



Appeal Decision

Site visit made on 27 August 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2019

Appeal Ref: APP/Z3825/W/19/3230663

The Chardonnay Restaurant, Old London Road, Washington RH20 3BN

- 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 Carl Iles against the decision of Horsham District Council.
 - The application Ref DC/18/2249, dated 19 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is the erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road at The Chardonnay Restaurant, Old London Road, Washington RH20 3BN in accordance with the terms of the application, Ref DC/18/2249 dated 19 October 2018 subject to the conditions set out in the attached schedule.

Procedural Matters

2. The description of development above has been taken from the Council's decision notice. This differs from the description given on the application form of 'new 2 bedroom attached dwelling with associated parking'. While part E of the appeal form indicates that the description of development had not changed from the application form, the appellant's statement uses this description and it is a more accurate description of the development which is proposed. I have therefore used this description within my decision.
3. The Council's appeal statement refers to relevant policies of the Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 (SSWNP) and advises that since the application was determined and the appeal submitted, the SSWNP successfully passed referendum and was formally 'made' on 4 September 2019. The National Planning Policy Framework (the Framework) confirms that Neighbourhood Plans that have been approved at referendum are part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made. The appellant has provided comments in response referring the progress of the SSWNP and the relevance of policies to the appeal, and I have therefore considered the appeal on this basis.

Main Issues

4. The main issues are (i) the effect of the development on the character and

appearance of the building and area and (ii) whether or not the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan.

Reasons

Character and Appearance

5. The appeal site is set between Old London Road and the A24 London Road and accommodates a former restaurant known as 'The Chardonnay'. The site is part of a cluster of mixed residential and commercial uses to the north of the village of Washington, but the surrounding development and adjacent dual carriageway mean that the site is not significantly rural in character. Other dwellings on Old London Road are generally two-storey in height and are set back from the highway with frontages marked by a variety of vegetation, walls and fences. However, there is little consistency in terms of the scale, design, architectural styles or materials of the mix of terraced and detached dwellings here. This varied character in the immediate vicinity of the site is further increased by the commercial uses to the north where there are assorted buildings, some of which are of significant scale and footprint.
6. At the time of my visit, works were ongoing on the appeal site to convert The Chardonnay to 3 dwellings. However, its overall form and mass was still clearly apparent. The northern part of the building is set at the edge of the road, although there is a small step in the front elevation resulting in a slight setback to the southern part. While it is a single storey building in comparison to the mainly two-storey development nearby, it is of significant width and together with its proximity to the road this results in a relatively prominent appearance in the Old London Road street scene. The building is further notable as a consequence of the alternating and varied roof ridge heights, slopes and dormer window additions; as well as the staggered rear projections to different elements which are particularly apparent from the south and east. This gives the impression that it has been extended incrementally over time.
7. The proposed dwelling would further extend the width of the building on the site, and while it would be set back from the adjacent front elevation it would be readily visible from Old London Road. Despite the presence of some trees to the rear boundary of the site with the A24 London Road towards the northern part of the building, there are also views of the site from this dual carriageway and the dwelling would therefore also be visible from the rear.
8. However, I agree with the Council that the design of the windows, doors and entrance porch to the dwelling would provide for a consistent appearance with the existing building. Furthermore, the development would continue the existing pattern of alternating roof ridge heights and stepped front elevation.
9. Although the resulting building would be relatively wide, the set back of the dwelling, stepped roof form and entrance porch detail to the front elevation and the stepped footprint and roof form when viewed from the rear would add detail and help to break up the massing of the building. Furthermore, with regard to the two-storey terrace of 6 dwellings at Montpellier Cottages and commercial buildings including the substantial HGH Groundworks building nearby, the resulting width would not be discordant or out of keeping.
10. The footprint of the existing building reduces towards the south as the site

narrows. While the proposed dwelling would be of greater depth than the immediately adjacent section, it would project no deeper than the northern part of the building and significant separation would be retained to the rear site boundary. Furthermore, the roof would be set down lessening its visual impact. I am thus satisfied that this would continue the overall impression of built form reducing in scale towards the southern part of the site and that the proposal would not undermine the appreciation of the general form of the building.

11. I acknowledge that the development would obscure some views of the existing multi-element roof from the south and that the roof design would result in a partial flat section. However, the proposed height and depth would both be less than the existing building, retaining some views of the current form. Additionally, as viewed from both Old London Road and the A24 London Road the roof would give the impression of a ridge running parallel to Old London Road and hipped projection perpendicular to this, which would be consistent with the existing form. Therefore, while the proposed dwelling may appear as a later addition to the original building, the flat section would not appear unduly prominent or incongruous and the development would be consistent with the appearance of the existing structure as having grown incrementally over time. Given this, I find that it would integrate well as a sympathetic addition to the building in views from both Old London Road and the A24 London Road.
12. I conclude that the development would not constitute poor design or result in harm to the character or appearance of the existing building or area. I therefore find no conflict with the Framework or with Policies 32 and 33 of the Horsham District Planning Framework 2015 (HDPF). Together, these seek high quality design and include requirements that the scale, massing and appearance of development relates sympathetically to its surroundings and that it provides an attractive environment which complements locally distinctive character.

Suitability of the Location

13. The appeal site is located to the north of Washington, outside of any defined built-up area. Policy 2 of the HDPF seeks to focus development around the key settlement of Horsham and allow for growth in accordance with the settlement hierarchy identified at Policy 3. However, HDPF Policy 4 supports growth outside of built-up areas to meet identified needs where certain criteria are met. These include at part 1 of the policy a requirement that the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
14. The more recent SSWNP advises at Policy 1 that proposals outside the built-up area of Washington will be supported within and around Montpellier Gardens/Luckings Yard, or if it results in the reuse of previously developed land outside of the South Downs National Park provided the proposal accords with other policies in the development plan.
15. SSWNP Policy 1 continues that outside of these definitions, development will be required to conform with development plan policies in respect of the management of development in the countryside. The Council refer to HDPF Policy 26 which sets out that the rural character and undeveloped nature of the countryside will be protected and that outside of built-up areas, proposals must be essential to a countryside location, be of a scale appropriate to its countryside character and location, and meet one or more criteria which

- include enabling the sustainable development of rural areas.
16. There is no dispute between the parties that the appeal site constitutes previously developed land and that it is not within the South Downs National Park. The site is just to the south of the Montpellier Gardens/Luckings Yard site allocated for development by the SSWNP. While it is not formally part of the allocation, in my view it would clearly be considered to be 'around' this allocation as referred to by SSWNP Policy 1. It is therefore a location where development may be supported by this policy where it accords with other policies of the development plan.
 17. The development would result in re-use of the previously developed site as sought by SSWNP Policy 1 and would constitute infilling between the A24 London Road and the existing development to the north and west of the site. Given this and the single dwelling scale of the development, it would not result in a significant impact on the rural character or undeveloped nature of the countryside which HDPF Policy 26 seeks to protect. It would further be set within defensible boundaries and would maintain the overall settlement pattern and function in accordance with the objectives of HDPF Policies 2, 3 and 4.
 18. The Council has expressed concern that the site would not immediately adjoin the settlement edge, that there is a relatively limited range of services available in Washington and that there would be reliance by occupiers on private motor vehicles. However, I also note that paragraph 103 of the Framework advises that opportunities to maximise sustainable transport solutions will not be the same in rural areas as urban locations, and that this should be taken into account in decision-making. Additionally, paragraph 78 promotes housing development in rural areas where it will enhance or maintain the vitality of rural communities.
 19. The appellant refers to comments by the Examiner of the SSWNP in the report recommending that the plan proceeded to referendum and these references have not been challenged by the Council. The Examiner specifically considered the suitability of the area around Old London Road for development with regard to accessibility to services and concluded that this area is within walking distance of the nearby Squires Garden Centre where a local farm shop provides a wide variety of stock which could meet some day to day needs, and that the route to the primary school in Washington is also walkable. I agree that there would be opportunities to meet some day to day needs by walking, and therefore find that future occupiers would not be wholly reliant on the private motor vehicle.
 20. Furthermore, while the Council advise that they are able to demonstrate a 5 year supply of housing, the SSWNP Examiner's report indicates that the provision of housing identified in the plan would not meet needs in the SSWNP area. In this context, the SSWNP notes that Washington is constrained due to its location in the South Downs National Park, but that some development will be necessary to meet recognised local needs and to maintain the vitality of smaller villages and support local facilities such as shops and schools whilst retaining existing settlement functions and rural character. The small cluster of residential dwellings to the north west is identified as offering the opportunity to help meet local housing needs and to support local services.
 21. I have not been provided with any specific evidence to demonstrate that the proposed development is essential to a countryside location as referred to by

- HDPF Policy 26. However, the provision of a dwelling on the appeal site would contribute to meeting housing needs locally, and to providing support for the local economy and services. Given the opportunities for travel by modes other than by private motor vehicle, I therefore find that it would comprise sustainable development of rural areas as enabled by HDPF Policy 26. Furthermore, I note that in line with the objectives of the Framework, HDPF Policies 2 and 33 prioritise effective use of previously developed land.
22. The proposal would conflict with some aspects of the development plan, specifically the requirement of part 1 of HDPF Policy 4 that sites outside of built-up areas are allocated in the Local Plan or in a Neighbourhood Plan and adjoin an existing settlement edge; and the requirement within HDPF Policy 26 that proposals outside of built-up area boundaries are essential to a countryside location.
23. However, the development would accord with the principles of SSWNP Policy 1 and would make effective use of a previously developed site without detrimental impact on the rural character of the area. Additionally, there would be no harm to the overall settlement pattern and function. I therefore conclude that the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan including Policies 2, 3, 4 and 26 of the HDPF and Policy 1 of the SSWNP when considered as a whole.

Conditions

24. I have considered the Council's suggested conditions. Where necessary, I have altered the conditions for clarity and to ensure compliance with the relevant tests. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. Conditions requiring details of external materials, finishes and colours; and the provision of cycle parking are necessary to ensure a satisfactory appearance of the development and in the interests of encouraging cycling. A condition to require water efficiency measures is also necessary in the interests of resource efficiency as required by HDPF Policy 37.
25. The Council has also suggested a condition to remove permitted development rights for various alterations to the dwelling and I have considered this against paragraph 53 of the Framework. While I do not consider it would be necessary to control additions or alterations to the roof, given the relationship of the dwelling with other properties within the site, a condition to control development under classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 is necessary in the interests of the living conditions of neighbouring occupiers.

Conclusion

26. For the reasons given above, I conclude that the proposal accords with the development plan when taken as a whole and no material considerations indicate a decision otherwise than in accordance with it. The appeal should therefore be allowed.

J Bowyer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 18293/P100, 18293/P101, 18293/P102, 18293/P103, 18293/P104, 18293/P105 and 18293/P106.
- 3) No development above ground level shall commence until a schedule of all materials, finishes and colours to be used for external walls, windows and roofs has been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved schedule.
- 4) The dwelling shall not be occupied until Building Regulations approval has been issued certifying that optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of the dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be retained.
- 5) The dwelling shall not be occupied until cycle parking to serve the dwelling has been provided in accordance with details which have first been submitted to and approved in writing by the local planning authority. The cycle parking shall thereafter be kept available for the parking of bicycles.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement, addition or other alteration as defined within Classes A or E of Part 1 of Schedule 2 of the Order, shall be carried out to the dwelling hereby permitted.