

Report to **Planning Committee**
Date **22 November 2017**
By **Director of Planning**
Local Authority **Lewes District Council**
Application Number **SDNP/17/03937/FUL**
Applicant **Mr D Templar**
Application **Renewal of selected windows**
Address **35 Friars Walk**
Lewes
BN7 2LG

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 building, more commonly known as 'The Turkish Baths', dates from 1862. It is unlisted. It has had a variety of alternative uses, and is currently owned by Lewes District Council who used it as a printing works for several years. The building is currently empty.

1.2 The building occupies a wedge-shaped plot within Lewes Conservation Area, on the junction between Styles Field, Friars Walk and Broomans Lane. It is a prominent feature in the landscape, with a small grassed area, public bench, shrubs, and a Himalayan birch (*Betula utilis 'jacquemontii'*) to the southern boundary.

2 Proposal

2.1 Planning permission is sought for the replacement of the existing single glazed timber sash windows with Slimlite double glazed equivalents, the refurbishment of the existing Crittall windows, the refurbishment of the existing timber doors, and the replacement of the existing fire door on the rear (western elevation) with a new solid timber fire escape door. The proposal has been submitted by Lewes District Council, hence the need for committee determination.

2.2 This current proposal is an amendment to the originally submitted scheme which proposed the installation of a new door and access path to the south elevation.

3 Relevant Planning History

SDNP/16/06363/FUL - Renewal of windows, formation of new external door opening and level access paving/path - Withdrawn 6th March 2017.

4 Consultations

Parish Council Consultee

"Members raised concern regarding the existing tree as there was no obvious report from the District Tree and Landscape Officer and details of the application were not clear online. On the assumption that it followed earlier proposals, the Committee reiterate their earlier comments, and specifically:

The Committee OBJECT to these proposals; considering that inter alia:

Use of the paved area will remove green space alongside Styles Field, resulting in an extended area of hard landscaping which would visually extend the highway. Proximity to the Himalayan birch tree would threaten the vulnerable rooting system and have a profound impact on the life of this tree, which makes a significant contribution to the character and appearance of the Conservation Area. It is submitted that this would be contrary to local plan policy which specifically requires that developments within Conservation Areas "protect open spaces, trees and significant public views".

The new door proposed is considered to be out of keeping with the building. Windows appear "piecemeal" and the existing historic fenestration should not be disrupted. The level access is understood to provide access for disabled, but this already exists at another entrance. Members commented that the building as it stands should be put to community use."

Members assume that this application will be called into Committee."

LE - Design and Conservation Officer

No objection is raised to the proposed works which are considered sympathetic to the character and appearance of the existing building and this part of the Lewes Conservation Area.

Details of the secondary glazing for critical windows identified as W4, W5, W6 and W7 on the plan shown as Project No. GDS649, Drawing No.04, Revision D have not been submitted. The cill extension options shown within DWG NO. 2701 are generic and do not show the specific one chosen. It is advised a condition be attached to any approval requiring these details.

5 Representations

5.1 No representations received for this amended scheme at time of writing.

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

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:

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:

- 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:

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

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:

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

8.1 As originally submitted, this proposal included the laying of an access path over the grassed amenity area, and the insertion of a new door to the south elevation. Following concerns raised by the Design and Conservation Officer, Trees and Landscape Officer, and several objections by

interested parties, the scheme was amended to delete the path and door, with the replacement and refurbishment of existing fenestration being the only works applied for, and which fall to be assessed in this report.

8.2 The existing windows are in need of refurbishment, and it is hoped the works will attract future occupiers of the building. The large, rectangular Crittall windows which are a distinctive feature of this building are to be retained and refurbished, with Slimlite double glazed timber sashes replacing other windows. The comments of the Design and Conservation Officer (DCO) are a material consideration in the determination of this application due to the potential impact of the proposal on the character and setting of the Conservation Area. As stated in Part 4 of this report, the DCO has raised no objections to the proposal, but recommends a pre-commencement condition regarding the submission of details of the secondary glazing to the Crittall windows, and proposal-specific details of the cill extensions. Although not a listed building, these are all factors that can affect the quality of the finished work, and therefore its impact on the Conservation Area.

8.3 No comments from other interested parties have been received at time of writing, but the Planning Committee will be updated regarding any observations submitted.

8.4 It is considered the objections raised regarding the earlier proposal have been satisfactorily addressed, and the character of the building and wider Conservation Area will not be harmed by these minor works. This is in accordance with Policy H5 (Development within or Affecting Conservation Areas).

9 Conclusion

9.1 That planning permission 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.

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. Prior to commencement of works details of the secondary glazing to the Crittall windows, to include elevations to a scale of 1:10 with vertical and horizontal cross sectional details to a scale of 1:1 or similar, shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the character and setting of the building and wider Conservation Area having regard to policy H5 of the Lewes District Plan.

4. Notwithstanding the details shown on drawing No. 2701 details of the specific cill extension option shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the character and setting of the building and wider Conservation Area having regard to policy H5 of the Lewes District Plan.

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: Mrs Alyson Smith
Tel: 01273 471600
email: alyson.smith@lewes.gov.uk

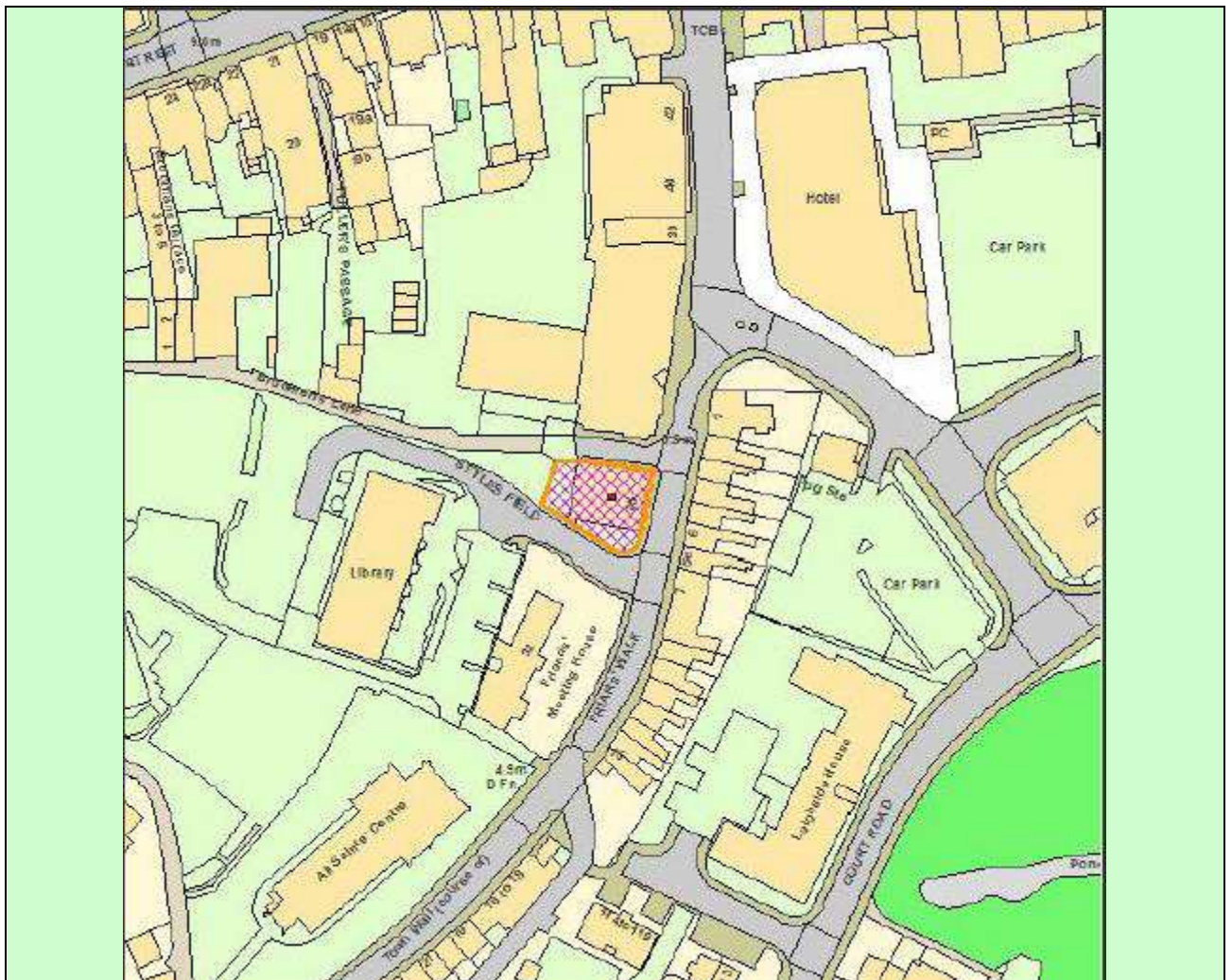
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

Appendix I

Site Location Map



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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 -	01		02.08.2017	Approved
Plans - Proposed Block Plan	01A		23.08.2017	Approved
Plans - existing elevations and floor	02		02.08.2017	Approved
Plans - proposed floor and elevations	03 E		18.10.2017	Approved
Plans - window and door elevations	04 D		18.10.2017	Approved
Plans - Proposed Block Plan	07		23.08.2017	Approved
Plans - Sections	Bereco		18.10.2017	Approved
Application Documents -	Heritage Statement		23.08.2017	Not Approved
Application Documents -	design and access statement		02.08.2017	Not Approved
Application Documents -	flood risk assesement letter		02.08.2017	Not Approved

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