



Appeal Decision

Site Visit made on 28 July 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 AUGUST 2021

Appeal Ref: APP/Y9507/W/21/3268358

3 Friars Mews, Pinwell Road, Lewes BN7 2LW

- 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 Paul Oakley against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/01827/HOUS, dated 9 May 2020, was refused by notice dated 24 July 2020.
 - The development proposed is replacement of the existing first floor living room wooden French doors with UPVC wood effect two panel sliding doors.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. I have used the description of the proposal from the Council's decision notice. It adequately and simply describes the proposed development instead of the much longer and detailed description given on the application form.
3. It is clear from the submitted plans and evidence that this appeal relates to 1, 2 and 3 Friars Walk and I have considered the appeal on this basis. The application form lists Mr Paul Oakley of 3 Friars Mews as the applicant and I have reproduced this in the banner heading. However, for clarification Mr Oakley is also acting as the agent for nos 1 and 2.

Main Issue

4. The main issues are whether the proposed development would preserve or enhance the character or appearance of the Lewes Conservation Area (CA) and whether it would address climate change mitigation.

Reasons

Lewes Conservation Area

5. As a whole the significance of the CA derives from the topography, historic buildings curved and undulating streets and open spaces of this historic market town. Its positive characteristics include the use of traditional materials such as timber for window frames.
6. 1-3 Friars Mews, along with properties in Court Road which are outside the CA boundary, form part of a modern residential development. Due to their location set back from the main route of Friars Walk and their appearance which includes casement windows this group is notably separate to the historic

buildings in the CA, albeit that the design, scale and siting of the properties appear to preserve the significant features of the CA. Due to the similarities in their design and detailing these three properties together form an attractive, coherent group.

7. The proposed development would replace the first-floor wooden patio doors with UPVC materials. Although they are in timber the existing first floor patio doors are not traditional in their appearance and therefore their loss would not result in harm to this positive characteristic of the CA. The proposed wood-style UPVC would not be noticeably different to the existing materials and, given this specific context, would preserve the character and appearance of the CA in this respect.
8. The intention is for work at 1-3 Friars Walk to be undertaken simultaneously and the owners of these three properties understand this proposal. However, any planning permission would run with the land and these ownerships could change. Furthermore, conditions securing this are likely to be difficult to enforce. Taking into account that the three properties are in separate ownership I find that to be the case in this instance. Therefore, I am not presented with any mechanism, such as a legal agreement, to secure that the works to number 1, 2 and 3 would all be completed.
9. Consequently, I am not satisfied that the works would be completed to all the dwellings. As such the proposed development would result in varied frames and styles of openings to the windows in this group. This would result in an inharmonious mix of window styles in this highly visible position resulting in an incoherent and jarring appearance to this terrace. This would be harmful to the appearance of the host dwellings and consequently to the surrounding CA in this respect.
10. As such, the proposed development would not preserve or enhance the character or appearance of the CA. Heritage assets are irreplaceable and great weight should be given to their conservation. Having regard to my statutory duty, I attribute considerable importance and weight to the harm that would arise in this case. I quantify the harm identified as less than substantial, due to the scale of the development. The National Planning Policy Framework July 2021 (the Framework) directs that such harm should be weighed against the public benefits of the scheme.
11. The new doors would require less maintenance and prevent rainwater entering these properties, which is a problem with the existing windows which I understand cannot be repaired. This is a benefit of the proposed development. However, this is mainly a private benefit. On the other hand, I have identified public and permanent harm to the character and appearance of the area, to which I attribute considerable importance and weight. Accordingly, the public benefits would not outweigh the harm to the CA. As such, the appeal scheme is not sustainable development in the terms of the Framework.
12. Consequently, the proposed development would not preserve or enhance the character or appearance of the CA. Therefore, in this respect, it would be contrary to Policies SD14 and SD15 of the South Downs Local Plan (the Local Plan) which requires that development in conservation areas, including those which seek to improve energy efficiency or mitigate the effects of climate change must preserve or enhance the special character or appearance of the conservation area.

Climate Change

13. The proposed windows would improve the thermal performance of the building. However, it is put to me that this would not outweigh the energy used to manufacture the windows, and I am not presented with evidence to dispute this. As such, holistically, the proposed development would increase energy use.
14. Consequently, the proposed development would not address climate change mitigation. This would be contrary to Policy SD2 of the Local Plan which seeks to embed a holistic approach to managing nature resources to be sustainable for the future, and states that developments proposals should have an overall positive impact on the ability of the natural environment to contribute goods and services.

Conclusion

15. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons set out above, this appeal is dismissed.

H Miles

INSPECTOR