



Appeal Decision

Site visit made on 20 August 2019

by Christopher Butler BA (Hons) PG Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2019

Appeal Ref: APP/Z3825/W/19/3226555

37 High Street, Steyning BN44 3ZA

- 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 Cameron Robertson-Aitken against the decision of Horsham District Council.
 - The application Ref DC/18/1810, dated 24 August 2018, was refused by notice dated 21 December 2018.
 - The development proposed is for the conversion of former Lloyds Bank to provide 1no. retail unit and 4no. flats, the erection of 2no. dwellings to rear yard area, and conversion of existing barn to 1no. dwelling, with associated car parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Cameron Robertson-Aitken against Horsham District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. A Listed Building Consent (LBC) application for the proposed conversion of the former Lloyds Bank to provide 1no. retail unit and 4no. flats, and conversion of existing barn to 1no. dwelling together with all associated internal works was granted LBC by the Council under reference DC/18/1811 on the 21 December 2018. The LBC application was submitted to the Council at the same time as the planning application which is now the subject of this appeal.

Main Issues

4. The Council considers the proposed conversion of the frontage building and the existing barn to be acceptable, and I share that view. With that in mind, the main issues for this appeal are:
 - The effect that the two new dwellings would have on the character and appearance of the area, with particular regard to the nearby Listed Buildings and the Steyning Conservation Area; and
 - Whether the proposed development would make safe and adequate provision for vehicular access and parking.

Reasons

Character and appearance.

5. The appeal site is wholly located within the Steyning Conservation Area. In terms of the character of the conservation area, the historic development of the town is still clearly discernible in the surviving townscape and streetplan and these are significant features that make important contributions to Steyning's sense of place. The site contains a former bank premises, which is Grade II listed. An independent dwelling was located above the ground floor level. It fronts onto Steyning High Street, which is the Commercial Centre and has a high concentration of retail shops. The High Street consists of densely laid out burgage plots lining the busy thoroughfare. In addition to the former bank building, there is a high density of Grade II listed buildings in the immediate vicinity of the site.
6. The development site assists the transitioning between the High Street, the Commercial Centre of Steyning, and Charlton Street. This transition area is overgrown but would have formally been part of a rear garden to either the former bank premises or the residential dwelling above. A limited number of trees within the appeal site are visible from Charlton Street, albeit briefly when passing the rear of the site. Despite this they do provide some visual relief and enhance the streetscene and the character and setting of the Conservation Area.
7. Charlton Street would have originally served as the back lane providing rear access to the residential and commercial buildings on the west side of the High Street. The southern end of Charlton Street is lined on its eastern side with flint and brick boundary walls and ancillary buildings. The latter are grouped around vehicle entrances and back yards, and some have been converted to residential use, whilst as you move to the north these features become sparser and are intermingled with 20th century infill development. A notable feature on the west side is a long run of terraced two-up-and-two-down cottages directly on the streetline. These are built of flint and brick, giving them a high degree of visual continuity with older buildings.
8. The proposed new build semi-detached dwellings within the rear yard would be positioned along the northern boundary of the application site, taking up a significant proportion of it. The dwellings would be two storeys, with the second storey provided within a pitch roof that has half hipped ends to the north-east / south-west gable ends of the development. To the front the main roof would extend down over a single storey front projection. The majority of area around these newly constructed dwellings would principally be given over to hardstanding, although to the north-east and south-west a small area of private amenity land related to the dwellings is proposed.
9. The Council's first ground of refusal arises from their concern regarding over-development of the site resulting from the erection of the 2 new-build dwellings within the rear garden area of the appeal site and the extent of hardstanding proposed within this area. They consider that these elements of the development would have an unacceptable impact on the character and appearance of the Steyning Conservation Area and the setting of adjoining Listed Buildings.

10. I note the appellant's contention that similar backland developments have taken place in the area, and that the currently proposed development would be consistent with the average footprint. However, the two new-build dwellings proposed would have a significant mass, bulk and height and when combined with the hardstanding being provided and the resultant loss of the trees mentioned above, would result in a development that is out of context with the areas local distinctiveness, failing to positively contribute to the areas sense of place. The rear yard / amenity space within which the 2 new dwellinghouses are proposed, when considered alongside similar spaces to the neighbouring properties to the south, are characterised by their lack of built form and positively contribute to the understanding and interpretation of this part of Steyning, including its historic buildings, and reinforces the historic character of this part of the commercial centre.
11. The resultant loss of trees, together with the formalisation and domestication of this rear amenity space, considering the mass, bulk, scale and quantum of development, including the expanse of hard surface dedicated to vehicle parking, would detract from the spacious and undeveloped character of this part of the Conservation Area to the detriment of its character and setting and to the detriment of the setting of the adjoining Grade II listed buildings. As such the cumulative level of development, including the expanse of hard surface, would erode the hierarchical interpretation of the burgage plot and result in a development that would detract from the character and appearance of the Conservation Area and setting of nearby Listed Buildings.
12. As such the proposed development would result in less than substantial harm to the significance of the designated heritage assets. Paragraph 196 of the Framework requires that this harm is weighed against the public benefits of the proposal. The public benefits would include the reuse of a currently empty listed building and the conversion of an existing barn on site into a residential use, as well as the creation of some short-term economic benefits through construction related employment, and investment in the local economy following its occupation. The proposal would also result in a net addition of 6 units of accommodation making a small contribution to the government's aim to significantly boost housing.
13. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place statutory duties on decision-makers, when considering whether to grant planning permission for development which affects a listed building or its setting or any buildings or land in a Conservation Area, to have special regard to the desirability of preserving the listed building or its setting, and preserving or enhancing the character or appearance of the conservation area.
14. Taking all of these considerations into account, I find that the harm I have identified above would not be outweighed by the public benefits of the proposed development. I therefore conclude that the proposal would be contrary to Policies 2, 32, 33 and 34 of the Horsham District Planning Framework (November 2015) (HDPF), which amongst other aims seeks to ensure that development preserves or enhances the character of the conservation area and has no adverse effect on the special architectural or historic character and appearance of listed buildings that may be affected by the development. It would also be contrary to the Policies of the Framework,

which amongst other aims seeks to conserve designated heritage assets in a manner appropriate to their significance.

Access and parking.

15. The Local Highway Authority (LHA), West Sussex County Council, provided advice on the development proposal. They indicated that accident data revealed no recorded injury accidents in the vicinity to the site access within the past 5 years and advised that there was no evidence to suggest that the access had been operating unsafely or that the proposals would detrimentally alter its operation. They also advised, when considering the scale of the proposed scheme and the lightly trafficked low speed nature of Charlton Street, that the use of the existing vehicle crossover to access the development, whilst restrictive and of limited width, would not substantiate a highway safety ground to resist the application.
16. In addition to the above the LHA advised that providing the proposed off street parking be unallocated, the level of provision met their Car Parking Demand Calculator. They also confirmed that the off street parking spaces would be of suitable dimensions, whilst also having a 6 metre space allowing motor vehicles to turn on site. As such the LHA confirmed that they were satisfied that the level of off street parking proposed met the requirement of the development.
17. The LHA also noted that double yellow lines on the west side of Charlton Street and nearby junction protection markings would prohibit on-street parking in those locations that would be deemed a detriment to highway safety. They advised that if any overspill on-street parking was to occur, that there is limited space for this on the eastern side of Charlton Street in the vicinity of the site and that such on street parking is an existing practise that causes a noticeable narrowing of the available carriageway space. Over and above that which already occurs the LHA did not anticipate that this situation would be exacerbated by the development.
18. Whilst I accept that the site access and off street parking layout within the site is constrained, the appellant appeal statement of case included vehicle tracking plans. These clearly demonstrate a motor vehicle could manoeuvre within the access and site generally in a safe manner, whilst also allowing motor vehicles to manoeuvre into and out of each of the eight off street spaces provided in a practical way.
19. No substantive evidence has been provided to me that leads me to a different conclusion and as such I consider the access and off street parking to adequately meet the LHA and Council's highway requirements in regard to this development proposal. Furthermore, bearing the above in mind, I do not consider that motor vehicles would be displaced onto the surrounding streets.
20. Therefore, the proposal would not be detrimental to the living conditions of occupiers in the vicinity of the development arising from parking being displaced on to surrounding streets, as adequate and accessible off street parking provision would be made available on site. As such the development is acceptable in terms of highways safety and the living conditions of occupiers in the vicinity of the proposal and accords with policy 33 of the HDPF, which amongst other criteria seeks to ensure development does not adversely impact on the living conditions of neighbouring occupiers; and policies 40 and 41 of the HDPF, which amongst other criteria seeks to ensure development sites

have safe accesses, whilst encouraging healthier lives by seeking to locate development in areas that provide sustainable transport choices, combined with balancing parking requirements so they do not conflict with other uses.

Planning Balance and Conclusion

21. I have found the development to be acceptable in terms of highways safety, with particular regard to the accessibility and usability of the off street parking spaces, and not displacing motor vehicles onto the public highway to the detriment of living conditions of occupiers in the vicinity of the development. However, I do not find the development to be acceptable in terms of the less than substantial harm that would result from the development, specifically in regard to the erection of the 2 new-build dwellings within the rear garden area of the appeal site and the provision of extensive hardstanding within that area, on the significance of the heritage assets.
22. Giving considerable importance and weight to the desirability of preserving the setting of the listed buildings in the locality and the desirability of preserving or enhancing the character or appearance of the Steyning Conservation Area, the development is unacceptable for the reasons set out above and the appeal is therefore dismissed.

Christopher Butler

INSPECTOR