



Appeal Decision

Site visit made on 11 May 2021

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2021.

Appeal Ref: APP/Y9507/D/20/3264363

Leith House, Angel Street, Petworth, GU28 0BG

- 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 Roger Brown against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/02062/HOUS, dated 26 May 2020, was refused by notice dated 18 September 2020.
 - The development proposed is demolition of existing double garage and alterations and extensions to existing dwelling at Leith House, Angel Street, Petworth.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's decision notice refers to the proposal as an 'annex'. However, the proposal as applied for is for an extension to the existing property. I have, therefore, adopted the description of development as it appears on the application form and determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the sites location within the Petworth Conservation Area and within the setting of nearby listed buildings and within the wider landscape.

Reasons

4. The appeal site lies within the Petworth Conservation Area (PCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the National Planning Policy Framework (February 2019) (Framework).
5. The appeal site also lies within the setting of several designated Grade II Listed Buildings including the Presbytery of the Roman Catholic Church (Presbytery), the Roman Catholic Church of the Sacred Heart (Church), Leith Cottage and Egremont Row. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special regard must be had to the

desirability of preserving these buildings setting. Similar advice is to be found in the Framework.

6. The Council's Delegated Report states that the appeal property is of a typical 1930 – 1950's design. This contrasts with the description of Angel Street within the Petworth Conservation Area Statement and Petworth Neighbourhood Plan (Made July 2018) (PNP), also summarised in the Delegated Report, of an early suburb developed from the 16th Century onwards on the eastern fringe of the commercial area of Petworth.
7. The Delegated Report continues by stating that the prevailing pattern of development on Angel Street is 16th – 17th Century timber framed, stone fronted dwellings and that the streetscene is primarily residential with the exception of the Grade II Listed Church, Presbytery and Angel Inn. The Delegated Report concludes that due to the presence of these distinctive buildings, Angel Street is regarded as a 'landmark' location within Petworth, of great significance to the PCA and wider historic setting of the town.
8. Based on my observations on site and the evidence before, this commentary from the Delegated Report provides an accurate analysis of the architectural and historic qualities that contribute to the importance of Angel Street to the whole of the PCA. However, in my judgement, the Grade II Listed Building's to the east of the appeal site and to the south (Egremont Row), equally contribute to the historic importance of this location.
9. The appeal site occupies a central, prominent and highly visible position within this part of Angel Street. Although the design of the appeal property does not replicate the prevailing architecture in this location, the simple and unassuming appearance of the building has, in my view, a neutral impact on the PCA, and it does not detract from the surrounding historic streetscene. This is also the case for the adjoining timber clad garage, which is again unassuming, albeit it is in need of repair. The scale, height and design of the garage does not dominate views of the Presbytery or the Church or the wider historic streetscene, when approaching either from the east or the west.
10. All of the above factors contribute, in my judgement, to the significance of the PCA as a whole.
11. The appeal proposal would involve the demolition of the existing garage and its replacement by a two storey extension and glazed link to the host building. The new extension, including the glazed link, would have a modern and contemporary appearance, with horizontal black/grey timber cladding to the elevations and a dark grey zinc roof. Various alterations are proposed to the host building, including a new bay window at the rear, replacement windows and a new porch. The Design & Access Statement confirms that the elevations to the host property would also be painted in an off-white colour to reflect the painted brick finish prevalent within the town.
12. Within the above context, the scale, height and design of the proposed extension would, in my view, appear overly dominant and out of character with the existing pattern of development and historic streetscene. It would introduce a discordant feature within this historic setting and its modern and contemporary design would overwhelm and draw attention away from its unassuming host. The proposal would introduce an awkward juxtaposition between the new extension and the host property, and the contrast between

the two (accentuated by the proposed black/grey timber cladding on the extension and the painting of the host building off-white) would give the impression of separate buildings, rather than an extension that is subservient to and harmonises with the host building. The result is a development that does not, in my judgement, sit comfortably on the site. It does not have regard to the character of the host property or more importantly to the local townscape or the architectural and historical qualities that contribute to the significant importance of this location to the whole of the PCA.

13. I appreciate that the Appellant has sought to minimise the scale and height of the new extension. However, the existing ridge to the garage appears to sit level with the eaves of the host property, whereas the ridge of new extension and glazed link would appear to sit at a higher level to the eaves of the host property. This increase in height and bulk, compared to that of the existing garage (particularly on the front elevation), and the infilling of the gap between the host property and the garage, would further obscure views and sight lines of the Presbytery and Church.
14. Overall, the proposed extension would result in an incongruous addition that would be out of keeping in this historic location, harming the setting of, in particular, the Presbytery and Church. These buildings are of significant importance, not only in terms of their listing, but also because of the important contribution they make to this historic streetscene. The proposed extension would, in my view, cause significant harm to their setting and I agree with the Council that the design of the proposed extension does not appear to have been informed by the scale, local distinctiveness and design of the prevailing pattern of development in this area or the historic setting of the appeal site within the PCA.
15. The Council also raises an objection to the proposal on the grounds of the higher ratio of glazing within the proposed development compared to existing, and the potential light impact this would have and thus conflict with the Dark Night Skies policies of the South Downs National Park. However, having regard to the location of the appeal site within the built-up area of Petworth, as well as existing street lighting and light spill, I am not convinced that any increase in light spill resulting from the appeal proposal would be so significant as to justify the refusal of planning permission. Similarly, having observed on site the relationship of the appeal site to the wider open landscape and public footpaths to the north east, I do not consider that the appeal proposal would result in any material harm to the tranquillity or visual qualities of the wider landscape.
16. The Council also contend that the proposed extension would increase the floorspace of the existing dwelling by 30%, contrary to Policy SD31 of the South Downs Local Plan (July 2019) (Local Plan). The parties disagree on the precise percentage increase, but even the Appellant's estimate appears to exceed 30%. One of the purposes of this policy is to avoid the over extension of existing properties due to the adverse impact this can have on the character and appearance of the settlement in question. As no exceptional circumstances have been put forward, the proposed extension would, therefore, conflict with part a) to Policy SD31, adding further support to the findings I have reached above.
17. The Appellant contends that they have sought to deliver a high-quality building and bring forward a design that is sensitive to its existing historical context.

Whilst I acknowledge that the Appellant has given considerable thought to the detailing and design of the proposed extension, that does not affect the findings I have reached above. I accept that there is room to improve the appearance of the appeal property and its contribution to the PCA, but as I have found above, the appeal proposal would, in my judgement, result in significant harm to the heritage assets in this location

18. The Appellant has referred to Pre-application advice given by the Council in 2013 on a proposal to demolish the appeal property and construct 3 terraced properties, as well as other decisions where the use of contemporary design features, such as glazed links, have been found acceptable. In relation to the Pre-application advice, this pre-dates the adoption of the Local Plan and simply represented the opinion of Planning Officers at the time. Even so, it does not affect the findings I have reached above. In relation to the examples of other decisions, I do not know the full planning circumstances of these cases and it is not possible for me, therefore, to determine whether they are comparable or relevant to the appeal proposal. Even so, I can only consider the proposal that is before me and determine it on its individual merits having regard to the particular circumstances of this case.
19. For the reasons set out above, I find that the appeal proposal would result in significant harm to the character and appearance of the area, and as such it would not preserve or enhance the PCA. The appeal proposal would also result in significant harm to the setting of several Grade II Listed Buildings.
20. Given the above findings and as is required, particularly by the Framework, considerable importance and weight must be attached to the harm to these designated heritage assets. The appeal proposal would, in my judgement, lead to less than substantial harm to the significance of the designated heritage assets. The level of harm would be high, and there are no public benefits, delivering either economic or social or environmental objectives, that would outweigh that harm.
21. Accordingly, I find that the proposed development would be contrary to paragraphs 184, 192 – 194 and 196 of the Framework, policies SD5, SD12, SD13, SD15 and SD31 a) of the Local Plan and policies PP2 and ESD1 of the PNP.

Conclusion

22. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires all proposals for development to be determined in accordance with the development plan unless material considerations indicate otherwise. As I have found above, the appeal proposal would be in conflict with various policies of the Local Plan and PPN, as well as the corresponding policies of the Framework, and there are no material considerations that justify making a decision other than in accordance with the development plan.
23. For the reasons given above and having taken all other matters into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR