



Appeal Decision

Site visit made on 26 July 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 18th August 2017

Appeal Ref: APP/Z3825/W/17/3174731

St Josephs Abbey, Greyfriars Lane, Storrington RH20 4GJ

- 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 Fiona Elliot against the decision of Horsham District Council.
 - The application Ref DC/16/1619, dated 14 July 2016, was refused by notice dated 4 November 2016.
 - The development proposed is erection of a single four bedroom detached dwelling with two parking spaces.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: the character and appearance of the Storrington Conservation Area (the CA) and the setting of the grade II listed St Josephs Abbey (the Abbey); and the Ginkgo biloba trees (the trees) within the site.

Reasons

Character and appearance and listed building setting

3. The development would involve the construction of a four bedroom house within a walled garden laid to grass. The site is to the north of a garage court that was constructed recently when the 'Gothic style' Abbey of 1871/72 was converted into individual dwellings. To the north of the site there is a surface car park which was provided as part of the recent Orchard Gardens scheme. To the east of the site there are the Abbey's gardens, while to the west there is a house at 37 Church Street, with a ground floor level below the site. The CA is extensive in area and covers Storrington's mixed use centre. The CA is characterised by buildings of varying ages and designs.
4. The house would be sited towards the rear of the plot, to take account of the pair of trees in the front half of the site. To facilitate the development the ground level for the eastern half of the site would be reduced by around one metre, with the appellant stating that the partial lowering of the site would reduce the house's prominence¹ and enable the house to 'relate better with the garage courtyard'. The maximum ridge height would be 7.4 metres above

¹ Paragraph 2 of the Design and Access Statement submitted with the appealed application

the existing ground level². The exterior design of the house would be of an off the shelf type according to the details included with the application.

5. There would be little space about the house and its boundaries on three sides and it would have a front garden, rather than a meaningful rear one, to accommodate the retention of the trees. I consider that the relative tightness of the house to its northern, eastern and southern boundaries would mean that this development would lack the spaciousness of the Abbey and the properties in Greyfriars Lane to the south of the site. Reliance on a comparatively small front garden as the only meaningful external space would also be uncharacteristic of Greyfriars Lane.
6. Parts of Orchard Gardens have limited space about them, however, extensive communal grounds have been included within this development. Orchard Gardens is of a scale establishing its own character and appearance. As the house would be of a completely different scale to Orchard Gardens, I consider it reasonable that it should integrate well with its immediate surroundings. Given the tightness of the house to three of its boundaries and its reliance on a layout where its garden would be a front one, I consider that this development would have the appearance of being crammed into a corner. I therefore consider that this house would not be respectful of the spaciousness of the buildings within the vicinity of the site.
7. While the house would be cut into the site, it would be significantly taller than the adjoining garages and the substantial boundary walls. Given the siting, scale and height of the house I consider it would fail to appear as a subservient outlying building within the Abbey's setting. That would be in contrast to the garage blocks, which I found to clearly read as subservient buildings in the Abbey's setting. I am therefore not persuaded that the garage blocks provide a justification for the siting or scale of the house.
8. Of itself there would be nothing objectionable about the design of the house. However, this house would be sited within a CA, which although comprising properties of varied ages and designs, does not have a strong representation of smaller scale, timber framed, 'manorial'³ style houses, with timber framing and render only forming part of the Abbey's exterior. I therefore find that there is no particular justification for the architectural referencing that has been adopted for the house.
9. I therefore consider that this development would fail to preserve or enhance the appearance of the CA, while it would also fail to preserve the setting of the Abbey. The CA's character would, however, be preserved because the addition of a house would be compatible with its mixed use nature.
10. For the reasons given above I conclude that the development would be harmful to the character and appearance of the area and the setting of the Abbey. The development would therefore be in conflict with Policies 33 and 34 of the Horsham District Planning Framework (excluding South Downs National Park) of 2015 (the HDPF). That is because the development would not be in sympathy with its built surroundings and it would not be consistent with the special character of the CA or retain or improve the setting of a listed building.

² Paragraph 4.8 of the Planning Statement submitted with the planning application

³ As referred to in the Heritage Statement accompanying the planning application

11. With regard to the provisions of paragraphs 132 to 134 of the National Planning Policy Framework (the Framework), I consider that while there would be significant harm to the setting of the Abbey, overall the harm to the listed building would be less than substantial, given that the development would not affect the listed building's physical fabric. There would also be less than substantial harm to the CA. That being said I consider that there would be no public benefits to the heritage assets weighing in favour of this development. The absence of substantial harm to the heritage assets, in the Framework's terms, however, does not usurp the statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA or preserving the setting of the listed building.

Trees

12. The two mature Ginkgo biloba trees within the site have been assessed as being 12 and 18 metres in height and I found them to be positively contributing to the appearance of the area.
13. The house's front elevation would be around 12.8 metres from the trunk of the easternmost of the trees and there would be significant excavation in close proximity to these trees. The development would also involve the construction of a retaining wall and a car parking area, which would both encroach into the root protection area (RPA) for the trees⁴. The encroachment into the RPA would, however, be minimal and I consider that this, of itself, would not cause unacceptable harm to the trees during the construction phase, based on the use of hand digging techniques, or over the longer term.
14. The establishment of the construction exclusion zone (CEZ)⁵ and the physical limitations of the site would have significant implications for the house's construction, not least the process of removing the spoil. However, the establishment of the CEZ prior to the commencement of any construction works could be controlled by the imposition of a planning condition. I therefore consider that with the CEZ in place potentially harmful ground compaction within the RPA could be avoided and that the trees' wellbeing could be safeguarded during the construction works. That is because it would be for the appellant and the appointed contractor to formulate a methodology that would take the CEZ into account.
15. The easternmost of the trees is tall, however, its crown spread at between 4 and 5 metres is quite restricted. Having regard to the siting and orientation of the house I consider that the trees would not adversely impact on the receipt of light to or outlook from the house. The trees would have a significant presence in the house's garden, however, there would be nothing particularly unusual about that, with large trees often being present in gardens. I therefore consider that the garden's use would not be adversely affected by the trees' presence and that undue pressure would not arise for them to be removed.
16. I therefore conclude that the development would not have an unacceptable effect on the trees. I therefore consider that in this regard there would be no

⁴ As shown on drawing 112/69/3 Revision b and referred to in the 'Pre-Development Tree Survey Report' of 19 March 2016 prepared by Nigel Fagg

⁵ As shown on application drawing 112/69/3 Revision b

conflict with Policies 33 and 34 of the HDPF, because important trees within the CA would be retained.

Conclusions

17. I have found that the development would not be harmful to the on-site trees. However, there would be unacceptable harm to the appearance of the CA, while the Abbey's setting would not be preserved. I consider the harm that I have identified could not be overcome by the imposition of reasonable planning conditions.
18. I therefore conclude that the appeal should be dismissed.

Grahame Gould

INSPECTOR