

**Agenda Item 6**  
**Report PC25/26-23**

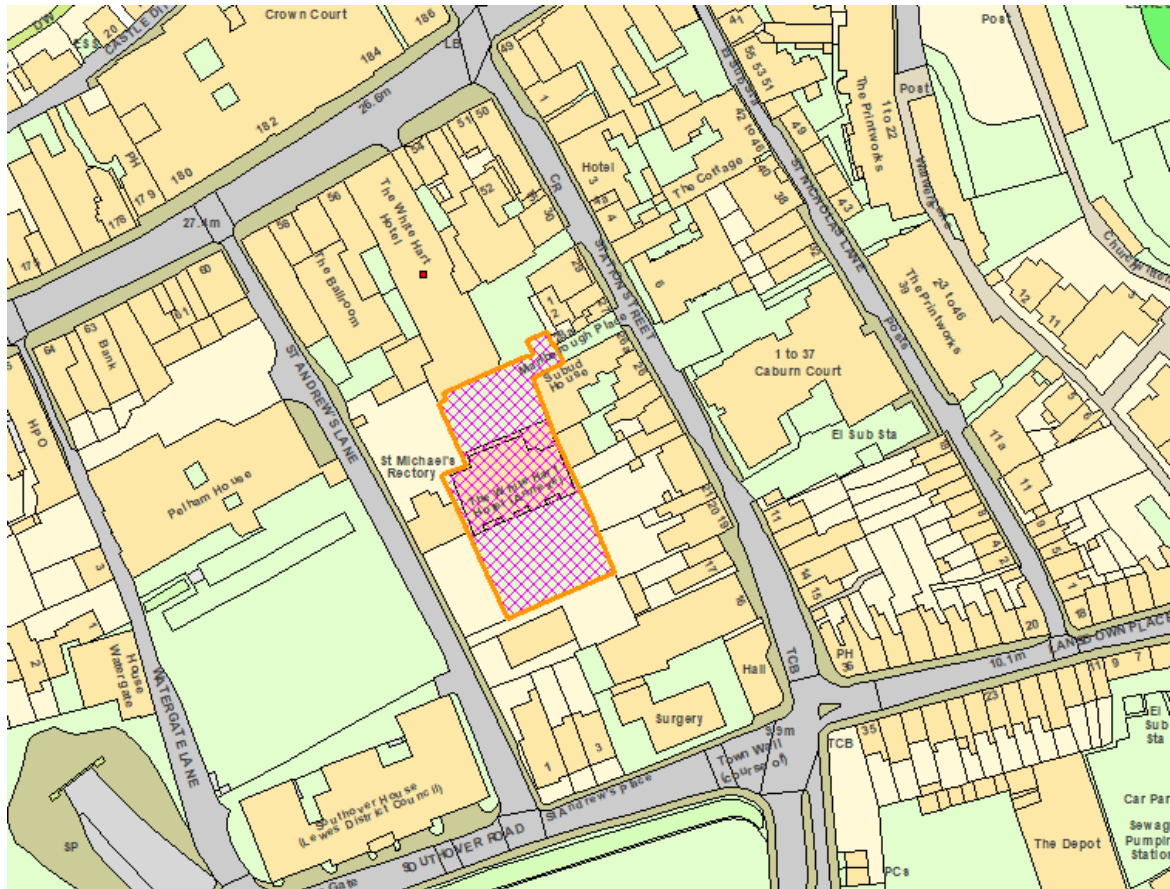
Report to: **Planning Committee**  
Date: **13 November 2025**  
By: **Director of Planning**  
Application Number: **SDNP/25/00496/FUL**  
Applicant: **Littlehampton Hotels Company**  
Application: **Demolition of the former hotel annex and construction of five new dwellings with parking and associated landscaping**  
Address: **White Hart Hotel, 55 High Street, Lewes, East Sussex, BN7 1XE**

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**Recommendation:**

- 1) **That planning permission be granted subject to:**
    - i. **The satisfactory completion of a Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, to secure:**
      - **£112,117 financial contribution equivalent to one unit to be used towards the provision of affordable housing in the South Downs National Park, as set out in the report.**
    - ii. **The conditions set out at Paragraph 8.1 of the report and any amendments or other conditions as required and/or to address technical matters.**
  - 2) **That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the Section 106 Agreement is not completed or sufficient progress has not been made within 6 months of the 13 November 2025 Planning Committee Meeting.**
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**Site Location Map**



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## Executive Summary

- The application proposes the demolition of an existing detached hotel annexe building and the redevelopment of the site to provide a terrace of five 3-bed dwellings, parking and landscaping.
- The application site forms a draft housing allocation in the SDNP Local Plan review, provisionally allocated for five dwellings. Owing to the early stage of the review, this draft allocation can only be attributed very little weight. However, the site is within an existing settlement boundary.
- The proposals for the redevelopment of the site have been subject to two pre-application submissions and a review by the Authority's Design Review Panel. A number of amendments have been sought throughout the course of the current application.
- The proposed building would replace an existing large, dilapidated building which does not make a positive contribution to the character of the site or Conservation Area. The proposed terrace building would have a greater presence than the existing building which will alter its relationship with the surrounding built form, especially in terms of its height. Notwithstanding this, Officers consider that the proposal would be acceptable, on balance, owing to its siting and the set-back of the pop-up office rooms. The proposal would not harm the significance of adjacent heritage assets or their setting.
- The application triggers the requirement to provide 1 affordable dwelling, however, following an independent viability appraisal and associated discussions, it has been agreed that a payment in-lieu of on-site provision is acceptable based on the exceptional circumstances presented. This would be secured via a S106 agreement.
- The scheme is considered to be acceptable with regard to matters such as materials, highway safety, vehicle and cycle parking, impact on neighbouring amenity, drainage and ecology. 10% BNG would be achieved on-site and via the purchase of credits from a habitat bank within the National Park.
- The scheme is before Members owing to the level of public interest.

### I. Site Description

- I.1. The application site is located to the south of the High Street in Lewes and comprises land to the rear (south) of the White Hart Hotel, a Grade II listed building. The site is within the settlement, town centre and Conservation Area of Lewes. The site itself features the former hotel annexe building, sited 15 metres (m) from the hotel and areas of hardstanding and car parking to the front and rear of the annexe.
- I.2. The main hotel building that fronts the High Street has been subject to a complete refurbishment by its new owners. The annexe building no longer forms part of the hotel. It was last used as part of the hotel in 2016 and has latterly been used as student accommodation for the University of Sussex, and more recently for local authority tenants on an informal basis. The annexe is in a state of disrepair, with the surrounding car parking areas overgrown and unkempt.
- I.3. This site is currently accessed via three access routes: the main access via an undercroft from the High Street, a side/eastern access between nos. 25 and 27 Station Street (known as Marlborough Place) and between nos. 29 and 30 Station Street.
- I.4. There is a significant change in levels on the application site, meaning that the existing building appears as two-storeys from the front (northern) elevation and three-storeys from the rear (southern) elevation. The building is surrounded by hardstanding in the form of car parking. The rear car park is accessed via an undercroft through the annexe building, via a steep ramp.
- I.5. To the east, south and west of the application site are existing residential properties, with the White Hart Hotel building to the north. Permission has recently been granted at the

'Liquid Studio' site directly to the south of the site for a substantial dwelling, which is accessed via St Andrews Lane to the west of the application site.

## 2. Relevant Planning History

At application site:

- SDNP/23/04951/PRE Demolition of existing building and erection of 5no part 2, part 3 storey Mews houses with rooftop home office, parking, gardens with garden room. Advice given 07/03/2024.
- SDNP/15/01665/PRE Change of use and redevelopment of redundant hotel annex to 14/15 residential apartments. Advice Given 21/04/2015.

At the White Hart Hotel – to front (north) of site:

- SDNP/23/02298/FUL Internal alterations including relocation of bar and reception, introduction of guest bedrooms on lower ground floor, demolition and replacement of the conservatory with associated works. Approved 03/10/2023.
- SDNP/23/02299/LIS Internal alterations including relocation of bar and reception, introduction of guest bedrooms on lower ground floor, demolition and replacement of the conservatory with associated works. Approved 03/10/2023.

Liquid Studio - To rear (south) of site:

- SDNP/24/02356/FUL Conversion and extension of existing detached office building for use as single family dwelling including construction of boundary treatments. Approved 18/11/2024.

## 3. Proposal

3.1. The application proposes:

- The demolition of the existing detached former hotel annexe building.
- The erection of a terrace of five x 3-bed dwellings, over three storeys with a 'pop-up' rooftop office room.
- Rear gardens with garden rooms/stores, including a 'secret garden' of the most westerly unit.
- Six parking spaces. 15 cycle spaces. Bin storage.
- Landscaping.

3.2. During the course of the application, Officers asked for additional information relating to short-range and longer-range views of the proposed building in order to demonstrate how the building would sit in the existing townscape.

3.3. Further, following concerns raised by Officers, amended plans were submitted which removed the proposed roof terraces and made alterations to office room access, fenestration and balconies.

## 4. Consultations

4.1. **ESCC Archaeologist:** No objection, subject to conditions.

4.2. **ESCC Ecologist:** No objection, subject to conditions.

4.3. **ESCC Highway Authority:** No objection, subject to conditions.

4.4. **ESCC Lead Local Flood Authority:** Unable to respond to minor applications.

Officer note: an Officer assessment is provided in the following report.

4.5. **Lewes Town Council:** Objection:

- The building should be converted and repurposed rather than demolished.
- Six parking spaces would not be needed as it is in the centre of town, perhaps membership of a car share should be offered.
- Bike storage is not present in the scheme.
- Too high – over a storey higher than existing building.
- Black out blinds would be required to comply with SDNP Dark Skies policy.
- Overlooking from balconies.
- No affordable housing.
- Unsustainable materials.
- BNG scored low.

Officer note: these points are addressed in the following report.

4.6. **LDC Housing Needs and Strategy:** No comments received.

4.7. **SDNP Design Officer:** Provides comments:

- It is unclear what is proposed regarding the trees to the rear of the site.
- Bike storage remains unclear. How will the bike ramp work?
- Parking requires definition.
- Concern regarding use of roof terrace, resulting in overlooking.
- Privacy screening is required on terraces.
- Principle of terrace houses supported; however the building remains a large, cuboid form with a deep floor plan. The size of the building including the height of its facades should be further reduced and more variation added.
- Building interrupts existing roofscape.
- Building appears overbearing to St Michael's Rectory owing to height of proposal.
- Height fails to respect and make a positive contribution to the local character.
- Quality of materials is appropriate.
- Some clarification needed re. Sustainable Drainage Systems (SuDS) and drainage.

Officer note: several of these matters have been addressed since the comments, as discussed in the following report.

4.8. **SDNP Conservation Officer:** No objection, subject to conditions.

4.9. **Southern Water:** Refer to previous advice. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

## 5. Representations

5.1. 20 letters have been received objecting to the proposals. The main objections are summarised below:

### Housing and housing need

- Dwellings are not aimed to be sold as family housing units.
- There is a local housing need for family housing.
- No affordable housing proposed, required by policy.

### Use

- Proposed office is a cynical attempt to maximise the sale value and reduce its affordability to ordinary families or young couples.
- There is no need for dwellings to have separate office space when there are co-working spaces in Lewes.
- Would occupiers pay business rates if running a business from home, and would clients regularly access the offices?
- Garden rooms could easily be offices.

### Design and heritage

- Policy HC3A protects against development that rises above the general roof line in the Conservation Area.
- Views from the Hotel's balcony will be blocked by office rooms.
- Design is geared towards selling the view from the Downs.
- Light pollution from office building.
- Building is far too tall.
- Building is a full storey higher than existing.
- Too many large windows.
- Too many balconies and terraces.
- Sloping roofs and solar panels would be preferable.
- Office rooms will detract from heritage roofline.
- Impact on local heritage assets.
- Building work must not affect historic flint wall boundary.
- Light-coloured wall covering will not enhance townscape.
- Concern that the illegal water storage on top of the existing building will justify height of new building.
- Lost opportunity to build something sustainable.
- Design is not in keeping with surrounding buildings.
- Impact on Conservation Area.
- A 'mews' feel would be more appropriate, with more variation in forms and textures.
- Effect on Conservation Area has been given cursory examination by SDNPA Conservation Officer.
- Amendments to scheme have not addressed concerns.

### Amenity

- Overlooking.
- Loss of privacy.
- Noise and disturbance.
- Loss of light.
- Overshadowing.

- Overbearance.
- Office room is more likely a penthouse / party space.
- Who would regulate noise impacts, intrusion and loss of privacy from five holiday lets?
- View from hotel balcony will be blocked, spoiling view for residents and visitors.
- Disturbance caused by construction process.
- Disturbance from refuse collection.
- Concerns. re. odour from bin store.
- No consideration has been given to Station Street residents.

#### Environment

- Concerns re. blocking of drains from construction waste.
- No mention of recycling materials.
- No provision of EV charge points.
- Is there asbestos in the building?

#### Highways, access, parking

- Access to site is dangerous and inadequate.
- Danger posed by construction traffic and movements.
- Concerns re. emergency vehicle access.
- Concerns re. refuse vehicle access.
- There is no need for 5 parking spaces.
- Not enough parking provided.
- A cut through to the High Street should be avoided.
- Where will hotel guests park?
- Occupiers should use car share.
- If vehicles must access the site from Station Street this should be entry and at one point only.
- Concerns re. additional traffic on Station Street.
- Potholes, burst pipes and cracked surfaces will be exacerbated.
- Unclear how construction vehicles will access site.

#### Trees, ecology, biodiversity

- Additional light will disturb bats in the area.
- Concerns re. trees which are used by birds roosting and other wildlife.

#### Other

- Use as short term holiday lets could negatively impact house prices.
- Concerns re. reputation of developer.
- Development is just for profit.
- Conditions must be applied for hours of construction.

- Concern regarding damage to existing properties from construction.

5.2. Five letters have been received in support, making the following points:

- The existing building is an eyesore and extremely dilapidated.
- An enormous improvement to all the surrounding neighbours in both quality and design.
- Welcome investment to neighbour the high-quality restaurant and hotel provision adjacent.
- Increased separation between the new construction and the hotel extension is appreciated.
- The rooftop structures and broken roofline present a welcome and interesting aspect, in keeping with the Lewes rooftop townscape.
- Replacing a dated and rather run down annex with well designed, energy efficient town houses will be a positive development for our town and the National Park.
- Interesting design, which has had much thought.
- Rooftop structures are set back from front and rear parapets.
- Gaps preserve long views and add interest.
- Development will enhance the town.

5.3. Two 'neutral' letters have been received, making the following points:

- Replacement of existing building is welcome.
- Opportunity to provide good quality family houses at a central location in Lewes.
- Good quality scheme, but materials will be key.
- Some concerns re. proximity to hotel, and impact on hotel.
- Roof and garden accommodation is excessive.
- Overlooking and loss of privacy to neighbouring properties.
- Concerns re. access.
- Dwellings do not require parking spaces.
- Cycle storage is inadequate.
- Bin storage is unclear.

## 6. **Planning Policy**

Most Relevant Sections of the National Planning Policy Framework:

- NPPF02 - Achieving sustainable development
- NPPF04 - Decision-making
- NPPF05 - Delivering a sufficient supply of homes
- NPPF07 – Ensuring the vitality of town centres
- NPPF09 - Promoting sustainable transport.
- NPPF11 - Making effective use of land.
- NPPF12 - Achieving well-designed places.

- NPPF16 – Conserving and enhancing the historic environment

Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (A full list of relevant policies and applicable legislation can be found in Appendix I):

- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD12 – Historic Environment
- Development Management Policy SD13 – Listed Buildings
- Development Management Policy SD15 – Conservation Areas
- Development Management Policy SD16 - Archaeology
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD23 – Sustainable Tourism
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD27 - Mix of Homes
- Strategic Policy SD28 - Affordable Homes
- Strategic Policy SD48 - Climate Change and Sustainable Use of Resources
- Development Management Policy SD50 - Sustainable Drainage Systems

Lewes Neighbourhood Plan 2015 – 2033

- Policy LE1 – Natural Capital
- Policy LE2 – Biodiversity
- Policy HC3A – Heritage Protection of Landscape and Townscape
- Policy HC3B – Planning Application Requirements and Heritage Issues
- Policy PL1A – General Housing Strategy
- Policy PL2 – Architecture and Design
- Policy PL4 – Renewable Energy and the Resource and Energy Efficient of New Buildings

Relevant Policies of South Downs Management Plan (2020-2025):

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3
- Partnership Management Plan Policy 25
- Partnership Management Plan Policy 37
- Partnership Management Plan Policy 39
- Partnership Management Plan Policy 40
- Partnership Management Plan Policy 50
- Partnership Management Plan Policy 57

The South Downs Local Plan Review:

The South Downs Local Plan is undergoing a period of review, and the First Publication (18 Consultation) was undertaken between 20 January – 17 March 2025. This is the first publication of the Local Plan Review and therefore can only be attributed very little weight. As it progresses through the adoption process, it will gain more weight for the purposes of decision making.

The South Downs National Park Partnership Management Plan 2020-2025

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans “contribute to setting the strategic context for development” and “are material considerations in making decisions on individual planning applications.”

The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. Relevant Policies are listed in the report.

The draft Partnership Management Plan 2026-2031 is currently undergoing public consultation. As such, it carries little weight at this stage.

Legislation for Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Other Relevant Policy Documents (including Supplementary Planning Documents (SPD) and Technical Advice Note (TAN)

- Biodiversity Net Gain TAN
- Dark Skies TAN
- Ecosystems Services Statement TAN
- Adopted Affordable Housing SPD
- Adopted Parking SPD
- Adopted SPD Design Guide
- Adopted Sustainable Construction SPD

**7. Planning Assessment**

**Background**

- 7.1. Until November 2022, the White Hart Hotel and rear Annexe were in the same ownership. The main hotel was sold in November 2022 and has been fully refurbished, following the grant of planning permission and listed building consent. The Annexe is in separate ownership and is no longer linked to the Hotel.

**Principle of development**

- 7.2. Development plan policies, and in particular the NPPF, place 'great weight' on conserving the landscape and the scenic beauty of national parks, which have the highest status of

protection. This is in line with the first purpose of a National Park, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.

- 7.3. Policy SD1 encourages a presumption in favour of sustainable development where development proposals accord with other relevant policies in the South Downs Local Plan and the National Park's statutory purposes. Policy SD25 of the South Downs Local Plan (SDLP) directs new development to within settlement policy boundaries, where proposals are of a scale and nature appropriate to the character and function of the settlement in its landscape context. Policy PL1A of the Lewes Neighbourhood Plan (LNP) requires for residential development on brownfield sites within the settlement boundary to meet a number of criteria, where relevant.
- 7.4. The application site is located within the settlement, and town centre, of Lewes, as such the principle of additional residential development is considered to be acceptable. Further, the site is currently occupied by a large 'annexe' building which would be replaced by the proposed development. As such, the principle of a building of the scale proposed is accepted and forms a material matter for consideration when assessing the acceptability of the site's redevelopment.
- 7.5. The site is currently included as a draft allocation in the South Downs Local Plan Review. The draft policy allocates the site for five residential units. Owing to the stage of the Local Plan Review, as noted above, this can be attributed very little weight. However, the site is within a defined settlement boundary where the principle of additional residential units is supported by the current Development Plan.

**Loss of hotel accommodation**

- 7.6. Policy SD23 advises that development proposals that would result in the loss of visitor accommodation will not be permitted unless evidence is provided that the current use is financially unviable and a robust marketing campaign of at least 12 months has been carried out that clearly demonstrates there is no market demand for the existing use or an equivalent tourism use.
- 7.7. The application is supported by a 'Marketing Commentary', by Savills dated January 2025. This sets out that the whole White Hart Hotel site was marketed for sale from 15 February 2022 and discusses the limited interest that was received in the annexe building. This report concludes that the property was marketed to suitable applicants by an experienced agency for an appropriate length of time, stating that the property had a good exposure to the market. However, it was considered that the annexe was not of a suitable style or indeed, state, to bring operational or income value to any prospective operator purchaser, nor that it would provide a suitable return on investment.
- 7.8. The eventual purchaser of the White Hart Hotel did not wish to include the annexe in their acquisition. They have since gone on to fully renovate the original hotel building and are operating without the accommodation offered in the annexe building.
- 7.9. Further, it is clear from the application, and the pre-application submissions that preceded, that the annexe has not been used for hotel accommodation since 2016. Since then, it has been used as student accommodation for the University of Sussex and latterly for local authority tenants on an informal basis.
- 7.10. Officers are satisfied that an appropriate marketing campaign was undertaken, which resulted in a new buyer and rejuvenation of the White Hart Hotel itself (and the associated benefits to the town's economy and character), thus not resulting in the permanent or total loss of visitor accommodation at this site and consider this to be in accordance with Policy SD23 in this regard.

**Affordable Housing and Housing Mix**

- 7.11. Policy SD27 requires that residential developments deliver a balanced mix of housing. Policy

SD28 requires that residential developments of 5 dwellings provide 1 affordable unit. SD28 advises that, exceptionally, at the discretion of the Authority, financial contributions in lieu will be accepted. Policy PLIA of the LNP sets out that new residential development should comply with the development plan requirement for affordable housing, unless proven to be undeliverable.

- 7.12. The application, as submitted, provided no affordable housing and a Financial Viability Assessment was submitted which was independently reviewed by the Authority's Viability Assessor. The Applicant's assessment argued that it would not be financially viable to provide affordable housing on the application site as part of the proposed development. The initial assessment from the Authority's Viability Assessor concluded that there was sufficient headroom for the provision of one affordable unit in accordance with planning policy. It was noted that there was a significant difference between the assessments in terms of build costs. The assessor did, however, advise that it would be for the applicant to make a case that on-site provision may be inappropriate and, if successfully argued, that an affordable in-lieu financial contribution of £112,117 be secured.
- 7.13. The applicant met with the Authority's Viability Assessor and highlighted where Policy SD28 has an exceptional provision to accept a commuted sum in lieu of on-site affordable units. The case was made that the provision of one unit on this site was inappropriate and that it would be highly unlikely that a Registered Provider would be willing to take on one single unit on such a site. The applicant provided a further statement to Officers to this effect. Officers have considered the submission and have discussed the matter further with the Viability Assessor who has advised Officers that they believe it to be the most appropriate course of action for the Authority to accept an in-lieu contribution, taking into account the individual circumstances of this application.
- 7.14. The applicant has agreed to pay a commuted sum of £112, 117 and this will be secured by legal agreement. On this basis, given the specific circumstances of this case, the proposal would accord, exceptionally, with Policy SD28 of the SDLP and Policy PLIA of the LNP.
- 7.15. With regard to housing mix, all five dwellings would provide 3-bedrooms with separate 'pop-up' office rooms. It is recognised that the proposed development does not provide a mix of housing sizes, however it is a small scheme in a highly sloping, constrained town centre site. On this basis, Officers are satisfied that a scheme of five 3-bed dwellings is appropriate for this location, and in accordance with Policy SD27.

**Heritage considerations**

- 7.16. Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) outlines the duty of the Authority to have special regard to the 'desirability of preserving the [listed] building or its setting or any features of special architectural or historical interest which it possesses'.
- 7.17. Section 72 of the same act outlines the duty of the Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.
- 7.18. Policies SD12, SD13 and SD15 set out that development proposals will only be permitted where they conserve and enhance the historic environment, including through the safeguarding of heritage assets and their setting. Proposals should preserve or enhance the special architectural or historic interest, character or appearance of the conservation area in which they are situated.
- 7.19. Policies HC3A and HC3B of the LNP supports new development that contributes to the preservation or enhancement of the conservation areas of Lewes and where they demonstrate that the choice of design and use has sought to minimise harm to the significance of heritage assets.
- 7.20. The site is adjacent to a number of heritage assets:

- 19,20 and 21 Station Street – Grade II Listed (to the south east)
  - 26 Station Street – Grade II Listed (to the east)
  - 26A Station Street – Grade II Listed (to the east)
  - 27 and 28 Station Street – Grade II Listed (to the east)
  - The White Hart Hotel itself – Grade II Listed (to the north).
  - The site is located in the Lewes Conservation Area.
- 7.21. As noted above, the proposed development has been subject to a number of pre-application advice submissions and scrutiny by the Authority’s Design Review Panel, with the scheme evolving through this process. It is a material consideration that there is a large, bulky building in situ at present. The building lacks architectural merit and is in a state of disrepair, offering very little to the Conservation Area, its setting or the setting of the surrounding heritage assets. The Authority’s Conservation Officer notes that the existing annexe building is no adornment to the Conservation Area.
- 7.22. With regard to the adjacent listed buildings, it is noted that the existing setting of the listed buildings is of an urban and varied environment. The proposed building is in broadly the same location as the existing building. Whilst it would be taller, it would not be so tall such as to dominate its site or the adjacent buildings. The proposed building would also be sited slightly further away from the eastern boundary, therefore creating greater separation, albeit in a modest way which is considered a positive of the scheme. Officers consider that this would improve the relationship between the application site and the adjacent plots. The proposal therefore preserves the surrounding listed buildings and their setting.
- 7.23. With regard to the impact of the proposal on the Conservation Area, as above, the proposed terraced dwellings form a large building in broadly the same location as the annexe. The Conservation Officer describes how the replacement building does, in some general ways, reflect aspects of Lewes’ architectural traditions, albeit in a modern idiom. It is acknowledged that the proposed building will be taller than the existing annexe. The proposed height is assessed from a design perspective later in the report, but Officers consider that the proposed height and design is respectful of the varied heights in the area and is therefore considered not harmful to the character of the Conservation Area. The height of the proposed building would not appear unduly prominent such as to affect the setting of the adjacent listed buildings. As such, and notwithstanding the comments received from the Authority’s Design Officer, discussed below, no concerns are raised regarding the impact of the proposed development on the significance of adjacent heritage assets.
- 7.24. Whilst Officers raise no concerns regarding the impact of physical presence of the proposed development on the significance of adjacent heritage assets, Officers note the concerns raised by the adjacent occupiers regarding the historic flint boundary wall which runs along the eastern boundary of the application site to the rear of the properties that face onto Station Street. The site is currently accessed via three access routes: the main access via an undercroft from the High Street, a side/eastern access between nos. 26/26A and 27 Station Street (known as Marlborough Place) and between nos. 29 and 30 Station Street. As above, 26 and 26A are listed buildings and it is recognised that the access between these buildings is particularly narrow and constrained, as such the impact of the construction process does require consideration. Further, as noted by adjacent occupiers, there is a historic wall that runs along the eastern boundary of the site that will be in close proximity to any demolition or construction works. The adjacent buildings and wall could, therefore, be subject to vibrations etc. that could have the potential to result in damage to the structural integrity of the buildings and wall. The Authority’s Conservation Officer considers that there is some potential to undermine the limited foundations of the historic buildings/walls as a result of these works. In order to ensure that the works are carried out in an appropriately sensitive way, a condition requiring a full method statement is recommended, explaining how these

buildings are to be protected from damage during the works, both in terms of physical impact, reverberation and foundation impacts.

- 7.25. In conclusion, the proposed development is considered to safeguard the adjacent heritage assets and their setting. Subject to appropriately sensitive construction methods, the historic flint wall and adjacent buildings will be protected from damage during the construction phase. On this basis, the proposal would preserve and enhance the character and appearance of the Conservation Area and would safeguard the adjacent heritage assets and their setting in accordance with Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies SD12, SD13 and SD15 of the SDLP and Policies HC3A and HC3B of the LNP.

### **Archaeology**

- 7.26. The application site lies within an Archaeological Notification Area, associated with the historic core of medieval and post-medieval Lewes. The application is supported by a detailed desk-based archaeological assessment. The ESCC Archaeologist has confirmed that they are in broad agreement with the conclusions made within the assessment.
- 7.27. In 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. The ESCC Archaeologist recommends a number of conditions. On this basis, the proposal is considered to accord with Policies SD12 and SD16 of the SDLP.

### **Landscape and Design**

- 7.28. Policies SD4 and SD5 of the South Downs Local Plan require proposals to conserve and enhance existing landscape character features, make a positive contribution to the overall character and appearance of the area, and be of a landscape-led design. Policy PL2 of the LNP sets out that all new developments should be built to a high standard of design, and should improve and enhance the built environment of the neighbourhood area.
- 7.29. The proposed development has been subject to two pre-application advice submissions, with the later submission considered by the SDNP Design Review Panel. The scheme has continued to evolve during the course of the application following a number of discussions with Officers, with additional information, viewpoints, details and clarification provided.
- 7.30. Officers acknowledge the concerns raised by neighbouring occupiers regarding certain elements of the proposal, particularly in relation to the height of the building, the principle of the office rooms and the roof terraces. The Authority's Design Officer has provided detailed feedback in relation to the proposal and is supportive of a number of elements but has raised some concerns about others. The feedback is discussed below.

### **Building layout and design**

- 7.31. The Authority's Design Officer is supportive of the principle of a terrace of town houses but raises some concern regarding the 'large cuboid form', deep floor plan, flat roof, parapet and office rooms owing to these elements exacerbating the mass of the building. Notwithstanding these concerns, Officers consider that the majority of the proposed building is not as deep as the existing annexe, as demonstrated by the Proposed Section plan, utilising the steep slope of the site to provide accommodation over four storeys. Officers consider that the building is making efficient use of the existing constrained plot, taking into account the existing building.
- 7.32. Officers acknowledge the comments received regarding the proposed height of the building. The Design Officer also raises concerns regarding the height of the building, both in terms of its height within the site and within the skyline and roofscape of the Conservation Area. The

Conservation Area Management Plan (CAMP) details that buildings along the High Street in this part of the town centre are larger scale 3 or 4 storey buildings and those buildings beyond the High Street to the south are of a smaller scale. It is considered that the combination of the topography and the lower building heights contribute towards the character, stepped roofscape visible from the south.

- 7.33. During the course of the application, Officers requested that a number of ‘views’ of the proposed building were provided in order to demonstrate how the building would sit next to adjacent built form as well as how it would likely appear in longer-range views. Existing and proposed ‘views’ are provided from the railway bridge to the south, from St Andrew’s Lane looking north-east and from St Andrew’s Lane looking south-east.
- 7.34. The Design Officer also raises some concern regarding the impact of the height of the proposed building in relation to St Michael’s Rectory to the west of the application site. It is considered that whilst some variation in height could contribute positively to the character, the current height of the proposal is too great. When viewed from St Andrew’s Lane it would be apparent that the height of the proposal more closely reflects the buildings along the High Street rather than the smaller buildings to the South that cascade down the hill.
- 7.35. It is the Design Officer’s view that, owing to the overall height of the building, the proposal fails to respect and make a positive contribution to the local character, as required by Policy SD5. A landscape led approach here, in their view, would be of a height that contributes positively to the existing roofscape character rather than erodes this dominant feature of the townscape.
- 7.36. Officers acknowledge the comments received from the Design Officer. However, it is a material consideration that the proposal would replace an existing large building in a state of disrepair which does not contribute positively to the character of the area. The proposed scheme has been subject to two pre-application advice submissions and has been scrutinised by the Authority’s Design Review Panel. During this process, the proposed building has been reduced in scale, bulk and mass with various elements altered and removed from the final scheme. The replacement building is in broadly the same place and is only slightly taller than the existing annexe, with the office rooms sitting above this height. The office rooms would project higher than the existing building, but they are sat 2.7m back from the front elevation and 2.5m from the rear elevation. They do not form a consistent block, rather adding interest and variation to the roof form. On this basis, the height of the proposed building is considered to be acceptable..
- 7.37. With regard to materials, the use of brick, flint and small amounts of metal cladding are supported in principle. The Design Officer considers that the quality of the materials is appropriate. A condition is recommended requiring samples of materials to be submitted. It is noted that the tone of the materials will be of key importance to the integration of the scheme in its context, for example ensuring that the grey of the proposed brick is reflective of the tones that are characteristic here.

### **Landscaping**

- 7.38. At present, the majority of the application site is hard surfaced, with a very constrained band of trees along the southern boundary. The application provides an opportunity to significantly improve the relationship between built form on the site and its surroundings. An indicative ‘Landscaping Strategy’ has been provided which sees the rear car park replaced by lawn and a tree per garden. Additional trees are also proposed to the rear of the garden rooms. The site frontage and parking area would feature low hedges, tiered planters and raised beds which seek to soften the remaining hardstanding to the front of the dwellings. It is recommended that a condition be attached to any approval of permission, requiring the submission of a revised landscaping plan which incorporates details on the proposed rain gardens, green roofs and additional planting to ensure that the scheme is suitable and likely to thrive when built out.

**Domestic storage**

- 7.39. Officers note the comments received regarding the proposed garden rooms/stores. Notwithstanding these comments, Officers consider it entirely reasonable to seek to provide a modest outbuilding to the rear of each property for storage and additional amenity space. Whilst somewhat repetitive in their form, these buildings are not considered excessive and would not be out of character.
- 7.40. A dedicated, communal bin store would be provided within an existing structure on site, adjacent to the access from Station Street. Occupiers of the proposed dwellings would be provided with internal refuse and recycling storage. This is an efficient use of space and is supported by Officers. Cycle storage is indicatively provided to the front of the dwellings (5 spaces) and within the dual-purpose garden rooms/stores (2 spaces per dwelling). Final details would be secured via condition.

**Design Summary**

- 7.41. The proposed building would replace a large, dilapidated building which does not contribute positively to the Conservation Area of Lewes. It is acknowledged that the proposed replacement building is a large contemporary structure, sitting higher than the existing annexe. It is further acknowledged that the building would be more visible and hold a greater presence than the existing built form and that this will alter the appearance and appreciation of the dwellings in the immediate area and from longer views. However, Officers consider that the proposed height, bulk and mass are acceptable. The proposal would seek the removal of a large area of hardstanding to be replaced by lawn and tree planting. The building would be separated from the eastern boundary which will provide greater space around the building, albeit to a minor degree. The proposed materials are acceptable and subject to the agreement of material details, will be high quality and reflective of the local character. On this basis, Officers consider that the proposed dwellings would make a positive contribution to the application site and the wider character of the area, in accordance with Policies SD4 and SD5 of the SDLP and Policy PL2 of the LNP.

**Sustainable Construction**

- 7.42. Policy SD48 requires all developments to achieve 19% carbon dioxide reduction improvement against Part L (2013) through the energy efficiency of the building and a total mains water consumption of no more than 110 litres per person per day. Policy PL4 of the LNP sets out that developments of new and existing buildings will be supported where they incorporate practical features that increase energy efficiency. Proposals seeking to achieve carbon neutral standards will be supported.
- 7.43. The Authority's Sustainable Construction Consultant and Design Officer have reviewed the proposals. The application is supported by an Energy Assessment which refers to achieving a 78% improvement in dwelling emission rate (DER) over target emission rate (TER), using building fabric and low/zero carbon technologies. The development includes PV panels on the flat office room roofs and air-source heat pumps for each dwelling, as well as wastewater heat recovery and Mechanical Ventilation with Heat Recovery (MVHR); all of which is supported.
- 7.44. Planning conditions relating to the submission of a Design-Stage Sustainable Construction Report and Post-Construction Stage Construction Report are recommended in order to secure the detail that has been set out within the submission and other matters, such as water consumption and waste segregation.
- 7.45. The proposal would therefore accord with Policy SD48 of the SDLP and Policy PL4 of the LNP.

**Highway, access, parking and cycling**

- 7.46. Policies SD19 and SD22 promote the use of sustainable modes of transport and require

developments to provide an appropriate level of private cycle and vehicular parking.

- 7.47. As set out in the submitted Transport Statement, when the hotel and annexe were in single ownership there was an unregulated control of traffic movement and parking within the site and the parking spaces were available for use by both the hotel and annexe.
- 7.48. Officers note the comments received from third parties citing both the proposed development's lack of parking provision and its over-supply in this location. The County Highway Authority have been consulted on the proposal and have provided advice as set out below.

**Access**

- 7.49. This site is currently accessed via three access routes: the main access via an undercroft from the High Street, a side/eastern access between nos. 25 and 27 Station Street (known as Marlborough Place) and between nos. 29 and 30 Station Street. The Highway Authority consider the visibility of the access onto the High Street to be good. The Marlborough Place access has acceptable visibility, but it is recognised that this access is narrow.
- 7.50. Officers note the concerns raised regarding vehicles accessing and egressing the site. It is a material consideration that the existing site provides parking for 35 vehicles. Whilst it may be the case that this volume of vehicles has not utilised the site for some time, it is a material consideration that this was how the site was used, historically. The Highway Authority consider that the proposal would not cause a significant increase on the previous use of this site.
- 7.51. All three existing access points are of single vehicle width. The Highway Authority recognise that there are no options to widen any of these access points owing to existing built form. However, they do highlight an opportunity for an 'in and out' system to avoid vehicles meeting head on when entering and leaving the site. The applicant has not explored this option, however and nonetheless the Highway Authority consider that the current arrangement is acceptable given the low level of trips rates that are likely to occur.
- 7.52. Officers note the comments received regarding the refuse/recycling arrangements. The Highway Authority recognises that the current refuse/recycling collection arrangements involve the refuse vehicles stopping on Station Street. The application proposes the provision of a dedicated bin storage in close proximity to Station Street, as such the current arrangements will still apply and are therefore acceptable.
- 7.53. Officers also note the comments relating to construction access. It is acknowledged that this site is very constrained, in a town centre location. Notwithstanding this, the Highway Authority have recommended a condition requiring the submission of a Construction Transport Management Plan to ensure that the process is managed appropriately, in the interests of highway safety and neighbouring amenity.

**Parking**

- 7.54. Third party comments have been received raising concern that too much parking is proposed, and conversely, that not enough would be provided. When operating as one Hotel entity, there were 49 letting rooms with access to 35 parking spaces. The proposal would see the loss of 25 parking spaces, providing a total of 10 on the whole site (for the hotel and for the dwellings). Presently, the White Hart Hotel does not provide parking for guests. This is made clear on their website. Instead, they direct guests to the various pay-and-display car parks within the town. Four spaces are provided at the hotel for staff.
- 7.55. Six parking spaces are provided for the development itself, one per dwelling and one visitor space. The Highway Authority consider that the vehicular spaces in front of the dwellings allow for vehicles to turn within the site and exit in a forward gear. The application site is in a highly sustainable town centre location with access to a variety of shops and services. The Highway Authority notes that the site is approximately 200m from Lewes Train Station and

has bus stops 30m and 100m away, providing services to Lewes, Heathfield, Uckfield and Brighton. On this basis, the reduction in spaces technically available to the neighbouring hotel use and number and arrangement of parking spaces is considered acceptable, subject to a number of conditions.

**Cycling**

- 7.56. The Highway Authority advise that 15 cycle spaces should be provided (one per bedroom). The submitted plans include storage for two cycles per dwelling in the garden rooms/stores and a further cycle space per dwelling in separate cycle storage to the front of the dwellings. The cycles stored at the rear of the dwellings would be wheeled up the ramp to the east of the dwellings. Full detail of the cycle storage and ramp would be secured via condition; however, the principle of these storage solutions is considered acceptable.

**Summary**

- 7.57. In summary, the existing use of the site is a material consideration as is its sustainable location. The access, layout and parking provision for both vehicles and cycles is considered acceptable. The Highway Authority raises no objection to the proposed development subject to a number of conditions. On this basis, the proposal is considered acceptable and in accordance with Policies SD19 and SD22.

**Amenity**

- 7.58. Policy SD5 k) requires proposals to have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.

**Neighbouring occupiers**

- 7.59. Concerns have been raised with regard to neighbour amenity in relation to the proposed office rooms in terms of their height and presence as well as overlooking from the proposed roof terrace and balconies. As noted elsewhere in the report, the proposal was amended to remove access to the roof (except for servicing).
- 7.60. With regard to the height of the building in terms of neighbouring amenity, it is recognised that the building will be taller than the existing annexe. However, the proposed terrace of dwellings is in broadly the same location as the annexe and the bulk of the additional height comes from the proposed office rooms which are set 2.5m back from the rear elevation, 2.7m from the front elevation. Aside from the parapet walls, the main part of the proposed building is approximately the same height as the existing annexe, not including the existing structure on the eastern side which was mentioned in a number of representations. On this basis, and owing to the surrounding built form in this town centre location, Officers are satisfied that the height of the building will not appear overbearing or result in a loss of light or outlook over and above the existing annexe.
- 7.61. It is a material consideration that for some time there has been an existing building in place, with fenestration at the front and rear providing the opportunity for oblique views into neighbouring properties. With regard to the concerns raised regarding overlooking and loss of privacy, the use of the roof terraces as private amenity space for future occupiers has been removed. The roofs will only be accessible for servicing requirements, and this will be strictly controlled by condition. Following discussions with Officers, the internal configuration of the office rooms has been altered so that the access doors are now at the sides not at the front or rear onto the terrace. Further, any glazing which faces the sides will be obscure glazed to prevent intervisibility and this will be secured via condition. With regard to the first-floor rear balconies, a scheme of privacy screening is to be secured via condition which will ensure that an appropriate mechanism is in place to prevent direct views into neighbouring properties. Oblique views into neighbouring gardens may be possible but this situation is considered to be no worse than the existing situation. The rear balcony closest to St Michael's Rectory will be non-accessible and this will be secured by condition.

- 7.62. It is noted that the proposed ground floor and first floor balconies (as viewed from the rear) would extend beyond the rear elevation of St Michael's Rectory by approximately 3m. It is acknowledged that this will slightly alter the relationship between the two properties, however this is considered to not result in material harm by way of overbearance or loss of light to the neighbouring occupiers.
- 7.63. Officers note the concerns raised by neighbouring occupiers regarding the impact of the proposed development in terms of disruption from the construction process, as well as ongoing noise and disturbance from the development and comings and goings. It must be acknowledged however that disturbance caused during construction is not a material planning consideration as it is transitory. A condition controlling hours of construction is recommended.
- 7.64. Concerns raised regarding noise and disturbance from the occupation of the dwellings is noted, however the existing use of the site is a material consideration, as is the town centre location. Any civil disturbances should be reported and dealt with via the usual channels.
- 7.65. The comments received regarding the potential impact of construction works on the historic boundary wall are noted and have been addressed in the 'Heritage Considerations' section above, with a condition recommended.

**Future occupiers of the site**

- 7.66. The proposed dwellings are large, 3-bedroom dwellings over 4 storeys (utilising the slope of the land). The dwellings would meet and exceed the technical space standards. Each dwelling would be provided with private amenity space in the form of a rear garden and a modest balcony at first floor. As above, a scheme of privacy screening is recommended between the balconies to ensure that there is no harmful overlooking between properties. Similarly, obscure glazing on the side elevations of the office rooms will prevent any loss of privacy.
- 7.67. Officers note the comments regarding the need for dedicated 'office' space within dwellings, given the supply of office space within Lewes. Home or remote working is now commonplace, and it is not unreasonable for this to be sought within the development, particularly as this can reduce car travel and support the local economy.
- 7.68. It is recognised that the garden spaces provided would be modest, however this is also commonplace in a town centre location, and it is considered to be a positive of the proposal that these spaces are provided. These spaces would provide a degree of private outdoor space for future occupiers, with the associated wellbeing and biodiversity benefits. On this basis, the proposed dwellings are considered to provide a good standard of accommodation, in a sustainable town centre location.

**Dark Skies**

- 7.69. Policy SD8 requires proposals to take all opportunities to reduce light pollution and ensure that the measured and observed sky quality in the surrounding area is not affected.
- 7.70. The site is located within the Dark Skies Transition Zone (EIb). Conditions in this zone will be variable and while the skies are relatively brighter, it is still important to reduce light pollution.
- 7.71. The application is supported by a 'Light Pollution Survey' which makes a number of recommendations regarding a lighting strategy and blackout blinds for the pop-up office rooms. It is considered appropriate to attach a condition requiring the submission of a full lighting strategy and scheme of blackout blinds to be submitted and considered by Officers.

**Trees, Ecology, Biodiversity Net Gain and provision of Ecosystem Services**

- 7.72. Policies SD2, SD9, SD11 and SD45 support proposals that conserve and enhance biodiversity, trees and woodland, and green infrastructure; retain, protect and enhance features of biodiversity and supporting habitat, and identify and incorporate net gains for

biodiversity and green infrastructure. Policy LE2 of the LNP sets out that development proposals will be expected to demonstrate how they will provide a net gain in biodiversity, habitats and species on the site, over and above the existing biodiversity situation.

**Trees**

- 7.73. The application site is not subject to any individual or group Tree Protection Orders, but the site is within the Lewes Conservation Area. The application is supported by a ‘Tree Assessment and Arboricultural Method Statement’ by HCUK Group dated July 2024. The application site features a number of trees along the southern and western boundaries which are currently constrained by boundary treatment and hardstanding. The trees are mainly early mature or mature specimens. The site also features native scrub vegetation, brambles and other native ground cover vegetation.
- 7.74. Some concerns had been raised by the County Ecologist and the Authority’s Design Officer regarding the impact on trees within the site. There was some initial uncertainty regarding an existing tree which currently overhangs onto the hardstanding behind the building.
- 7.75. The submitted report surveyed 9 trees within and outside of the site. None of the trees were considered to be of good (Category A) quality, one was moderate (Category B), 7 low quality (Category C) and one was a Category U. The report concludes that two trees should be removed, and the others should be protected during the construction process. Conditions are recommended to ensure compliance with the recommendations set out in the Tree Protection Plans during demolition and construction. The indicative ‘Landscaping Strategy’ proposes additional tree planting which is welcome. As above, it is recommended that a condition be attached to any approval of permission, requiring the submission of a revised landscaping plan which incorporates details on the additional planting to ensure that the scheme is suitable and likely to thrive when built out. The proposal would therefore be in accordance with Policy SD11 of the SDLP and Policy LE2 of the LNP.

**Protected species**

- 7.76. The County Ecologist has been consulted on the proposed works. The application is supported by an Extended Phase I Habitat Survey and A Bat Survey Report (by AEWL Ltd dated January 2025) which notes that the site comprises predominantly a building and hardstanding, with bands of introduced shrub, bramble scrub and trees present, including to boundaries. There are piles of brash/compost and dumped rubbish in areas. No roosting bats were recorded during emergence surveys but, as the report notes, bats are highly mobile, and unidentified roosts could still be present. The Ecologist supports the recommendations set out in the submitted reports but notes that if any bats or evidence of bats are found then all works should cease, and advice should be sought from a suitably qualified ecologist.
- 7.77. A number of other recommendations are made within the submitted reports which are supported by the Ecologist. A number of conditions are recommended to be attached to any approval to ensure that works are carried out in accordance with the recommendations and mitigation strategies proposed. Therefore, in accordance with Policy SD9 of the SDLP and Policy LE2 of the LNP.

**Biodiversity Net Gain (BNG)**

- 7.78. Legally mandatory BNG came into effect for major development in February 2024, and the proposed development would be required to provide 10% BNG. This is also supported by SDNP Policy SD9 which requires it to be demonstrated that development proposals identify and incorporate opportunities for net gains in biodiversity.
- 7.79. The application is supported by a Biodiversity Net Gain Assessment by AEWL Ltd dated January 2025 and an accompanying Statutory Biodiversity Metric and Condition Assessment. These state that the proposal will achieve 2.32% gain in area habitats onsite. Offsite measures are proposed to achieve the minimum 10% required and to meet the trading rules. The County Ecologist has confirmed that this is acceptable in principle but raises a few

queries which require additional information or clarification.

- 7.80. In response to the queries raised by the Ecologist, the applicant has provided a biodiversity 'Statement of Intent' which sets out that as the required 10% gain cannot be achieved on site, it is their intention to purchase credits at a habitat bank within the National Park. On the basis of the information submitted to date, it is considered that the on-site BNG would not be 'significant', as such the additional information can be addressed through the discharge of the mandatory biodiversity gain condition as this requires the submission of an updated Metric, amongst other details. As part of this process, the applicant will also be required to demonstrate that they have acquired appropriate off-site credits.

**Summary**

- 7.81. The County Ecologist advises that, provided that appropriate mitigation, compensation and enhancement measures are implemented, in line with the ecological reports, the proposals can be considered acceptable from an ecological perspective. Further details of enhancements should be provided in an Ecological Design Strategy (EDS) (condition recommended). There are some matters relating to BNG that require amendment/further information. In the event of a grant of planning permission, these matters should be addressed as part of the mandatory BNG condition.

**Flood risk and drainage**

- 7.82. Policy SD50 SuDS supports development proposals that ensure against the increase of surface water run-off, taking account of climate change. Furthermore, Policy SD49 states that proposals should seek to reduce the impact and extent of flooding.
- 7.83. The application is supported by a Drainage Technical Note (and associated detail) by Mason Navarro Pledge, dated September 2024 and a Geotechnical Ground Investigation Report by AVZ GeoEng Ltd dated April 2024. The ground investigation has identified that there is scope to use infiltration on site.

**Surface water**

- 7.84. In terms of surface water drainage, the proposed development includes the provision of rain gardens, green roofs on the garden buildings, water butts and the removal of existing hardstanding to be replaced largely by lawn. Permeable paving would also be used. These are all welcome features. Surface water would latterly be discharged to soakaways at the top and bottom of the site. The Authority does not ordinarily encourage the use of soakaways for surface water drainage, preferring solutions with multi-functional benefits. However, the constrained, brownfield nature of the site is recognised. Southern Water have advised that no new soakaways should be located within 5m of a public or adoptable gravity sewer, rising main or water main.
- 7.85. The site is located in a Source Protection Zone (Zone II (Outer Protection Zone)), where the principal rule is to avoid the contamination of groundwater catchments. Southern Water have advised that all groundwater related risks must be considered and appropriately mitigated. A pre-commencement condition is recommended for the submission of full drainage details which must, amongst other matters, consider and mitigate for ground water related risks. The drainage scheme should include maintenance plans and schedules.

**Foul drainage**

- 7.86. Foul water would be discharged to the public sewer on St Andrew's Lane. Southern Water have advised that their records show that there is a public foul sewer within the application site which means that there would be a restriction of 3 meters of the external edge of the sewer without consent. A formal application for a connection to the public sewer should be made by the developer, to Southern Water.

**Summary**

- 7.87. The application site is currently occupied by a large building and impermeable hardstanding. The proposed development would reduce the hardstanding and would introduce a number of welcome SuDS features including several 'at surface' solutions. This is considered to be an improvement on the existing situation. The proposal is considered to accord with Policies SD49 and SD50 in this regard.

**Other Issues raised by Third Parties**

- 7.88. Officers note the various concerns raised regarding the application however it is noted that all applications must be assessed on their own individual merits.
- 7.89. The concerns raised regarding the owner/developer's credentials are not material planning considerations.
- 7.90. There is nothing in the submission to suggest that the proposed dwellings would be used as holiday lets, and indeed this is not referenced in the description of development.
- 7.91. There is nothing in the submission to suggest that the proposed dwellings would be used as commercial office space.

**Planning Balance and Conclusion**

- 7.92. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the policies in the Development Plan, unless material considerations indicate otherwise. In a National Park, the acceptability of any proposal also depends on whether it is capable of meeting the statutory purposes and duty.
- 7.93. Officers acknowledge the level of public interest in the site and have sought to summarise the key concerns in the above report. It is recognised that the site is highly constrained and the re-development of the site will alter the experience of the site by neighbouring occupiers, both visually and during the construction process.
- 7.94. However, it is an important material consideration that in the 'plan led' system that the application site is located within the developed/town centre area of Lewes, thus development is acceptable in principle. Further, the site is already occupied by a substantial, dilapidated building that is not maximising the use of this highly sustainable location nor is it making a positive contribution to the character of the site and the Conservation Area.
- 7.95. It is recognised that the proposed building would alter the relationship between the application site and the surrounding built form. The proposed building would be taller than the existing annexe which may make it more visible from the public realm, both from short and longer range views. However, Officers are satisfied that, on balance, the proposed building will have an acceptable appearance and will not result in a harmfully overbearing addition. Officers are satisfied that there would be no harm to the significance of adjacent heritage assets or their setting, and the character and appearance of the Conservation Area is preserved.
- 7.96. The scheme is considered to be acceptable with regard to matters such as materials, highway safety, vehicle and cycle parking, impact on neighbouring amenity, drainage and ecology. 10% BNG would be achieved on-site and via the purchase of credits from a habitat bank within the National Park. A commuted sum towards affordable housing would be secured.
- 7.97. The proposal is considered to accord with the Development Plan and is recommended for approval on this basis, subject to the matters set out below.

**8. Reason for Recommendation and Conditions/Reasons for Refusal**

- 8.1. It is recommended:

**1) That planning permission be granted subject to:**

- i. **The satisfactory completion of a Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, to secure:**
    - **£112,117 financial contribution equivalent to one unit to be used towards the provision of affordable housing in the South Downs National Park, as set out in the report.**
  - ii. **The conditions set out at Paragraph 8.1 of the report and any amendments or other conditions as required and/or as required to address technical matters.**
- 2) **That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the Section 106 Agreement is not completed or sufficient progress has not been made within 6 months of the 13 November 2025 Planning Committee Meeting.**

### **Planning Conditions and Reasons**

#### Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

#### Approved plans and documents

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.

#### Materials

3. No development above slab level shall be commenced unless and until a schedule of materials and samples of such materials, finishes and colours to be used for external walls, windows and doors, roofs, rainwater goods, ducts, meter boxes and services for the proposed buildings, have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved. The materials shall use characteristic and locally appropriate materials. Thereafter the approved schedule of materials shall be adhered to in full.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

#### Amenity

4. Prior to the occupation of the first dwelling, a scheme of first floor (when viewed from the rear) balcony screening shall be submitted to and approved in writing by the Local Planning Authority. The screening shall be to a height of 1.8m and shall prevent intervisibility.

The screening shall be installed prior to the occupation of the relevant unit and retained in this form in perpetuity.

Reason: To safeguard the privacy of the occupiers of the adjoining and adjacent properties.

5. At no time, with the exception for essential maintenance, shall the second-floor roof terraces be used as private amenity space. The access doors shall remain closed and locked at all times.

Reason: To preserve the residential and visual amenities of the locality.

6. At no time, with the exception for essential maintenance, shall the first floor balcony for the most westerly dwelling adjacent to St Michael's Rectory be used as private amenity space.

Reason: To safeguard the privacy of the occupiers of the adjoining and adjacent properties.

7. Before the first occupation of the dwellings all side facing fenestration shall be fitted with obscure glazing and shall be non-opening below 1.7 metres from the finished floor level of the room in which the fenestration is installed. The fenestration shall be permanently retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining and adjacent properties.

8. Demolition or construction works shall take place only between 8am until 6pm on Monday to Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: To preserve the residential and visual amenities of the locality.

#### Dark Skies and amenity

9. Prior to development above slab level a scheme of external lighting to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall:

- i) Comply with the guidance set out in the SDNPA's Dark Night Skies TAN;
- ii) Be designed to minimise impacts on wildlife and the countryside edge in accordance with Guidance Note 08/23: Bats and artificial lighting at night.

Thereafter, the lighting shall be installed, maintained and operated in full accordance with the approved details.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve and wildlife in accordance with SD8 and SD9.

10. Prior to development above slab level, details of low transmission, non-reflective glazing and automated black-out blinds shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out, used and retained in full accordance with the approved details.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve and wildlife in accordance with SD8 and SD9.

#### Landscaping and trees

11. Prior to development above slab level, a detailed scheme of planting proposals shall be submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting 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 otherwise agreed in writing by the Local Planning Authority. The scheme design shall include specifications of the green roofs and seeding or turfing (as appropriate).

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

12. Prior to the commencement of the development hereby permitted, measures for the protection of the trees to be retained as outlined in the submitted 'Tree Protection Plan (Demolition)' (03 REV A) and 'Tree Protection Plan (Construction) (04 REV A)' shall be implemented and retained in position for the duration of the construction works.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

#### Archaeology

13. 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 enable the recording of any items of historical or archaeological interest, in accordance with policies SD12 and SD16 of the SDNP Local Plan and the NPPF.

14. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Local Planning Authority. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 13.

Reason: To enable the recording of any items of historical or archaeological interest, in accordance with policies SD12 and SD16 of the SDNP Local Plan and the NPPF.

#### Heritage

15. Prior to the commencement of development, a full Construction Method Statement must be submitted to and approved in writing by the Local Planning Authority, detailing how the demolition and construction works will protect the adjacent properties on the eastern boundary of the site which front Station Street and the historic flint wall on the eastern boundary of the site during the works. The Statement must include how physical impact, reverberation and foundation impacts will be avoided. The works shall be carried out in strict accordance with the approved Method Statement for the duration of the construction works.

Reason: In the interests of preserving the character and appearance of the area.

#### Highway, parking and cycling

16. No development shall be occupied until the vehicular accesses serving the development are opened in accordance with drawing no (Ref: 23040-AVA-WHHAXX-DR-2000).

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

17. The development shall not be occupied until parking areas have been provided in accordance with the approved plans which have been submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

18. The proposed parking spaces shall measure at least 2.5m by 5m (with an additional 50cm where spaces abut walls).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

19. The development shall not be occupied until cycle parking areas have been provided in accordance with plan no 23040-AVA-WHHA-XX-DR-20002, in accordance with details to be submitted to and approved in writing by the Planning Authority in consultation with the Highway Authority. The areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

20. No development shall take place, including any ground works or works of demolition, until a Construction Transport 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:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and egress and routeing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- 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)
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

21. The development shall not be occupied until details of the proposed cycle ramp have been submitted to and approved in writing by the Local Planning Authority. The cycle ramp shall be retained in accordance with the agreed details.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

#### Sustainable Construction

22. Prior to the commencement of the development hereby permitted, detailed information in a Design-Stage Sustainable Construction Report in the form of:

- 1) Design-stage SAP 10 assessments for each dwelling and
- 2) Design-stage BRE water calculator for each dwelling and
- 3) Product Specifications (including EV, ASHP, PV and materials); and
- 4) Grown in Britain or FSC certificates and
- 5) Sustainable materials strategy and building design details and
- 6) Landscape and Layout Plans showing the enhancement of tree cover, hedges and water features, native and low water use planting.

Demonstrating that each dwelling will:

- a) Reduce predicted CO2 emissions using energy efficiency in the building fabric and low and zero carbon technologies by a minimum of 12% in total (Part L1A 2021) supported by design stage SAP 10 assessments for each residential unit.
- b) Have at least 5 no. EV charge points (1 per car parking space) with a minimum power rating output of 7kW and a universal socket; and
- c) Have predicted water consumption of no more than 110 litres/person/day per dwelling; and
- d) Have separate internal bin collection for recyclables matching local waste collection services, and
- e) Provide external private compost bins for each dwelling with a garden; and
- f) Show how the dwellings have been designed to adapt to climate change and minimise overheating risk and
- g) Provide evidence demonstrating a selection of sustainable materials (including for all timber to be certificated “Grown in Britain,” FSC or PEFC certified and the use of recycled aluminium) shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the development shall be built in accordance with these agreed details.

Reason: To ensure development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

23. Before one month after the first occupation of the development hereby permitted, detailed information in a Post Construction Stage Sustainable Construction Report demonstrating how the development has been carried out in accordance with all the requirements set out in Condition No.1 (above) shall be submitted to, and approved in writing by, the Local Planning Authority. This documentary evidence shall include, but not be limited to, As Built SAP 10 assessments, photographic evidence of materials etc and other assessments.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

#### Ecology

24. All ecological measures and/or works should be carried out in accordance with the recommendations in the Extended Phase 1 Habitat Survey (AEWC Ltd., 24-061-PEA – v2, January 2025) and Bat Survey Report (AEWC Ltd., 22/01/2025), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, to protect species and habitats from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended and the Conservation of Habitats and Species Regulations 2017, as amended.

25. No development shall take place until an ecological design strategy (EDS) addressing ecological compensation and enhancement, to include the provision of bird and bat bricks/boxes in accordance with section 7 of the Biodiversity Net Gain Assessment (AEWC Ltd., 24-061-BNG-V2, 27/01/2025) and soft landscaping of value to wildlife, has been submitted to and approved in writing by the local planning authority. Thereafter, the EDS shall be implemented in full accordance with the approved details.

Reason: To ensure provision of measures considered necessary to compensate for the

loss of habitats and enhance the site to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187 and 193 of the NPPF (December 2024) and local policy.

Drainage

26. No development shall commence until a drainage scheme detailing the proposed means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority. These details shall include a maintenance plan with management responsibilities or confirmation from the sewerage company confirming connection is agreed. Thereafter the development shall be carried out in full accordance with the approved details. No dwelling shall be occupied until the drainage system has been implemented in accordance with the agreed details, which shall be retained thereafter.

Reason: To ensure satisfactory provision of foul water drainage. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

27. Prior to the commencement of development hereby permitted, details of the proposed surface water drainage and means of disposal, including on and/or off-site works, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a hydrogeological impact assessment, or similar, to ensure all groundwater related risks are considered and appropriately mitigated. The scheme shall subsequently be implemented in full accordance with the approved designs and retained thereafter.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, biodiversity and amenity benefits, in accordance with SD2, SD17 and SD50, and the SDNPA Design Guide SPD. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

28. No development above slab level shall commence unless and until a maintenance and management plan for the entire drainage system and surface water attenuation features shall be submitted to and approved in writing by the Local Planning Authority to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall include the following:
- i) Clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and evidence that the appropriate authority is satisfied with the submitted details;
  - ii) Evidence that the responsibility arrangements will remain in place throughout the lifetime of the development.

All works shall be undertaken in full accordance with the agreed details and implemented throughout the lifetime of the development.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, biodiversity and amenity benefits, in accordance with SD2, SD17 and SD50, and the SDNPA Design Guide SPD.

Biodiversity net gain

29. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority; and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be the South Downs National Park Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, Policy SD9 of the South Downs Local Plan (2014-33) and the SDNPA Biodiversity Technical Advice Note.

### Informatives

#### **1. Section 106 Legal Agreement**

This permission is subject to an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).

#### **2. Community Infrastructure Levy**

The proposed development referred to in this planning permission is liable to pay the Community Infrastructure Levy (CIL).

In accordance with CIL Regulations 2010 (as amended), the South Downs National Park Authority will issue a Liability Notice in respect of the chargeable development referred to in this planning permission as soon as practicable.

Please note that failure to comply with the CIL Regulations may result in you forfeiting any reliefs which might be available.

Further details on CIL can be found on the South Downs National Park Authority website. If you have any further questions, then please email [CIL@southdowns.gov.uk](mailto:CIL@southdowns.gov.uk).

#### **3. Pre-commencement Conditions**

This permission contains pre-commencement conditions which require specific matters to be approved by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development / works cannot be made until the particular requirements of the pre-commencement conditions have been met.

Please be advised that a formal consent will need to be made to discharge the details of these conditions. This process may be subject to a fee.

Please also note that this approval process may take up to 8 weeks from the date of the request.

#### **4. Approved Plans**

The development hereby permitted must be carried out in accordance with the approved plans and specifications unless the prior approval in writing of the Local Planning Authority has been obtained.

If changes are proposed, you should first contact the Local Planning Authority to obtain the necessary approval. Any changes carried out without permission may render the applicant / developer liable to enforcement, stop notice or other legal proceedings in order to rectify

the matter.

## 5. Wildlife and Countryside Legislation

Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9. These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September.

You are advised to contact Natural England for further information.

## 6. Commencement Notices

Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a ‘commencement notice’ must be served on the Local Planning Authority – subsections (2) and (3) are set out below:

- (1) Before the development is begun, the person proposing to carry it out must give a notice (a “commencement notice”) to the local planning authority specifying the date on which the person expects the development to be begun.
- (2) Once a person has given a commencement notice, the person—
  - may give a further commencement notice substituting a new date for the date previously given, and
  - must do so if the development is not commenced on the date previously given.

The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.

Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:

- (1) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.
- (2) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.
- (3) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**PLEASE NOTE:** The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured

through the signed Section 106 Legal Agreement.

## **7. Building Regulations**

Compliance with the Building Regulations will be required and before commencing works, it is recommended that discussions take place with the Building Control section of Lewes District Council.

Where a building regulations approval differs from your planning permission, you should discuss this matter with the Local Planning Authority.

## **8. Highways**

- 1) The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. The applicant should contact East Sussex Highways (0345 6080193).
- 2) Due to the availability of and demand for on-street parking in the vicinity of the site applicant should be made aware that on-street parking permits are not likely to be issued for this site. The applicant should be aware that in accordance with Article 23 of the Lewes Parking Order dated 28th December 2007, residents of this development are unlikely to be eligible for on-street parking permits.
- 3) The applicant is advised that the New Roads & Street Works Act 1991 (NRSWA), as amended by the Transport Act 2000 and the Traffic Management Act 2004 (TMA), contains provision for highway authorities to operate lane rental schemes that involve charging developers for the time their works occupy the highway on the busiest roads (approximately 6%) within the County. In accordance with the Scope of the East Sussex Lane Rental Scheme (ESLRS), East Sussex County Council (ESCC) will apply a daily charge for the duration of the specified activities carried out by developers/contractors at specified locations during the specified times and days. Further information can be found here: <https://live.eastsussexhighways.com/services/east-sussex-lane-rental-scheme>

### **TIM SLANEY**

#### **Director of Planning**

#### **South Downs National Park Authority**

Contact Officer: Philippa Smyth

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Email: [Philippa.Smyth@southdowns.gov.uk](mailto:Philippa.Smyth@southdowns.gov.uk)

Appendix: I – Information concerning consideration of applications before committee

SDNPA Consultees: Director of Planning, Legal Services

Background Documents: [All planning application plans, supporting documents, and consultation and third party responses](#)

