

Delegated Officer Recommendation

Case Officer: LK **Date:** 08 April 2015
Consults Expiry: 9 March 2015
Site Notice Expiry: 13 March 2015
Advert Expiry:
Neighbour Expiry: 9 March 2015
Expiry Date: 7 April 2015
BVPI Category: Other

WD/2015/0247/F

TWO STOREY EXTENSION AND NEW TRIPLE GARAGES TO REPLACE EXISTING PARTIALLY IMPLEMENTED PLANNING CONSENT WD/2010/1900/F

SEVEN BISHOPS, CATTS HILL, MARK CROSS TN6 3NQ

Parish: Rotherfield

LB ref:

Received Complete: 10 February 2015

Cons Area:

Recommendation - Approval

Case Officer **Initials** **Date**

Team Leader/Senior **Initials** **Date**

Authority to Delegate Required? **Date**

Fields filled in on Custom screen on Datawright? (tick)

Decision notice checked **Initials** **Date**

- ✓ 1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date on which this permission is granted. STD4A

REASON: To meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

- ✓ 2. Unless otherwise specified within the approved application details, all external materials, including windows, used in the construction of the development hereby approved shall match the type, texture, tone, colour, size and profile of those used on the existing building and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation. MA03

REASON : To safeguard the appearance of the premises and the character of the area generally having regard to Saved Policy EN27 of the adopted Wealden Local

Plan coupled with the requirements of paragraph 56, 57, 59, 60 and 64 of the National Planning Policy Framework 2012.

- ✓3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-D inclusive of that Order, shall be erected or undertaken on the site otherwise than in accordance with a planning permission granted by the Local Planning Authority. (PD01)

REASON: To enable the Local Planning Authority to regulate and control the development of land having regard to Saved Policy EN27 of the adopted Wealden Local Plan coupled with the requirements of paragraphs 17 and 56 of the National Planning Policy Framework 2012.

- ✓4. This planning decision relates solely to the information contained within the application form, the following plan(s) and (where appropriate) documents:

Ref.	Date Stamped.	STN4
✓P021-001	10 February 2015	
✓P021-101	10 February 2015	
✓P021-002	10 February 2015	
✓P021-003	10 February 2015	
✓P021-303	10 February 2015	
✓P021-301	10 February 2015	
✓P021-501	10 February 2015	
✓P021-302	10 February 2015	
✓P021-701	10 February 2015	
✓11260/003 P/01	10 February 2015	
✓Design and access statement	10 February 2015	

REASON: For the avoidance of doubt.

NOTE: Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations or Section 73 of the Act for minor material alterations. An application must be made using the standard application forms and you should consult with us, to establish the correct type of application to be made.

The application proposes a two storey extension and new triple garage to replace existing partially implemented planning consent WD/2010/1900/F at Seven Bishops.

- The proposal seeks to replace partly implemented Planning Permission ref: WD/2010/1900/F
- The proposals seek to provide a dwelling of a similar size that already permitted but to a revised design.
- The two outbuildings that were previously to be retained with are now replaced with a new 3 bay detached garage/garden store.

- The proposed alterations change and add character to the home with a symmetrical layout; the creation of strong gabled elevations; panel and render details to first floor with brick below.
- As the property sits in a well screened isolated site there are no concerns regarding the privacy and amenity of neighbouring properties.
- The improved appearance of the dwelling would make a positive contribution to the rural setting and no landscape concerns are raised.

Approval is recommended.

1. Statutory Bodies and Residents - Responses

1. Rotherfield Parish Council: The Committee RESOLVED to recommend that this application be APPROVED by Wealden District Council's Planning Officer as it will enhance the property.

Response to Parish Council:

✓None Required.

Other third party responses (including local residents). See full text on website

None Received.

2. Other Relevant Responses/Issues

None Received.

Pre-Application Matters

None sought

3. Relevant Planning History

Application No.	Description	Decision and Date
WD/2010/1900/F	FRONT EXTENSION TO TWO STOREY HOUSE	APPROVED 28/10/2010
WD/1987/4640/F	ERECT BREAKFAST ROOM, CLOAKS, LOUNGE, BEDROOM & ROOF ACCESS	APPROVED 10/02/1988

4. Details of Case

Site

Seven Bishops is a single detached dwelling. It is set in a large rural plot which is characterised by a large garden area and an abundance of mature woodland which

surrounds the plot. The dwelling is elevated to, and set back from the road side, where it is screened along the boundary to Catts Hill.

Policy Framework

The up-to-date approved 'development plan' for Wealden District Council comprises the following documents:

- The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan (adopted 19th February 2013)
- The Wealden Local Plan (adopted December 1998) (Saved Policies).
- The East Sussex and Brighton & Hove Waste Local Plan (adopted February 2006) (Saved Policies).
- East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan (adopted February 2013).

On 28 March 2013 an application was made to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 challenging the validity of the Core Strategy on the grounds that it failed to comply with the requirements of Directive 2001/43/EC on the Assessment and Effect of Certain Plans and Programmes on the Environment and the implementing Environmental Assessment of Plans and Programmes Regulations 2004. This was dismissed by Order dated 21 February 2014. However, an appeal on 3 grounds was made to the Court of Appeal. On 7 October 2014, the Court of Appeal dismissed Grounds 1 and 2 relating to the housing numbers in the Core Strategy (original ruling was upheld).

Ground 3 related to whether the Council had considered reasonable alternatives to the use of a 7 km zone in relation to the provision of SANGS. The leave to appeal is very narrow with regard to how the reasonable alternatives for SANGS have been dealt with. The appeal will be held on 10/11 June 2015. The Core Strategy therefore remains intact as part of the adopted development plan for the purposes of this application.

Certain policies of the Wealden Local Plan (1998) have been 'saved' via Direction of the Secretary of State dated 25 September 2007, under the provisions of Paragraph 1(3), Schedule 8 of the Planning & Compulsory Purchase Act 2004. Annex 2 of the National Planning Policy Framework confirms that these 'saved' policies still form part of the development plan.

Under 'saved' policies EN1 (sustainable development) and EN27 (layout and design) of the Wealden Local Plan 1998, the Council has also formally adopted the Wealden Design Guide, November 2008, as a Supplementary Planning Document. Some 'saved' policies and the design guide continue to have material weight where they are in compliance with the NPPF and CSLP (having regard to paragraph 211 of the NPPF).

Relevant Policies

The National Planning Policy Framework (NPPF) in force from the 27th March 2012 is a material planning consideration when assessing and determining planning applications. .

- Saved Policies GD2, DC19, EN6 and EN27 of the adopted Wealden Local Plan 1998.
- Policies WCS14 of the adopted Wealden Core Strategy Local Plan 2013.
- NPPF 7, 11, 14, 17, 115 and section 7 'requiring good design'
- Wealden Design Guide 2008 (Section 10) (extensions)

Proposal

Two storey extension and new triple garage to replace existing partially implemented planning consent WD/2010/1900/F.

5. Assessment & Conclusion

- The proposal seeks to replace partly implemented Planning Permission ref: WD/2010/1900/F.
- The extant consents afford a generous increase in scale.
- The proposals seek to provide a dwelling of a similar size that already permitted but to a revised design.
- The two outbuildings that were previously to be retained with are now replaced with a new 3 bay detached garage/garden store.
- The proposed alterations change and add character to the home with a symmetrical layout; the creation of strong gabled elevations; panel and render details to first floor and brick below.
- As the property sits in a well screened isolated site there are no concerns regarding the privacy and amenity of neighbouring properties.
- The improved appearance of the dwelling would make a positive contribution to the rural setting and no landscape concerns are raised.
- The level of consented and proposed development remains a sensitive issue where scale is concerned. Removal of permitted development concerning further extensions is warranted.
- Removal of outbuildings should be ensured through condition.
- Approval is recommended.