
Appeal Decision

Site visit made on 17 September 2019

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practicing)

an Inspector appointed by the Secretary of State

Decision date: 02 October 2019

Appeal Ref: APP/Z3825/W/19/3229383

The Mead, Micklepage, Nuthurst, Horsham RG13 6RG

- 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 Tim Jackson against the decision of Horsham District Council.
 - The application Ref DC/18/2578, dated 3 December 2018, was refused by notice dated 6 February 2019.
 - The development proposed is described as the erection of semi-detached chalet bungalow comprising 2 No. 2-bed starter homes.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have amended the original description of development to reflect that provided within the Council's decision notice and as stated at section E of the appeal form in the interests of accuracy and consistency.
3. The revised National Planning Policy Framework (the Framework) was published in February 2019 and, as such, references to the Framework in this decision therefore reflect the revised Framework as published in February 2019.

Main Issues

4. Since the application was determined and the appeal lodged, the Council has withdrawn the reason for refusal in relation to the effect of the proposed development on ecology and green infrastructure. The Appellant has been made aware of this change to the reasons for refusal and has had the opportunity to comment. Therefore, the fifth reason for refusal given by the Council no longer applies to this appeal.
5. Although the Council has given four other reasons for refusal, having reviewed the evidence I have considered it appropriate to identify three main issues and determine the appeal on this basis.
6. The main issues are:
 - The effect of the proposed development on the character and appearance of the surrounding area;
 - The effect of the proposed development on the setting of Micklepage Farm, a grade II listed building; and,

- Whether the proposed development would provide adequate living conditions for future occupants of the proposed dwellings.

Reasons

Character and Appearance

7. The appeal site is located on the eastern side of Nuthurst Street and is accessed from a private lane which serves a number of residential dwellings and a small chapel. Nuthurst Street is characterised by linear development. However, residential development which is located on the narrow private lane forms a ribbon along its southern side and, by reason of the narrow nature of the lane, the presence of mature trees and established hedges, is semi-rural in appearance.
8. The appeal site comprises a paddock which gently slopes down towards the south and which is enclosed by hedges and a fence which separates the site from residential development towards the west of the site. A small collection of single storey outbuildings are positioned towards the rear of the appeal site and the evidence indicates that these serve the neighbouring residential property known as Micklepage Leigh.
9. Whilst I acknowledge that there is some variety in the overall design of dwellings within the wider surrounding area, residential development, including recent development, located along the southern side of the private lane, is characterised by substantial two storey dwellings with hipped roofs set within generously sized and elongated plots.
10. The appeal site comprises land which has been allocated for housing within the terms of Policy 7 of the Nuthurst Parish Neighbourhood Plan (2015 – 2031) (the Neighbourhood Plan) and, consequently, the principle of development for two bedroom houses is accepted at this location.
11. Policies 25, 32 and 33 of the Horsham District Planning Framework (2015) (the Local Plan), and Policy 10 of the Neighbourhood Plan, set out a requirement for new development to be, in general terms, of a high quality design which conserves and enhances the natural and built environment, reflects local distinctiveness and integrates with the surroundings.
12. The immediate surrounding area and private lane is characterised by well proportioned detached dwellings set within generous grounds. The appeal scheme would introduce a pair of semi-detached chalet style bungalows to the site. The plots upon which the proposed dwellings would sit, would not be comparable to those of nearby dwellings in terms of width or depth. Consequently, the proposed dwellings would appear relatively cramped within the width and depth of the site and would result in an uncharacteristic arrangement of dwellings in closer proximity to each other than those residential properties which are located on this private lane.
13. I acknowledge that the proposed dwellings would be of contemporary design with hipped roofs which somewhat reflect the design of existing development within the wider surrounding area, and that materials to be used in the construction of the proposed dwellings would be consistent with residential properties located along this lane. However, the scale of the proposed dwellings both in terms of height and mass, would not reflect that of neighbouring residential development. Furthermore, the inclusion of a bulky dormer addition

to the proposed dwellings would not be in keeping with the character and appearance of the surrounding built form. Therefore, in my view, the proposal would fail to compliment local distinctive character.

14. The appeal site is in a visible position adjacent to the private lane and given that the appearance of the proposed development would be significantly at odds with the appearance of existing properties within this part of Nuthurst, the appeal scheme would sit awkwardly within the overall context of nearby development and would draw the eye.
15. I therefore conclude that the proposal would harm the character and appearance of the area. This would conflict with the objectives of Policies 25, 32 and 33 of the Local Plan and Policy 10 of the Neighbourhood Plan which, amongst other things, seek to ensure development relates sympathetically to the character and appearance of its surroundings.

Effect on Listed Building

16. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
17. The Framework provides that when considering the impact of a proposed development on the significance of a designated heritage asset, including any contribution made by its setting, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
18. Micklepage Farmhouse, which the evidence before me indicates is a grade II listed building, is set back from the private lane which is located adjacent to the appeal site. The front of the listed building faces the appeal site and is predominately surrounded to the north, east and west by agricultural land. Whilst I was only able to observe the building from the lane during my site visit, the building appeared to be constructed of timber framing and red brick, and its value appears to derive from its age and traditional appearance.
19. Micklepage Farmhouse appears to predate most of the other buildings in its immediate vicinity, and by reason of its location on the edge of the settlement, it would appear to have largely escaped enclosure by subsequent development. Consequently, the absence of built form on the appeal site makes a positive contribution to the setting of the listed building and is indicative of a period when the farmhouse would have been more isolated within the surrounding landscape.
20. The development would comprise a pair of semi-detached dwellings which, for the reasons given above, would not reflect the character and appearance of the area. Whilst I acknowledge that the Micklepage Farmhouse is set back from the highway and is partially screened from views from the lane by Micklepage Barn and mature trees, the presence of the proposed dwellings which would contrast markedly with the appearance of the listed building, would draw the eye detracting from the historic character and appearance of Micklepage Farmhouse and its setting.
21. Due to the location of the listed building which cannot be seen from Nuthurst Street, and by reason of the level of screening present to the front of

Micklepage Farmhouse as described above, in terms of paragraph 196 of the Framework, I conclude that the proposal would lead to less than substantial harm to the heritage asset affecting only its immediate surroundings and, accordingly, this harm should be weighed against the public benefits of the scheme.

22. However, the evidence before me does not demonstrate that the proposal would provide any public benefit other than the limited contribution to local housing supply. I acknowledge that the proposal would also make use of a site allocated for housing and would provide some limited economic benefits in terms of employment during the construction phase and by the proposed households contribution to the vitality of Nuthurst and nearby settlements. Notwithstanding these factors, in my view, the limited nature of these benefits would not outweigh the less than substantial harm caused by the proposed development to the significance and setting of Micklepage Farmhouse.
23. Consequently, the proposed development would be contrary to the provisions of Section 66 (1) of the Act and those parts of the Framework which seek to conserve and enhance the historic environment. Furthermore, the appeal scheme would conflict with Policy 34 of the Local Plan which, amongst other things, requires that development reinforces the special character of the district's historic environment and preserves locally distinctive vernacular building forms and their settings.
24. The appellant has drawn my attention to an appeal¹ which concerned the residential development located to the west of the appeal site as described above. The appellant refers to the Inspector's conclusions that that development would preserve the setting of the listed building. Whilst I acknowledge the findings of the Inspector in that appeal decision, it is clear that the Inspector reached that conclusion on the basis of comparing that scheme to development which had already been permitted on that land. Consequently, the balance of considerations in that case are not comparable to the appeal scheme and I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.

Living Conditions

25. The proposed dwellings would be sited centrally within the appeal site and would provide similar levels of external amenity space to the front of each of the respective pair of semi-detached bungalows. However, the total amount of external amenity space to the rear of the proposed dwellings would not be similar to each other, with the proposed unit which would occupy the eastern plot within the site, providing significantly less external amenity area to the rear than its proposed neighbour.
26. As noted above, the appeal site gently slopes down from the private lane towards the south. Immediately adjacent to and south of the site, a small collection of single storey outbuildings is located. These outbuildings are of solid construction, and the evidence indicates that they form part of the neighbouring property at Micklepage Leigh.
27. The rear elevation of the proposed dwelling which would occupy the eastern plot within the appeal site, would be in very close proximity to the rear wall of

¹ Appeal Reference: APP/Z3825/W/18/3210674

one of the outbuildings. Outlook from the dining and living areas at the rear of this proposed dwelling, and from its rear garden space, would be dominated by the rear wall of the outbuilding, with any outlook from the bedrooms towards the rear being similarly dominated by the rear wall of the adjacent outbuilding and by its substantial roof form.

28. In my view, by reason of the limited amount of external amenity space to the rear of this proposed unit, and due to its close proximity to the rear elevation of the proposed unit, the outbuilding would have an overbearing effect, forming part of a constrained enclosure. Whilst I acknowledge that the land on which the outbuildings are located is at a lower level than that upon which the proposed residential units would be sited and would allow for some outlook out across their roofs, given the constraints in terms of the size of the plot and the scale of the outbuildings in such close proximity, there would be an overbearing impact on future occupants.
29. I, therefore, conclude that the proposal would be harmful to the future occupant's living conditions and would conflict with Policies 32 and 33 of the Local Plan which, amongst other things, seek to ensure that development provides attractive and functional environments and relates sympathetically with the built surroundings.

Other Matters

30. Interested parties have raised additional objections to the proposal regarding the effect of the appeal scheme on highway safety and drainage. These are important matters and I have considered all the evidence before me. However, given my findings in relation to the main issues, these are not matters which have been critical to my decision.

Conclusions

31. For the reasons given above, I conclude that the appeal should be dismissed.

A Spencer-Peet

INSPECTOR