



Appeal Decision

Site Visit made on 27 October 2020

by S M Holden BSc(Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2020

Appeal Ref: APP/Z3825/W/20/3249320

19 Hernbrook Drive, Horsham RH13 6EW

- 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 Mrs Cecilia Waterfall against the decision of Horsham District Council.
 - The application Ref DC/19/1824, dated 3 September 2019, was refused by notice dated 1 November 2019.
 - The development proposed is erection of detached 2 bed bungalow with new vehicular crossover & elevational changes to 19 Hernbrook Drive.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on:
 - a) the character and appearance of the area;
 - b) the living conditions of the occupants of No 17 in relation to loss of light and overbearing appearance.

Reasons

Character and appearance

3. Hernbrook Drive is an established residential street characterised by a mix of bungalows and modest-sized, detached 2-storey dwellings. The dwellings are set back from the street behind a footway, a grass verge, and open front gardens and driveways. The prevailing character of the street is its open, spacious and green appearance.
4. No 19 is a bungalow occupying a good-sized plot which is triangular in shape due to its location on a bend in the road. The side garden is enclosed by a mature hedge which approximately aligns with the front elevation of No 17. An area of grass between the hedge and the footway makes a particularly positive contribution to the street's appearance. The road's alignment means that the space between Nos 17 and 19 is larger than between other properties in the street. It is in this gap that permission is sought to erect a new bungalow.
5. The new dwelling would have an L-shaped footprint with its front elevation aligning with that of No 17. Its north-western corner would not project beyond the front elevation of No 19. In these respects, it would not appear unduly prominent in the street scene. However, the existing hedge would be lost and the area of grass would be replaced by an expanse of hard-surfacing to provide

space for parking and turning a vehicle. This would adversely affect the street's verdant appearance. The proposal would be sited close to the shared boundary with No 17 leaving only a minimal gap between the two properties. This would result in a cramped appearance that would fail to respect the more spacious pattern of development that characterises the remainder of the street.

6. The rear of the dwelling would project beyond the back of the host property creating an uncomfortable relationship between the two dwellings. The sub-division of the site would result in two awkwardly shaped, small plots. Consequently, the area behind the new dwelling would appear too small in relation to the footprint of the building.
7. The proximity of the proposal to the properties on either side, combined with the size of its plot, would not be in keeping with the more generous relationships between the dwellings and their plots that give Hernbrook Drive its open and spacious character. It would therefore represent poor design. These fundamental problems would not be overcome by the dwelling's modest scale or by using similar materials to those employed elsewhere in the street.
8. For these reasons I conclude that the proposal would significantly harm the character and appearance of the area contrary to Policies 32 and 33 of the Horsham District Planning Framework 2015 (HDPF). These policies, amongst other things, require development to complement locally distinctive character and integrate effectively and sympathetically with the surroundings.

Living conditions

9. No 17 has two projections that face the shared boundary with No 19. These both have high level windows that I understand serve a bedroom and bathroom. As a non-habitable room, any effect on the bathroom whilst regrettable, is not a reason to reject an otherwise acceptable scheme.
10. Although I do not have full details of the internal layout of No 17, the bedroom window that would be affected appears to be a secondary one. A high-level window does not provide any outlook over the garden of No 19 but will provide light and a view of the sky. The proximity of the flank wall of the new dwelling to this bedroom window would be likely to result in a limited loss of light to the bedroom. However, as this is not the only source of light for the bedroom and the proposal is single-storey height with a pitched roof, any loss of light would not be significantly harmful to the occupants of No 17.
11. The restricted separation distance between the window and the flank wall of the proposal would be likely to increase the sense of enclosure in the bedroom of No 17. However, it would still be possible to look up towards the sky so any oppressive or overbearing appearance would be limited. Furthermore, as this high-level feature is not the only window serving the bedroom, the neighbours would not be unacceptably affected.
12. I therefore conclude that the proposal would not result in significant harm to the living conditions of the occupants of No 17, arising from loss of light or an overbearing appearance. It therefore complies with Policy 33 of the HDPF, insofar as it would not unacceptably harm the amenity of the neighbours.

Conclusion

13. The Government is seeking to significantly boost the supply of housing and the HDPF supports development within existing settlements. There is therefore no objection in principle to a residential development on this site, providing this can be achieved without harm to the local environment.
14. Even though I have not found harm to the living conditions of neighbours, I have concluded that the proposal would be a poor design that would cause significant harm to the character and appearance of the area. The very limited benefits that would accrue from the provision of a single dwelling would not outweigh this harm.
15. I conclude that the proposal conflicts with the development plan as a whole and for this reason the appeal is dismissed.

Sheila Holden

INSPECTOR