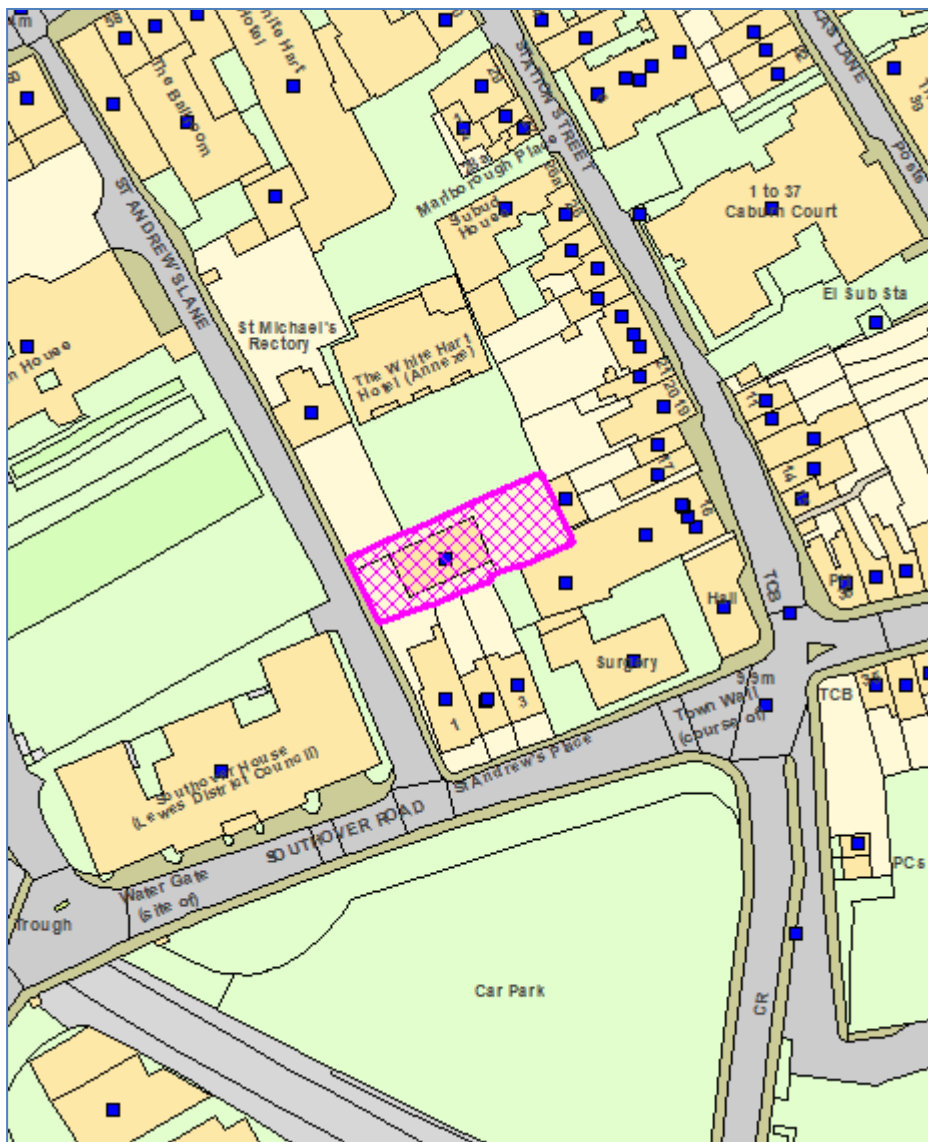


Report to: Planning Applications Committee
Date: 16 February 2022
Application No: SDNP/20/05749/FUL
Location: Liquid Studio, St Andrew's Lane, Lewes, BN7 1UW
Proposal: Erection of two x 3-bedroom houses to replace existing studio building and associated landscaping works.

Applicant: Mr J Schwerdt
Ward: Lewes
Recommendation: Permission is granted.
Contact Officer: **Name:** Christopher Wright
E-mail: christopher.wright@lewes-eastbourne.gov.uk

IMPORTANT NOTE: This scheme is CIL liable.

Map Location:



1. **Executive Summary**

- 1.1 For the reasons set out in this report, the proposed development is considered acceptable in principle and would not be harmful to the character and appearance of the Conservation Area, visual amenity, or the amenity of neighbouring residents and occupiers.
- 1.2 The site is in a sustainable location and the proposals make effective use of this previously developed land.
- 1.3 Accordingly approval is recommended.

2. **Relevant Planning Policies**

2.1 National Planning Policy Framework

2.2 South Downs Local Plan

Core Policy SD1 - Sustainable Development

Core Policy SD2 - Ecosystems Services

Strategic Policy SD4 - Landscape Character

Strategic Policy SD5 - Design

Strategic Policy SD7 - Relative Tranquillity

Strategic Policy SD8 - Dark Night Skies

Strategic Policy SD9 - Biodiversity and Geodiversity

Strategic Policy SD12 - Historic Environment

Development Management Policy SD14 - Climate Change Mitigation and Adaptation of Historic Buildings

Development Management Policy SD15 - Conservation Areas

Strategic Policy SD19 - Transport and Accessibility

Strategic Policy SD20 - Walking, Cycling and Equestrian Routes

Development Management Policy SD22 - Parking Provision

Strategic Policy SD25 - Development Strategy

Strategic Policy SD26 - Supply of Homes

Strategic Policy SD27 - Mix of Homes

Strategic Policy SD48 - Climate Change and Sustainable Use of Resources

Strategic Policy SD49 - Flood Risk Management

3. Site Description

- 3.1 The application site is located on the eastern side of St. Andrew's Lane, situated on hillside sloping upwards in a broadly north-south direction. The site itself is at lower level than the public highway and is accessed via a ramped driveway. The site is occupied by a single storey flat roof building which is supported on slender columns, allowing for car parking underneath.
- 3.2 The site is within the South Downs National Park, the Planning Boundary for Lewes, and the Lewes Conservation Area. The building is not Listed, but it is close to 16 Station Street, to the east, which is Grade II Listed and known as The Maltings.

4 Proposed Development

- 4.1 The application seeks planning permission for the demolition of the existing studio building and re-development of the site by way of two dwellings arranged in a pair of semi-detached properties that would have an appearance of a terrace, facing southwards and side-on to the street, along with parking and landscaping.
- 4.2 Each house is to have 4 bedrooms and an internal floor area of 145 square metres.
- 4.3 There is to be off-street car parking for two vehicles.

5 Relevant Planning History

- 5.1 SDNP/19/04285/PA30 - Notification for prior approval for a proposed change of use of a building from office use (Class B1(a)) to a dwelling house (Class C3) Town and Country Planning (General Permitted Development) Order 2015 (as amended) Schedule 2, Part 3, Class O. Prior Approval Required and Granted 3 October 2019.
- 5.2 N/74/0032/8660 - Proposed office accommodation. Approved 29 March 1974.
- 5.3 N/73/0132/8423 - Proposed office accommodation. Refused as not in accordance with approval of N/62/1938/5182. Refused 30 July 1973.
- 5.4 N/71/7480 - Proposed office accommodation. Photographs on file. Refused as not in line with outline approval of N/62/1938/5182. Refused 30 April 1971.
- 5.5 N/69/7070 - Office accommodation on 3 storeys. Refused 30 October 1969.
- 5.6 N/64/2140/5523 - Planning & Building Regulations Applications for single-storey office building; proposals relating to siting, design & appearance of N/62/1938/5182. Building Regulations Approved Conditionally. Approved 28 January 1964.
- 5.7 N/62/1938/5182 - Outline Application for 4,000sq. feet of office accommodation on 2 floors. Approved 17 June 1963.

6. Consultations

6.1 ESCC - Highways

No Objection

On this occasion it is not considered necessary to provide formal Highway Authority comments and the minor planning application guidance (2017) should be consulted.

6.2 ESCC - County Archaeologist

No Objection [24 Feb 202`]

If the Local Planning Authority is minded to grant planning permission, we ask that the following conditions are applied:

[ARCH 1] No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

[ARCH 2] The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

Relevant National Planning Policy

199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Detailed Comments

The proposed development site lies within an Archaeological Notification Area defining the historic core of medieval and post-medieval Lewes. Several archaeological investigations have taken place in this part of the town. An archaeological excavation carried - out at the former Baxter printworks located c.80m. north-east of the application site exposed numerous archaeological features including groups of Saxo-Norman and later medieval pits containing significant, closely - dated pottery assemblages. Perhaps most importantly, a substantial ditch comprising the first proven excavated evidence of the easterly location of the defences of the Anglo-Saxon burh of Lewes was also discovered. Another major excavation undertaken at Lewes House, located c.120m. north-

east of the application site, revealed a scatter of refuse pits and two probable ditches dating to the mid-12th - 14th centuries. Additional evidence of medieval and post-medieval settlement activity has been recorded during other archaeological projects undertaken within c.250m. of the application site. Historic mapping indicates that a square building occupied the western part of the application site from the late 19th century to early / mid-20th century.

It is acknowledged that the western end of the intended new housing block is sited on the footprint of the current studio building proposed for demolition. Nevertheless, it is my opinion that groundworks associated with the construction of the intended houses (including landscaping and access works) have the potential to expose archaeological features, deposits and artefacts related to the medieval and post-medieval history of Lewes.

In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. These recommendations are in line with the requirements given in the NPPF (the Government's planning policies for England).

6.3 Main Town or Parish Council Objection

Although some Councillors were Neutral or Supportive, with one describing the plans as a very sympathetic development, the majority OBJECT in that this goes against the established need for smaller houses in Lewes; which is reflected in the Local and Neighbourhood Plans.

Whilst appreciative of the sympathetic design and retention of established trees etc, it was noted that developers need to show evidence of the need for 4-bedroom houses, citing the South Downs National Park Local Plan policy SD27/SD30.

Councillors appreciate the benefits of infilling and increasing density of housing within the town centre. This helps to keep the town centre vibrant, but it only works if there is also an emphasis on staying local, using nearby facilities and the key is to implement active travel solutions into planning. The Transport Statement, while recognising a reduced need for private car use does not consider a zero-car option which, it was remarked, would be better suited for this development.

There was criticism of the use of the open space in front of the dwelling to be made into car parking, as

- 1) there is currently no access across the footway. The development would need to create access, which interrupts the flow of pedestrians walking down this historic street. This does not support the walking infrastructure aspirations of the town and local community.
- 2) the gravel surface has no biodiversity benefits, whereas a grassed or soft landscaped area proving a safe play space for children is more desirable.

Bicycle storage and waste/recycling storage currently not provided in the plans could be provided within a landscaped garden area.

6.4 Southern Water

No Objection and advice, summarised as follows:

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required.

This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways. gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site.

Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

6.5 Design and Conservation Officer

No Objection [3 Nov 2021]

These comments are based on the revisions on the 29th October 21

Preamble

It is appreciated that on the 21 April 2021 that the then Heritage Consultant had concerns about the height of the building when viewing the buildings from the South of St Andrews Lane, and had some reservations about the application in general. However, further to amendments the application is now considered to be policy compliant.

Principle of the loss of the existing building

The architect of the proposed mews, William Anderson is the grandson of the architect of the existing building, John Schwerdt. William has explained that the building was not meant to be permanent. Jane Chaoner, the daughter of John Schwerdt and who worked with her father, has written a letter of support for the demolition of the building. The letter advises that John Schwedt "built the building to accommodate his small but expanding architectural practice. I think it would have amazed him, had he been alive, that it still existed after 50 years." The letter continues: "I would argue that this modest 1960's building has outlived its era and its viability; the need is for housing, in a building which reflects 21st century standards."

Indeed, it is considered that the existing building whilst of interest, does not make the best use of the space it inhabits and was only ever design as a temporary building. As such, its loss is acceptable.

A condition will be added which asks for the building to be recorded. Given the fortuitous relationship between the current and previous architect of the site, it is likely that copies of the original drawings will be part of the records deposited at the East Sussex Record Office.

Principle of a mews development

It is considered that the proposed narrow, long mews development is appropriate for its Lewes location. The long, narrow twittens are characteristic of Lewes and have characteristics in common with the mews. The communal space that results from the shallowness of the building is attractive and contributes positively to the character of the conservation area. The proposed cobbled finish is a significant enhancement to the existing finish.

Opening views to the South East

It is considered that the views that are gained to the South East to the rear of the properties along Southover Street as well as wider views, due to the removal of the existing building again, contribute positively to the character of the conservation area. Views are currently obscured by the existing building. The height of the proposed buildings will result in the loss of some views to the north, but the views are of later date rear extensions to the buildings along the High Street and as such the loss of views has a neutral impact on the character of the conservation area.

Detailed design

Some amendments have been made to the detailed design over the course of the application to allow the proposed building to further reinforce the character of the Lewes Conservation Area.

The ground floor shall be faced in flint (exact detail to be subject to condition) and will be the continuation of the new wall enclosing wall that is proposed. The flint wall is an attractive and characteristic feature of Lewes.

Other minor amendments have also been made including changes in proportions to the elevational elements to allow the elements to accord with the golden section.

The dormer windows details have been amended to be more in keeping with historic dormers in the conservation area.

Discussions were had about adding more visual interest to the proposed roof. However, on balance it was considered that given that the building would be seen primarily from oblique views this would not be necessary.

Conclusion

Subject to the successful discharge of conditions, the proposals are considered to enhance the character and appearance of the Lewes Conservation Area.

Conditions

1. The relevant part of the works shall not be carried out until the following information has been submitted to and approved by the Local Planning Authority:
 - a) Sample of cobble stones, including details of the stone, layout, and details of how the cobbles will be laid, including if relevant mortar mix

- b) Samples of tiles including bonnet and ridge tiles including manufacturer's details
- c) Mortar mixes for flint wall and bedding for bonnet tiles
- d) Method statement for flint wall construction
- e) Finish details to ground floor flint wall element
- f) 1:1 to 1:20 scale drawings as appropriate showing elevations of windows, doors, dormers frames and screens, and horizontal and vertical cross sections for each type of window and door including sections through the wall, frame, subframe, top rail, bottom of the lintel, cill and bottom rail and opening detail, specifying the windows opening type and direction, finish, if relevant, and paint colour. If windows and doors are not handmade, manufacturer's details shall be included.

Reason: In the interests of preserving the character and appearance of the listed building and its setting.

2. Prior to the removal of the existing building, the applicant shall record and advance the understanding of the significance of the existing building, considered a non-designated heritage asset in a manner proportionate to its importance and to make the information publicly accessible by submitting the report to the Local Planning Authority and the East Sussex Record Office.

Reason: To meet the requirements of paragraph 205 of the NPPF

3. No one and a half-length tiles shall be used

Reason: In the interests of preserving the character and appearance of the listed building and its setting.

Informatives

1. SPAB's publication Peg Tiles in the South East of England may be a useful reference document when conditions are being discharged.

6.6 Environmental Health
Comments awaited.

7 Neighbour Representations

7.1 Twentieth Century Society - Objection

The Society objects to the proposal due to the loss of what we consider to be a non-designated heritage asset and to the harm caused to the Lewes Conservation Area.

In the Society's opinion, the existing building is a non-designated heritage asset, being a well-designed 1960s office built by and for a notable Lewes-based architectural practice. It is an appropriate, well-mannered addition to the historic area. The applicant states that the office was built to be temporary but there is absolutely no evidence to support this claim. In fact, the Society has been told by the original architects that it was certainly not designed to be reconstructed and that this was not in the philosophy of the architecture. What's more, the issues identified with the building in the application, including its "corroded steel, poor insulation" and "roof leaks", could be easily fixed during a programme of repair.

The Society believes that the total demolition of the studio would not only result in the loss of an unlisted building of architectural merit but would also contravene the spirit of paragraph 148 of the NPPF. This encourages the reuse of existing

buildings because demolishing and rebuilding produces carbon emissions which contribute to climate change. In our opinion, the building should be restored and adapted for reuse rather than demolished.

7.2 Friends of Lewes - Neutral

Friends of Lewes comments that this is a thoughtful mews development, which is appropriate for this site and has been well explained.

7.3 A representation has been received from 1 Bridge Cottage [Grange over Sands] in support of the application for the following reasons:

Application meets overall planning criteria.

Points raised for refusal can be resolved through planning conditions and detailed engineering specification.

Existing building has outlived its era and viability.

There is a need for housing.

New development will reflect 21st century standards.

A block of old people's flats designed by the same architect and in Lewes, has been demolished and set a precedent.

7.4 A representation has been received from 18 Bristol Gate, raising concerns as to the maintenance of damp proofing and the integrity of the rear wall of The Cottage (rear of 18a Station Street) owing to the close proximity of the proposed steps into the back garden.

7.5 Representations have been received from Flat 3 Royal Sussex Court, Mountfield Road; 1, 2, 3 St Andrew's Place; The Ballroom Flat, St Andrew's Mews; The Old Maltings; The Mews House; The Cottage rear of 18a Station Street, objecting to the application for the following reasons:

Demolition of existing offices.

The office is designed in near-Miesian style and is a rare example of a building of the modern movement set in a Historic town.

Extra height.

Layout and density.

Over development.

Overbearing.

Character of Lewes diluted.

Will dominate surrounding properties.

Insufficient space to build two houses.

Overlooking and loss of privacy.

Noise and disturbance from domestic activities.

Security and access.

Fear of crime.

Inadequate off-street parking capacity.

Rear access gate and right of way through site must be maintained.

Smoke from neighbouring chimney may have harmful impact on future residents.

Steps close to rear wall, which is around 150 years old, without modern footings.

Neighbouring wall is built on spoil from Lewes Castle.

Neighbouring building could suffer movement if the development is constructed too close.

The damp proofing and render to the neighbouring building must be maintained.
Loss of trees at the bottom of the garden to The White Hart Hotel, which lean over the site.

Concern the Mulberry tree within the site may not survive.

Environmental impact.

Loss of green space.

Amount of external walling will use vast amounts of energy and may not be necessary.

Despite the provision of home office/working space, the houses could still be used as 4-bedroom homes.

Nearby flint walls are vulnerable to vibration.

Potential damage to flint wall and of trees

Construction traffic at busy junction with Southover Road.

Could result in temporary closure of St Andrew's Lane during construction.

Address of site could cause confusion.

Maximising profitability.

The site is within 250m of a public garden - Grange Gardens is 130m away.

Insufficient parking

Potential impingement of right of way

- 7.6 A neutral representation has been received, no address given, commenting as follows, and seeming to raise objections:

Large building in already tightly packed area.

Existing building is low profile whereas proposed houses will rise to the height of buildings close by.

Overshadowing and overlooking houses at bottom of St Andrew's Lane.

Could set a precedent for future development of the White Hart Hotel.

St Andrew's Lane cannot support the number of cars that use it, and park along it.

Implications for existing infrastructure.

8 **Appraisal**

- 8.1 Sec 38 (6) of the Planning Compulsory Purchase Act 2004 requires that regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.2 The NPPF also advises that there is a presumption in favour of sustainable development.
- 8.3 The site is located within the South Downs National Park and therefore determine by the SDNPA who further to the presumption in favour of sustainable development and sec 38 (4) of the statutory purposes and duty of the National Park are:
- o Purpose 1: To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area.
 - o Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
 - o Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

8.4 Principle of Development

8.5 Notwithstanding that the existing building has been highlighted by the Twentieth Century Society and a unique and special piece of architecture of its time, it is noted that the Senior Conservation officer raises no objection to its demolition, subject to detailed records being taken. The structure was always intended to be temporary and although it has lasted longer than expected, it is now showing signs of disrepair because it leaks, is draughty and is showing signs of rust and wear.

8.6 The loss of the structure as an employment generating use has already been established, because Prior Approval has been granted for a change of use from office to residential (ref. SDNP/19/04285/PA3O).

In addition, the structure in its present condition is not suitable for let.

8.7 Being within the built-up area planning boundary of Lewes, and on previously developed land, the redevelopment of the site for residential purposes is considered to be acceptable in principle, and meets the requirements of policies SD25 and SD26 of the Local Plan.

8.8 Design

8.9 The proposed layout is acceptable. The new dwellings would face southwards, and the side elevation would be alongside the street. An open area, comprising parking and landscaping, would sit in front of the properties and this openness would allow for views towards the historic buildings behind Station Street, which are presently hidden from view. These views would be from St. Andrew's Lane and would enhance the experience of the Conservation Area. The roofs to the new dwellings would block views of some buildings to the north-east of the site, for example the rear of The White Hart Hotel, but these buildings are modern and make less of a positive contribution to the character and appearance of the Conservation Area.

8.10 The scale of the new dwellings is considered acceptable, in keeping with the scale of other nearby buildings and appropriate to the topography of the site and the nature of St. Andrew's Lane as a narrow, and relatively quiet street. The raised garden area, and the existing Mulberry tree, is to be retained and a twitten passage will be maintained behind the new terrace. This is in keeping with the traditional layout of buildings within historic areas of Lewes, and this passage would also give direct access to the work space in the first of the two properties as well as the proposed cycle storage facilities, in-built to the rear elevations.

8.11 The Senior Conservation Officer is, subject to conditions, satisfied with the form, design detailing and materials palette for the two dwellings and the proposals are considered to enhance visual amenity and the positive qualities of the Conservation Area.

- 8.12 The internal layout of each dwelling would be switched, such that in one dwelling there would be kitchen and sitting room at ground floor level with two bedrooms above on the first floor, and two bedrooms and a bathroom and ground floor level with sitting room and kitchen above, in the other property. Both properties are proposed to have two bedrooms and bathrooms within the loft space as well, facilitated by three small dormers on the front roof slope of each house.
- 8.13 Each of the dwellings would have 3 bedrooms and an internal floor area which exceeds 120 square metres, albeit by a small amount. Each property would have a fourth room capable as being used to run a business from home or for home working. These rooms would have separate access points – one on the rear elevation via the twitten, and the other via mews style doors on the front elevation.
- 8.14 Policy SD27 of the Local Plan requires that only 10% of the supply of new homes have 4 or more bedrooms, whereas 8 out of every 10 new homes should be 2 and 3 bedrooms. However, paragraph 2. does allow the local planning authority to take a different and more flexible approach depending on site-specific considerations.
- 8.15 In this case the scale and siting of the proposed dwellings are considered appropriate and would lead to improvements to the public realm and the appreciation of the Conservation Area and the historic buildings within it. The depth and relatively narrow proportions of the site do not allow for a great deal of off-street parking and as such, the provision of 2 new dwellings, as opposed to a higher number of dwellings, is considered to be an appropriate use of the land. The properties would have a traditional appearance on two storeys and would have the capacity to accommodate 3 bedrooms and home office/business space. In this instance the number of bedrooms is acceptable. In addition, whilst policy SD27 does not rule out 4-bedroom dwellings, it must be noted that there will be other sites on which dwellings with fewer bedrooms will be being constructed, and this should provide some degree of offset.
- 8.16 Amenity
- 8.17 Windows and openings are primarily to be on the front elevation of the development, facing southwards. The space in front of the new dwellings to the site boundary would be between approx. 6.1m at the narrowest point and 7.1m at the widest.
- 8.18 The neighbouring properties most susceptible to potential overlooking and loss of privacy are nos. 1 to 3 St. Andrew's Place, three substantial residential buildings fronting Southover Road, and east of Southover House, the offices of Lewes District Council. The upper floors would be approx. 18.8m to 20.2m from the principal façade of the proposed development, and lower projections approx. 14.4m. There are understood to be business/education uses on the lower parts of two of these buildings. Officers consider that these separation distances are sufficient to avoid any unacceptable impacts in terms of overshadowing, overbearing or daylighting/sunlighting.

- 8.19 Being located within the historic part of Lewes, existing buildings can be clustered closely together and indeed this characterises some parts of the Lewes Conservation Area. In this case the added potential for downward overlooking, owing to the application site being situated further up the hill slope, must also be considered.
- 8.20 The habitable rooms (sitting room and depending on interpretation, kitchen) would be on the ground floor of the eastern-most new dwelling, whereas they would be a first-floor level on the western-most dwelling. These are the rooms in which future residents are likely to spend the larger part of the time, and accordingly from where potential overlooking may occur. However, given the dense nature of the historic part of Lewes it can be considered that residents may expect greater degree of overlooking due to the character and context of the built urban grain and some degree of overlooking would not be uncommon in the surrounding area. The ground floor habitable rooms are less of a concern due to intervening boundary walls and landscaping. Nonetheless, the overlooking from the upper floors must be considered.
- 8.21 The corner building to the south of the site has rear extensions/outriggers but little by way of windows or other openings opposing the principal façade of the proposed houses. Nos. 2 and 3 have rear dormers, but these would be over 20m away, and in this context the separation distance is satisfactory.
- 8.22 Having reviewed the proposals carefully and having taken into consideration the comments from neighbouring residents, it is not believed that refusal of the application based on overlooking and loss of privacy would be sustainable.
- 8.23 Ecosystems Services and Sustainability
- 8.24 The proposed development would make efficient and effective use of this previously developed site, and the new dwellings would be well constructed and insulated. The site is within easy walking distance of Lewes mainline railway station, as well as the town centre, through which there are frequent bus services going as far afield as Tunbridge Wells and Brighton. The comments from Lewes Town Council are acknowledged, and it is considered that future residents of these dwellings would not be solely reliant on private vehicle use for all, or indeed most, of their journeys. There is scope to provide electric vehicle charging points within the development, and the provision of 1 car parking space for each dwelling is considered to be a realistic compromise between encouraging sustainable travel and providing adequately for off-street parking.
- 8.25 The raised garden and Mulberry tree at the back of the site are to be retained and protected as appropriate, whilst landscaping is proposed behind the new front boundary wall. It is accepted that the surfacing proposed for the parking area would not necessarily boost biodiversity, but it would be permeable and therefore encourage natural drainage of rainwater and help in a small way towards reducing

flood risk. At present this whole area is covered either by building or by non-permeable hard surface, and as such the proposals would result in an improvement.

8.26 An Ecosystems Services Statement has been submitted in compliance with policy SD2 of the Local Plan.

8.27 The applicant states that 58% of the existing site is impermeable concrete, whereas 42% of the proposed site will be impermeable resulting in a decrease of hard surfaces on site by 16%. The remaining areas are to be grass lawn and gravel, the scheme would therefore result in an increase in permeability that will mitigate surface run off and provide better infiltration of surface water for existing trees.

8.28 The proposal will reduce the number of cars with access to the site helping avoid congestion on St. Andrew's Lane at peak times and cutting back on pollution, a local contributor towards climate change.

8.29 The proposal will reduce carbon emissions with two electric vehicle charging points provided in the mews. Internal and external bike storage is also proposed to encourage cycle use rather than travel by private motor vehicle - the internal cycle storage is shown on the proposed plans.

8.30 Domestic air source heat pumps and induction cookers will lower daily operational embodied carbon for both houses.

8.31 In view of the scale of the proposed development, the above measures are sufficient.

8.32 Dark Night Skies

8.33 Policy SD8 "Dark Night Skies" of the South Downs Local Plan states that:

"1. Development proposals will be permitted where they conserve and enhance the intrinsic quality of dark night skies and the integrity of the Dark Sky Core as shown on the Policies Map."

8.34 In view of the site context within the centre of Lewes and within the densely built-up historic part of the town, the additional light emitted from the windows and dormers is not considered likely to have a significant adverse impact on the Dark Night Skies, and certainly when compared with the existing building, which has a large areas of glazing along its sides.

8.35 Other Matters

8.36 The comments in respect of the external steps are noted, and the potential impact on a neighbouring wall, which may not have footings, and which has recently been damp proofed.

- 8.37 This is a construction detail which is not material in determining whether the development is acceptable in planning terms, but an Informative is recommended to be placed on the decision notice to draw this matter to the applicant's attention. The matter may also be taken up at such time as Building Regulations approval for the development is sought.

9 Human Rights Implications

- 9.1 The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been considered fully in balancing the planning issues; and furthermore, the proposals will not result in any breach of the Equalities Act 2010.

10 Recommendation

- 10.1 The application is recommended for approval subject to the following conditions.

10.2 Conditions

1. **Time Limit** 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 of the Town and Country Planning Act 1990 (as amended).

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. **Archaeology Statement** No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

4. **Archaeology Written Scheme of findings report** The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigation unless an alternative

timescale for submission of the report is agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

5. **External Materials** The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

6. **Externals Finishing Method Statement** The relevant part of the works shall not be carried out until the following information has been submitted to and approved by the Local Planning Authority:

- a) Sample of cobble stones, including details of the stone, layout, and details of how the cobbles will be laid, including if relevant mortar mix
- b) Samples of tiles including bonnet and ridge tiles including manufacturer's details
- c) Mortar mixes for flint wall and bedding for bonnet tiles
- d) Method statement for flint wall construction
- e) Finish details to ground floor flint wall element
- f) 1:1 to 1:20 scale drawings as appropriate showing elevations of windows, doors, dormers frames and screens, and horizontal and vertical cross sections for each type of window and door including sections through the wall, frame, subframe, top rail, bottom of the lintel, cill and bottom rail and opening detail, specifying the windows opening type and direction, finish, if relevant, and paint colour. If windows and doors are not handmade, manufacturer's details shall be included.

Reason: To ensure a satisfactory appearance to the development, in the interests of visual amenity and to safeguard the historic appearance and character of the Conservation Area.

7. **Existing Building Recording** Prior to the removal of the existing building, the applicant shall record and advance the understanding of the significance of the existing building, considered a non-designated heritage asset in a manner proportionate to its importance, and to make the information publicly accessible by submitting the report to the Local Planning Authority and the East Sussex Record Office.

Reason: To meet the requirements of paragraph 205 of the National Planning Policy Framework.

8. **Tiles** No one-and-a-half length tiles shall be used.

Reason: To ensure a satisfactory appearance to the development, in the interests of visual amenity and to safeguard the historic appearance and character of the Conservation Area.

9. **Hours of work** Construction work and deliveries in association with the development hereby permitted shall be restricted to between the hours of 0800 and 1800 Mondays to Fridays and from 0830 until 1300 on Saturdays. No works in association with the development hereby permitted shall be carried out at any time on Sundays or on Bank/Statutory Holidays.

Reason: In the interests of the residential amenities of the neighbours having regard to policies SD5 and SD7 of the South Downs Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework.

10. **Construction Management Plan** No development shall take place, including any ground works or works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not be restricted to the following matters,
- i. the anticipated number, frequency and types of vehicles used during construction,
 - ii. the method of access and egress and routing of vehicles during construction,
 - iii. the parking of vehicles by site operatives and visitors,
 - iv. the loading and unloading of plant, materials, and waste,
 - v. the storage of plant and materials used in construction of the development,
 - vi. the erection and maintenance of security hoarding,
 - vii. the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - viii. details of public engagement both prior to and during construction works.
 - ix. measures to control the emission of dust and dirt during construction
 - x. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of neighbouring residents and highway users during

construction, in the interests of highway safety, and in accordance with policies SD5 and SD7 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

11. **Porous hard surfaces** The new hard surfaces shall use porous materials, and/or provision made to direct run-off water from these hard surfaces to a permeable or porous area or surface within the curtilage of the development hereby permitted.

Reason: To manage flood risk and promote sustainable drainage in accordance with policies SD5 and SD49 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

12. **Hard and soft landscaping** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of the hard and soft landscaping works, including measures for the protection of trees to be retained, shall be submitted to and approved in writing, by the Local Planning Authority. The details shall include species and heights of all tree/shrub planting, tree protection measures, and boundary details such as fencing (e.g. height, siting, and materials). The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with policies SD4 and SD5 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

13. **Vehicular Access** No development shall commence until the vehicular access serving the development has been constructed in accordance with the plans submitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

14. **Parking to be provided** The development shall not be occupied until the parking areas for both motor vehicles and cycles, have been constructed and provided in accordance with the approved plans. The areas shall thereafter be retained for that use and shall not be used other than for the

parking of motor vehicles associated with residents of the development and their visitors.

Reason: To encourage sustainable travel choices and reduce local contributors towards climate change and congestion, having regard to policies SD5 and SD19 of the South Downs Local Plan and the National Planning Policy Framework.

15. **Manual turntable details** Prior to the first residential occupation of either new dwelling, full details of a manual over-ride to the automated vehicle turntable shall be submitted to and approved in writing by the local planning authority. The system shall be installed as per the approved details and maintained in working order thereafter.

Reason: In the interests of amenity and highway safety.

16. **Electric Vehicle** Prior to the first residential occupation of each of the new dwellings hereby permitted, electric vehicle charging points shall be provided and made ready for the use of the new residents.

Reason: To reduce pollution and consumption of resources and mitigate local contributors to climate change in accordance with policy SD48 of the South Downs Local Plan and having regard to the National Planning Policy Framework.

17. **Removal of Permitted Development** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, C, D or E of Part 1 of Schedule 2 (amend classes and schedule as necessary) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In order to monitor and control future development that may affect the setting and visual amenity of the development and the character of the local area, as well as the amenity of neighbouring residents, having regard to policies SD4 and SD5 of the South Downs Local Plan, policies PL2 and HC3B of the Lewes Town Neighbourhood Plan and having regard to the National Planning Policy Framework.

18. **Ecosystem Services Implementation** Prior to the first residential occupation of either new dwelling hereby permitted, or by the end of the first planting season following construction, the measures set out in the Ecosystem Services Statement hereby approved shall be provided and shall be retained as such thereafter.

Reason: To secure appropriate ecological gain and have a positive impact on the natural environment to comply with Policy SD2 of the South Downs Local Plan 2019 (2014-33) and Ecosystem Services and Householder Planning Applications Technical Advice Note.

11 **Background Papers**

11.1 None.