

Report to	<b>Planning Applications Committee</b>
Date	<b>31 October 2018</b>
By	<b>Director of Planning</b>
Local Authority	<b>Lewes District Council</b>
Application Number	<b>SDNP/18/03889/FUL</b>
Applicant	<b>Lewes Town Council</b>
Application	<b>Proposed extensions to southern and northern elevations, proposed terrace area to east and south sides along with external cladding, roof mounted solar panels and associated alterations.</b>
Address	<b>Malling Community Centre Spences Lane Lewes BN7 2HQ</b>

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

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## **Executive Summary**

### **1 Site Description**

The application site is a single storey community centre located to the north of a recreational ground, on the west side of Mayhew Way and south of Church Lane. The site slopes up from the recreational ground to the community centre and is set down from the row of houses on St Michael's Terrace. The site is within South Downs National Park but not within conservation or Article 4 area and it is not a listed building.

### **2 Proposal**

The proposal is for single storey extensions with a terraced area to the west and south elevations, installation of external cladding and creation of canopy to the south elevation with alterations to fenestration and refurbishment works.

### **3 Relevant Planning History**

None.

### **4 Consultations**

#### **Parish Council Consultee**

Members, whilst recognizing that the Council is the applicant, commended this application as being a benefit to the community and offering high-quality sustainability features.

## 5 Representations

Two neighbour comments have received -

One supporting the development, being on brownfield land and benefitting the local community.

One raising concerns over increased level of noise from the open terrace in close proximity to residential properties.

## 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

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 on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should 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 are considered to accord fully with the objectives of the NPPF, full regard to which has been given during the consideration 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:

- ST3 - Design, Form and Setting of Development
- RS13 - All Extensions

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 50

#### 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 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 26 September to 21 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 48 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 Local Plan (2003)**, 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

## **8 Planning Assessment**

This application is to refurbish the existing community building with erection of a single storey flat roof glazed extension to the south elevation to create a larger entrance foyer which will also create a café area, this extension measure approximately 9m wide, 2.6m high and 2m deep, a proposed canopy would be erected adjacent to the proposed extension, projecting from the community hall, the proposed canopy measures approximately 12.4m wide and protrudes from the building by 2m.

The single storey flat roof extension to the north elevation is proposed to facilitate an external store which measures approximately 2.5m wide, 5.5m deep and a maximum height of 2.3m.

All proposed brickwork will match the existing brickwork, the existing timber cladding to the south elevation will be replaced with new timber cladding and all new proposed glazing will be aluminium glazed.

This application also includes enlargement of existing terrace to the south and west elevation to create a seating area to facilitate the creation of a café. The terrace surrounding the building already exists and is only being refurbished and increased in width. Two neighbours have submitted their comments stating that the works to improve the centre are welcomed but concerns have been raised regarding the level of noise the proposal may result as a result of the use of the enlarged terraced area.

These concerns are noted. It is considered that a condition can restrict the use of the western terraced area as a seating space after 18.00 which should alleviate any impact from noise. The improvement to the appearance and layout of the of the building and creation of a more adaptable community space will benefit and create a sense of community. It is not considered that the proposed improvement would unduly increases noise or detrimentally impact on residential amenity having regard to the use and nature of the surrounding land.

It is considered the proposal will not have a detrimental impact on the character or appearance of the property and street scene, and will not cause undue harm to the residential amenities of local residents, in accordance with Policies ST3 (Design, Form and Setting of Development) and RES13 (Extensions) of the Lewes District Local Plan and SD5 (Design) and SD12 (Historic Environment) of the South Downs Local Plan (Pre-submission).

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 I 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.

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**

It is recommended 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. The development hereby approved shall be finished in external materials to match those used in the existing building.

**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 2018.

4. No development shall be commenced unless and until details of the proposed ground-source heat pump has been submitted to and approved by the Local Planning Authority in writing.

**Reason:** To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to protect the amenities of the locality to comply with Policy ST3 of the Lewes District Local Plan

5. Before the development hereby approved is commenced on site, details of the roof mounted PV panels 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 Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2018.

6. The terrace on the western side of the community centre shall not be used as a sitting out area between 18.00 and 09.00 on any day of the week, and any benches or seats shall be removed during these times.

**Reason:** To protect the amenity of near-by 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 2018.

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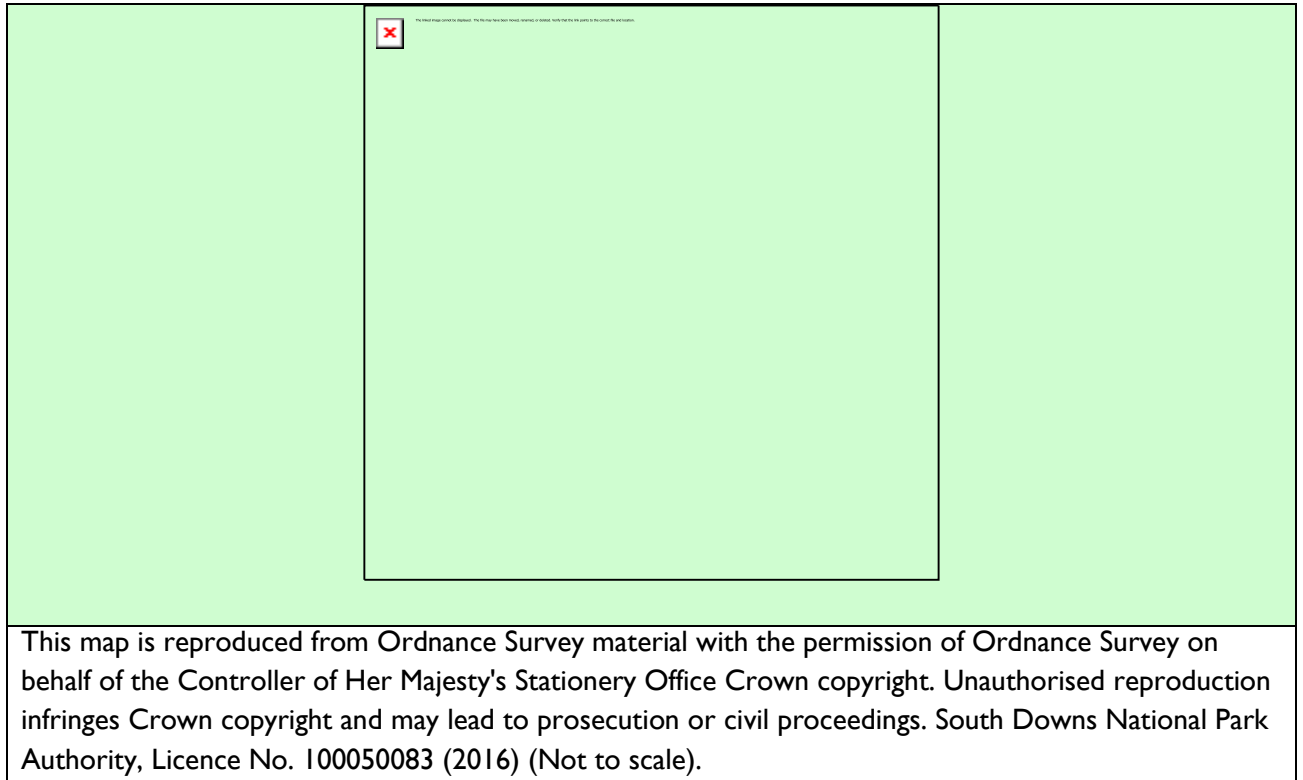
Appendices  
Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

## Appendix I

### Site Location Map



## 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 - LOCATION PLAN	1702 XX 00 DR 001 P01		23.07.2018	Approved
Plans - EXISTING GROUND & FIRST FLOOR PLANS	1702 XX 00 DR 002 P01		23.07.2018	Approved
Plans -	1702 XX 00 DR 011 P01		23.07.2018	Approved
Plans - EXISTING ELEVATIONS	1702 XX 00 DR 020 P01		23.07.2018	Approved
Plans - PROPOSED BLOCK PLAN	1702 XX 00 DR 102 P01		23.07.2018	Approved
Plans - PROPOSED GROUND & FIRST FLOOR PLANS	1702 XX 00 DR 111 P01		23.07.2018	Approved
Plans - PROPOSED ELEVATIONS	1702 XX 00 DR 120 P01		23.07.2018	Approved
Application Documents - Design and Access Statement			14.08.2018	Approved
Application Documents - email re Heritage Statement			14.08.2018	Approved

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