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## Appeal Decision

Site visit made on 29 November 2017

**by Mr Kim Bennett DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 December 2017**

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**Appeal Ref: APP/Y9507/D/17/3181643**

**Garden Cottage, King Henry's Road, Lewes BN7 1BU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs S Ong against the decision of South Downs National Park Authority.
  - The application Ref SDNP/17/01739/HOUS, dated 31 March 2017, was refused by notice dated 23 May 2017.
  - The development proposed is the enclosure of existing courtyard to create an orangery.
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### Decision

1. The appeal is allowed and planning permission is granted for the enclosure of existing courtyard to create an orangery at Garden Cottage, King Henry's Road, Lewes BN7 1BU in accordance with the terms of the application, Ref SDNP/17/01739/HOUS, dated 31 March 2017, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: drawing no. 517/005/01/A.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Conservation Area.

### Reasons

3. Garden Cottage comprises an attractively designed detached dwelling located on the west side of King Henry's Road. It is set back from the road and at a higher level. The immediate character of the area is wholly residential but with a variety of architectural designs. The site forms part of the much larger Lewes Conservation Area.
4. The Authority is concerned that the asymmetrical glazed roof of the proposed orangery would appear awkward and relate poorly to the existing dwelling. However, because the wall in front of it would be rebuilt with matching brickwork to the main house, the area of roof visible from outside of the site would be less than 1.5 metres in height. It would also be viewed against the backdrop of a much larger gable ended extension to the rear, and would not

compete visually with the more dominant architectural features of the property such as the main half hipped roof, the roof of the garage or the front dormers. Although I acknowledge the asymmetrical roof would appear different from other architectural features, the proposed use of black powder coated aluminium would help to integrate it with the black window frames of the existing dwelling. Through a combination of the above factors, it would be a recessive and subservient feature and would cause no harm to the character of the existing property as a result.

5. Additionally, because the property is well set back from the road and partially screened by evergreen trees and front boundary evergreen hedging, there would at best be glimpsed views only of the area of roof, and then at a distance of approximately 15 metres from the public footpath.
6. Because of its location within the Conservation Area, I have given special attention to the statutory duty to preserve or enhance the character or appearance of that area. In that respect, I note that the property was not identified as a building of Townscape merit in the Conservation Area appraisal. I also noted that whilst the flint walls along the road make a significant contribution to the character of the area, the buildings in the immediate area are quite varied in design. Adjoining to the south for example are two much larger and imposing detached properties, whilst to the north is a contemporary largely flat roofed property. On the opposite side of the road there are a variety of designs and roof forms and with buildings of different scale. Given these circumstances, and having regard to the minor nature of the works themselves, coupled with the fact that the orangery would be hardly visible from the street scene, I find that the character and appearance of this part of the Conservation Area would be preserved.
7. Having regard to the above, the proposal would comply with Saved Policies ST3, H5 and RES13 of the Lewes District Local Plan 2003 in that it would complement the existing building in terms of materials and design, would not result in detriment to the character of the area and would also conserve the historic character and appearance of the Conservation Area.
8. A condition requiring the development to be carried out in accordance with the approved plan, is required in the interests of certainty.
9. Accordingly, the appeal is allowed and planning permission granted.

*Kim Bennett*

INSPECTOR