

**Report to:** Planning Applications Committee  
**Date:** 6 April 2022  
**Application No:** SDNP/21/05039/LIS  
**Location:** 32 High Street, Lewes, BN7 2LX  
**Proposal:** Erection of bow top rail fencing and gates around the rear stable blocks and installation of a new timber gate in the east side wall of Church Twitten.  
**Applicant:** Mr T Popham  
**Ward:** Lewes  
**Recommendation:** Listed Building Consent is granted.  
**Contact Officer:** **Name:** Aysegul Olcar-Chamberlin  
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**IMPORTANT NOTE:** This scheme is not CIL liable.

**Map Location:**



## **1. Executive Summary**

- 1.1 The application seeks listed building consent as the proposed timber gate would be installed to the opening in the listed flint boundary wall and the proposed bow top rail fencing and gates would be next to the listed stable blocks.
- 1.2 The proposed gates and fences by reason of their design and the choice of materials would have neutral impact on the settings of the listed buildings. The details submitted with this application also illustrates that they would be fixed without harming the historic fabric.
- 1.3 This is Lewes District Council's own application and therefore needs to be determined at committee level.
- 1.4 Approval is recommended, subject to conditions, and based on the information and details submitted.

## **2. Relevant Planning Policies**

### **2.1 National Planning Policy Framework**

NPPF04 - Decision-making

NPPF12 - Achieving well-designed places

NPPF16 - Conserving and enhancing the historic environment

### **2.2 South Downs Local Plan**

Core Policy SD2 - Ecosystem Services

Strategic Policy SD4 - Landscape Character

Strategic Policy SD5 - Design

Strategic Policy SD12 - Historic Environment

Development Management Policy SD15 - Conservation Areas

### **2.3 Lewes Neighbourhood Plan**

Policy HC3 - Heritage Protection of Landscape and Townscape

Policy HC3B - Planning Application Requirements and Heritage Issues

## **3. Site Description**

- 3.1 The application site is located at the rear of Lewes House which is a grade II\* listed building on the south side of High Street in Lewes Town centre. The rear of the site is accessible via Church Twitten and accommodates grade II listed former stable blocks which are currently used as offices. The flint walls with red brick bands on the west and east sides of Church Twitten are also grade II listed.

- 3.2 The site is in the Lewes Conservation Area within the South Downs National Park and subject to an article 4 direction. It also falls within an archaeological notification area.

#### **4. Proposed Development**

- 4.1 It is proposed to erect bow top rail metal fencing and gates around the rear stable blocks and install a new timber gate to the opening in the east side wall of Church Twitten to enhance security.
- 4.2 The proposed bow fencing and gates would be black in colour and 1.8m high above the ground level. They would be free standing and fixed to a concrete base.
- 4.3 The proposed new timber gate would be fixed to the existing opening in the listed flint wall and would be approximately 2.12m high. Its appearance and joinery detailing would be similar to that of the existing timber gate on the other side of Church Twitten.

#### **5. Relevant Planning History**

- 5.1 SDNP/17/03395/LIS - Replacement of the existing coping stones and refurbishment of the iron railings (in front of Lewes House). Approved on 31.08.2017.
- 5.2 LW/11/0251/NP - Regulation 3 application for replacement stone copings and refurbishment of railings at front of Lewes House. Approved on 19.07.2011.
- 5.3 LW/01/2165 - Listed Building application for the replacement of rear boundary fence. Approved on 25.01.2002.

#### **6. Consultations**

6.1 Main Town or Parish Council –Support

Members support this application

6.2 LE Design and Conservation Officer – No Objection

It appears that the gates are not being attached to any original fabric, and are free standing, which makes things much more palatable as there is no fabric loss and complete reversibility. This should allow for consent.

#### **7. Neighbour Representations**

- 7.1 None from the other interested parties were received.

#### **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.

Impact on listed buildings and structure and their settings:

- 8.4 SD12 of the South Downs Local Plan states that development proposals will only be permitted where they conserve and enhance the historic environment and safeguard heritage assets and their setting. In addition to that policy SD13 the South Downs Local Plan aims to protect and enhance the significance of the listed building and its setting. This is further reinforced through Policies HC3 and HC3b of the Lewes Neighbourhood Plan.
- 8.5 There are existing gates along the flint walls on either side of Church Twitten. The existing gate opening in the flint wall where the proposed timber gate would be still has timber frames on either side. The timber frames would be retained and used to support the simply designed new timber gate. The new gate would also have traditional hinges and gate catch matching to the existing timber gate on the other side of Church Twitten. The new gate by reason of its simple design would be an appropriate addition to the flint wall and its fixing details would not be likely to cause harm to the historic fabric.
- 8.6 The proposed bow top rail fencing and gates would be free standing and therefore would not harm the historic fabric on the stable blocks. Due to the gaps between the rails, they would not significantly affect the appearance of the Conservation Area and the settings of the listed buildings.

Landscape and Access:

- 8.7 The proposed fencing would not affect the landscape character of the area as it would allow views to the planted areas and would only enclose the path leading from Church Twitten to the rear garden of Lewes House.
- 8.8 The proposal would also not affect the current means of escape.

## **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. The works hereby consented shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

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

3. The 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.

4. Upon completion of any element of the works for which Listed Building Consent is hereby granted, any damage caused to the fabric of the building or structure shall be made good to the satisfaction of the Local Planning Authority.

Reason: To safeguard the historic fabric and the architectural character and appearance of the listed building.

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
Application Documents -	Ecosystems Services Statement		22.10.2021	Approved
Plans - Fencing Detail	19121-301		10.01.2022	Approved
Plans - Bow Top Gate Detail	19121-302-A		03.02.2022	Approved
Plans - Fencing Detail	19121-302-A		03.02.2022	Approved
Plans - Wooden Gate Detail	19121-304-A		08.02.2022	Approved
Application Documents -	Photo showing location of proposed fencing and gates		03.02.2022	Approved
Application Documents -	Bow Top Fencing Image		03.02.2022	Approved
Application Documents -	Bow Top Gate Image		03.02.2022	Approved
Application Documents -	Design and Access Statement		05.10.2021	Approved
Application Documents - Site Location Plan	Heritage Statement (revised)		10.01.2022	Approved
Plans - Site Location Plan	19121-002		05.10.2021	Approved
Plans - Fencing / Gate Works	19121-100-A		03.02.2022	Approved

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

## 11. Background Papers

11.1 None.