



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: 24th August 2017

Appeal Ref: APP/Z3825/W/17/3174956

St Joseph's Hall, Greyfriars Lane, Storrington, Pulborough RH20 4HE

- 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 and Mrs G Jakob against the decision of Horsham District Council.
 - The application Ref DC/14/1515, dated 17 July 2014, was refused by notice dated 30 November 2016.
 - The development proposed is construction of a dwelling.
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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 area and the settings of the nearby grade II listed buildings, St Joseph's Hall (the Hall) and the pair of cottages at St Joseph's Hall (the Cottages); and whether the site would be a suitable location for a house, having regard to local and national planning policy concerning development within the countryside.

Reasons

Character and appearance and listed building settings

3. The development would involve the construction of a large, detached house of a contemporary design within the grounds of the Hall, just to the west of the Cottages. The Hall and the Cottages have been separately listed¹ and are both grade II buildings. The Hall and the Cottages date from the early twentieth century and are of a 'vernacular revival style'. The vernacular of those buildings having embraced the use of local materials. The Cottages having originally been built as part of the Hall's stable yard prior to being converted into dwellings.
4. The house would be sited in a large, gently sloping field (the field), which in part has been planted as a vineyard. There are also areas planted with vines immediately to the north and north east of the field. The field, the Hall and its grounds and the Cottages are within the countryside, to the south of Storrington's built up area. The area within the immediate vicinity of the Hall, the Cottages and the field is characterised by fields of varying sizes and there

¹ Respectively list entry numbers 1391342 and 1391343

is an area of woodland that immediately adjoins the field's western boundary. A little to the south is the South Downs National Park. Built development within the vicinity of the field is of a sporadic nature.

5. To reduce the visual impact of introducing built development into the area the house would in part be cut into the field and it would have rammed earth walls and a green roof. The house would have a sinuous floorplan and its design seeks to blend its appearance into the landscape. The field has a downward fall of nine metres² from north to south and the design of the house would in effect introduce a small scale, but quite pronounced, hillock into the landform. However, small scale, localised hillocks of around seven metres in height are uncharacteristic of the area's landscape. I consider that the scale of what would be an engineered hillock would be completely out of scale with the natural rises and falls in the local landscape, such as the Downs. I therefore consider that the house's form would be a contrived one and that this man made intervention would be disrespectful of its immediate landscape context.
6. I consider that inevitably some domestication would occur within the grounds of the new house. I am therefore not persuaded that a house, which has been designed to be family sized, would not have a garden and external paraphernalia associated with that area's use. Domestication associated with the occupation of the house would add to this development's incongruity. While it has been suggested that a condition could be imposed to remove the availability of permitted development rights, were I to find that to be a reasonable condition, its imposition could only preclude the undertaking of built development and it would not address the wider use of the house's grounds for domestic purposes.
7. The Hall is a substantial house of a distinctive design that is surrounded by its extensive and essentially built free grounds. While the Cottages and the adjoining courtyard buildings and walled garden encroach into the openness of the Hall's grounds, they are contemporaries of the Hall and have been sited, scaled and designed so as to be subservient and respectful of the Hall's grandeur. I consider it is the openness of the Hall's grounds and the fields beyond those grounds that characterise the setting of this listed building. The Cottages, because they owe their original existence to the Hall's presence, have a setting that is also strongly influenced by the openness of the Hall's grounds.
8. There is no formal boundary enclosure (fencing or walls etc) between the field and either the Hall or the Cottages and the field therefore forms part of the setting of the listed buildings. The house would introduce built development into an open field and I consider it would have the negative effect of competing with the presence of both the Hall and the Cottages, not least because its own appearance would be a quirky one, given its hillock like form. It is argued that the house has been '... designed to enhance the setting of St Joseph's Hall ...' and 'the proposed house will significantly enhance its immediate setting'³. However, I fail to see how any enhancement would arise when the field's existing appearance is exactly as to be expected, namely a tract of undeveloped and well-kept land, forming part of the wider expanse of similar land adjoining the Hall and the Cottages. I found nothing about the

² As depicted on the site topography image shown in the design statement submitted with the appealed application

³ Paragraphs 4.11 (fifth bullet point) and 4.39 of the appellants' appeal statement

field's appearance to suggest that it is in need of being changed so as to enhance the listed buildings' setting. I am therefore not persuaded that the 'evolutionary' design of the house would enhance the listed buildings' setting.

9. The Cottages are clearly subservient in scale to the Hall. However, by contrast the new house would have a footprint significantly greater than the Cottages, which would be similar in scale to the Hall's footprint. I consider the scale and siting of the house would dominate the Cottages and would not follow the normal pattern of outlying buildings associated with larger country houses being of a subservient scale.
10. I recognise that of itself the house would exhibit high quality architecture. I am also of the opinion that the scale and siting of the house relative to the national park would mean that it would not detract from the park's landscape significance. I also accept that new development in proximity to heritage assets does need to slavishly mimic the style of previous episodes of development. However, new development should be respectful of its context and, for the reasons I have given above, I consider that this development would not be respectful of either the wider character and appearance of the area or the setting of the immediately adjoining listed buildings.
11. I accept that there would be limited views of the house from public vantage points, with only some distant views being possible from the public footpath to the south of the field, with those views in part being dependent on the state of leaf cover. Some views would also be possible from the northern access, which also serves the nearby cemetery. However, I consider that the house's limited public visibility does not provide a justification for a development that would fail to preserve the setting of the listed buildings. An argument that development is hidden from view is one that could be used all too frequently and if accepted could result in the setting of listed buildings not being preserved. Historic England's guidance makes it clear that the significance of the setting of listed buildings is not dependent on public rights or the ability to access settings⁴.
12. I am content that the house would be sufficiently distant from the southern extremity of the Storrington Conservation Area, for its siting and appearance to have no adverse effect on that designated heritage asset.
13. For the reasons given above I conclude that the development would be harmful to the character and appearance of the area and that it would also fail to preserve the setting of both the Hall and the Cottages. The development would therefore be in conflict with Policies 26, 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 conserve or enhance the rural character of the area, would fail to complement the heritage value of the site, it would be unsympathetic of its surroundings and it would fail to retain or improve the setting of the listed buildings.
14. 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 Hall and the Cottages, overall the harm to the listed buildings would be less than substantial, given that the development would involve no works to the listed buildings' physical fabric.

⁴ Paragraph 9 of 'The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3' 2015

That being said I consider that there would be no public benefits to the listed buildings weighing in favour of this development. The absence of substantial harm to the listed buildings, in the Framework's terms, however, does not usurp the statutory duty to have special regard to the desirability of preserving the setting of these listed buildings.

15. The first reason for refusal (as well as the second reason for refusal) cites conflict with Policy 9 of the HDPF. However, Policy 9 addresses employment development and is therefore not relevant.

Suitability of the location for a house

16. The house would be located outside the built-up area boundary (BUAB) for Storrington, which is recognised as being a small town/larger village within the settlement strategy identified by the HDPF. The house would therefore be in a location where all new development is discouraged under Policies 3, 4 and 26 of the HDPF, with the bulk of new development to be located in main settlements rather than the countryside. Policy 26 indicates that development in the countryside may be permissible when it would: support the needs for agriculture and forestry; enable the extraction of minerals or the disposal of waste; involve the provision of quiet informal recreation; and enable the sustainable development of rural areas.
17. Paragraph 55 of the Framework specifically addresses the location of housing in rural areas and states it should be located where it will enhance or maintain the vitality of rural communities, with development in one village in some instances having the potential to support services in others nearby. Paragraph 55 also advises that isolated homes in the countryside should be avoided unless special circumstances apply, such as providing accommodation for rural workers, making use of heritage assets, re-using redundant or disused buildings or a scheme would be of an exceptional or innovative design.
18. The appellants and the Council agree that this development would not come within the exceptions referred to in Policy 26 of the HDPF, with it being intended that the house would be occupied by the present occupiers of the Hall, with the Hall being sold to new occupiers⁵. As is the case for the Hall and the Cottages the new house would be located a little beyond Storrington's BUAB and I consider that this would not be an isolated location for an additional house in the terms envisaged by paragraph 55 of the Framework.
19. However, Policies 3, 4 and 26 of the HDPF are not written in the same terms as paragraph 55 in that the absence of isolation for a new home is not a matter for consideration under the HDPF's policies. Policy 26, as a policy specifically addressing new development in the countryside does not include a possible exception being made on the grounds of a development's design being of an 'exceptional quality or innovative nature', unlike paragraph 55 of the Framework. Policies 3 and 4 of the HDPF similarly do not contain a design type dispensation. The HDPF's adoption postdates the Framework's publication and the consistency of its policies with the Framework will have been considered during the course of the HDPF's examination. Accordingly I consider that Policies 3, 4 and 26, as policies postdating the Framework, should have great weight attached to them.

⁵ As stated in the Design Statement accompanying the planning application

20. The location for this house would clearly be in conflict with the locational strategy for new development stated in the HDPF. I therefore consider whether the design of the house would or would not be of an exceptional quality or an innovative nature is of little consequence. That is because Policy 26 expressly states that new development should be essential to its countryside location, a test that this development would not meet. Also importantly for the purposes of Policy 26, as I have indicated above in considering the first main reason, the house would not conserve or enhance the rural character of the area.
21. For the reasons given above I therefore conclude that this would be an unsuitable location for an additional house and that there would be unacceptable conflict with Policies 3, 4 and 26 of the HDPF.

Conclusions

22. I have found that this development would be harmful to the character and appearance of the area and that it would fail to preserve the setting of the listing buildings. I have also found this would be an unsuitable countryside location for a house. I therefore conclude that this would be an unsustainable form of development for the purposes of the HDPF. The appeal is therefore dismissed.

Grahame Gould

INSPECTOR