

Appeal Decision

Site visit made on 27 January 2017

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

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

Decision date: 3rd February 2017

Appeal Ref: APP/Z3825/W/16/3161099

Land adjacent to 73 Eversfield Road, Horsham, West Sussex RH13 5JS

- 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 Mrs Anjali Karpal against the decision of Horsham District Council.
 - The application Ref DC/16/1186, dated 12 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is erection of 2No 3 bed semi-detached houses to the land adjacent to 73 Eversfield Road with 4No parking spaces and vehicular access onto Eversfield Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on the:
 - a) character and appearance of the area;
 - b) living conditions of occupants of adjoining properties in relation to privacy and outlook.

Reasons

Character and appearance

3. Eversfield Road is part of a large residential estate characterised by two-storey semi-detached dwellings with hipped roofs set in modest sized plots. No 73 is located in the hammerhead of a cul-de-sac. Consequently, properties occupying these corner sites have irregular shaped plots and larger gardens than most of the surrounding dwellings.
 4. The appeal site is part of No 73's side and front garden. The proposal is to sub-divide the plot to enable the construction of a pair of semi-detached houses. In order to accommodate the proposal on this triangular shaped plot the front elevation of the two houses would be at an oblique angle to each other. The footprint of the building as a whole would be unusual with one dwelling having a more traditional rectangular shape, but the second being in the form of an irregular hexagon. Whilst this might appear to continue the crescent form of development between Nos 73-86, in my view shape of the building would not reflect the uniform style and appearance of others in the vicinity.
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5. The front elevation of the building would be approximately in line with that of No 73. However, it would be significantly to the rear of the other adjacent property, No 71. This siting, together with the sub-division of the existing front garden, would give the proposal the appearance of a backland development, with one of the dwellings having a shallow and awkwardly shaped rear garden. This would be out of keeping with the predominant layout of the estate as a whole. In addition, the site would be accessed via a narrow shared driveway and four parking spaces would be required. As a consequence, the amount of space in which vehicles could manoeuvre and turn around on the site would be highly restricted. This combination of factors demonstrates that the proposal would be too large for this constrained and awkwardly shaped site. It would be a cramped and contrived layout that would fail to respect the more spacious and traditional pattern of development in the locality.
6. My attention has been drawn to a pair of semi-detached dwellings, Nos 72a and 72b that have been built adjacent to No 74, although few other details were provided about that scheme. The proposal seeks to mirror this recent scheme, but without the loss of amenity space at the rear of No 73. I acknowledge that this is an example of backland development in the vicinity. However, the design of this pair of semis reflects those of elsewhere in the street. It also appears that this site was significantly larger than the appeal site. This enabled the separation distances between Nos 72a and 72b and the surrounding dwellings to be greater than would be the case between the appeal proposal and its neighbours. I therefore do not consider that site, or the dwellings on it, is directly comparable with the scheme before me, which I have determined on its individual merits.
7. Taking all these matters into account, I conclude that the proposal would be harmful to the character and appearance of the area, contrary to Policy 33 of the Horsham District Planning Framework (HDPF). This policy requires new development to be of a high standard of design and layout that is locally distinctive and relates sympathetically to the surrounding built environment.

Living conditions

8. The first floor windows in the front elevations of both proposed dwellings would directly overlook the rear of the house and garden of No 71. At present the occupiers of this property enjoy a high level of privacy in these parts of their home. The proximity of the proposal to No 71 would make this overlooking particularly intrusive resulting in a significant and material loss of privacy for the occupiers.
9. The rear elevation of the proposed dwellings would also be close to the rear boundary of the site. This would result in overlooking of the rear gardens of the properties in Bethune Way from the first floor windows, leading to a loss of privacy which would make these gardens less pleasant places to be.
10. In addition, the bulk and height of the building would appear intrusive and would introduce a limited sense of enclosure within the gardens of No 71 and those in Bethune Way that abut the appeal site. This adds to my concerns about the effects of the proposal on the occupants of the adjoining properties. However, the siting of the building, alongside No 73, would ensure that there would not be either a significant loss of privacy or an increased sense of enclosure from the principal habitable rooms or within the garden.

11. Nevertheless, for the reasons set out above, I conclude that the proposal would be harmful the living conditions of the occupants of the adjoining properties as a result of loss of privacy and an increased sense of enclosure. It would therefore fail to comply with Policy 33 of the HDPF, which seeks to ensure that development does not result in unacceptable harm to the amenity of occupiers of nearby properties.

Conclusions

12. The Government is seeking to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption in favour of sustainable development. The appeal site lies within the built-up area of Horsham and there is no objection, in principle to a residential development on this site. However, I have found that the scheme would be harmful to the character and appearance of the area and the living conditions of occupants of neighbouring dwellings. The benefits that would accrue from the provision of an additional two homes would not outweigh these harms.
13. For this reason, and having regard to all other relevant matters raised, I therefore conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR