

Appeal Decision

Site visit made on 21 November 2016

by P W Clark MA MRTPI MCMI

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

Decision date: 28 November 2016

Appeal Ref: APP/Y9507/D/16/3157271

Callian Cottage, Dodsley Lane, Easebourne GU29 9AS

- 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 Matthew Buckman against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/01778/HOUS, dated 11 April 2016, was refused by notice dated 22 July 2016.
 - The development proposed is a side and rear extension and new porch to side elevation.
-

Decision

1. The appeal is dismissed.

Main Issues

2. There are two. The first is the effect of the proposal on the character and appearance of a building which the Authority recognises as an undesignated heritage asset. The second is its effect on the living conditions in St Helens, the property to the north.

Reasons

Character and appearance

3. The subject of the appeal is a two storey, brick built (but painted over), gable ended cottage with a single storey hipped lean-to projection on its northern flank. East and west elevations each have four window openings. On the west (road-facing) frontage, which is proposed to remain unaltered, these are asymmetrically positioned and include one which has the appearance of a former shop front. Windows on the rear are symmetrically placed but the only entrance door to the dwelling house, which is in this elevation, is positioned off-centre.
 4. The shop front window and the position of the only entrance door are said to be evidence of the property's one-time use in connection with a nursery garden, now long disappeared. The blank southern gable is reported to have been the location of a glasshouse associated with the same use. The proposal would have no effect on the shop front window but would remove the existing entrance, relocating it onto the presently blank southern gable and inserting two new windows (matching those on the rear elevation) into that wall.
-

5. Anything can be a heritage asset but some have greater significance than others. Although these features are evidence of the way the property was previously used, there is no information to show that this property was of any great significance in the history of nursery gardening or that the use was of any great significance in the history of Easebourne or the wider locality.
6. The National Planning Policy Framework (NPPF) advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, the loss of the rear entrance door and the insertion of openings in the presently blank flank would cause harm of little or no significance.
7. The proposed extension would have a hipped roof, truncated to form a flat-topped crown, so as to fit beneath an existing rear window. Although the form would be at odds with the gabled form of the main roof and of most other roofs in the vicinity, it would continue the hipped form of the existing single-storey lean-to projection and so would be consistent with the existing character of the property. The assertion that a crown roof form is typically discouraged within the South Downs National Park is not supported by any adopted policy.
8. Although the windows would be of a different proportion to those of the existing cottage, there is no pretence that the extension would be a pastiche of an historic style; it would be a respectably proportioned building of its own time. It would be located in a backland position, not on public view but the quality of its design stands comparison with other rear extensions which can be seen in the vicinity and so would have no adverse effect on local character.
9. I conclude that the proposal would not harm the existing character of the property to an extent which would conflict with policies BE4, BE11, BE12 or RE1 of the Chichester District Local Plan First Review (the Local Plan) adopted in April 1999 which continues to apply to the National Park. These place a high priority on protecting the character and appearance of buildings of architectural or historic interest and set criteria for assessing applications including the intrinsic merits of their design. Policy RE1 referred to in the reasons for refusal applies other policies to development outside settlement policy areas but there is no information to show that this appeal is located outside a settlement policy area or to suggest that it would conflict with any of the other policies listed.

Living conditions

10. St Helens, the property to the north contains a window to a living room in its south-facing flank. Although this faces onto the boundary fence between the two properties at close range, it still draws light from a clear view of sky above the fence. Although the roof of the proposal would be slightly lower than that of the existing lean-to, it would project much further alongside the boundary and in front of the neighbour's window. The proposal would adjoin the boundary and its eaves would be about 600mm taller than the present fence. Its roof, although hipped and sloping away from the boundary would also intrude into the existing sky line visible from the window in question.
11. Although no detailed drawings or measurements of the effects on the neighbouring window are provided, my judgement made on site is that the effects of the proposal would breach commonly accepted methods for assessing

the acceptability of impact on daylight to a neighbouring property and that the proposal would have an unacceptable effect on the living conditions of the residents of St Helens. It would therefore conflict with Local Plan policy BE11 which requires the relationship to and effect on neighbouring development to be taken into account in assessing new development and with policy H12(3) which would not permit development detracting from the established amenities of adjoining residents.

Conclusion

12. Although the proposal would have an acceptable effect on local character and heritage considerations, it would have an unacceptable effect on living conditions at the neighbouring property. Seeking a good standard of amenity for all existing and future occupants of land and buildings is one of the government's 12 core planning principles set out in paragraph 17 of the NPPF and it is for that reason that this appeal is dismissed.

P. W. Clark

Inspector