

Report to	Planning Committee
Date	21 February 2018
By	Director of Planning
Local Authority	Lewes District Council
Application Number	SDNP/17/03064/FUL
Applicant	Mr J Richardson
Application	Proposed alterations to the glazing of the building
Address	40-42 Friars Walk Lewes BN7 2XW

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 40-42 Friars Walk is three storey office building located on the northern side of Friars Walk close to the junction with Court Road in the town centre of Lewes. The building was constructed in the 1970s and was previously occupied by Sussex Ambulance Services.

1.2 The site falls within the planning boundary of Lewes, is within a designated Conservation Area and also falls within the South Downs National Park.

2 Proposal

2.1 Prior approval has recently been granted for the conversion of the building into 24 residential units under Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. As part of the proposed conversion permission is now being sought for alterations to the glazing of the building.

3 Relevant Planning History

LW/77/0896 - New offices approx. 2000 sq.m. gross (Approved by County Council) -
Approved - 22 August 1977

LW/03/0101 - Removal of condition No 2 attached to planning permission LW/77/896 restricting the premises to a firm predominantly serving Adur, Brighton, Hove and Lewes Districts -
Approved - 6 March 2003

SDNP/16/04343/PA30 - Change of use of the existing building from its current B1 (a) office use to C3 residential. The change will provide 18 units (1 Studio and 17 x 1 beds apartments) - Approved - 27 October 2016

SDNP/17/02306/PA30 - Change of use of the existing building from its current B1(a) office use to C3 residential to provide 24 units (13 x studio flats and 8 x 1 bed flats and 3 x 2 bed flats) - Approved - 30th June 2017

SDNP/17/03797/PA30 - Change of use from B1(a) office to 24 self-contained flats (Use Class C3) - Approved - 28th September 2017

SDNP/17/05731/FUL - New main entrance to the building - Approved - 22nd January 2018

SDNP/18/00055/FUL - Change of use to the basement floor from ancillary office (B1a) to leisure uses (D1/D2) - Pending determination

4 Consultations

LE - Design and Conservation Officer

ORIGINAL COMMENTS:

Concern is raised over the proposed windows and their detailing. As proposed the works are unacceptable and need significant revision. It is therefore advised the application be refused or withdrawn for further negotiation.

Concern is raised over the proposed opening mechanism. Specifically the opening mechanism, i.e. the top and outward opening casement windows, is awkward and uncharacteristic of the immediate context. Concern is also raised over the bulky profile of the opening mechanisms and how they are not flush with the fixed sections of the windows. Generally, more careful attention will need to be paid to the opening mechanisms. It is advised alternatives, such as an inward opening bottom casement for top sections of some of the windows (most relevantly the ground floor and first floor windows), be explored. The use of sash windows in the dormers (with a central mullion) and the first floor link section may be appropriate.

Concern is raised over the use of glazing bars. The glazing bars are shown fixed between, i.e. inside, the double glazing. This approach is not characteristic of the Lewes Conservation Area and is a cheap detail so inappropriate it would cause harm. Concern is raised this type of glazing bar would do little to break up the large windows as the glass would consist of one whole pane when viewed from the street. Glazing bars in the Lewes Conservation Area run through the windows. They should not sit on the inside of double glazing or be applied to the exterior panes.

However, the use of glazing bars for the windows is questioned. While it is acknowledged their use is an attempt to reflect the windows in the immediate context, the proposal fails to take account of the robust character of the building itself. In applying this detail to 40 - 42 Friars Walk the result is weak, overly fussy and relates poorly to the buildings appearance. It is recognised the existing fenestration is not attractive and needs to be broken up to reflect the domestic use of the building but the blanket use of glazing bars on all the windows does not achieve this in a satisfying way. It is advised the restrained use of larger fixed mullions and transoms to break up the glazing be explored, particularly for the ground floor windows and the dormer windows. It is considered that the elegant appearance glazing bars give to windows is not appropriate for this building.

Given the significant concerns over the proposed works it is recommended the application be refused or withdrawn for further negotiation.

LE - Design and Conservation Officer

AMENDED PLANS: This consultation relates to a major development site in a prominent town centre location which looks to recommission an unlovely former public building for residential use. The aspiration is to create a set of distinctive contemporary apartments, which reference and draw upon a tradition of transatlantic loft style living. The protected heritage setting within

which the building sits is highly eclectic in nature, evidencing architectural range and quality, and with a significant number of contemporary buildings in the immediate vicinity.

The application was first considered by my predecessor prior to his departure, at which point he identified a number of concerns around the proposed fenestration, mainly to do with the presence of glazing bars and their potentially adverse effect in this protected setting. I share these concerns about fussy, over-elocuted and inappropriate designs for the building, and have worked closely with staff at Aros over the last 8 weeks in an attempt to address the various points raised. This has given rise to numerous conversations and multiple adaptations in an attempt to address initial deficits.

Helpfully, the use of glazing bars, the issue that generated most adverse comment, has been fully addressed with any mullions or transoms now running through the glazing. This change invites applause and generates a significant positive visual effect.

Effort has also been invested in ensuring that window openings at lower levels address identified concerns, and that all windows are most appropriately proportioned. At upper level, this has been delivered using a three mullion approach, recognising the visually awkward effect of using a single central mullion.

At ground floor level, it is felt that a two mullion approach is most aesthetically appropriate, avoiding the twin perils of fussiness-the likely outcome of using three mullions- and the visual awkwardness arising from use of just a single mullion.

The decision to use a dark grey colouring for all fenestration positively contributes to the overall visual appeal, generating a sleek, high-end and muted effect well suited to residential use of this kind.

My feeling is that the combined effect of all of the modifications identified moves the design to a place of greater comfort, while also recognising that the limitations characteristic of the host building create significant challenges. Certainly, the amended proposals enhance the situation as found.

On the basis of the above, I do not wish to raise an objection.

Parish Council Consultee

AMENDED PLANS: Members felt the design was not in keeping with a building of this era and presents a "fussy" facade and an architectural "clash".

Parish Council Consultee

ORIGINAL COMMENTS: Members considered the design too 'fussy' i.e. excessive glazing bars, and considered it unattractive and inappropriate to the architectural period of the building.

5 Representations

Friends of Lewes - ORIGINAL COMMENTS: Friends of Lewes have no objection to the proposed use of aluminium metal windows in this development. However, the Society objects to the fussy design which has too many glazing bars which are inappropriate and not fitting for this modern building. The glazing proposed does not respond sympathetically or contribute positively to the site and its local context, contrary to Core Policy 11 of the LDC/SDNPA Joint Core Strategy 2016. AMENDED PLANS: The Friends of Lewes consider the amended elevations to be an improvement on the original submission. It accepts the design of the first floor windows and supports the way that the ground floor windows have been sub-divided with the opening lights being nearly the same size as those on the first floor. However, it objects to the second floor windows which need to be simplified. It considers them to be too 'fussy' and questions whether 'sash windows' are appropriate. The Society suggests that they should be 'bottom hung casements' to match the windows on the other floors.

LCAAG - Applicants Heritage Statement suggests that the changes to the glazing will more accurately reflect the Friars Walk vernacular. Group believes this comment to be little short of fatuous. The changes would be extremely fussy applied to a relatively modern building. Unnecessary and out of character. Totally misconceived was one comment, which was unanimously agreed.

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)
- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Pre-Submission September 2017

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.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF07 - Requiring good design
- NPPF12 - Conserving and enhancing the historic environment

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
- H5 - Within / Affecting Conservation Area

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy I

The following policies of the **South Downs National Park Local Plan - Pre-Submission September 2017** are relevant to this application:

- Strategic Policy SD5 - Design
- Strategic Policy SD12 - Historic Environment
- 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:

- General Policy I

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. After this period, the next stage in the plan preparation will be the submission of the Local Plan for independent examination and thereafter adoption. Until this time, the Pre-Submission Local Plan 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 unless other material considerations indicate otherwise. Based on the current stage of preparation, along with the fact that the policies are compliant with the NPPF, the policies within the Pre-Submission Local Plan referenced are currently afforded some weight.

8.1 As originally submitted the proposals sought to change the existing windows to double glazed windows, with the panes subdivided through the use of internal glazing bars. As noted above concerns were raised by the Council's Design and Conservation Officer. Whilst it was acknowledged that the existing fenestration of the building needs to be broken up to reflect the domestic use of the building, the use of top and outward opening casement windows was considered awkward and uncharacteristic of the immediate context, as was the use of internal glazing bars.

8.2 Following discussions with officers, amended plans have subsequently been submitted, which revise the detailing of the proposed windows. The openable windows at ground and first floor are now bottom hung, inward opening units, located at the higher section of the windows to ensure privacy for the residents. Sash windows are now proposed in the dormer windows, with a three mullion approach to prevent the dormers appearing too squat and also to reflect the proposed subdivision of the windows at ground floor. All glazing bars have been removed, and where a mullion or transom is proposed, these cut through the glazing, dividing the panes.

8.3 The revised details have been considered by the Council's Conservation Specialist. He has noted the changes that have been made to address the initial concerns raised by the Design and Conservation Officer and considers the scheme now presented to be acceptable. The alterations to the windows now proposed are considered an enhancement to the existing situation, appropriate to the style of the building and reflective of the eclectic character of the surrounding conservation area.

8.4 Whilst the comments from the third parties seeking the details to be simplified further are noted, it is considered that what has been proposed is an appropriate compromise, which will achieve an enhancement to the character and appearance of the existing building and consequently to the character of the wider conservation area. This enhancement is considered to fall in line with the statutory requirements of Section 72(1) of the Planning (Listed Building and Conservation Areas Act) 1990, which states that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.5 Policies ST3 and H5 of the Lewes District Local Plan and Core Policy 11 of the Joint Core Strategy together state that development should respect the scale, site coverage, and character of the local area and neighbouring buildings, with permission granted within conservation areas for developments which conserve or enhance the character or appearance of the area.

8.6 As noted by the Conservation Specialist the protected heritage setting within which the building sits is highly eclectic in nature, evidencing architectural range and quality, and with a significant number of contemporary buildings in the immediate vicinity. The removal of the existing large and uncharacteristic windows and their replacement with windows of a more domestic nature is considered to meet the objectives of these policies and will represent and enhancement to the wider locality that should be supported.

9 Conclusion

9.1 For the reasons outlined above it is considered that the proposal comply with policies ST3 and H5 of the Lewes District Local Plan and Core Policy 11 of the Joint Core Strategy and can therefore be supported.

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.

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**

14.1 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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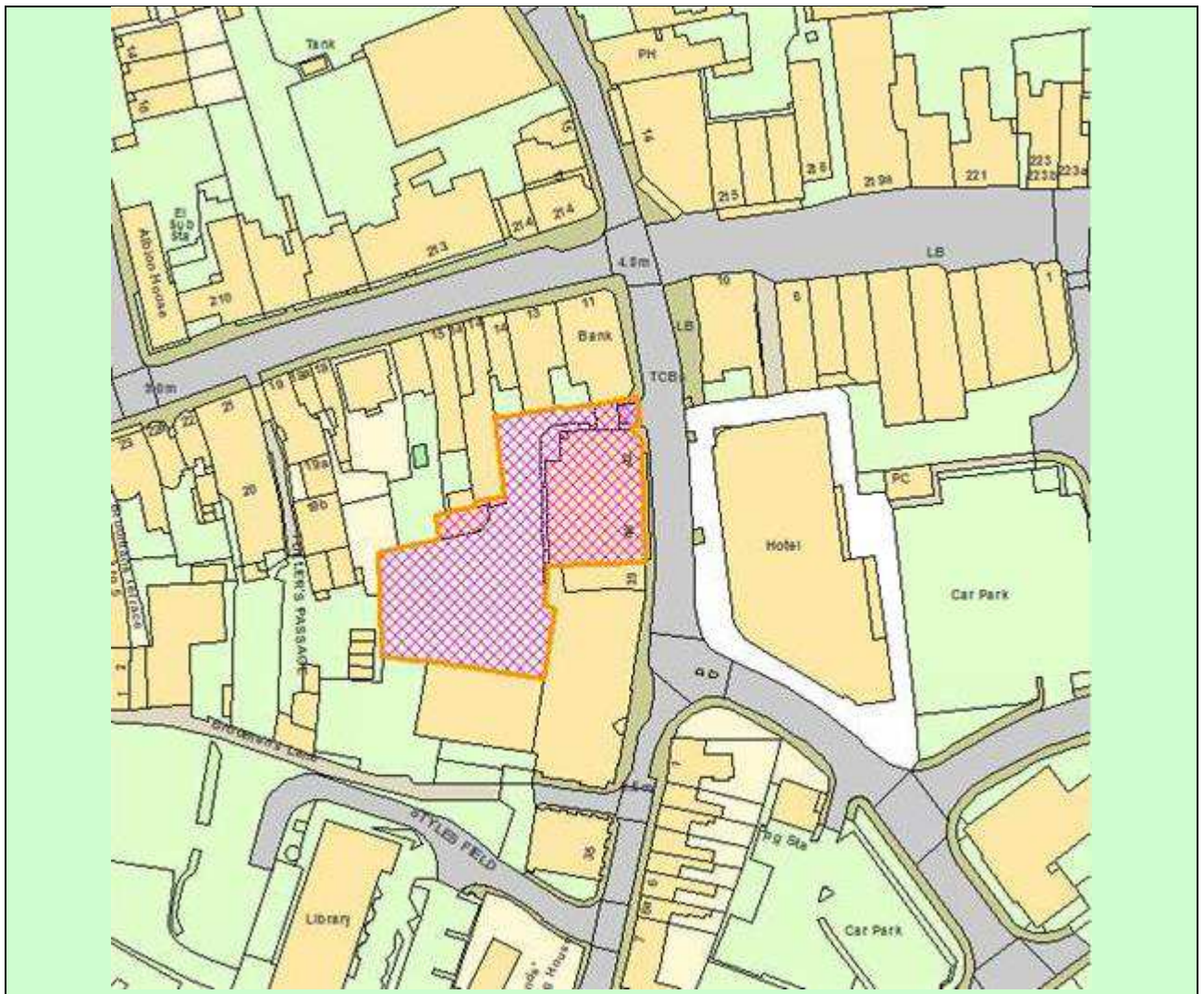
Appendices Appendix 1 - Site Location Map
 Appendix 2 – Plans Referred to in Consideration of this Application

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 - Window Details	(31) 001		14.07.2017	Approved
Plans - Proposed site	000 P		14.06.2017	Approved
Plans - existing grnd flr	100 P		14.06.2017	Approved
Plans - proposed grnd flr	100 P		14.06.2017	Approved
Plans - existing 1st flr	101 P		14.06.2017	Approved
Plans - proposed 1st flr	101 P		14.06.2017	Approved
Plans - existing 2nd flr	102 P		14.06.2017	Approved
Plans - proposed 2nd flr	102 P		14.06.2017	Approved
Plans - existing 3rd flr	103 P		14.06.2017	Approved
Plans - proposed 3rd flr	103 P		14.06.2017	Approved
Plans - existing ele aa	40 P		14.06.2017	Superseded
Plans - proposed sec aa	400 P		14.06.2017	Superseded
Plans - existing ele bb	401		14.06.2017	Superseded
Plans - proposed ele bb	401 P		14.06.2017	Superseded
Plans - existing ele cc	402		14.06.2017	Superseded
Plans - proposed ele/sec cc	402 P		14.06.2017	Superseded
Plans - Existing Elevation AA	5962 (00) 400 P		29.11.2017	Approved
Plans - Existing Elevation BB	5962 (00) 401 P		29.11.2017	Approved
Plans - Existing Elevation CC	5962 (00) 402 P		29.11.2017	Approved
Plans - Proposed East Elevation	5962 (20) 400 PI		29.11.2017	Superseded
Plans - Proposed North Elevation	5962 (20) 401 PI		29.11.2017	Approved
Plans - Proposed West Elevation	5962 (20) 402 PI		29.11.2017	Approved
Application Documents -	Supporting Statement		29.11.2017	Approved
Application Documents -	RAL 7021 Black Grey		29.11.2017	Approved
Plans - Window Types Sheet 1	5962(31)01 TI		19.10.2017	Superseded
Plans - Window Types Sheet 2	5962(31)02 TI		19.10.2017	Superseded
Plans - Typical Window Detail	5962(31)700 P		19.10.2017	Superseded
Further Information Received -	Glazing Brochure		21.09.2017	Superseded
Further Information Received -	Glazing Photographs		21.09.2017	Superseded
Further Information Received -	Window Frame Brochure		21.09.2017	Superseded
Further Information Received - Window Frame Detail	1/Window400- A		21.09.2017	Superseded
Plans - Friars Walk (east) Elevation	5962 (20) 400 P2		12.01.2018	Approved

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