

**Agenda Item No:** **Report No:**

**Report Title:** **Review of Lewes Conservation Area Boundary**

**Report To:** **Cabinet** **Date:** **7 September 2011**

**Lead Councillor:** **Cllr Tom Jones, Lead Councillor for Planning**

**Ward(s) Affected:** **Lewes Priory**

**Report By:** **Director of Planning & Environmental Services**

**Contact Officer:** **Martin Stallard**  
**Post Title:** **Head of Development Management**  
**E-mail:** **martin.stallard@lewes.gov.uk**  
**Tel No:** **01273 484434**

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### **Purpose of Report:**

To consider whether to prioritise work on reviewing Conservation Area boundaries.

### **Officers Recommendation(s):**

To agree:

- 1 To endorse the prioritisation of the progression of the boundary changes to Lewes Conservation Area as recommended in the 2007 Conservation Area Character Appraisal and;
- 2 That the Director of Planning & Environmental Services seeks the agreement of the South Downs National Park Authority, as Local Planning Authority, for the prioritisation of, and funding for, this project.

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### **Reason for Recommendations**

To consider whether to prioritise work to extend the Lewes Conservation Area

### **Background**

#### **1 Information**

- 1.1 The Lewes Conservation Area Character Appraisal was published in April 2007. The document was prepared for Lewes District Council by specialist conservation consultants "The Conservation Studio" and followed the guidelines published by English Heritage.
- 1.2 The Appraisal satisfies the legislation requirements for local planning authorities to formulate and publish proposals for any parts of their areas which are

conservation areas, and by setting out a number of recommendations for their preservation and enhancement.

- 1.3 The Appraisal provides an interim basis on which all new planning applications for development within, or adjacent to, the Lewes Conservation Area can be assessed until more detailed management proposals are published and implemented.
- 1.4 One of the recommendations for the Conservation Area Character Appraisal was that the boundary of the Conservation Area be extended to include an area to the west of St Pancras Road and south of St Anne's Crescent, as far as Bell Lane in the west (see Map attached as Appendix A).
- 1.5 The recommended extension to the Conservation Area is identified on the attached map and would include:-
  - The County Hall site;
  - The Cemetery;
  - The former St Anne's School and its playing fields;
  - Glebe House and its garden;
  - The lower portion of Rotten Row, as far as Bell Lane;
  - The recreation ground facing Bell Lane;
  - A section of the Winterbourne Stream
- 1.6 The Conservation Area Character Appraisal describes the area of the proposed extension as follows:-

*"This proposed extension to the conservation area is a hilly, well treed site, facing southwards, with an almost rural quality to parts of it due to the valley of the Winterbourne stream. The stream can be dry or full of water, depending on the season, and whilst it has been lined with concrete further eastwards, this section retains its more meandering route and selection of wild plants.*

*Although the proposed extensions include the 1968 County Hall complex, it also includes a number of positive features as follows:*

- *Glebe House, Rotten Row – a well preserved house of c1910 with a large garden, many mature trees, and an important flint wall (currently just within the conservation area) facing Rotten Row;*
- *St Anne's School, built as the rectory to St Anne's School in the mid-19<sup>th</sup> Century and purchased by East Sussex County Council in 1955 as a site for a new special school, with a number of modern buildings and playing fields around it;*
- *The lower section of Rotten Row, lined on one side by a high flint wall and on the other by a selection of paired 1930s cottages, relatively unaltered;*

- *The Recreation Ground and the Children’s Playground;*
- *The winding Winterbourne Stream and the many wild plants and mature trees long its edge;*
- *The Victorian Cemetery with its attractive tomb stones and original late 19<sup>th</sup> Century chapel, defined by a number of flint walls.”*

- 1.7 The Lewes Conservation Area Character Appraisal forms part of a lengthy programme of preparing Conservation Area Appraisals, which analyse the special character which led to their designation and put forward proposals to conserve and enhance them. Currently there are 35 Conservation Areas in Lewes District, with the final three Conservation Area Appraisals, (for Lewes Malling Deanery, Streat and Westmeston), due to be completed by August 2011.
- 1.8 Following the completion of the programme of Conservation Area Appraisals, it has long been the intention that the Council will need to agree an overall programme for the implementation of the recommendations of the appraisals, with prioritisation given to those areas where the highest needs or risks are identified.
- 1.9 Conservation Area status brings with it a range of additional planning controls including the need for consent for demolition of buildings; controls over the removal of, or works to, trees; additional controls over the types of development requiring planning permission and stronger policies for the consideration of development proposals which must “conserve and enhance” the special character of the conservation area.
- 1.10 The progression of the recommendations of the Lewes Conservation Area Character Appraisal is seen as a priority due to the uncertainty regarding the future of parts of the area identified for inclusion within the Conservation Area, including the former St Anne’s School, which is now empty and where the owners - understood to be East Sussex County Council – may wish to dispose of in the near future. The disposal of the St Anne’s School site clearly has important implications, particularly if it leads to proposals for the demolition of the existing buildings, and for redevelopment of the site.
- 1.11 The Character Appraisal recognises that the existing County Hall building is not a positive feature and the following explanation of the justification for its inclusion in the Conservation Area remains equally appropriate today and is your officers’ preferred way forward.

*(Section 9.3).....“It is accepted that the County Hall building, which was constructed in 1968, is an unattractive, visually dominant building of no architectural merit, whose demolition would be welcomed by most Lewes residents. However, there are plenty of examples of similar buildings of the same era which are included in a conservation area of a major historic town or city, including Canterbury, Exeter and Lincoln. Designation of a conservation area would not prevent the redevelopment of the County Hall site, but would encourage the construction of well designed new buildings which would fit in with the surrounding landscape and not dominate this part of the town”*

- 1.12 Importantly, the extension of the Conservation Area, as recommended, should not be seen as a measure that would block any future development or changes to buildings or their surroundings. It would, however, give the Local Planning Authority greater control over aspects of any development proposals that would affect the special interest, character and appearance of the area in question. The protection of heritage assets is a key thrust of national policy advice for the planning system which plays an important role in the Government's wider economic, social and environmental objectives for creating sustainable communities
- 1.13 It would, in the circumstances, be beneficial to seek to prioritise the recommendations of the Conservation Area Character Appraisal so that the additional planning controls afforded by conservation area status and for the preservation and enhancement of the character of the area can be introduced at the earliest opportunity.
- 1.14 Since the area affected now falls within the South Downs National Park, the South Downs National Park Authority is the Local Planning Authority responsible for any decision on revisions to the Conservation Area boundary. Although a formal delegation agreement exists between the District Council and the National Park Authority for planning work that the District Council will carry out on the National Park Authority's behalf, this does not include special projects such as Conservation Area Appraisals or implementation of their recommendations, such as statutory processes for boundary revisions. Such a revision would involve:
- Public Notices in the press (including London Gazette) and on site
  - Direct notification to all property owners affected.
  - Consideration of all views received by both LDC and SDNPA, prior to any boundary revisions being confirmed.
- 1.15 It will therefore be necessary to negotiate with the National Park Authority to gain agreement to, and funding for, this additional work and for its prioritisation ahead of other similar projects within Lewes District that fall within the National Park Authority's jurisdiction. Initial discussions with SDNPA officers suggest that they are likely to support the proposal.

## **Conclusion**

- 1.16 In the light of the potential risks imposed by the possible disposal of a significant area of land and buildings within the area identified for inclusion within the Lewes Conservation Area, it is recommended that the Council endorses the recommendations of the Conservation Area Character Appraisal and seeks the agreement of the National Park Authority to progress a statutory boundary revision as a priority.

## **2 Financial Appraisal**

- 2.1 Any decision on designation of an extended Lewes Conservation Area is for the National Park Authority.

- 2.2 If the SDNPA wish to proceed, with LDC officers carrying out the work, a suitable financial arrangement would need to be agreed to cover our costs in terms of staff time, public notices and other consultation activities.

### **3 Environmental Implications**

- 3.1 I have completed the Environmental Implications Questionnaire and found the following significant effects which I propose to mitigate/enhance in the following ways:
- 3.2 No negative effects; environmental benefits of additional planning controls to protect, conserve and enhance the character and special qualities of the area and its setting within the South Downs National Park.

### **4 Risk Management Implications**

I have completed the Risk Management questionnaire and this Report does not require a Risk Assessment because the issues covered by the recommendation are not significant in terms of risk.

### **5 Equality Implications**

The proposals in the report have been screened for impact on equalities. As no potential negative impacts were identified, a full equality impact assessment is not required.

### **6 Background Papers**

Lewes Conservation Area: Character Appraisal (Conservation Studio for LDC, April 2007).

### **7 Appendices**

Appendix A - Map showing recommended extension to Conservation Area

Lindsay Frost  
Director of Planning & Environmental Services  
23 August 2011