



Appeal Decision

Site visit made on 21 July 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Ref: APP/C3810/W/20/3245757

Kents Yard, Brookpit Lane, Climping, BN17 5QT

- 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 A Crowley against the decision of Arun District Council.
 - The application Ref CM/53/19/PL, dated 7 October 2019, was refused by notice dated 2 December 2019.
 - The development proposed is change of use of barns to 3. No dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. There is another appeal for a very similar development¹ which is the subject of a separate decision letter. I refer to the units as numbers 1, 2 and 3 as denoted on the proposed site plan.
3. The Council have confirmed that the alleged harm set out in the second reason for refusal would occur to the setting of Kent's Farmhouse, a Grade II listed building. I have dealt with the appeal accordingly.

Main Issues

4. The effect of the development on
 - i) the character and appearance of the area, including the setting of the Grade II listed Kent's Farmhouse; and
 - ii) the living conditions of future residents, with particular regard to the level of external amenity space proposed for each residential unit.

Reasons

5. Character and Appearance The building to the immediate east of the site, Kent's Farmhouse, is Grade II listed. The special character and significance of this designated heritage asset, which dates back to the eighteenth century, is derived from its agricultural origins as part of a group of farm buildings, reflected in its external layout and elements of its well-preserved appearance. The listed building falls within a setting of open countryside and agricultural buildings, which is reflective of the buildings origins and therefore contributes positively to its significance. Within this context, the appeal site comprises low

¹ APP/C3810/W/20/3245756

level, former agricultural buildings around an open courtyard. They appear unobtrusive in the landscape and visually subservient to the listed building.

6. The physical works to the building would largely maintain its scale and agricultural appearance and the level of residential activity, including vehicular movements, would be broadly consistent with rural and spacious character of this small settlement. However, the existing courtyard would be partitioned into parking and amenity spaces in an awkward and asymmetric manner. The box hedging and ornamental trees would occupy a significant proportion of the courtyard, resulting in the loss of its current open appearance.
7. This element of the scheme would appear awkward and cramped. The box hedging would also appear overtly domestic and residential in character, undermining the other attempts to preserve the agricultural appearance of the host building. The courtyard would be visible in public views from the adjacent road, at times when the gates are open. The effect would be of significant harm to both the rural setting of the neighbouring listed building, and the prevailing spacious character and appearance of the host building and surrounding area.
8. Whilst an alternative scheme for 2 units on the site has been approved by the Council, the evidence before me does not indicate it has agreed to the partitioning of the courtyard to the extent now proposed. This does not justify this proposal.
9. As such, the proposal conflicts with policies D DM1, H DM4 and HER DM1 of the Arun Local Plan (2018), together with policy CPN11 of the Clymping Neighbourhood Plan which seek, amongst other things, to ensure that proposed development is well designed whilst preserving the historic character of listed buildings. Having regard to paragraph 196 of the National Planning Policy Framework ("the Framework") the harm to the setting of the listed building is less than substantial. I will return to this matter in the planning balance.
10. Living Conditions All 3 properties would have a private area of garden to its rear. Even the smallest garden area, that associated with unit 3 would amount to 47 square metres in a regular shape. This would provide enough space for most activities typically carried out in such areas such as sitting or eating out, children's play or drying out clothes. The rear gardens for units 1 and 2 would be larger than this, and in all cases the shape would be appropriate. The space allocated for each property in the front courtyard would be additional to this. The lack of privacy would not diminish the functionality of this area.
11. Cumulatively, there would be a more than satisfactory level of external amenity space provided for each of the 3 units proposed. In this respect the living conditions would be acceptable and there is no conflict with either policy D DM1 or H DM4 of the Arun Local Plan, nor CPN11 of the Clymping Neighbourhood Plan, all of which seek, amongst other things, to ensure that development provides for sufficient external amenity space.
12. Planning Balance Evidence provided by the Council in the form of its Annual Monitoring Report (2019) suggests that it cannot demonstrate a 5-year housing land supply. The proposal would provide 3 additional good quality residential units, which would contribute to the housing supply in an area which is reasonably accessible to services, facilities and transport links, where there is an apparent shortfall in the delivery of housing. This is a public benefit, that weighs in favour of the proposal. However, it is insufficient to outweigh the less

than substantial harm to the setting of the neighbouring listed building. For the purpose of paragraph 11 d) i) of the Framework, this amounts to a clear reason to refuse the development proposed. The presumption in favour of sustainable development does not therefore apply.

Conclusion

13. Whilst the proposal would provide acceptable living conditions for future residents in relation to amenity space, there would be unacceptable harm to the character and appearance of the area and the setting of the neighbouring listed building, specifically due to the proposed partitioning of the internal courtyard. The proposal therefore conflicts with the development plan, when it is considered as a whole, and there are no other considerations, including national planning policy, that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR