

Report to **Planning Applications Committee**  
Date **20 February 2019**  
By **Director of Planning**  
Local Authority **Lewes District Council**  
Application Number **SDNP/18/05647/FUL**  
Applicant **Miss Joanne Attwood**  
Application **Change of use from B1 to D1 Health Centre; 'The Unity Centre'.  
Installation of sign above entrance, new lighting above entrance,  
alteration to rear entrance with associated ramp, closure of existing  
access to Styles Field and restore access to Broomans Lane and erection  
of a boundary wall adjacent to Styles Field and siting of a timber clad  
studio at rear.**

Address **35 Friars Walk  
Lewes  
BN7 2LG**

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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 property is a detached single storey building located on the corner of Friars Walk and Styles Field. The property is within the Conservation Area.

### **2 Proposal**

The proposal is for the change of use from B1 to D1 Health Centre; 'The Unity Centre'. Installation of sign above entrance, new lighting above entrance, alteration to rear entrance with associated ramp, closure of existing access to Styles Field and restore access to Broomans Lane.

This application is being presented to the committee as Lewes District Council owns the building.

### **3 Relevant Planning History**

N/A.

### **4 Consultations**

#### **Parish Council Consultee**

Members see the proposed services as over-provision in this area but if such services are to be provided the internal space could be used to better effect and remove the need for an extra building. The proposed wooden structure is seen as out of keeping with the area and its proposed use inappropriate

### **LE - Design and Conservation Officer**

This proposal seeks to initiate a change of use and introduce a range of modest adaptations to the former Turkish Baths, a centrally located building in a conservation area which is currently being refurbished for use as a health and wellbeing centre. These include adjustments to allow for access as well as the installation of a temporary wooden structure to the rear and new signage to the front and side elevations.

There-use of the building is welcome news and the application is mainly unproblematic. I just have two concerns regarding the shed structure intended for use as an additional treatment room and the proposed signage. On the former, I am assured that the structure is temporary, and that it is not intended to become a permanent feature at the site. I would suggest that consideration be given to treating/staining it to reduce any adverse impact on the prominent location during this period.

The signage is underwhelming. It uses an obvious central location to signpost the presence of the new centre, but presents slightly awkwardly. A more discrete approach might have been to have placed the sign over the glass area above the central doors. That said, I do not consider the proposal generates a level of concern sufficient to justify a formal objection.

Recommendation: No Objection

### **ESCC - Highways**

The size of the parking space and the restrictive access and access road is likely to make it very difficult to use, especially for people with limited mobility or wheelchair users. As a result, I would recommend that the layout is changed round to make use of the wider access and parking area to the south.

## **5 Representations**

Six representations received in support of the proposal due to the use of the building as a community hub.

Friends of Lewes: Friends of Lewes have no objection to the change of use from B1 to D1 Health Centre. However, it objects to the proposed shed which although described as temporary is not supported by information that justifies its provision or quantifies how long it is required. The shed does not fit in with the existing building or the surrounding Conservation Area and will be visible from both Styles Field and Broomans Lane. Furthermore, the Society comments that insufficient details of the proposed signage have been provided and further details of the sign and its construction are required.

Lewes Conservation Area Advisory Group comment that " Group has no basic objection to the proposal, save the following: Group fails to see why a wooden shed, described as a temporary structure, should be erected beside this important building in the CA. The size and appearance of the proposed sign will be a disturbing feature and Group believe a smaller, less intrusive sign would serve equally well.

Recommendation: Objection due to shed and size of sign. Otherwise, No objection".

## **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 1) 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 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:

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:

- CP11 - Built and Historic Environment and Design
- CP6 - Retail and Town Centres

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

- ST3 - Design, Form and Setting of Development
- 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
- Development Management Policy SD15 - Conservation Areas

### 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 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 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 The application property is a detached single storey building located on the corner of Friars Walk and Styles Field. The property is within the Conservation Area. The proposal is for the change of use from B1 to D1 Health Centre; 'The Unity Centre'. Installation of sign above entrance, new lighting above entrance, alteration to rear entrance with associated ramp, closure of existing access to Styles Field and restore access to Broomans Lane.

8.2 The building is currently vacant and it is proposed to change the use of the building from its previous use as Council offices to a health centre comprising yoga studios and therapy rooms.

8.3 As part of the works to change the use of the premises it is proposed to erect a 1.9m high brick wall to close off the vehicular access from Styles Field, install a timber treatment room at the rear and re-open vehicular access onto Broomans Lane as well as improving disabled access to the rear of the property.

#### Access and Parking

8.4 The building currently has vehicular access and parking at the rear accessed via Styles Field. It is proposed to amend this so that the Styles Field vehicular access is blocked up and a vehicular access onto Broomans Lane is re-opened. The applicants state that providing an access onto Broomans Lane will allow for an improvement to the disabled access at the rear of the building in allowing space for the creation of a disabled access ramp. One parking space will be provided for at the rear of the building.

8.5 ESCC Highways Department had "no major objection to the principle of the development, they did have concerns regarding the access and parking arrangement. The current arrangement allows access from Styles Field and provides parking space for 3 vehicles.

8.6 The proposal will remove 2 of these spaces and involve the use of Broomans Lane for access, which limits the size / type of vehicles that are able to access the site and may encourage drivers to reverse back down Broomans Lane onto Friars Walk.

8.7 I would prefer to see the access from Styles Field retained, with the retention of a minimum of 2 parking spaces. There may be potential for the proposed shed to be located against the current fence, should sufficient space allow".

8.8 In reference to the above comment is noted that the actual current vehicle parking provision is for one space and this amount will remain unchanged.

8.9 The above comments are noted however it is considered that the application site is in a highly sustainable location in the centre of town close to bus stops and the railway station and parking provision is not of undue concern. One space is to be retained and the proposal will result in the disabled access to the building improving. With regards to the potential for vehicles to reverse onto Friars Walk, this is considered to be unlikely, there is room for vehicles to turn at the rear access with Broomans Lane and leave Broomans Lane in a forward direction onto Friars Walk.

#### Additional Treatment Room

8.10 It is proposed to install a timber structure at the rear of the building to act as a temporary treatment room. Initially a dual pitch "shed" style structure was proposed however this was not considered to be acceptable within this visible conservation area location. The design was amended to provide a flat roof timber "cabin" style structure. The exact period for the siting of the temporary structure is not specified however it is considered that a condition can be added providing for the temporary siting for a period of three years to allow for the on-going appearance and condition of the structure to be assessed at a later date.

8.11 The initial proposal was for a timber fence to block up the Styles Field Access however this was amended to a brick wall measuring 1.9m high as it was considered that a timber fence would appear out of place with the character of the surrounding area. It is considered that a brick wall in this location would mirror the character of the brick wall that surrounds the Friends Meeting House across Styles Field.

8.12 It is considered that the location of the brick wall at the rear of the building will assist in screening the cabin from view further reducing the impact the structure will have on the character and appearance of the conservation area and streetscene and complies with Saved Policy H5 of the LDLP.

#### Planning Policy

8.13 The key strategic objective of Core Policy 6 (Retail and Sustainable Town and Local Centres) of the Lewes District Local Plan (LDLP) is "To maintain and enhance the vitality and viability of the district's town centres, retail centres and local centres as hubs for shopping, business, entertainment, cultural and community life". It is considered that the change of use will allow for this objective to be met in providing facilities for the local community. CP6 also states that development in Lewes town centre should provide for "a range of appropriate uses including leisure facilities" in order to diversify the town centre.

8.14 With regard to the erection of the wall at the rear Saved Policy H5 (Development within or affecting Conservation Areas) states that proposals should "use materials which are traditional to the area or are otherwise sympathetic to the character of the building or site". It is considered that the appearance of the wall will be similar in character to the appearance of the wall of the "Friends Meeting House" situated on the other side of Styles Field, opposite the application site.

#### Consideration

8.15 The proposed use as a health centre (D1) would accord with Core Policy 6 and is consistent with the priority given to maintain and enhance the vitality and viability of the district's town centres continuing the provision of a leisure facility.

8.16 There is parking provision for only vehicle with this proposal however due to its town centre location with good public transport links and a public car park in close proximity, the amount of

parking and associated alterations to the access are not considered to result in traffic congestion or obstruction. The change of use of this building is therefore considered acceptable.

8.17 It is considered the proposals will accord with Core Policy 6 by maintaining the vitality and viability of the town centre and it is not considered to have a detrimental impact on the character of the Conservation Area and streetscene in accordance with Policies ST3 (Design, Form and Setting of Development) and H5 (Development within or affecting Conservation Areas) of the Lewes District Local Plan and SD5 (Design) and SD15 (Conservation Areas) of the South Downs Local Plan (Pre-submission).

8.18 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.

8.19 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 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. 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. 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

3. Before the development hereby approved is commenced on site, details/samples of all external materials to be used in the wall 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 Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

4. Before the development hereby approved is commenced on site, details/samples of the timber cladding for the external treatment room 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 Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

5. The temporary treatment room hereby permitted shall be carried on only by 'Unity' and shall be for a limited period being the period of three years from the date of this permission, or the period during which the premises are occupied by 'Unity' whichever is the shorter. The treatment room shall be removed after this date unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to review the situation in the light of the circumstances then pertaining 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 2012.

## **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**

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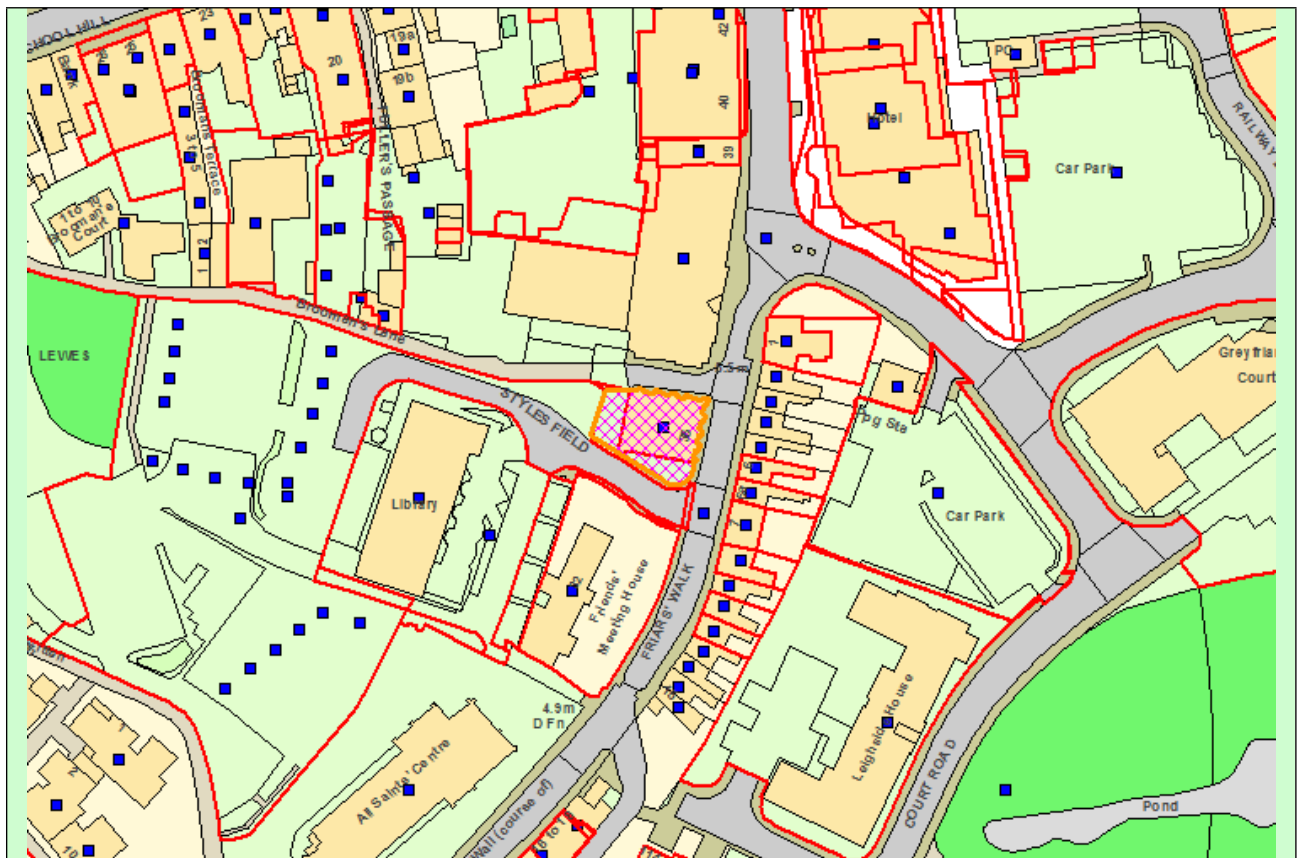
Appendices Appendix 1 - Site Location Map  
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees

Background Documents

## Appendix 1

### 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 -	1:1250		02.11.2018	Approved
Plans -	1:500		02.11.2018	Approved
Plans -	D20B		18.01.2019	Approved
Miscellaneous -	design and access statement		02.11.2018	Approved
Miscellaneous -	noise impact assessment		02.11.2018	Approved
Miscellaneous -	parking provision assessment		02.11.2018	Approved
Miscellaneous -	covering letter		02.11.2018	Approved
Miscellaneous -	lightin assessment		02.11.2018	Approved
Plans -	D25B		18.01.2019	Approved
Plans -	GD64902		12.12.2018	Approved
Miscellaneous -	heritage statement		13.12.2018	Approved

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