

Appeal Decision

Site visit made on 14 February 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 27 February 2017

Appeal Ref: APP/Z3825/D/16/3165418

Little Paddocks, Crays Lane, Thakeham, Pulborough RH20 3ER

- 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 David Perry against the decision of Horsham District Council.
 - The application, Ref. DC/16/1702, dated 27 July 2016, was refused by notice dated 21 September 2016.
 - The development proposed is Disabled Facilities; Rear 1.5 storey extension; Single storey side extension; Roof alterations to existing dormers.
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Decision

1. The appeal is allowed and planning permission is granted for Disabled Facilities; Rear 1.5 storey extension; Single storey side extension; Roof alterations to existing dormers at Little Paddocks, Crays Lane, Thakeham, Pulborough in accordance with the terms of the application, Ref. DC/16/1702, dated 27 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision;
 - 2) The development shall be carried out in accordance with the following approved plans: Drawing Nos. D 0516 280 01; D 0516 280 02; D 0516 280 03; D 0516 280 04; D 0516 280 05; D 0516 280 06; D 0516 280 07; D 0516 280 08; D 0516 280 09; D 0516 280 10;
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the dwelling and its surroundings.

Reasons

3. The Council's concern is that the effect of the proposed rear extension would be harmful to the dwelling and its surroundings because of a combination of its size and design. As a consequence, Policies 28 and 33 of the Council's Planning Framework are referred to as being breached. The latter sets out 11 development principles of which two (Nos. 3 & 4) are relevant in this case. No. 3 refers to a requirement for a high standard of design and layout sympathetic
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with the context, whilst No. 4 gives further emphasis to the need for development to be in keeping with its surroundings.

4. Policy 28 sets out parameters for replacement dwellings and house extensions in the countryside, but in my view only proviso no. 2 applies, stating in effect that extensions should not be disproportionate to the size of the existing dwelling and should be in keeping with its scale and character.
5. Turning to the officer's report, I agree with the Council that having regard to the 74% or thereabouts increase in footprint size and the significant amount of alteration to the appearance of three of the building's four elevations (the exception being the front or south west, facing the private drive from Crays Lane) the extension would not be 'subservient' to the host dwelling, with the corollary of this being that it is 'disproportionate' in terms of planning policy.
6. Normally this equates to harm to the character and appearance of the existing building and thereby to its surroundings, and this is the position adopted by the Council in its decision to refuse permission. However, in this case there are a number of other considerations to be taken into account.
7. Firstly as regards scale, Little Paddocks is already a substantial building in extensive grounds and the extension would therefore not change this aspect of its character – it would remain a substantial building, albeit with more living space. Paragraph 9.21 of the Council's Planning Framework says in its justification for Policy 28 that extensions should be 'read' as an extension and not dominate the existing dwelling to ensure that a mix of rural housing remains in the District *'as without this policy all rural dwellings may be extended to become large homes that are beyond the reach of rural residents'* (my emphasis).
8. Clearly, as Little Paddocks is already a large home this social objective of Policy 28 is not relevant, whilst in terms of its appearance I am not persuaded that the extension would be in fundamental conflict with either this policy or Policy 33. The existing building is pleasing in appearance, particularly its front elevation, but the rear elevation is somewhat spoilt by the almost full width flat roofed dormer and, when seen from the north east boundary of the plot, also by clutter arising from the combination of the single storey extension, the raised decking and various outbuildings.
9. Accordingly, I am not convinced that, with the possible exception of the front elevation which is to remain with very little alteration, the house has any inherent aesthetic quality or coherent design features that provide a recognisable character or local distinctiveness needing to be safeguarded. Furthermore, whilst I am minded to accept the Council's point that the miscellany of roof forms and pitches on the north west and north east elevations would not have a positive effect on the building's appearance, it should also be recognised that Little Paddocks cannot be seen in any views from the public realm and is not read with any other surrounding development. In these circumstances I am unable to accept that the proposed changes, even if in technical breach of some aspects of the Council's policies, would cause actual material harm to either the dwelling or its surroundings.
10. There remain two final points in the appellant's favour. Firstly, the officer's report recognises that there is a need for alterations to the dwelling to provide

for the appellant's disability, but as pointed out in the Grounds of Appeal, it fails to refer to Policy 42 of the Horsham Planning Framework. This requires *'positive measures that help create a socially inclusive and adaptable environment for a range of occupiers and users to meet their long term needs will be encouraged and supported. Particular account will be taken of the need to address the requirements stemming from people with additional needs, including the disabled.....'*.

11. I therefore consider that whilst the need for such facilities in this case is not in itself determinative, the Council might reasonably have given the issue greater weight in weighing the balance of planning arguments. This is especially as the altered building with its specific design for disabled access would in the long term provide for the needs of other occupiers with severe disabilities.
12. Finally, I have also taken account of the absence of any third party objections and indeed the evident support of the local community for the proposal, including the Thakeham Parish Council and local residents. This is a further material consideration to be weighed in favour of the appeal being allowed.
13. For the above reasons I conclude, on balance, that (i) there would not be an unacceptably harmful effect on the character and appearance of the dwelling and its surroundings; (ii) any conflict with Policies 28 & 33 of the Horsham District Planning Framework 2015 - and by the same token Section 7: 'Requiring Good Design' of the National Planning Policy Framework 2012 (NPPF) - would be more of a technical rather than substantive nature, and (iii) the altered building with its specific design for disabled access will have an important element of sustainability, which is at the heart of national policy in the NPPF for development proposals.
14. I shall therefore allow the appeal. A condition requiring the development to be carried out in accordance with the approved plans is needed for the avoidance of doubt. A condition requiring matching external materials will ensure that the extensions harmonise with the existing building, thereby safeguarding its appearance.

Martin Andrews

INSPECTOR