

Agenda Item: 12

Report to **Planning Committee**
Date **15 March 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/00397/LIS**
Applicant **Mr M Britnell**
Application **Retention of doorway on ground floor and partial removal of stud partition on first floor**
Address **7 - 8 Offham Cottages
The Street
Offham
Lewes
East Sussex
BN7 3QA**

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

Executive Summary

The works are not considered to have significant impact on the historic fabric and character of the building, and listed building consent should be granted.

1 Site Description

1.1 This Grade II listed building dates from the 17th century, and is situated within Hamsey Offham Conservation Area and South Downs National Park. It is believed the property was originally a handed pair of cottages which was converted to four estate cottages in the 19th century. In the mid 1980's the then owner of No. 7 purchased No. 8 and carried out works to combine the two properties.

2 Proposal

2.1 This application seeks retrospective consent for the insertion of a door from the then kitchen of No. 7 into the inner hallway of No 8, and the removal of the lath and plaster and a softwood stud from a timber stud wall between the front bedroom of No 7 and front bedroom of No. 8. The works were carried out by the previous owner occupier, and the new owner is seeking to regularise the planning position.

2.2 This application requires a Committee decision as it has been submitted by an employee of Lewes District Council.

3 Relevant Planning History

SDNP/15/01318/LIS - Flood protection works - Approved 29th April 2015.

LW/02/2399 & LW/02/2400 - Renovation of outhouse including formation/adaptation of openings for new doors and windows - Approved 24th January 2003.

4 Consultations

LE - Design and Conservation Officer

The listed building 7 to 10 The Street has a complex history of subdivision that has resulted in the internal layout being awkward and complex. Internal alterations were made to rationalise the internal layout of part of 7 and 8 The Street when it was converted from two dwellings into one dwelling in the mid-1980s. Regrettably these works were carried out without listed building consent.

Although the works have affected historic fabric they are relatively minor and benefit the listed building by giving it a more rational layout. The works are not considered to significantly affect the special interest of the listed building, no objection is therefore raised to the proposal.

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):

- Lewes District Council - The Core Strategy (Local Plan Part 1) 2014
- SDNPA Partnership Management Plan 2014

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 and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and

that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to the general duty as respects Listed buildings and Conservation Areas. Section 66 of the Act sets the general duty as respects listed buildings in exercise of planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires that “special attention shall be paid to the desirability of preserving or enhancing the character of that area”.

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:

- H2 - Listed Buildings
- H5 - Within / Affecting Conservation Area
- ST3 - Design, Form and Setting of Development

The following policies of the **Lewes District Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CPI1 - Built and Historic Environment and Design

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 South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage

of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The listed status of the dwelling means that any works should not adversely impact on the historic fabric and character of the dwelling. As such, the comments of the Design and Conservation Officer (DCO) are a material consideration.

8.2 The DCO acknowledges that the works have impacted on the historic fabric, but they are minor and have improved the layout. They are not considered to affect the special interest of the listed building and, as the works are internal only, have no impact on the character and quality of the Conservation Area. As a result, the works are considered to be in accordance with Policies H2 (Listed Buildings) and H5 (Development within or affecting Conservation Areas) of the Lewes District Local Plan.

9 Conclusion

That listed building consent be 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.

I. 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.

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
Director of Planning
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 I

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 -	1:1250		25.01.2017	Approved
Plans -	FIRST FLOOR		25.01.2017	Approved
Plans -	GROUND FLOOR		25.01.2017	Approved
Application Documents -	HERITAGE STATEMENT		25.01.2017	Approved
Application Documents - Ground floor doorway	PHOTO		25.01.2017	Approved
Application Documents - First floor bedroom	PHOTO		25.01.2017	Approved

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