The Planning Inspectorate

Appeal Decision

Site visit made on 20 June 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 07 July 2017

Appeal Ref: APP/Y9507/W/17/3172085
Old Bakehouse, Surrey Road, Lickfold, Lurgashall GU28 9DX

- 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 & Mrs Adam Saward against the decision of South Downs National Park Authority.
- The application Ref SDNP/16/00425/FUL, dated 31 January 2016, was refused by notice dated 6 January 2017.
- The development proposed is a replacement dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to draft Policies of the South Downs Local Plan: Preferred Options - September 2015. In accordance with paragraph 216 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the extent of unresolved objections. There is no evidence before me which allows me to make this judgement and as these Policies have not yet been examined I have attached limited weight to them.

Main Issues

3. The main issues are the effects of the proposed development on the:

   - character and appearance of the area, having particular regard to its location within the South Downs National Park (SDNP) and within the settings of Old Shop Cottage and Forge Cottage both of which are grade II listed;

   - the living conditions of the occupants of Forge Cottage with particular regard to outlook.

Reasons

Character and appearance

4. The appeal site is a single storey dwelling positioned between Old Shop Cottage and Forge Cottage both of which are grade II listed. It is within a small group of dwellings within the SDNP which are mainly set in large plots with space between them and set back from the road behind mature trees and planting. The properties are mainly of traditional appearance but of varying size and

styles. Thus the area has a verdant, varied and spacious character and appearance.

5. In accordance with the duty imposed by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to have special regard to the desirability of preserving the setting of listed buildings. Furthermore, paragraph 132 of the Framework states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Moreover, paragraph 115 of the Framework states great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

6. Forge Cottage is a two storey C17 part stone and part timber famed dwelling. It has a large modern garage building in front of it adjacent to its boundary with the appeal site. Old Shop Cottage is also a C17 timber framed dwelling. It is 1 and ½ storey with a steeply pitched clay tiled roof and has a number of modern additions including conservatries. In my view the significance of these listed buildings is derived from their architectural quality and their spacious settings.

7. The existing long and narrow L-shaped single storey building with a modest hipped roof would be replaced with a large 1 and ½ storey dwelling with a large varied roof form incorporating dormer windows. Although set further back from Surrey Road than the existing dwelling and the neighbouring properties the part of the proposed dwelling closest to the road would be much wider and taller than the dwelling it would replace.

8. I acknowledge views of the proposed development would be restricted by landscaping, neighbouring buildings and boundary treatments. However, the proposed roof would be noticeable in the Surrey Road street scene in the space between Forge Cottage and Old Shop Cottage. Whilst I acknowledge that the plots of Forge Cottage and Old Shop Cottage are relatively enclosed both dwellings are viewed together from Surrey Road and the space between them is noticeable above the enclosing features.

9. I note the proposed roof form and finish would match the character of other properties nearby. I also note other modern additions to Old Shop Cottage and Forge Cottage impact upon their settings and are visible from Surrey Road. However, the proposal would introduce a significant bulk of tall modern development into the space between Forge Cottage and Old Shop Cottage eroding the space between them and resulting in a relationship that would appear uncharacteristically cramped and at odds with the spacious pattern of development in the area. This would therefore harm the spacious character and appearance of the area and would harm the spacious settings and thus the significance of the grade II listed Forge Cottage and Old Shop Cottage.

10. In reaching these conclusions I acknowledge that there are a number of modern developments nearby which have involved infilling the spaces between traditional buildings. However, whilst the full details of those cases are not before me, I note that none display the same bespoke site specific circumstances as the appeal proposal. Furthermore, each case should be considered on its merits.

11. I have also considered the wider views of the proposed development, particularly views from surrounding public footpaths and roads. However, views from public vantage points, other than from Surrey Road would be from relatively long distances. Whilst the proposed dwelling would be larger than the dwelling it would replace it would be viewed against the wider built up area and would appear as part of a group of dwellings in the rural landscape. Thus I find it would not appear overly prominent or out of place in the landscape and therefore would not harm the scenic beauty of SDNP rural landscape.

12. However, overall I find the proposal would fail to preserve the settings of the grade II listed Old Shop Cottage and Forge Cottage and would harm the character and appearance of the area. It would therefore be contrary to the provisions of the respective sections of the Act and would fail to accord with paragraph 132 of the Framework, which attaches great weight to the conservation of designated heritage assets and their settings.

13. For the same reasons the proposed development would be in conflict with Policies BE4, BE11 and H12 of the Chichester Local Plan First Review (1999) (CLP), which taken together seek to achieve good design, protect heritage assets and safeguard the character and appearance of an area. In my view Policy BE5 of the CLP does not apply as it relates to alterations to listed buildings and not necessarily new development in their settings.

14. That said, in the context of the significance of the heritage assets as a whole, I would calibrate the harm arising from the proposed development, in accordance with paragraphs 133 and 134 of the Framework, as less than substantial. In these circumstances, the Framework requires the degree of harm to be balanced against any public benefits the development may bring.

15. There would indeed be some benefits, such as the regeneration of a dwelling. Furthermore, I note that the existing overhead cables will be run underground to the wider visual benefit of the area. The occupants might work locally and support local services and there may also be employment opportunities associated with construction. However, these combined benefits are modest, and do not outweigh the harm I have identified to the designated heritage assets and the overall harm to character and appearance of the area.

16. In reaching these conclusions I acknowledge that the Council is unable to demonstrate a five year supply of deliverable housing land within the terms of paragraph 47 of the Framework. However, the proposal would not add to the supply of housing and in any event, I have found harm to the setting of designated heritage assets. Consequently, footnote 9 from the Framework indicates that development should be restricted. Even if this is not the case and the second bullet point under the decision-taking section of paragraph 14 is engaged, in my view the harm would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Framework taken as a whole.

Living conditions

17. The proposed dwelling would sit roughly in the same position as the existing dwelling. I also acknowledge that the proposal would be a reasonable distance from the main dwelling of Forge Cottage and the existing wall of the appeal dwelling along the shared boundary would be retained. I also note that the proposed roof would slope away from Forge Cottage and part of the proposed

dwelling would be set in from the shared boundary and it would not be as long as the dwelling it would replace.

18. However, the proposed dwelling would be significantly taller than the dwelling it would replace and would extend along a significant part of the shared boundary with Forge Cottage. In my view, when viewed from Forge Cottage the proposed north elevation would appear as a large dominant expanse of modern roof rising awkwardly above the traditional retained wall. Due to its scale and lack of detail it would appear bland and feel oppressive which would be overbearing.

19. The proposed development would therefore harm the living conditions of the occupants of Forge Cottage with particular regard to outlook. It would therefore fail to accord with Policy H12 of the CLP which seeks to ensure new development does not harm residential amenity.

Conclusion

20. For the reasons given above, the proposal would not accord with the development plan and therefore having had regard to all other matters raised I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR