

Report to: Planning Applications Committee

Date: 4th September 2024

Application No: SDNP/24/02451/LIS

Location: Market Tower, Market Street, Lewes, East Sussex, BN7 2NB

Proposal: Installation of lighting, refurbishment of 7x windows, refurbishment of internal fire doors, repairs to masonry and repointing

Applicant: Lewes District Council C/O Crossley Anderson
grant@crossleyanderson.co

Ward: Castle

Recommendation: 1. It is recommended that the application be Approved subject to the conditions set out below.

Contact Officer: **Name:** Larissa Brooks
E-mail: larissa.brooks@lewes-eastbourne.gov.uk

Site Location Plan:



1	Executive Summary
1.1	Listed Building Consent is sought for repair works to the Grade II listed Market Tower.
1.2	Previously, the proposals included removal of the courtyard roof structure and structural works to the bell tower. Upon officer advice, these elements have been removed from the scheme until alternative proposals (including a replacement roof covering) has been designed.
1.3	Approval is recommended subject to conditions.
2.	Relevant Planning Policies
2.1	<u>National Planning Policy Framework</u> 16. Conserving and enhancing the historic environment
2.2	<u>South Downs Local Plan 2019</u> Strategic Policy SD12 – Historic Environment Development Management Policy SD13 – Listed Buildings

3.	Site Description
3.1	Lewes Market Tower is Grade II listed, built in 1792. It is located on the west side of Market Street. The freehold is owned by Lewes District Council and the LOS Musical Theatre leases the first-floor rooms. A regular food market takes place at ground floor level and on the adjoining courtyard every Friday between 9am – 1pm. The second and third floors of the tower contain the clock mechanism and the town bell.

4.	Proposed Development
4.1	<p>The application seeks Listed Building Consent for repair works to the Market Tower, to include:</p> <p><u>Implementing a new lighting scheme at ground floor level</u></p> <ul style="list-style-type: none"> • Removal of non-original strip lighting and associated cabling within the 19th century extension; • Decorative pendant light within the market tower itself to be restored and relamped for LED; • 4 no. surface mounted spotlights to be installed in each corner of the tower. • These to have low glare properties and will be used to subtly wash the ground floor space from above;

- 7 no. linear LED surface wash lights with low glare properties located on the walls of the courtyard to subtly wash this space from above;
- Two new pendant lanterns to match the existing within the 19th century extension;
- Pendant fittings to be restored within the 19th century extension;
- Relocation of an existing pendant lantern to a new location within the 19th century extension;
- Decorative Wall light on the western elevation of the 19th century extension to be restored and re-lamped for LED; and
- 6 no. surface mounted spotlights to be installed in the 19th century extension.

Refurbishment of timber sash windows

It is proposed to refurbish seven timber sash windows - all located at first floor level of the 19th century wing or extension to the tower. Four are in the northwest facing elevation, two in the southeast facing elevation and one in the southwest elevation. Replacement sections will replicate the design of each section they will replace using high quality RPI European oak. The glass in each window will be replaced with Histoglass D10 thin double glazed low emistivity cylinder glass. The existing ornamental plaster / render / brickwork detail decoration (head / cill level) will be carefully maintained with any damage caused by the installation to be carefully repaired.

Repairs to or replacement of fire doors

The Council commissioned a fire door inspection report that has recommended the replacement or remedial works to fire doors within the building to ensure faults are addressed. The proposed works to four doors are identified on the specific drawings submitted with the application.

Conducting repairs to masonry and repointing

There is evidence of defective masonry on parts of the building and it is proposed that this is repaired to improve the appearance of the building and secure the structure for the longer term. The repairs to defective masonry will require cutting out of defective facing brick, cleaning out and preparing the socket and supplying and fitting second-hand matching facing brick, bedded and pointed using a hydraulic lime mortar. The repointing works will involve raking out joints up to approximately 20mm and re-pointing using an appropriate hydraulic lime mortar.

5.	Relevant Planning History:
5.1	LW/08/1300 & LW/ 08/1301 - Conversion of yard to exhibition space including change of use to visitor centre and shop, removal of brickwork to form opening in 1872 infill wall, replacement of glazed central roof over yard, addition of rear internal door and addition of handrail at front steps.

	<p>LW/10/0474/NP & LW/ 10/ 0477/ NP - Change of use to three ground floor rooms from storage to market use for the sale of local food and craft work and ancillary facilities to provide refreshment including yard to rear northwest elevation.</p> <p>LW/10/0478/NP & LW/ 10/ 0562/NP - Installation of six information boards.</p> <p>SDNP/16/00139/LIS - Installation of electronic movement and electromagnetic toller unit to the existing clock whilst retaining the existing mechanism.</p>
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<p>6.</p>	<p>Consultations:</p>
<p>6.1</p>	<p>Lewes Town Council</p> <p>Neutral - Whilst this renovation is welcome, wide consultation needs to take place in order to assess potential impact on traders and other stakeholders. As the tower is a prime swift nesting area, the Lewes Swift group should also be consulted.</p> <p>Lewes Conservation Area Advisory Group</p> <p>We understand this application has been withdrawn. If this is not the case we strongly object. The refurbishment and repair works to the Grade II market tower are supported, but not the loss of the courtyard roof structure. Although of C20 construction, the roof performs a useful function, ensuring the success of the weekly market and other community activities important to this part of the town. The character of the covered space is also itself worth maintaining. It may be necessary to remove the roof to carry out some of the refurbishment works, but it should be repaired or reconstructed thereafter.</p> <p>Friends of Lewes</p> <p>The Friends of Lewes acknowledge that there is an outstanding need to maintain this significant Listed Building, but object to this application for the following reasons:-</p> <p>(1) The Society considers it unacceptable to remove the courtyard roof structure on a "temporary basis", in the absence of any specific proposal to replace the courtyard roof structure in the longer term.</p> <p>(2) In townscape terms, the most important view of the Market Tower is from Market Street.</p> <p>(3) However, the Society suggests that the Market Tower should not only be assessed in terms of its individual architectural features and historical significance, but also in terms of its role within the wider townscape context at this important location in the centre of Lewes.</p> <p>(4) Under the Market Tower is an established pedestrian link from Market Street to Market Lane and the car park adjacent to the Old Needlemakers and other facilities. In addition, this courtyard roof provides essential shelter for many of the stallholders at the Friday Food Market and the monthly craft market and other events, and as such acts as an important focal point for the community, which should be maintained as a significant asset in this part of Lewes.</p>

(5) In conclusion, the Society would like to suggest that it is essential for the courtyard roof structure to be retained, in order for the Market Tower to be seen to be benefitting the local community, rather than return to the design as originally built, which few residents and visitors would fully appreciate.

Lewes Swift Supporters

These repairs to the Market Tower offer a good opportunity to install breeding accommodation for Swifts, such as Swift bricks, cabinets, or nest boxes. Swifts are on the red list of endangered birds and their numbers have fallen by an estimated 58% since 1995. Lewes has always been a hotspot for Swifts and lack of suitable nest spaces is thought to be one factor in their decline. Breeding accommodation at the Market Tower could help to allow expansion from the existing colonies nearby in Station Street, Market Lane and the Flea Market.

Design and Conservation Officer

Objection - less than substantial harm

Officer note: The removal of the courtyard roof structure has been withdrawn from the scheme and shall not be considered further. With regard to swifts, ecology impacts are not usually considered under applications for listed building consent. An informative will be attached to any approval which encourages the applicant to consider swifts when they submit the application for full planning permission for the roofing works.

Lastly, it is noted that the conservation officer's consultation feedback states – 'Objection - less than substantial harm.' The conservation officer was primarily objecting to the structural works to the bell tower, which have now been removed from the scheme. Other concerns raised to works still included within the scheme have been dealt with via condition.

7.	Other Representations:
7.1	No objections received (courtyard roof removal objections not considered as it is longer part of this scheme).

8.	Appraisal:
8.1	The main consideration for this application is the impact on the Grade II Listed Market Tower, in accordance with SD12 (Historic Environment) and SD13 (Listed Buildings) of the South Downs Local Plan (2019), Chapter 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2023) and HC3A (Heritage Protection of Landscape and Townscape) and HC3B (Planning Application Requirements and Heritage Issues) of the Lewes Neighbourhood Plan (2019).

8.2

Impact on the listed building

The Design and Conservation Officer was consulted and offered various comments on the works proposed. These shall be dealt with in turn below.

Installation/refurbishment of lighting

There is no objection to refurbishment and re-lamping of the existing Victorian style streetlights within the complex, however the application is lacking detail with regard to material, specification, location and cabling routes. These details shall therefore be secured via condition.

Replacement or refurbishment of doors

In respect of D03 it is unclear as to what is being proposed. It is preferred that original doors are retained and upgraded rather than replaced. In this instance it is understood that initial investigations are inconclusive as to whether the over boarded door is actually an original. It is clear that the over boarding does not contribute to historic or architectural interest and therefore can be removed in advance of consent to ascertain what, in respect of D3 is actually proposed. Further investigation works and an updated plan shall therefore be secured via condition. The works to doors D001, D02 and D04 allow retention of the original fabric, and compliance with building regulations. This is considered to adequately address the balance between heritage and safety.

Repairs to windows

The windows subject to this application are of mid to late 19th century origin and many are showing signs of failure in typical areas being the cill, bottom rail and meeting rail, and associated bottom sections of the lower sash stiles. The proposals to repair, rather than replace, are supported. An unforeseen circumstances condition shall be applied which will allow the applicant to submit amended plans should it be discovered that windows are beyond repair and need full replacement. This is particularly relevant for window SW07, where the lower sash is a later replacement and has completely failed. The entire replacement of the lower sash (not the top sash or associated frame etc) is suggested giving opportunity for a more accurate reproduction, using the original top sash to establish a pattern in respect of mouldings etc. The applicant is encouraged to consider this. Similarly, whilst there is no objection to ultra slimline double glazed histoglass, the applicants are advised that the installation of secondary glazing and draft exclusion measures (such as staff and parting bead with integral brush pile) would not require Listed Building Consent as per Advice Note 16 issued by Historic England. This would not only be more cost efficient, but there is also some evidence to suggest secondary glazing provides improved energy efficiency than double glazing.

Repointing and masonry repairs

The principle is acceptable however, the approach and materials proposed within the design and access statement are not. Consideration should be given to the omission of cement and the use of a hydraulic lime mortar.

	The methodology should rely on low impact tooling (such as a multi tool and hand tools). These elements shall be conditioned.
8.3	<p><u>Human Rights Implications:</u></p> <p>The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.</p>

9.	Recommendations
9.1	It is recommended that the application be Approved subject to the conditions set out below.

10.	Conditions:
10.1	<p>Listed Building Consent</p> <p>The works hereby consented shall be begun before the expiration of three years from the date of this consent.</p> <p>Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).</p>
10.2	<p>Approved plans</p> <p>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".</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
10.3	<p>Unforeseen Circumstances</p> <p>In the event that unforeseen circumstances prevent the works from being carried out as per the approved plans/details. Revised plans and details may be submitted to the local planning authority for approval. Once approved the works shall be carried out in accordance with the revised plans/details and retained as such thereafter.</p> <p>Reason: In the interests of ensuring a timely completion of works and to avoid undue risk to the heritage asset.</p>
10.4	<p>External materials to be agreed</p> <p>Before any bricks are laid, samples of all new brick to be used in the works hereby granted consent shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed brick details.</p> <p>Reason: To preserve the special architectural and historic interest of the listed building.</p>

10.5	<p>Lighting</p> <p>Prior to the commencement of the relevant part of the works, the following details shall be submitted to the local planning authority for approval in writing:</p> <ul style="list-style-type: none"> a) 1:10 elevational drawings showing size and position of lighting units and associated cable routing for S2 b) Clarification of which model for S2 is proposed, including detail of finish colour c) For S1, clarification on how the associated supply cable will be routed and within what material/fabric. <p>The works shall be carried out only in accordance with the agreed details.</p> <p>Reason: To preserve the special architectural and historic interest of the listed building.</p>
10.6	<p>Door refurbishment – D03</p> <p>Prior to the commencement of the relevant part of the works, investigative works shall be undertaken to door D03 to establish whether the over boarded door is an original. An updated plan - 7217-062 DOOR TYPE 03 – shall then be submitted to the local planning authority for approval in writing.</p> <p>Reason: To preserve the special architectural and historic interest of the listed building.</p>
10.7	<p>No power-driven tools</p> <p>The raking out of loose mortar for the purpose of re-pointing shall be carried out by tools held in the hand and not by power-driven tools.</p> <p>Reason: To preserve the special architectural and historic interest of the listed building.</p>
10.8	<p>Mortar</p> <p>Before the repointing hereby granted consent is carried out, details of the mortar to be used for re-pointing (including mortar mix, colour, texture and pointing finish) shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed repointing and mortar details.</p> <p>Reason: To preserve the special architectural and historic interest of the listed building.</p>

11.	<p>Informatives:</p>
	<p>Swifts</p> <p>The applicant is encouraged to explore accommodation for swifts (e.g., swift boxes) in a future application for full planning permission, providing these are installed in a manner sensitive to the listed building. Swift bricks would not be supported in this locality. Lewes Swift Supporters would be happy to share advice on the best type of accommodation and the most suitable installation sites: lewesswifts@gmail.com.</p>

11.	Plans:
11.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	PLANS - 7217/050	14.06.24	SASH REFURBISHMENT DETAILS PROPOSED
	PLANS - 7217/051	14.06.24	SASH REFURBISHMENT DETAILS PROPOSED
	PLANS - 7217/052	14.06.24	SASH REFURBISHMENT DETAILS SW07 PROPOSED
	PLANS - 7217/060	14.06.24	FIRE UPGRADE DOOR PROPOSALS DETAILS D01 PROPOSED
	PLANS - 7217/061	14.06.24	FIRE UPGRADE DOOR PROPOSALS DETAILS D02 PROPOSED
	PLANS - 7217/063	14.06.24	FIRE UPGRADE DOOR PROPOSALS DETAILS D04 PROPOSED
	PLANS - 7217/001	14.06.24	SITE/ BLOCK PLAN
	PLANS -	14.06.24	LIGHTING SPECIFICATION

12.	Appendices
12.1	None.

13.	Background Papers
13.1	None.