

Appeal Decision

Site visit made on 12 July 2016

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 6th September, 2016

Appeal Ref: APP/L3815/W/16/3148525

The Chalet, Southgate Farm, Fisher Lane, North Mundham, West Sussex PO20 1YU

- 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 J Strachan against the decision of Chichester District Council.
 - The application Ref NM/15/02119/FUL, dated 6 July 2015, was refused by notice dated 27 October 2015.
 - The development proposed is the erection of a replacement dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I have altered the site address from that given on the application form to add 'The Chalet' in order to avoid any confusion with the main farmhouse at Southgate Farm. This is consistent with the Council's decision notice.
3. The Council has issued a Certificate of Lawful Use relating to The Chalet for use described as 'Change of use of building to a single dwelling house', Ref NM/15/00287/ELD.
4. The Council has granted planning permission for the erection of a replacement dwelling at The Chalet, Ref NM/15/04179/FUL. The permitted dwelling would occupy essentially the same position as the replacement dwelling proposed in this appeal but the permitted dwelling would be significantly smaller in overall footprint and height.
5. The Council has given prior approval for the change of use of an agricultural building adjacent to the appeal site into two dwellings under Part 3, Class Q of the Town and Country Planning (General permitted Development) Order 2015, Ref NM/15/01380/PAQ3.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. Southgate Farm is situated outside the village of North Mundham, off Fisher Lane, a narrow rural road. The surrounding countryside, which is not subject to any special designations, consists mainly of low-lying fields, interspersed
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with hedges and small woods and a number of houses, farm buildings and glasshouses. The appeal site is accessed via the gated driveway to the main house, Southgate Farmhouse, where there is a large parking and turning area on the approach to The Chalet. There is a detached garage building adjacent to Southgate Farmhouse, with further residential accommodation above.

8. The Chalet currently consists of a conjoined collection of single storey former farm buildings and a cabin-type structure. As a result, it is not immediately identifiable as a dwelling, being set adjacent to a low-key yard of single storey farm and stable buildings. There is a grassed garden area in front of The Chalet, beyond which lies the modern barn that is subject to prior approval for conversion to two dwellings. On my site visit, the various agricultural buildings did not appear to be in active agricultural use. None of the group of buildings, described by the Council as the farmstead, is historic in nature.
9. The proposed development would replace The Chalet with a new detached house, situated immediately in front of the existing dwelling, within its front garden. The new house would be chalet-style with dormer windows facilitating the first floor accommodation. It would be similar in design and style to Southgate Farmhouse but notably larger, particularly in height, scale and bulk, than the existing main house, The Chalet as existing, and the replacement dwelling already permitted. As a result, it would be dominant in, and unsympathetic to, the existing group of buildings, to the detriment of the character and appearance of the immediate locality.
10. I note that the site is visible from only limited public viewpoints along Fisher Lane. However, from those viewpoints the new dwelling would be apparent, particularly the additional height and scale of its roof, whereas The Chalet as existing is effectively concealed from public view. The additional size of the appeal proposal, compared to the permitted replacement, would accentuate its impact on local character and appearance, both in the immediate vicinity of the site and from these viewpoints, to a sufficient degree that it would be harmful, including in comparison to the permitted replacement. For these reasons, I consider that the proposed development would be detrimental to the character and appearance of the area.
11. Policy 45 of the Chichester Local Plan: Key Policies 2014-2029, adopted 2015 (LP) sets out that development in the countryside will be granted where it requires a countryside location and meets an essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements. I have no significant evidence before me to justify, in these terms, the increased size of the proposed development such as to outweigh the harm to character and appearance that I have identified.
12. I therefore conclude that the proposed development would be detrimental to the character and appearance of the area, in conflict with Policy 33 of the LP, which seeks to ensure that replacement dwellings are in keeping with the character of the surroundings and respect the setting, including in terms of its proportion, height, size and scale, amongst other things. It would also conflict with Policy 45 of the LP, which seeks to ensure that development in the countryside requires a countryside location; and Policy 47 of the LP, which seeks to ensure that development, respects local character, amongst other things. It would also conflict with Paragraph 17 of the National Planning Policy Framework, which amongst other things, requires development to take account

of the character of different areas and recognise the intrinsic character and beauty of the countryside.

Other Matters

13. I have had regard to the replacement dwelling at Kingfisher Nursery, which the appellant says was permitted under Ref NM/06/02468/FUL with a substantially increased floor area than the original dwelling. However, I have no significant details of the context in which that planning permission was granted upon which to consider its relevance to this appeal, although I note that decision would have significantly pre-dated the current adopted LP. I am therefore unable to give this and the issue of associated precedent any significant weight.
14. I have also had regard to associated benefits of proposal, including the provision of enlarged residential accommodation, the incorporation of disabled accessibility, and the removal of general farm items, including fences and storage, from the yard area. Some weight is attributable to these factors in favour of the proposed development. However, this is outweighed by the harm that the development would cause to the character and appearance of the area.
15. The appellant's grounds of appeal also refer to a 'saved policy H12'. This policy is not referred to in the Council's case and it is not cited in the Council's refusal notice. It appears most likely that this is because Policy H12 is no longer saved, following the adoption of the new LP in 2015. As a result, I have only been able to have very limited regard to it.

Conclusion

16. For the reasons given above, and having regard to all matters raised, I conclude the appeal should be dismissed.

C Jack

INSPECTOR