

Appeal Decision

Site visit made on 21 November, 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: 29th November, 2016

Appeal Ref: APP/L3815/W/16/3154892

Church Farm, Itchenor Road, West Itchenor, PO20 7DL

- 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 Julia Shaw against the decision of Chichester District Council.
 - The application Ref WI/16/01558/FUL, dated 29 April, 2016, was refused by notice dated 12 July, 2016.
 - The development proposed is described as 'to modify and relocate permitted log store/boathouse (WI/15/03736/DOM) from high visibility location in front of Church Farm to low visibility location within goose pen to rear of property'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has granted planning permission for a similar log store/boathouse at Church Farm to be sited forward of the existing detached garage building, adjacent to the front drive, Ref WI/15/03736/DOM, which at the time of my site visit had not commenced.

Main Issue

3. The main issue is the effect of the proposed development on the character or appearance of the area, including the West Itchenor Conservation Area and the Chichester Harbour Area of Outstanding Natural Beauty, and on the setting of the nearby Grade I Listed Building.

Reasons

4. Church farm is a substantial detached dwelling set well back from the public highway, beyond St Nicholas' Church, which is listed grade 1. It is situated in extensive gardens and grounds, which include a large pond in front of the house, between the house and Spinney Lane. There is a substantial detached garage to the side of the house and offset a short distance to the rear of this lays the appeal site, which is currently a goose pen with a basic timber and corrugated sheeting log store. Adjacent to this is an uncovered area currently being used for the storage of several small boats and various other items. The Council advises that the site lies outside any defined settlement boundary.
 5. It is proposed to re-site the log store/boathouse from its approved position to the goose pen. It is also proposed to reduce the size of the building from approximately 14m x 7.5m and 6.7m in height to approximately 11.1m x 8.2m and 4.5m in height, taking the Council's measurements. While there is no clear
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on-site visual definition of the extent of the residential curtilage of Church Farm, the appellant does not dispute the Council's view that the goose pen falls just outside it. Accordingly, on the basis of the evidence before me, I see no reason to disagree and I have considered the appeal on this basis. I have seen nothing to suggest that Church Farm is currently in, or associated with, any farmstead or viable agricultural uses.

6. Church farm is situated within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and the West Itchenor Conservation Area (WICA). The character of the local area is of a loose-knit rural village, with a fairly open feel, largely due to the extensive pond and adjacent grassed area at Church Farm. However, it does not have the character or appearance of open countryside, with a number of nearby houses in the village being visible around Church Farm.
7. The proposed single storey building, which has been designed with hipped ends and a front feature gable, would be constructed from traditional flint and brick, and would therefore be generally in-keeping with the style and materials of the main house and the garage building, and reinforce local distinctiveness. The mass and bulk of the proposed building would be subservient to the existing buildings and the goose pen location would be significantly less prominent in relation to Church Farm and the wider WICA than the approved position forward of the house. In the goose pen position, the log store/boathouse would also be significantly less noticeable from public viewpoints than in the approved location, and this would be aided in part by the reduced ridge height proposed compared to that approved.
8. Views can be gained to and from the site from St Nicholas' Church, Itchenor Road and Spinney Lane, including those identified as 'Important Views' in the West Itchenor Village Design Statement 2012, which also identifies Church Farm itself as a Focal Building. A building of reduced size, set against the backdrop of existing trees and hedges and with other houses visible beyond, especially in elevated views from the Church, would have a significantly reduced effect in those Important Views than in the approved location in front of the Focal Building.
9. Furthermore, in visual terms, the proposed development would not result in the domestication of undeveloped countryside as the character and appearance of the area pertains more to a village setting, albeit a fairly loose-knit one. The proposal would therefore not have a significant effect on countryside character. Given the relatively contained position, it would also not have a significant effect on the wider character and appearance of the AONB, to which I have given great weight to conserving the landscape and scenic beauty, in accordance with Paragraph 115 of the National Planning Policy Framework.
10. Policy 45 of the Chichester Local Plan: Key Policies 2014-2029 (CLP), adopted 2015, seeks to ensure that within the countryside, outside settlement boundaries, development requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements. While I have not been provided with any significant details of planning permission Ref WI/15/03736/DOM, which may have been determined prior to the adoption of the CLP, its emerging policies would nonetheless have been at a significantly advanced stage at that time. It therefore appears that the need for a log store/boathouse at Church

Farm, in the general context of Policy 45, was accepted by that planning permission and no significant counter evidence has been provided by the Council.

11. The proposed log store/boathouse would be of a smaller scale than the approved version, and the proposal would be reasonably well located to the existing house and garage, within the existing settlement of West Itchenor, albeit the village has no defined settlement boundary. The proposal is not complementary to any agricultural operations, since none are apparent at Church Farm, and on this point the proposal does not accord with Policy 45. However, it also would not prejudice any viable agricultural operations or other existing viable uses.
12. Furthermore, I have found that the scale, siting, design and materials proposed would have minimal impact on the landscape and rural character of the area and would affect the character and appearance of the area less than the approved scheme. Therefore, I conclude that the limited conflict with Policy 45 would be outweighed, in this case, by the benefits of the proposed scheme in terms of character and appearance, relative to the appellant's fall-back position of the approved scheme.
13. In light of my reasoning above, I further conclude that while the development would cause a measure of perceptible change to the character and appearance of the WICA, this would not be of a magnitude to constitute harm. Hence the effect of the proposed development would be neutral and the character and appearance of the WICA would be preserved. Accordingly, I find no conflict with adopted Policy 47 of the CLP, which seeks to conserve and enhance the historic environment including designated heritage assets, such as the conservation area and the setting of the listed building.
14. Preserving the setting of the nearby grade 1 listed building is a matter of considerable importance and weight and I am mindful of my duty under Section 66(1) of the planning (Listed Buildings and Conservation Areas) Act in this regard. While the proposed development would result in a measure of perceptible change to the setting of the Church, which would be approximately 90m away, and the context in which it is experienced, this would not be of a magnitude to constitute harm given the degree of separation and screening between the site and the listed building. Hence the effect of the proposed development would also be neutral in this regard and therefore the setting of the nearby listed building would be preserved. Furthermore, the proposed siting of the building would be less prominent in views to and from the Church than the approved scheme.
15. Notwithstanding my findings above in favour of the appeal, I am significantly concerned that the implementation of both the approved scheme and the appeal scheme would result in the undesirable and unnecessary overdevelopment of this sensitive location, cumulatively increasing the built form, reducing the sense of openness and thereby having a detrimental effect on the character or appearance of the area, including the WICA and the setting of the listed building.
16. While I note that the appeal proposal is sought as an alternative to the previously approved and unimplemented scheme, it is clear that it would be physically possible to carry out both developments. Moreover, I have not been provided with a completed s106 obligation that would prevent both permissions

being implemented, if I were to allow the appeal. In the absence of such an obligation I have no means before me of preventing both going ahead, since this is not a matter that can be properly addressed by a condition imposed on a subsequent permission.

17. As a result, I am unable to do other than dismiss the appeal because the cumulative impact of the proposed development and planning permission Ref WI/15/03736/DOM, would be harmful to the character or appearance of the area, including the West Itchenor Conservation Area and the Chichester Harbour Area of Outstanding Natural Beauty, and the setting of the nearby grade I listed building.

Other Matters

18. I note the representations from interested parties that the proposed relocation of the log store/boathouse would impact on views from neighbouring properties, particularly Little Anchor, which they consider the approved scheme, would not. Furthermore it is put to me that the approved scheme is better located in order to serve the storage needs of the house than would be the case with the proposed location. However, due to the separation distance from Little Anchor, together with existing tree screening, I consider that the effect on the outlook from Little Anchor would not be significant. While the approved scheme would be positioned a little closer to the host house than the proposed scheme, the difference would not be significant. Accordingly, these points do not outweigh my findings above, either in regard to the proposed scheme in isolation or the cumulative effects of the approved and proposed schemes.
19. I also note the concerns raised that the reduced size of the proposed log store/boathouse in comparison to the approved scheme and another previously refused application, Ref WI/16/00054/FUL, might give rise to additional storage requirements at Church Farm in the future. However, I must determine the appeal on the merits of the proposed development before me and so this also has no significant bearing on my findings above.

Conclusion

20. While I have found no significant harm in relation to the appeal proposal on its own, I have identified that there would be cumulative harm to the character and appearance of the area in the event of it being carried out in addition to the existing planning permission Ref WI/15/03736/DOM . Therefore, for the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Catherine Jack

INSPECTOR