

Report to	Planning Applications Committee
Date	27 June 2018
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/00449/LIS
Applicant	Mr E Beckley
Application	Replacement of a 'Crittall' window in kitchen with steel 'Crittall' style window
Address	2 Abinger House Abinger Place Lewes East Sussex BN7 2QA

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 property is a ground floor flat located within a Grade II listed building on the east side of Abinger Place. The property is within the Conservation Area.

2 Proposal

2.1 The proposal is for the replacement of a 'Crittall' window in kitchen with a steel 'Crittall' style window.

3 Relevant Planning History

None.

4 Consultations

LE - Design and Conservation Officer

The application seeks consent to replace the Crittall window to the rear of the property. No objections are given in principal for the replacement of this window, providing it is replaced with a Crittall window of a similar design and not a UPVC window.

Parish Council Consultee

No comment

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 Council - The Core Strategy (Local Plan Part I) 2014** and the following additional plan(s):

- Lewes District Local Plan (2003)
- South Downs National Park Local Plan - Submission 2018

Other plans considered:

- Lewes Neighbourhood Plan

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 - 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 Council - The Core Strategy (Local Plan Part 1) 2014** are relevant to this application:

- CPII - Built and Historic Environment and Design

The following policies of the **Lewes District Local Plan (2003)** are relevant to this application:

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

The following policies of the **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD5 - Design
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings

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, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It 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. Based on the current stage of preparation, and given the relative age of the **saved policies within the Lewes District Council - The Core Strategy (Local Plan Part 1) 2014**, the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Strategic Policy SD5 - Design
- Strategic Policy SD12 - Historic Environment
- Development Management Policy SD13 - Listed Buildings

8 Planning Assessment

8.1 The application property is a ground floor flat located within a Grade II listed building on the east side of Abinger Place. The property is within the Conservation Area. The proposal is for the replacement of a 'Crittall' window in kitchen with steel 'Crittall' style window.

8.2 The window to be replaced is at the rear of the building in a non-original extension of the main building. The flat cannot be viewed from the public realm or wider conservation area.

8.3 The Design and Conservation Officer was consulted and has no objections.

8.4 It is considered that the proposed works do not detrimentally impact on the character and historic fabric of the property and the conservation area, in accordance with Policies ST3 (Design, Form and Setting of Development), H2 (Listed Buildings) and H5 (Conservation areas) of the Lewes District Local Plan and SD5 (Design), SD12 (Historic Environment) and SD13 (Listed Buildings) of the South Downs Local Plan (Pre-submission).

8.5 The development has also been considered against the relevant policies in the Joint Core Strategy which has been adopted by the South Downs National Park. The Core Strategy is the pivotal planning document until 2030, forming Part 1 of our Local Plan and sets out the over-arching strategies that all other planning documents will need to be in conformity with. This proposal is considered to accord with Core Policy 11 Built and Historic Environment and Design.

8.6 The development is not considered to be contrary to the South Downs National Park Partnership Management Plan, which is the over-arching strategy document for the management of the South Downs National Park, and accords with Policy 50 which deals with housing, design, and supporting balanced communities.

9 Conclusion

9.1 It is recommended 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.

1. 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.

2. 3 year time expiry listed building

The works hereby consented shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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
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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
Application Documents -	HERITAGE STATEMENT		04.05.2018	Approved
Plans -	WINDOW ELEVATION	BECKLEY 1496-01	11.05.2018	Approved
Plans -	LOCATION PLAN		13.04.2018	Approved
Plans -	WINDOW SECTIONS AND ELEVATIONS		13.04.2018	Approved
Application Documents -	WINDOW BROCHURE		13.04.2018	Approved
Application Documents - Site Photographs	PHOTOS		13.04.2018	Approved

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