing outbuilding. The Kitchen shall have basic facilities and the building will not be used as a independent separate unit of residential accommodation. To ensure that it would remain the case a planning condition would be attached to any consent restricting its use.

The external alterations proposed for the conversion are relatively minor and the larger extensions are considered to have minimal impact upon the appearance and character of the area.

The proposal is therefore deemed to be acceptable and complies with the requirements of Policy DP26 of the Mid Sussex District Plan and Policy 7 of the Lindfield and Lindfield Rural Neighbourhood Plan.

Impact on neighbouring amenity

DP26 of District Plan relates to neighbouring amenities and requires that development does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

Given the mainly single storey nature of the proposals, it is not deemed that the level of privacy will be harmed significantly as the first floor window on the north elevation which serves the landing will be conditioned to be obscure glazed. In terms of impact on light to the neighbouring property, whilst the proposed will be close the mutual boundary with No.6, because of the design and height of the proposed extensions, the level of harm is not deemed to be significant.

In respect of outlook from the neighbouring dwelling, given the only affected side windows of No.6 are on the first floor, as there are no side windows on the ground floor, it is not considered that the level of harm would be significant.

The annex is considered to be of an appropriate design size and scale that is both in-keeping with the existing dwellinghouse and that of the wider street scene.

It is considered that the proposed will not unduly harm the amenities of the neighbouring residents and therefore accords with policy DP26 of the Mid Sussex District Plan.

Parking Standards

The loss of the use of the garage to the side/rear of the property will impact upon parking standards. The proposed will be a 5 bedroom dwelling, including the annexe. Appendix A of the July 2018 Development Infrastructure and contributions SPD states for a 5 bedroom dwelling, the car and cycle parking is to be assessed individually.

The dwelling currently has parking for 3 cars on the driveway, however with the side extension and one of those parking spaces will be lost. So there will still be two parking spaces on site. Coupled with this there are no parking restrictions on the road and it is within walking distance to the village centre and alternative forms of transport such as buses .

It is understood from the agent that a further two spaces will be created under permitted development Schedule 2 Part 1 Class F to allow for 4 off street parking spaces. This is not, however, subject of the current application and thus cannot be required but it does lend support to the view that car parking would be sufficient in this location and not result in highway safety problems.

CONCLUSION

The proposed development complies with policies DP21 and DP26 of the Mid Sussex District Plan and 7 of the Lindfield and Lindfield Rural Neighbourhood Plan. The application is therefore recommended for approval subject to the conditions listed in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

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 interest of proper planning.

3. The proposed first floor window to the northern elevation hereby approved, shall at all times be obscure glazed. They shall be non-opening unless any opening parts are at least 1.7 metres in height above the floor of the room in which the window is installed.

Reason: To protect the amenities of the neighbouring property and to accord with Policy DP26 of the Mid Sussex District Plan.

4. The annexe accommodation hereby permitted shall be occupied solely for a carer in view of purposes incidental to the occupation and enjoyment of 7 Hickmans Close as a dwellinghouse for the dependent relative in need of a carer and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings and to accord with and Policies DP6 and DP26 of the Mid Sussex District Plan 2014 - 2031.

INFORMATIVES

1. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance.

Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

2. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO212SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link
<https://beta.southernwater.co.uk/infrastructurecharges>.

3. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this

application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Proposed Roof Plan	1336 GA 06	C	15.01.2019
Proposed Elevations	1336 GA 07	A	15.01.2019
Proposed Elevations	1336 GA 08	C	15.01.2019
Proposed Floor Plans	1336 GA 04	C	15.01.2019
Proposed Floor Plans	1336 GA 05	C	15.01.2019
Location and Block Plan	1336 SI 00	A	13.02.2019
Existing Floor and Elevations Plan	1336 GA 03	-	28.09.2018
Topographical Survey	1336 SI 01	-	28.09.2018
Existing Floor Plans	1336 GA 01	-	28.09.2018
Existing Elevations	1336 GA 02	-	28.09.2018

APPENDIX B – CONSULTATIONS

Parish Consultation

Lindfield Parish Council objects to the proposed amended roofline, which it considers remains unneighbourly due to its impact on the outlook from nearby property.