



Appeal Decision

Site visit made on 1 April 2019

by J Slominski BA(Hons) MCD

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/Y9507/D/18/3219432

57 Russell Row, Lewes, East Sussex, BN7 2EE

- 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 Mr Alex Farran against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/18/02107/HOUS, dated 19 April 2018, was refused by notice dated 8 October 2018.
 - The development proposed is Erection of conservatory on the east elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the existing house and street scene.

Reasons

3. The appeal site is an end of terrace house with gardens on three sides, on the corner of Russell Row and Old Malling Way. Old Malling Way is a residential street with housing of various designs and orientations to the street. Russell Row is a pedestrian footpath which serves as the main pedestrian access to the houses on either side.
4. The front entrance of no.57 is on the east elevation facing Russell Row, and is highly visible from Old Malling Way.
5. To the north of the front door is a landscaped garden with a low boundary fence. To the south of the front door is a high timber fence, enclosing the gardens to the side and rear of the house, and separating the garden from Russell Row. The visual effect of the site layout and boundary treatments is to clearly demarcate the north and north east portions of the garden as a "front garden" and the south and south east portions of the garden as a "rear garden" bound by a high fence and containing several outbuildings. Although these two garden areas are visually demarcated, the appearance of no.57 in the street scene is of a house set back behind gardens.
6. Russell Row is a main pedestrian thoroughfare which gives the only pedestrian access to the entrances of the houses on Russell Row. The east elevation of no.57 is approximately aligned with the front elevations of the houses at 47 to

55 Russell Row resulting in a well-defined building line and a spacious gap between the buildings on either side of Russell Row. As noted above, there are high fences and outbuildings which come forward of that building line, however those features are small and unobtrusive and read visually as part of a garden.

7. The proposed conservatory would be a substantial structure which would read visually as part of the house, and would pull the east elevation of the house substantially forward of the existing building line. Although it would have a visually lightweight appearance, it would be highly visible from both Russell Row and Old Malling Way and would be a prominent feature within the street scene. It would result in the erosion of a landscaped gap between the house and the footpath and would fail to respect the locally distinctive design characteristics, in particular the building line and site layout.
8. Policy SD5 of the South Downs Local Plan permits development proposals which respect the local character, through sensitive and high-quality design that makes a positive contribution to the overall character and appearance of the area. As the proposed development would not respect the local character, rhythm and appearance of the property and street scene, it would not comply with Policy SD5.
9. Although the proposed conservatory would be partially screened from public view by the 1.8m high fence, it would still be visible over the fence, and the presence of the fence would not overcome the harm caused.
10. I therefore find that the proposed development would not comply with the development plan and consequently the appeal is dismissed.

Jan Slominski

INSPECTOR