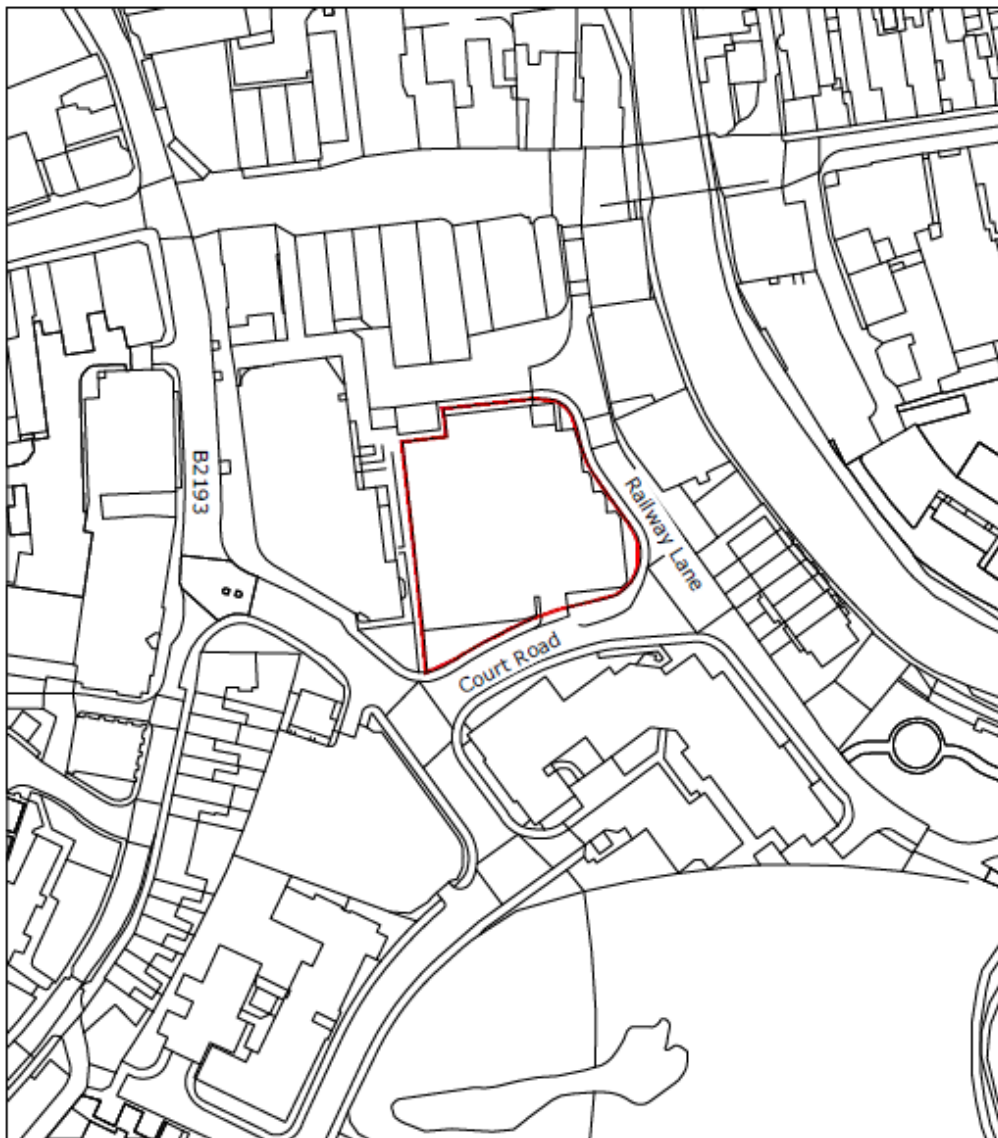


Report to: Planning Applications Committee
Date: 15th February 2023
Application No: SDNP/22/05025/FUL
Location: Friars Walk Car Park, Court Road, Lewes
Proposal: Erection of changing place facility next to existing public toilet.
Applicant: Mr P Hastings - Lewes District Council
Ward: Lewes Bridge
Recommendation: Grant Permission subject to conditions.
Contact Officer: **Name:** Robin Hirschfeld
E-mail: Robin.Hirschfeld@lewes-eastbourne.gov.uk

Site Location Plan:



Scale 1:1250

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1.	Executive Summary
1.1	This application is being reported to Planning Committee as the Applicant is Lewes District Council.
1.2	The development proposals would not have a significant harmful impact on landscape character, public safety, or the highway network.

2.	Relevant Planning Policies
2.1	<p><u>National Planning Policy Framework</u></p> <p>2. Achieving sustainable development 4. Decision making 9: Promoting sustainable transport 12. Achieving well-designed places 15. Conserving and enhancing the natural environment 16. Conserving and enhancing the historical environment</p>
2.2	<p><u>South Downs Local Plan 2019</u></p> <p>Policy SD1 Sustainable Development Core Policy SD2: Ecosystem Services Strategic Policy SD5: Design Strategic Policy SD12: Historic Environment; Development Management Policy SD15: Conservation Areas Strategic Policy SD19: Transport and Accessibility Development Management Policy SD21 Highway Design Development Management Policy SD22: Parking Provision Strategic Policy SD48: Climate Change and Sustainable Use of Resources Strategic Policy SD49: Flood Risk Management Development Management Policy SD50: Sustainable Drainage Systems</p>
2.3	<p><u>Lewes Neighbourhood Plan:</u></p> <p>Policy HC3 A Heritage Protection of Landscape and Townscape Policy PL2 Architecture & Design Policy PL3 Flood Resilience Policy AM3 Car Parking Strategy</p>

3.	Site Description
3.1	Friars Walk Car Park, Lewes, has approximately 70 car parking spaces and five disabled car parking spaces.
3.2	The site is within the South Downs National Park and the Lewes Conservation Area.
3.3	The site has an existing vehicular access off the main road.

4.	Proposed Development
4.1	<p>The application seeks planning permission to remove three of the car parking spaces (located to the north of the car park, adjacent to the public toilets), relocate the existing covered cycle shelter to another car parking space and erect an accessible shower, toilet and changing facility next to the existing public toilets.</p> <p>Following the submission of an initial scheme amendments to the proposed materials were requested due to the impact of the design on public safety and the impact of the materials on the Lewes conservation area.</p>
4.2	<p>Materials are proposed to be:</p> <ul style="list-style-type: none"> - Untreated Sweet Chestnut lab timber cladding -this will acquire a patina with age - Metal door in RAL 6021 'Pale green' - Black timber upstand - Black timber fascia and soffit boards - Grey EPDM roof
4.3	It will measure approximately 4.8 m wide, 3.5 m deep and 2.8 m high.

5.	Relevant Planning History:
5.1	SDNP/14/03483/FUL - Installation of a covered cycle shelter to accommodate 6 bikes utilising Sheffield stands, the cycle shelter will occupy one car parking space - Approved 09.10.2014

6.	Consultations:
6.1	<p><u>Lewes Town Council - No Objection</u></p> <p>Councillors support this application and would recommend a green roof.</p>
6.2	<p><u>ESCC - Highways</u></p> <p>No comments received</p>

6.3	<u>Environment Agency</u> No comments received
6.4	<u>Design and Conservation Officer</u> No objection received

7.	Other Representations:
7.1	<u>LCAAG Rec: No Objection</u> Prefabricated modular building with composite timber-effect cladding. May be acceptable on this site. *It should be noted that this comment was received prior to the amendments to the proposed scheme materials.
7.2	<u>Neighbour Representations:</u> None Received.

8.	Appraisal:
8.1	<u>Key Considerations:</u> 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. The NPPF also advises that there is a presumption in favour of sustainable development. 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: <ul style="list-style-type: none"> - Purpose 1: To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area. - Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. - Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.
8.2	<u>Design and Landscape Character</u> Policy PL2: Architecture & Design of the Lewes Neighbourhood Plan states that:

1) *All new developments should be built to a high standard of design, having regard to the design principles set out in the Design Guidance Principles Inset Box (pages 106 — 107) and improve and enhance the built environment of the neighbourhood area.*

2) *Support will be given for proposals that balance environmental considerations with a respect for traditional scale and materials, in the Lewes Conservation Area and in the Malling Deanery Conservation Area. Development proposals in the conservation areas should have regard to the relevant Character Appraisal and Management Plan.*

4) *Where appropriate, buildings should be orientated to benefit from passive solar heating. The planning and design of new developments will anticipate the effects of climate change and be built according to best principles of robustness and resilience, including flood protection and water storage. Retrofitting will be supported in existing developments.*

5) *Proposals that demonstrate an imaginative sense of context and place, respecting and not overpowering the surrounding buildings, landscape and townscape will be supported.*

8) *Flat roofs on industrial and commercial buildings should be green and/or support solar power generation, where possible, provided the panels are nonreflective and will not harm views of Lewes from the surrounding Downland. Roofs of all new buildings should be of a design and use materials that will enhance and not harm views of Lewes from the surrounding Downland.*

Strategic Policy SD4: Landscape Character of the South Downs Local Plan states that:

1. *Development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that:*

a) *They are informed by landscape character, reflecting the context and type of landscape in which the development is located;*

b) *The design, layout and scale of proposals conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern, and evolution of the landscape.*

c) *They will safeguard the experiential and amenity qualities of the landscape*

Strategic Policy SD5: Design of the South Downs Local Plan states that:

1. *Development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of the area. The following design principles should be adopted as appropriate:*

- a) *Integrate with, respect, and sympathetically complement the landscape character by ensuring development proposals.*
- c) *Contribute to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces, and landscape features, including historic settlement pattern.*
- d) *Create high-quality, clearly defined public and private spaces within the public realm;*
- f) *Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night, and day visibility, elevational and, where relevant, vernacular detailing.*
- i) *Ensure development proposals are durable, sustainable, and adaptable over time, and provide sufficient internal space to meet the needs of a range of users.*
- j) *Give regard to improving safety and perceptions of safety, and be inclusive and accessible for all; and*
- k) *Have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.*

Strategic Policy SD6: Safeguarding Views of the South Downs Local Plan states that:

1. *Development proposals will only be permitted where they preserve the visual integrity, identity, and scenic quality of the National Park, in particular by conserving and enhancing key views and views of key landmarks within the National Park.*
2. *Development proposals will be permitted that conserve and enhance the following view types and patterns identified in the Viewshed Characterisation & Analysis Study:*
 - a) *Landmark views to and from viewpoints and tourism and recreational destinations;*
 - b) *Views from publicly accessible areas which are within, to and from settlements which contribute to the viewers' enjoyment of the National Park;*
 - c) *Views from public rights of way, open access land and other publicly accessible areas*

Strategic Policy SD48: Climate Change and Sustainable Use of Resources of the South Downs Local Plan states that:

1. *The Authority will encourage all new development to incorporate sustainable design features, as appropriate to the scale and type of development.*

The application site lies within the North corner of Friars Walk car park in Lewes and the proposed building would be sited within the space of 2

existing parking spaces. In addition, the existing cycle storage shelter would be re-sited to the right of the proposed building, in place of another existing parking space, and the space utilised for access to the proposed building.

The application site will be partially visible from Railway Lane to the East and Court Road to the South but would be seen in the wider context against the rear of commercial buildings that front the A2029 and Lewes High Street.

The proposed development would also be sited next to an existing toilet block within Friars Walk car park and, as such, would not be out of character within the existing views.

Following amendments to the scheme materials the development would have a simple and traditional design that incorporates sustainable materials. The external elevations will be lap clad in untreated Sweet Chestnut; a material that will acquire a patina with age. The metal door will be pale green (RAL 6021) in colour with a black timber upstand, black timber fascia and soffit boards and grey EPDM roof. The ridge of the roof would measure approximately 2.8 metres at its highest point.

Following officer concerns, the proposed building was rotated, and the existing pedestrian walkway kerb dropped, to enable safe pedestrian access to and from the building and to prevent the door opening out onto the vehicle manoeuvring lane of the car park. In addition, four bollards will be installed to ensure that the pedestrian access space to the front of the building is protected from vehicular access.

As such, it is considered that the proposal will provide essential accessible shower, changing and toilet facilities for pedestrians and consumers within the Lewes area and, in terms of the scale, form and design, the proposal would relate to the existing building and surrounding area in visual terms without appearing unduly dominant or discordant.

8.3

Impacts on Highway Network or Access:

Policy AM3 Car Parking Strategy of the Lewes Neighbourhood Plan states that:

1) New developments across the plan area will be supported where they have regard to and safeguard strategic car parking projects in the neighbourhood area.

Strategic Policy SD19: Transport and Accessibility of the South Downs Local Plan states that:

1. Development proposals will be permitted provided that they are located and designed to minimise the need to travel and promote the use of sustainable modes of transport.

Development Management Policy SD21: Public Realm, Highway Design and Public Art of the South Downs Local Plan states that:

1. Development proposals will be permitted provided that they protect and enhance highway safety and follow the principles set out in the document, Roads in the South Downs, or any future replacement.

3. Site layout must be designed to protect the safety and amenity of all road users. The design and layout of new development must give priority to the needs of pedestrians, users of mobility aids, cyclists, and equestrians. Movement through the site must be a safe, legible, and attractive experience for all users, with roads and surfaces that contribute to the experience rather than dominate it.

4. Street design and management proposals must be context-sensitive, responding to the specific character, activities, heritage, built form and layout, materials, and street furniture of the location. Highway design must pay particular attention to the role and location of buildings, doors, and entry points.

Development Management Policy SD22: Parking Provision of the South Downs Local Plan states that:

2. Development proposals will be permitted if they provide an appropriate level of private cycle and vehicle parking to serve the needs of that development in accordance with the relevant adopted parking standards for the locality. Wherever feasible, electric vehicle charging facilities must also be provided.

The proposal will result in the loss of 3 parking spaces and it is noted that these are in addition to the single parking space that was lost through the installation of a covered cycle shelter as part of approved planning application SDNP/14/03483/FUL. The existing cycle storage shelter will be removed from its current position and re-sited 3 parking spaces away.

Whilst the gross loss of 4 parking spaces is regrettable, due to the continued promotion of a sustainable mode of transport with the re-siting of the cycle shelter alongside the provision of accessible facilities for Lewes residents and visitors, it is considered that, on balance, the overall reduction is justifiable and acceptable.

As noted above, due to the siting of the proposed building and positioning of the door as part of the initial scheme, concerns were raised by the planning officer. The proposal was subsequently amended to rotate the building and install four bollards to prevent any undue impact on the safety of both the facility users and vehicular users of the car park.

8.4

Impact Upon Character and Setting of a Conservation Area:

Policy HC3 A Heritage Protection of Landscape and Townscape of the Lewes Neighbourhood Plan states that:

2) New development that contributes to the preservation or enhancement of the conservation areas of Lewes, including the distinctive townscape of the historic core of Lewes, Cliffe and Old Malling (defined on the Town Plan) will be supported. Developments that include the palette of materials identified in the relevant Conservation Area Appraisal will be supported.

Strategic Policy SD12: Historic Environment of the South Downs Local Plan states that:

1. Development proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting.

2. Applicants will be required to provide a Heritage Statement sufficient to allow an informed assessment of the impact of the proposed development on the significance of the heritage asset(s).

3. Development proposals which affect heritage assets (whether designated or non-designated), or their setting will be determined with regard to the significance of the asset, including the long-term conservation and enhancement of that asset.

Development Management Policy SD15: Conservation Areas of the South Downs Local Plan states that:

1. Development proposals within a conservation area, or within its setting, will only be permitted where they preserve or enhance the special architectural or historic interest, character, or appearance of the conservation area.

The councils design and conservation officer was consulted and an objection was raised to an initial proposal due to the impact of the proposed materials on the Lewes conservation area.

Following negotiations between the design and conservation officer, the planning officer and the applicant, an amended scheme was received that addressed the concerns raised.

Following a re-consultation with the design and conservation officer no objection was raised to the amended scheme.

Whilst the proposed works would be partially visible within the surrounding streetscene, following the aforementioned amendments to incorporate timber cladding, timber detailing and a neutral colour palette, it is considered that the proposal will not have a detrimental impact on the character or historical value of the Lewes Conservation Area

8.5

Sustainable drainage considerations

Policy PL3: Flood Resilience of the Lewes Neighbourhood Plan states that:

1) New or additional residential, commercial or other development which would materially add to water discharge generally in the neighbourhood area, and into the River Ouse in particular, should address any or all of the following matters which are relevant to its location and the particular proposal:

- potential flood risk from the River Ouse; and/or*
- rising sea levels; and/or*
- groundwater levels; and/or*
- or*
- surface water run-off.*

2) Development proposals including roads and pathways should increase flood resilience throughout and around the town and surrounding communities. Wherever possible, development proposals should use permeable surfacing materials for parking areas, hardstanding areas and pathways.

3) Development proposals should not increase the flood risk on adjacent areas of the town or up or down stream.

4) Sustainable Urban Drainage Systems (SUDS) should be incorporated into new development proposals as described in the first paragraph of this policy and into any public realm improvements.

Strategic Policy SD49: Flood Risk Management of the South Downs Local Plan states that:

1. Development proposals will be permitted that seek to reduce the impact and extent of all types of flooding through:

c) Flood protection, mitigation and adaptation measures necessary and appropriate to the specific requirements of the proposal, the development site and other areas potentially impacted

Development Management Policy SD50: Sustainable Drainage Systems of the South Downs Local Plan states that:

1. Development proposals will be permitted where they ensure that there is no net increase in surface water run-off, taking account of climate change

The application site is within Flood Risk Zone 2. To minimise the risk of flooding and prevent an increase in surface water run-off the applicant proposes to install guttering and downpipes to the proposed building. This will connect to the existing on-site mains system.

	An appropriate condition is recommended to ensure that the works are carried out in accordance with these details.
8.6	<p><u>Other considerations:</u></p> <p>Ecosystem Services</p> <p>In order to meet the requirements of policies SD2 and SD9 of the Local Plan the applicant has submitted an Ecosystem Services Statement setting out the following measures:</p> <ul style="list-style-type: none"> -The installation of a low-flow WC, taps and shower -The changing places facility will make the town centre more accessible for people with disabilities
8.7	<p><u>Planning Obligations:</u></p> <p>There are no S106 Planning obligations associated with this proposal.</p>
8.8	<p><u>Human Rights Implications:</u></p> <p>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.</p>
8.9	<p><u>Conclusion:</u></p> <p>It is considered that, on balance, the development proposals are acceptable and would not have a significant harmful impact on the landscape character, public safety, or highway network.</p>

9.	Recommendations
9.1	In view of the above the proposed development is recommended for approval.

10.	Conditions:
10.1	<p>Time Limit The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>

10.2	<p>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".</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
10.3	<p>External Materials The materials used in the construction of the development hereby approved shall be as detailed on the approved drawing RADPT.0001 Rev 4 - Proposed Elevations, Existing and Proposed Layout, Block and Location Plan - and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.</p> <p>Reason: To safeguard the appearance of the building and the character of the area.</p>
10.4	<p>Construction Hours 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.</p> <p>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.</p>
10.5	<p>No External Lighting No external lighting shall be installed within the site unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail in the interests of night-time amenity, tranquillity and protect and conserve the International Dark night Skies.</p>
10.6	<p>Water Run-off Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed on the host building and no surface water shall be discharged onto the car park surface, and thereafter shall be retained as such.</p> <p>Reason: To ensure that surface water is dealt with appropriately within the application site and not affect the surrounding area by way of localised flooding or encroachment.</p>
10.7	<p>In Accordance with Ecosystems Services Statement The development hereby permitted shall be implemented in accordance with the Ecosystem Services Statement submitted and maintained as such thereafter.</p> <p>Reason: In order to enhance the natural capital and biodiversity of the site, in accordance with Ecosystem Services objectives.</p>
10.8	<p>Notwithstanding the approved plans, prior to their installation further details of the bollards shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details and maintained as such for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.</p>

	Reason: To safeguard the appearance and character of the area and to enable the Local Planning Authority to properly consider the development in accordance with South Downs Local Plan policies SD4, SD5, SD6, SD12 and SD15.
11.	Informative:
11.1	It is recommended that the applicant seeks to install a green roof on the proposed building in order to provide further sustainable measures in accordance with South Downs Local Plan policy SD48 (Climate Change and Sustainable Use of Resources)

12.	Plans:
12.1	This decision relates solely to the following plans:

	<u>Plan Type</u>	<u>Date Received</u>	<u>Reference:</u>
	PROPOSED ELEVATIONS, EXISTING AND PROPOSED LAYOUT, BLOCK AND LOCATION PLAN	25.01.2023	RADPT.0001 Rev 4
	ECOSYSTEMS SERVICES STATEMENT	15.11.2022	
	AMENDED DESIGN AND ACCESS STATEMENT	27.01.2023	

13.	Appendices
13.1	None.

14.	Background Papers
14.1	None.