

Report to **Planning Committee**
Date **1 November 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/03713/FUL**
Applicant **Mr M Bell**
Application **New single family dwelling**
Address **111 High Street**
Lewes
BN7 1XY

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

IMPORTANT NOTE: This application is liable for Community Infrastructure Levy.

Executive Summary

1 Site Description

- 1.1 The site is located between the High street and Rotten Row. It is occupied by a grade II * listed property, St Anne's House, which fronts onto the High Street. This is a rather elegant Georgian house, with a large walled garden to the rear with access off Rotten Row. The building is now used as a gallery and offices for several businesses. The site covers an area of approximately 1320sq.m of which St Anne's House covers half. The remainder of the land is located to the rear and is part of what would have been a walled garden and which is now used largely for parking, with a smaller area of amenity space associated with the building.
- 1.2 The rear parking and garden area slopes down from the house to Rotten Row, where a high brick wall encloses the site and is punctuated with a vertical timber set of double gates. The levels within the site are higher than those of the adjacent highway so an existing hedge on the northern side of the boundary wall almost doubles the height of the boundary treatment. There are two mature trees (a yew and a sycamore) located in the south west corner of the site.

2 Proposal

- 2.1 Planning permission is being sought to construct a 2 storey dwelling in the south west corner of the plot adjacent to Rotten Row. The house would be an upside down dwelling, with three bedrooms on the ground floor and the main living/kitchen/dining area on the upper floor, with a south facing balcony. The roof would be mono pitch roof with a shallow slope from south to north. An additional gated pedestrian access would be created in the boundary wall to the west of the existing main gates to provide access to the dwelling. Two dedicated parking spaces would be provided for the occupiers of the dwelling.

3 Relevant Planning History

3.1 There is no relevant planning history.

4 Consultations

LE - Tree & Landscape Officer

4.1 The tree report is comprehensive and details trees to be removed and retained, which I am in broad agreement with. T2 is a protected Yew (T8 of the Order). The Sycamore appears to have replaced the Ash (T7 of the Order) but the Order was not updated. The Holly (T9 of the Order) appears to be absent. I have not undertaken a file sweep to determine whether these trees were removed with consent in the past.

4.2 The report also details trees protection measures and a method statement so as to protect the vulnerable parts of trees to be retained. Again, there is broad agreement with the report but we will need to ensure that construction operations adhere to these measures.

Suggested condition

4.3 The approved method statements (1718-02 Rev A - Owen Allpress) submitted in support of the application shall be adhered to in full in accordance with the approved plans and may only be modified subject to written agreement from the LPA.

4.4 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.

4.5 No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner [during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

Lewes Town Council

4.6 No comment

ESCC - County Archaeologist

4.7 No objection subject to the following condition:

4.8 *No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.*

4.9 *Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.*

LE - Design and Conservation Officer

4.10 111 High Street is a grade II* listed building within the Lewes Conservation Area. Notably, extensive pre-application discussions took place, with Historic England included, to establish an appropriate scheme for the site.

- 4.11 The proposed dwelling sits to the rear of 111 High Street where it would face on to Rotten Row. As existing this part of the garden is used as a car park, associated with the office use of 111 High Street. Concerning the context of the site, there is an established pattern of development where there are later infill houses along the rear the High Street, facing on to Rotten Row. All of these modern dwellings would have been built within the curtilage of listed buildings.
- 4.12 The proposed dwelling is considered to be a well-designed modern piece of architecture that sits well within the street scene. In terms of the impact on the setting of 111 High Street, the proposed dwelling will clearly be visible from the building within the existing parking area. However, because of the topography, the site slopes toward Rotten Row, it sits lower than the listed building. The result of this slope is the proposed dwelling will have a conspicuously subservient appearance within the curtilage of the listed building. The wider views from 111 High Street of the South Downs area are still maintained at first floor, allowing the listed building to maintain its attractive outlook.
- 4.13 The proposed dwelling is not objected to as it is considered to preserve the existing listed building, its setting and the wider Lewes Conservation Area. It is recommended the application be approved with the following conditions:
- 4.14 Prior to commencement of works details of materials, to include but not be limited to samples, finishes, product information, etc shall be submitted to and approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.
- 4.15 Prior to commencement of works details of the windows and doors to include elevations to a scale of 1:10 or similar and cross sectional details to a scale of 1:2 or similar shall be submitted to and approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.
- 4.16 Prior to commencement of works details of minor enabling works such as vents, flues, meter boxes, external lighting, rainwater goods and any other associated works shall be submitted to and approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.
- 4.17 Prior to commencement of works details of: The method for creating a new opening for the new entrance door within the existing south boundary wall and of structural support for the existing boundary walls during works; The appearance of the new entrance gate, door and piers within the existing south boundary wall elevations to a scale of 1:10 or similar and cross sectional details to a scale of 1:2 or similar; shall be submitted to and approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.
- 4.18 Prior to commencement of works details of hard and soft landscaping shall be submitted to, approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.

LE - Environmental Health

- 4.19 Proposed development is a New single family dwelling at 111 High Street Lewes BN7 1XY.
- 4.20 If LPA is minded to grant planning permission, then considering the part of car park to be used as residential and historic closed landfill buffer, I recommend the following land contamination condition:
- 4.21 *If, during development, contamination 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.*

- 4.22 *Reason: To ensure that risks from any 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 National Planning Policy Framework, sections 120 and 121].*

Southern Gas Networks

- 4.23 No comment.

5 Representations

- 5.1 8 objections have been received, raising concerns over - scale is disproportionate to its setting, too high, out of keeping with the character of the area, fails to respect building line, loss of privacy, impact on trees, misleading information on the application, contrary to adopted policy, fails to respect and contribute to the conservation area, increased noise and disturbance, parking closer to adjacent dwellings, dominant and out of character, overlooking, loss of parking, too tall, detrimental impact on tranquillity of area, overdevelopment of the site.
- 5.2 Friends of Lewes - commend the elegant design.

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
- National Planning Policy Framework

Other plans considered:

-

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.

National Planning Policy Framework (NPPF)

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

- NPPF06 - Delivering a wide choice of high quality homes
- NPPF07 - Requiring good design

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
- H5 - Within / Affecting Conservation Area
- H2 - Listed Buildings

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 9
- General Policy 50

The following policies of the **National Planning Policy Framework** are relevant to this application:

- NPPF06 - Delivering a wide choice of high quality homes
- NPPF07 - Requiring good design

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 9

- 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 26th September to 21st November 2017. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced are currently afforded some weight.

8 Planning Assessment

Policy

- 8.1 A broad summary of the main policies relevant to the determination of the application are set out below.
- 8.2 The site is located within the planning boundary and therefore there is a presumption in favour of development unless material considerations suggest otherwise.
- 8.4 Policy H5 of the LDLP seeks to conserve or enhance the special architectural or historic character or appearance of such areas, whilst H2 seeks to resist any proposal which would adversely affect the architectural or historic character of a listed building.
- 8.5 Policy ST3 relates to the design form and setting of developments, requiring developments to respect the overall scale, height massing, alignment, site coverage, density landscaping, character rhythm and layout of neighbouring buildings.
- 8.6 Core Policy 11 of the LDLP JCS seeks to secure high quality design in all new developments.
- 8.7 The site is also located within the SDNP where one of its purposes is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. Policy 9 of the Management Plan seeks to protect the historic environment from harm, whilst Policy 50 seeks to ensure that new development is closely matched to social and economic needs, as well as being of high design and energy efficiency standards.
- 8.8 The NPPF recognise the importance and high status of National Parks. However it also states that local planning authorities should not impose architectural styles or particular tastes and should not stifle innovation originality or initiative, but can seek to promote or reinforce local distinctiveness (Para. 60). It goes on to state that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (para 61).

Design

- 8.9 The building will be located in the south west corner of the site. The land within the site is raised in relation to Rotten Row. The building will not sit parallel to the southern boundary wall, being located between 3m at its eastern end and 7m at its western end back from the boundary, and 5m away from the western boundary.

- 8.10 The building will have a footprint measuring 9.5m deep and between 9.5m (north) and 13m (south) wide, giving a footprint of approximately 110sq.m. These measurements include the overhanging balcony to the south elevation. The shallow sloping roof, which slopes south to north, will be a green roof and will accommodate photovoltaic panels. The walls will be a mix of render, horizontal timber boarding and timber shingles. The windows will be timber framed, and the first floor balcony which runs across the south elevation at first floor level will be in timber (post and beams) with a black metal balustrade to the front edge. An amended plan has been submitted which shows a screen added to the western end of the balcony to prevent overlooking to Falmer House. (This would be made the subject of a condition). This is shown on the amended plan which also shows the building being set 600mm into the ground thus reducing the buildings height in relation to its surroundings.
- 8.11 A new pedestrian access will be constructed in the front boundary wall, to the west of the existing vehicle access gates, and which will accommodate a new timber gate. The development will also accommodate 2 off street parking spaces, cycle and refuse storage.
- 8.12 The two principle and prominent trees located in the south west corner of the site and the existing boundary hedge will be retained (see later section within the report) and further planting will be carried out to the front garden are behind the boundary wall.
- 8.13 The design represents a highly sustainable design, in a contemporary and functional architectural style.

Impact on trees and hedge

- 8.14 There are two trees located in the south west corner of the site - a Yew tree and a Sycamore. An TPO exists on the site. Both trees are categorised as B1, that is being of moderate quality with an estimated life expectancy of at least 20 years and have material conservation or other value.
- 8.15 An arboricultural report has been submitted with the application. This has been assessed and considered as part of the assessment by the Council's Tree & Landscape officer who considers that the tree report is comprehensive and details the trees to be removed and retained, which he is in broad agreement with. T2 is a protected Yew (T8 of the Order), whilst the Sycamore appears to have replaced the Ash (T7 of the Order) but the Order was not updated. The report also details trees protection measures and a method statement so as to protect the vulnerable parts of trees to be retained. Again, there is broad agreement with the report but we will need to ensure that construction operations adhere to these measures. It is considered that suitably worded conditions would ensure compliance with the proposed construction operations.
- 8.16 The existing hedge which is located behind the front boundary wall is shown to be retained. This is an important feature locally and adds to the verdant quality of the road, Its retention would assist in reducing the impact that the development would have on the street scene. It is therefore considered that a condition should be imposed to ensure its retention and replacement should it die.
- 8.17 It is not considered that the proposed development should have a detrimental impact on the protected trees or the existing hedge. Therefore the verdant nature of this part of the site, when viewed from Rotten Row would not be compromised.

Impact on listed building and conservation area

- 8.18 The site is located in the curtilage of a grade II* listed building. Originally a prestigious dwelling house the application site is located in what would have been the dwelling's walled garden.
- 8.19 English Heritage has been involved in the pre-application discussion. They have acknowledged the current use of the building as a gallery and offices, and also that Rotten Row has over time developed to allow unobtrusive modern infill development, which has largely taken place in the large gardens which front onto Rotten Row and which at one time belonged to the listed

dwelling which face onto the High Street. Therefore they have accepted the principle of developing a dwelling within the plot as it would in their opinion correspond to the more recently established street pattern. They also considered that the contemporary design and the use of natural materials, which occur elsewhere in the conservation area would also appropriate.

- 8.20 The main issue is therefore whether the siting of the new dwelling would impact on the setting of the listed building or prejudice the extensive views south from the listed building. English Heritage considered that the proposed siting would still allow views of the rear elevation of the building when viewed from the south and would allow views out to the south and towards the Downs.
- 8.21 The Council's Design & Conservation officer considers that the proposed dwelling will clearly be visible from the listed building. However, because of the topography with the slope away from the listed building toward Rotten Row, the new dwelling would sit lower than the listed building. The result of this is that the proposed dwelling will have a conspicuously subservient appearance within the curtilage of the listed building, and that wider views from 111 High Street of the South Downs beyond will still be maintained at first floor, allowing the listed building to maintain its attractive outlook.
- 8.22 Overall it is not considered that the proposal would have a detrimental impact on the character or setting of the listed building.
- 8.23 In terms of the conservation area, the Lewes Conservation Area Appraisal (LCAA) states that Rotten Row is notable for its tall flint walls especially along the north side, for the detached or paired brown brick houses with Italianate details which lie in spacious gardens to the south of the road. It goes on to acknowledge that a certain amount of infill development has taken place since the 1930's some of it highly visible but generally of little visual impact because of the high boundary walls, generous plot sizes and mature planting. Most of this infill development has taken place in the rear gardens of the listed buildings which front onto the High Street, and which have their own access onto Rotten Row.
- 8.24 Whilst it is acknowledge that the proposed dwelling will be visible when walking down Rotten Row from east to west - this would be the most visible perspective, with the retention of the boundary wall, hedging and trees together with the set back into the site, it is not considered that the proposed dwelling would be so dominant that it would be detrimental to the street scene. The new pedestrian opening within the boundary wall is not dissimilar to others on the northern side of the road. It is modest in scale and would not alter the inherent character of the road. The choice of 'soft' cladding materials would also serve to give the appearance of a building which is subservient to the listed building.
- 8.25 There is no defined building line along the north side of Rotten Row. The newer infill dwellings are of a mixed size and style, and are set varying distances back from the road itself. Therefore it is not considered that the location of the building would prejudice the character of the area due to it location.
- 8.26 It is considered that the proposal would not have a detrimental impact on the character or setting of the listed building and would, due to its form and choice of materials and detailing, be neutral in terms of its impact on the character and appearance of the conservation area and the wider public realm.

Impact on amenity - overshadowing, noise, loss of privacy

- 8.27 The proposal sits comfortable within the corner of the plot and a sufficient distance away from buildings to the north which are in an elevated position due to the topography of the site. Therefore there would be no direct impact on the amenity of the occupiers.
- 8.28 The nearest residential properties are Falmer House, a bungalow located immediately to the west of the site, and Holbrook, Sunnymead and Camoys which are located to the south and on the southern side of Rotten Row.

- 8.29 In terms of overshadowing, the only property that would be affected is Falmer House. Falmer House is a bungalow which is located immediately to the west of the proposed dwelling and has a separation distance of 10m between the two dwellings. Falmer House has two small windows on the east elevation. It is considered that, due to the separation distance and the spatial relationship of the two dwelling, and the presence of the Yew, Sycamore and Ash trees close to or on the boundary, the new dwelling would not result in an increase in overshadowing that would justify refusal. The new dwelling would be visible from the two side windows but with a separation distance of 10m, whilst the presence of the building would be noticeable, it is not considered that it would be overbearing.
- 8.30 In terms of noise, the property is a dwelling house. It is being constructed in a predominantly residential area. Therefore a new residential property would not be out of place in the area. The use and activities that would take place on the site would sit comfortably within its surroundings. In terms of vehicle movements whilst the car parking facilities for the new dwelling are located on the western side of the dwelling close to Falmer House, the existing car park on the site extends right up to the boundary. Therefore it is not considered that vehicle movements associated with the new dwelling would further prejudice residential amenity.
- 8.31 In terms of privacy and overlooking, the new dwelling has its main habitable space on the first floor. This space opens up onto a balcony which extends across the full width of the dwelling. Amended plans have been received which show a screen added to the western end of the balcony. This is shown as a timber slatted screen. Further details are required to ensure that privacy is maintained (which would be the subject of a condition) but provided the screen is fit for purpose it is considered that there would be no loss of privacy or overlooking to the neighbouring Falmer House.
- 8.32 The amended plan also shows the dwelling set further into the ground which serves to reduce the maximum height of the building by 600mm, and thus the height of the balcony. There are three properties located to the south of the application property. Holbrook is a large detached dwelling which is located approximately 26m from the balcony to the front elevation, and 12m from the front boundary (a flint wall with brick dressing and which is topped by shrubs growing within the front amenity space). The front amenity area consists of a soft landscaped amenity area together with a hard surfaced parking area. The main garden amenity area is located to the south of the dwelling.
- 8.33 Sunnymead appears as a single storey dwelling when viewed from Rotten Row. It is located 42m to the south of the balcony and its front boundary is approximately 14m from the balcony. Its front garden is a mix of soft landscaping and hard surfaced drive leading to a garage. The front boundary consists of flint wall capped with brick. Shrubs and mature trees project above the wall.
- 8.34 Camoys is a single storey dwelling located approximately 22m from the balcony. Its front garden is laid to hard surfacing and used for the parking of vehicles. Its main amenity area is located to the rear.
- 8.35 The reason for locating the main habitable area at first floor level is to maximise views south towards the countryside and South Downs. The dwelling does not overlook the main amenity areas for the three dwelling located immediately to the south. There would be the possibility of overlooking parts of the front gardens for two of the dwellings, however as these are not the main amenity areas and provide access and parking it is not considered that this would prejudice the amenity or the enjoyment of those spaces by the occupiers of these properties. Similarly the dwellings themselves are all located over 20m away to the south. Such a separation distance is considered extremely generous within an urban setting, and is sufficient to ensure that privacy is maintained and not compromised.
- 8.36 Whilst the balcony and the first floor accommodation will be a noticeable feature of the development from both the public realm and properties to the south, it is considered that whilst the development would be noticeable from neighbouring properties, the separation distances involved together with boundary treatments and existing planting would safeguard privacy and amenity.

Impact on the street scene

- 8.37 At street level a new pedestrian opening will be created within the front boundary wall. Similar openings have been inserted into the boundary wall along Rotten Row as infill development in the rear gardens has proliferated along the road. This opening will be gated and modest in scale and sufficient to allow pedestrian access to the new dwelling. A suitable worded condition will ensure that the details of the opening are acceptable.
- 8.38 With regards to the new dwelling, this will be the most noticeable when approached from the north east, where the south and east elevations of the dwelling will be visible above the double gates and the boundary wall. However, the high boundary wall, retention of the existing hedge, and the additional planting (which will be required by condition) will help to break up the view.
- 8.39 Rotten Row is relatively narrow and flanked by quite high brick or flint walls at its northern end and in proximity to the site. It is also quite verdant, with an abundance of trees and vegetation growing either over or above the walls. It is not considered that the proposed development would undermine that quality. Despite these features, existing dwellings can be glimpsed either in close proximity to the road or some distance away (those fronting onto the High Street).
- 8.40 It is therefore considered that whilst the new dwelling would be visible from the road and from nearby dwellings and would have some visual impact, that impact is not considered to result in harm to the street scene or its inherent character.

9 Conclusion

- 9.1 It is considered that the development would provide a contemporary dwelling, of an appropriate design, form and scale that would sit comfortably within the space available, without detriment to the character and setting of the listed building, or the wider conservation area. There is significant separation distance between the proposed dwelling and neighbouring dwellings to ensure that amenity of the occupiers is not prejudiced. Overall the proposal is considered to constitute an acceptable development.

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. No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- address noise impacts arising out of the construction;
- Include details of the use of protective fences, exclusion barriers and warning signs;
- Provide details of the location and appearance of the site offices and storage area for materials,
- Details of any external lighting.

Reason: In order to safeguard residential amenity and in the interests of highway safety and the wider amenities of the area having regard to Policy ST3 of the Lewes District Local Plan and having regard to National Policy Guidance contained in the National Planning Policy Framework 2012.

4. Before the development hereby approved is commenced on site, details and samples of all external facing materials including all facing and roofing materials, windows and balcony railings shall be submitted to and approved in writing by the Local Planning Authority and carried out in accordance with that consent.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. Before the development hereby approved is commenced on site, details of the new opening into the boundary wall including elevations at a scale of at least 1:10 together with details of the gate shall be submitted to, and approved in writing by, the Local Planning Authority and carried out in accordance with that consent.

Reason: To protect the character of the conservation area having regard to Policy H5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

6. Before the development hereby approved is occupied, details of the screen to the western end of the balcony to a scale of at least 1:10 shall be submitted to, and approved in writing by, the Local Planning Authority and carried out in accordance with that consent and retained in perpetuity.

Reason: To protect the amenity of adjacent occupiers having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

7. The land indicated on the approved plans for the parking of vehicles and for cycle storage for the development hereby permitted shall be laid out prior to the first occupation/use of the development and thereafter kept available for those purposes only.

Reason: To ensure that the development complies with adopted standards in the interests of highway safety and functionality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

8. Construction work 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 Policy ST3 of the Lewes District Local Plan.

9. Development shall not begin until details of finished floor levels in relation to the existing ground levels, boundary wall and neighbouring dwellings have been submitted to and approved by the Local Planning Authority. The works shall then be carried out in accordance with these details.

Reason: In the interest of residential amenity and the character of the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

10. No development shall take place until full details of both hard and soft landscape works, including detailed planting schedule have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the building is occupied.

Reason; To enhance the general appearance of the development having regard to Policy H5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

11. The approved method statements (1718-02 Rev A - Owen Allpress) submitted in support of the application shall be adhered to in full in accordance with the approved plans and may only be modified subject to written agreement from the LPA.

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 enhance the general appearance of the development having regard to Policy H5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

12. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner [during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

Reason; To enhance the general appearance of the development having regard to Policy H5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

13. All trees, shrubs and hedges within the site, to be retained, shall be protected by 1m high fences for the duration of the building works at a distance equivalent to the outer most limit of the branches or half the height of the tree or whichever is the greatest or such other distance as may be agreed in writing by the Local Planning Authority. No materials or plant shall be stored, rubbish dumped, fires lit or buildings erected within the fenced area and no changes in ground level or excavations may be made within the exclusion zone of the tree, shrub or hedge without the prior consent in writing of the Local Planning Authority, in accordance with BS.5837 - Trees in Relation to Construction.

Reason: To enhance the general appearance of the development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

14. In the event of the death or destruction of any tree, shrub, hedge to which Condition 13 relates on the site within two years of occupation due to felling, cutting down, uprooting, ill health or any other manner, then there shall be replanted in its place another tree, shrub or hedge within 6 months and of a size and species approved in writing by the Local Planning Authority, and carried out in accordance with that approval.

Reason: To enhance the general appearance of the development having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

15. The hedge to the southern boundary of the site shall be retained at a height of at least 1m above the height of the boundary wall and in the event of the death or destruction of any part of the front hedge then there shall be replanted in its place another hedge within 6 months.

Reason: To maintain the general character and appearance of the wider public realm and conservation area having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

16. 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 Schedule 2 Part 1 Classes A to E, 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 Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

17. No external lighting shall be installed on the site or building without the prior written approval of the Local Planning Authority and this condition shall apply notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015, or any Order revoking or re-enacting that Order.

Reason: To protect the character of the area and amenity of local residential occupiers having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

18. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. A written record of any archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

19. If, during development, contamination 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 any 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 National Planning Policy Framework, sections 120 and 121].

20. Prior to commencement of works details of minor enabling works such as vents, flues, meter boxes, external lighting, rainwater goods and any other associated works shall be submitted to and approved in writing by the local planning authority and the works carried out in accordance with these details unless otherwise agreed in writing.

Reason: To protect the character of the conservation area having regard to Policy H5 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

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 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.

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Mr Andrew Hill (Lewes DC)

Tel: 01273 471600

email: Andrew.Hill@lewes.gov.uk

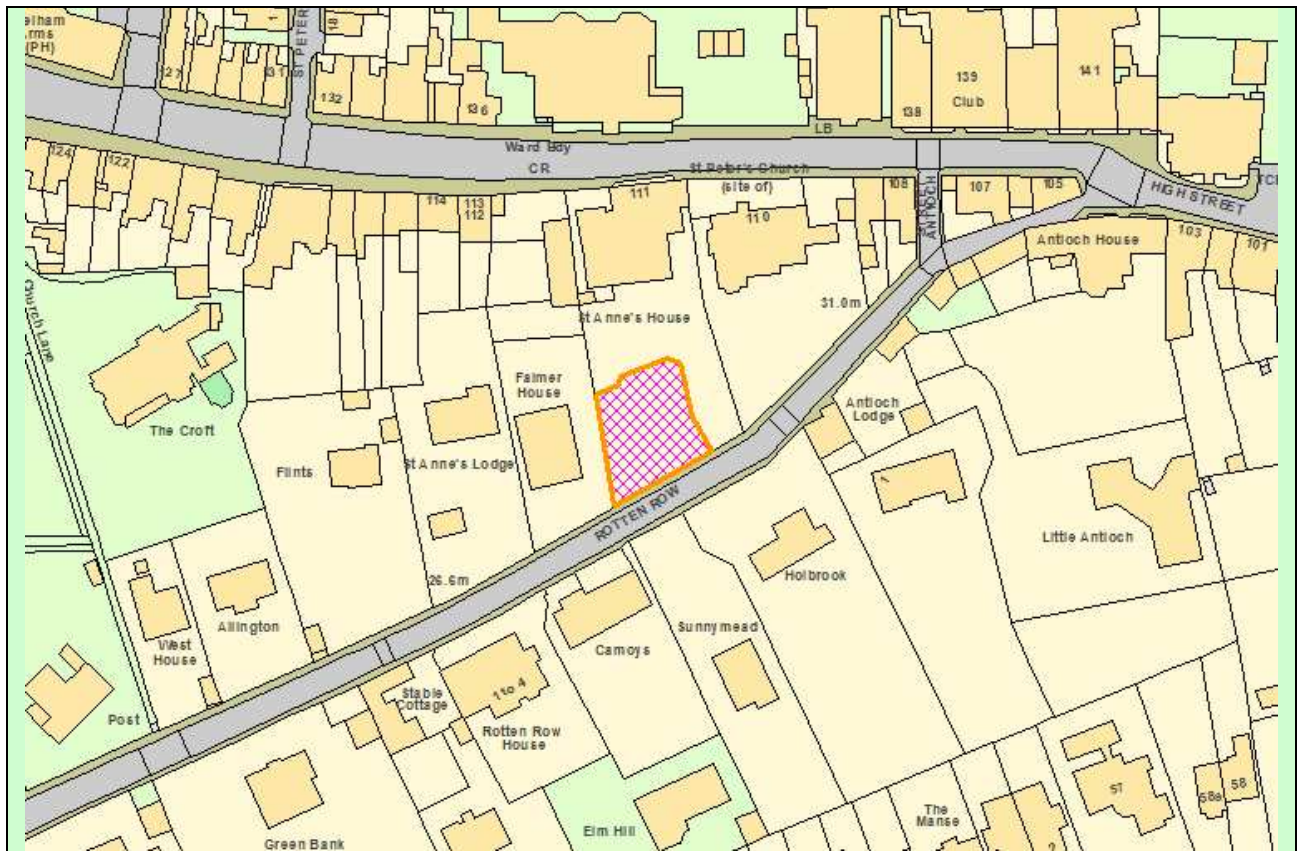
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2016) (Not to scale).

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 - SITE & LOCATION PLANS	I3860/PA/001		20.07.2017	Approved
Plans - SITE PLANS	I3860/PA/002		20.07.2017	Approved
Plans - EXISTING SURVEY PLAN	I3860/PA/003		20.07.2017	Approved
Plans - EXISTING SECTIONS	I3860/PA/004		20.07.2017	Approved
Plans - SITE PLAN	I3860/PA/005		20.07.2017	Approved
Plans - VISUAL AMENITY	I3860/PA/006		20.07.2017	Approved
Plans - VISUAL AMENITY	I3860/PA/007		20.07.2017	Approved
Plans - GROUND FLOOR PLAN	I3860/PA/010 Rev A		02.10.2017	Approved
Plans - FIRST FLOOR & ROOF PLANS	I3860/PA/011 Rev A		02.10.2017	Approved
Plans - ELEVATIONS	I3860/PA/012 Rev A		02.10.2017	Approved
Plans - ELEVATIONS	I3860/PA/013 Rev A		02.10.2017	Approved
Plans - ELEVATIONS	I3860/PA/014 Rev A		02.10.2017	Approved
Plans - ELEVATION BAY STUDY	I3860/PA/015		20.07.2017	Approved
Application Documents -	arboricultural impact		20.07.2017	Approved
Application Documents -	archaeological evaluation		20.07.2017	Approved
Application Documents -	design and access		20.07.2017	Approved
Application Documents -	initial arboricultural report		20.07.2017	Approved

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