



Appeal Decision

Site visit made on 5 December 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 13th December 2017

Appeal Ref: APP/Z3825/W/17/3181492
Firside, Lower Faircox, Henfield BN5 9UT

- 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 Huckson against the decision of Horsham District Council.
 - The application Ref DC/17/0411, dated 21 February 2017, was refused by notice dated 28 April 2017.
 - The development proposed is demolition of the existing bungalow and erection of four residential units as two pairs of semi-detached properties.
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Decision

1. I dismiss the appeal.

Main Issue

2. This is the effect of the development on the character and appearance of the Lower Faircox area of Henfield.

Reasons

3. The site is set behind other residential properties on surrounding roads, and the access drive enters Lower Faircox on the outside of a bend between dwellings. A bungalow occupies the site at present and being in the built-up area of Henfield, replacement residential development at a greater density is acceptable in principle, as provided for in Policies 2 and 3 of the Horsham District Planning Framework 2015, the former encouraging the effective use of previously developed land, in addition to which Policy 32 seeks to optimise the potential of a site.
4. Such intensification of the use would be subject to the effects being acceptable and Policies 32 and 33 seek an attractive environment, and to ensure that the scale, massing and appearance of the development is of a high standard. With regard to the quality of design, paragraph 56 of the National Planning Policy Framework states that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
5. The area contains a mix of dwelling types and sizes, with significant variety on garden length and layout. The arrangement of the surrounding roads results in a number of rear gardens bordering the appeal site, but the distance from the proposed buildings to other dwellings together with the proposed arrangement

of windows means that there would be no real adverse impact on privacy or access to sunlight and daylight, and the Council raise no objection in that regard.

6. The proposal is for a pair of three-storey semi-detached houses, with the top storey of accommodation being within the roof space. The access stairs would rise under a flat area of roof between two pitched roofs, with the pitch being expressed at the gables through having a valley between and a set-back vertical face to the stair part. The ground floor plan would be deeper with a flat roofed projection to the rear, west elevation.
7. It is the fact that the buildings would not be readily seen from the highway at Lower Faircox looking along the access drive, but there may be glimpses between buildings from other locations on the surrounding roads, and certainly from numerous dwellings and their gardens. The height of the proposed development and the elevation of the site on a north-south slope, together with its location in the outlook of many other dwellings, are matters of significant weight in the consideration of the design, as emphasised in the Government's statement at paragraph 56 of the Framework. Neither that statement nor local policies seek to restrict good design to only locations where a truly public viewpoint is available.
8. The development of the site for 4 dwellings need not appear as an overdevelopment, particularly having in mind the grain of development nearby at Ganders Close, which backs onto and is visible from Lower Faircox. Such a density would be in line with the aim of Policies 2 and 32 on making effective use of land. Whilst parking was seen close to the site entry at the time of the inspection, there is no official objection to the proposed intensity of use on highway grounds and sufficient parking and turning room for light vehicles is to be provided on the site.
9. However, whilst the pitched roofed arrangement would reflect the predominant architectural treatment of the surrounding area, and the rooms in the roof would not add height or bulk to what would appear as two-storey dwellings, the flat-roofed, vertical-walled central part between the two pitches would introduce an uncharacteristic feature, with an undue appearance of bulk. The set-back would not be sufficient to overcome that adverse effect, a failing that would be readily apparent in east-west and other elevated views, and this would seriously erode the character and appearance of the residential area.
10. To conclude on this issue, the bulky box-like appendage would appear intrusive to the otherwise acceptable roof-scape and would appear out-of-place and unattractive from many viewpoints. Thus, the design does not reach the standard sought in Policy 32 or the Framework.

Other Considerations

11. Whilst it has been concluded that no planning harm would occur with regard to privacy, sunlight and daylight, representation has been received regarding an increase in the use of the driveway adjacent to 28 Lower Faircox, and it was noted at the site inspection that the drive runs along the entire length of the rear garden to that property and in close proximity to the dwelling itself. The occupier considers there to be an existing problem with vehicle noise and that this is likely to increase with 4 dwellings on the site. The objector is also critical of the apparent need for larger vehicles to reverse on the driveway,

although this could be prevented by delivery arrangements making clear the private nature of that drive.

12. The Council's Appeal Statement confirms that they do not raise any objection with regard to the effect on the amenities of neighbouring properties and the provision of parking and access, although it is the fact that they object to the increase in the number of properties, but not for reasons of residential amenity or noise in particular. The Committee Report acknowledges the concern expressed in representation, but in recommending approval, carries out no further analysis of the effect, other than the statement at paragraph 6.91 that *'it is also acknowledged that the existing access is sufficient in its current form, and whilst additional trips would be generated by the additional dwellings and vehicles, this is not considered to be so great as to cause harm to the function of the highway network'*. That does not have regard to residential amenity.
13. It has to be said that this does appear a valid planning criticism of the proposal to increase the use of the site to this extent, and it is supported by Policy 33 at criterion 2, which states that development should be designed to avoid unacceptable harm to the amenity of occupiers of nearby property through, for example, noise.

Conclusions

14. Whilst some intensification of the use would be in line with local and national policies to make best use of previously developed land, doubts remain over the effect on the living conditions of neighbouring residential occupiers through the likely increase in noise and disturbance from vehicles, albeit this was not a reason for refusal. With regard to the visual effect, the inclusion of a contrived and unattractive stair enclosure would undermine the architectural treatment of the building, causing harm to the character and appearance of the area, contrary to Development Plan and national policy. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR