

Report to	Planning Applications Committee
Date	27 June 2018
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/18/02027/FUL
Applicant	Mr Templar
Application	Four single glazed steel windows to the north and east elevations to be replaced with white factory finished timber sash windows with the introduction of 14mm Slimline glazing in 16 pane sliding sash units
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 Crittall metal framed windows to the east and north elevation with timber framed Slimlite double glazed 16 pane sliding sash windows. 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 existing consent for the replacement of windows and refurbishment of the Crittall windows granted under SDNP/17/03937/FUL.

3 Relevant Planning History

SDNP/17/03937/FUL - Renewal of selected windows - Approved 23rd November 2017.

SDNP/16/06363/FUL - Renewal of windows, formation of new external door opening and level access paving/path - Withdrawn 6th March 2017.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

LE - Design and Conservation Officer

No objection.

5 Representations

None 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 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
- National Planning Policy Framework

Other plans considered:

- None

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

- CPI 1 - Built and Historic Environment and Design

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 **South Downs National Park Local Plan - Submission 2018** are relevant to this application:

- Strategic Policy SD5 - Design
- Development Management Policy SD15 - Conservation Areas

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, 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
- Development Management Policy SD15 - Conservation Areas

8 Planning Assessment

8.1 Permission was granted for the refurbishment of the Crittall windows, but their replacement with timber sashes will match other windows in the building. The site is located within Lewes Conservation Area, so 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.

8.2 As stated earlier in this report, the DCO has raised no objections to the proposal, and has not recommended any conditions. However, specific details are required relating to the cill extensions, and a relevant condition is recommended.

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 proposed works will not adversely impact the character of the building, and the 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. 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.

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South Downs National Park Authority

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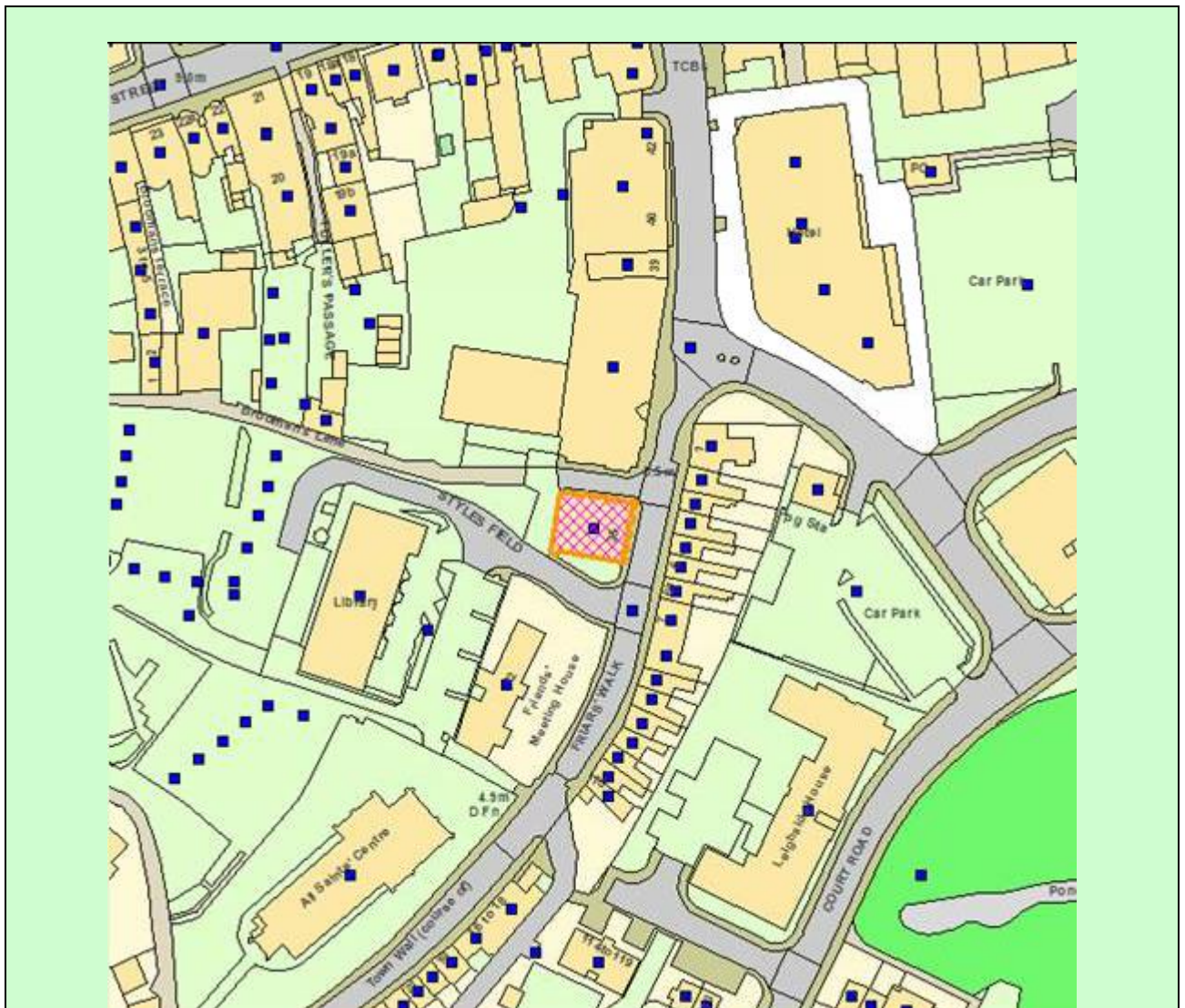
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

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
Plans - PLANS & DETAILS			16.04.2018	Approved
Plans - LOCATION PLAN	649 - 001		16.04.2018	Approved
Plans - EXISTING ELEVATIONS	649 - 002		16.04.2018	Approved
Plans - PROPOSED ELEVATIONS	649 - 003		16.04.2018	Approved
Plans - WINDOW DETAILS	649 - 004		16.04.2018	Approved
Application Documents - HERITAGE STATEMENT			16.04.2018	Approved
Application Documents - DESIGN & ACCESS STATEMENT			16.04.2018	Approved
Application Documents - FLOOD RISK ASSESSMENT			16.04.2018	Approved

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