
Appeal Decision

Site visit made on 15 May 2017

by **C Thorby MRTPI IHBC**

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

Decision date: 12 June 2017

Appeal Ref: APP/L3815/W/17/3168822

Mallards Farm, Guildford Road, Loxwood, RH14 0QW

- 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 Paul Saker against the decision of Chichester District Council.
 - The application Ref LX/16/02700/FUL, dated 12 August 2016, was refused by notice dated 28 October 2016.
 - The development proposed is a replacement dwelling.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issues are the effect on the character and appearance of the countryside and on the neighbours' living conditions.
3. *Character and appearance.* The appeal site is located in the countryside. It is adjacent to an isolated group of two houses, which join a private road serving a larger group of buildings to the south.
4. The proposed house would replace a discreet, single storey outbuilding of rural appearance with a larger scale, modern house. As it would come forward of the line of the two adjacent houses and be set at an angle, the proposed house would be prominent in views from the access road from where its modern, formal appearance and angled siting would detract from the rural landscape. There may be views from nearby public paths adding further to the visual harm experienced in the area. Although the proposed house would be set down in the plot to reduce the height, because of the natural rise in the land, this would not reduce its harmful impact when viewed from the surrounding area.
5. The appeal site has planning permission for a new house replacing a mobile home, but the approved house would be sited in the middle of the appeal plot set back from the frontage in an unobtrusive location. Even taking into account the impact of the existing outbuilding together with the approved house (including comparative floor space), because they are modest, discreet buildings they would be assimilated into the landscape without harm. The removal of the outbuilding would not therefore be a benefit or justify the proposal.
6. The appeal scheme would conflict with the Chichester Local Plan (LP) policies 33 and 48 and the Loxwood Neighbourhood Plan policies 10 and 12 which seek,

among other things, to protect character and appearance, including that of the countryside.

7. *Living conditions.* The first floor, front window of the proposed dwelling would allow views towards the existing adjacent house. Although the proposed house would be angled away from its neighbour, there would be views towards a number of habitable rooms and private garden space which would detract from the occupiers' living conditions. This would be a greater effect than that of the approved dwelling where there are only rooflights at first floor and fencing could screen ground floor windows.
8. The houses would be quite close to each other and the new house would be highly visible; however, due to the intervening space and the angle of the house, the appeal dwelling would not be overbearing. Nevertheless, it would be contrary to LP policy 33 seeking to protect resident's amenity which includes overlooking.
9. For these reasons, the appeal is dismissed.

C Thorby

INSPECTOR