

Appeal Decision

Site visit made on 25 April 2017

by Alex Hutson MATP CMLI MArborA

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

Decision date: 16 May 2017

Appeal Ref: APP/Z3825/W/17/3167483

Ashley House, Station Road, Pulborough RH20 1AH

- 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 Steve Bicknell against the decision of Horsham District Council.
 - The application Ref DC/16/1957, dated 9 September 2016, was refused by notice dated 18 November 2016.
 - The development proposed is "Modifications to existing garage/games room to create separate dwelling with three bedrooms. New branch added to existing driveway vehicular access to main house."
-

Decision

1. The appeal is allowed and planning permission is granted for "Modifications to existing garage/games room to create separate dwelling with three bedrooms. New branch added to existing driveway vehicular access to main house." at Ashley House, Station Road, Pulborough RH20 1AH in accordance with the terms of the application, Ref DC/16/1957, dated 9 September 2016, subject to the attached schedule of conditions.

Main issues

2. The main issues are the effect of the proposal on the character and appearance of the area; the effect of the proposal on the living conditions of the existing occupiers of Ashley House with particular regard to external amenity space provision; and whether the proposal would provide adequate living conditions for any future occupiers with particular regard to external amenity space provision.

Reasons

Character and appearance

3. Ashley House is a two storey detached dwelling, with a separate annex building, set within grounds of a generous size. It is set back a considerable distance from Station Road, a main road, and is accessed via a shared driveway from this road which also serves a detached dwelling known as Highview House. The annex building comprises a double garage and games room at ground floor level and two further rooms within the roof space.
-

4. The wider area contains a mix of uses and dwellings display a variety of types and plot shapes and sizes. The character of the wider area is therefore a varied one. However, other dwellings set back from Station Road in the vicinity of Ashley House tend to have a spacious and verdant setting by virtue of their gardens and vegetated boundaries.
5. The proposal seeks to convert the annex building to a dwelling. It would be accessed via the existing driveway from Station Road. A new parking area and driveway would be provided within the front garden of Ashley House to serve the occupiers of this property. The proposed dwelling would be separated from the grounds of Ashley House using a variety of boundary treatments, including brick walls, wooden fencing and vegetation. The appearance of the annex building would remain largely the same as a result of its conversion to a dwelling.
6. I accept that the subdivision of the appeal site would introduce an element of finer grain to the area. However, whilst some gardens in the area are generous in size, there is generally no regular or defined pattern to these gardens. Ashley House would maintain a wide, verdant frontage and the front garden and access layout of the proposed dwelling would broadly reflect that of Highview House.
7. I note that it is the intention to incorporate a vegetated boundary between the front and rear gardens of Ashley House and those of the proposed dwelling. This would reflect other vegetated boundaries in the area and could be secured through a suitably worded planning condition. In addition, the brick wall between Ashley House and the proposed dwelling would be sympathetic to the materials these buildings are constructed from. Furthermore, the modest length of wooden boundary fencing would be unobtrusive. Consequently, the boundary arrangement would not appear contrived and would not appear inconsistent with the general character and appearance of the locality.
8. Moreover, the subdivision of the plot would not be particularly noticeable in public views from along Station Road in any case. It is also unlikely, given the level of vegetation within and around the boundaries of the appeal site and within other nearby gardens, that it would be particularly noticeable in any views from surrounding dwellings.
9. Thus, I conclude that the subdivision of the appeal site and the conversion of the annex building to a dwelling would not result in harm to the character and appearance of the area. The proposal would therefore comply with Policy 32: The Quality of New Development and Policy 33: Development Principles, of the Horsham District Planning Framework (excluding South Downs National Park) 2015 (HDPF). These policies require, amongst other things, development to complement locally distinctive characters, to integrate with its surroundings and to respect the character of the surrounding area.

Living conditions- existing occupiers

10. I acknowledge that the subdivision of the appeal site would result in a smaller rear garden area for the occupiers of Ashley House than currently exists. I also accept and observed that land towards the rear of the appeal site slopes steeply upwards and, as such, would limit the usability of this part of the garden for amenity purposes.

11. Nevertheless, a broadly level garden area, which would be generous in size, regular in shape and well connected to the main living areas of Ashley House would be maintained. In my view and in light of these factors, the proposal would continue to provide a useable rear garden area for the occupiers of Ashley House for purposes such as sitting out and relaxing, play and hanging washing out to dry. Thus, the proposal would not result in harm to their living conditions in this respect.
12. The proposal would therefore comply with Policy 33 of the HDPF, which requires, amongst other things, development to avoid unacceptable harm to the amenity of occupiers of nearby property and land.

Living conditions- future occupiers

13. The rear garden area of the proposed dwelling would be smaller than that provided for Ashley House. The steeply sloping part of it would also be largely unusable for amenity purposes. However, the level area of the garden would be regular in shape and would be well connected to the main living areas of the proposed dwelling. In the absence of any local external amenity space standards to demonstrate otherwise, it would also, in my judgement, be of a sufficient size for a 3 bedroom dwelling. In addition, the proposed dwelling would provide additional amenity space for any future occupiers in the form of a courtyard and front terrace. Thus, I consider the proposal would provide adequate living conditions for any future occupiers in respect of external amenity space provision.
14. Whilst the Council cites conflict with Policy 33 of the HDPF in respect of this main issue, this policy does not refer specifically to the living conditions of any future occupiers. I therefore turn to the National Planning Policy Framework. The proposal would comply with the broad aims and objectives of the Framework which seek to secure a good standard of amenity for all future occupants of land and buildings.

Other matters

15. I have had regard to the concerns of the occupiers of Highview House, including in respect of the effects on their living conditions with regard to noise and disturbance, light pollution and privacy. Furthermore, I have considered their concerns in respect of highway safety and emergency vehicle access. I note that the Council has not raised any concerns in respect of these matters.
16. Whilst I acknowledge that the occupiers of Ashley House would be required to park vehicles within their front garden area, any vehicle movements in this regard would likely be limited. In addition, there is a substantial level of boundary vegetation between the front garden of Ashley House and Highview House. These factors would minimise any noise and disturbance caused by vehicle movements and would minimise the opportunity for headlight glare into any habitable rooms of Highview House. A condition has been imposed to require the obscure glazing of a first floor window in the western elevation of the annexe building. Thus, no overlooking of the rear garden of Highview House would occur from this window. I am therefore satisfied that the proposal would maintain the living conditions of the occupiers of this property.
17. No concerns were raised by the relevant authorities in respect of highway safety or emergency vehicle access in respect of this planning application and

based on the evidence before me, I have no substantive reasons to conclude that these matters weigh against the proposal.

18. I note that the appeal site lies adjacent to the Pulborough Conservation Area (PCA). On the basis that I find no harm to the character and appearance of the area, I am satisfied that the proposal would respect the setting of the PCA and would not result in harm to the significance of this designated heritage asset.

Conditions

19. I have had regard to the planning conditions suggested by the Council. I have amended some of these for clarity and conciseness. In addition to the statutory time limit condition, I also consider it necessary to impose a condition specifying the relevant drawings as this provides certainty. I agree a condition relating to landscaping and boundary treatment is necessary in the interests of character and appearance. In addition, I agree a condition relating to obscured glazing is necessary in the interests of privacy.

Conclusion

20. For the reasons set out above and having regard to all other matters, I conclude that the appeal should be allowed.

Alex Hutson

INSPECTOR

SCHDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: D00; D01 Rev D; D02 Rev E; D04 Rev D; D05 Rev D; D06 Rev E; D07 Rev C; D08 Rev C; D09 Rev C; and D10 Rev C.
- 3) Prior to the occupation of the development hereby permitted, full details of hard and soft landscaping works, including means of enclosure, shall be submitted to and approved in writing by the local planning authority. These works shall be fully implemented in accordance with the approved details within the first planting season (November-March) following the occupation or completion of the development, whichever is the sooner. Any plants which die, are removed, or become seriously damaged or diseased within a period of 5 years shall be replaced in the next planting season with others of a similar size and species.
- 4) The development hereby permitted shall not be occupied until the window at first floor level on the western elevation has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of the window shall be retained permanently thereafter.