



Appeal Decision

Site Visit made on 10 August 2021

by S Harley BSc(Hons) M.Phil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 25th August 2021

Appeal Ref: APP/D3830/W/21/3267397

402-408 Franklands Village, Haywards Heath, RH16 3RS

- 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 Patricia Shadforth, Franklands Village Housing Association against the decision of Mid Sussex District Council.
 - The application Ref DM/20/3453, dated 11 September 2020, was refused by notice dated 1 December 2020.
 - The development proposed is two storey rear extension and conversion of 4 existing studio flats to form 4 self-contained 2 bed flats with associated external works including private gardens and parking area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form states the site address as No 402 Franklands Village. The building containing No 402 also contains Nos 404-408 (evens). The proposal relates to the whole building and the Council dealt with the application on that basis, advertising it, and issuing the Decision Notice, under the address 402-408 Franklands Village. Although described as studio flats the appellant has subsequently confirmed that the existing properties are one-bedroomed flats. The appellant concludes that the Council does not object to the effect of the proposal on the character of the existing building as the decision notice does not specifically refer to the building. However, it seems to me that as the proposal is for an extension a common sense interpretation of the decision notice means that the effect must be considered in relation to the existing building. I will consider the appeal on the above bases.
3. On 20 July 2021 the revised National Planning Policy Framework (the 2021 Framework). The Parties have had the opportunity to consider the implications of this.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Franklands Village Conservation Area (the CA).

Reasons

5. Franklands Village (the Village) was founded in the 1930s by the local branch of the International Rotary Club, and was established to provide homes for young people and work for local builders. The whole Village is now a CA. Its special character includes the uniformity of the distinctively designed buildings

- which gives the area its “model village” character; the consistency of footprint and form; the spacious layout of the village with wide grass verges, mature trees and hedges and areas of open space; and the picturesque village pond. It is now managed by the Franklands Village Housing Association.
6. In principle there would be no objections to the enlargement of the dwellings in this built up location with access to facilities and bus services so long as other planning policies and material considerations are satisfied.
 7. The appeal site is typical of the brick built residential properties with hipped roofs set in spacious gardens which have the uniform appearance of semi-detached houses. The appeal building contains four self-contained one-bedroomed flats with a staircase in the centre of the building leading to the two at first floor. The building is set in a large garden area; the area to the rear is subdivided to provide a garden for each flat. The front elevation of the building would be unchanged.
 8. During my site visit I observed that, as the appeal building is set further back than the neighbouring ones and, despite established boundary planting, parts of the rear first floor and roof of the appeal building are distinctive in views from the access to the garage court/scout hut area; the footpath to the Village Recreation Ground; and, more obliquely, in the gaps between the appeal building and its neighbours from parts of Gravelye Lane. The proposal would about double the size of the existing flats. Due to the approximately 6.1m projection to the rear, and as it would extend the width of the building, the proposed extension would appear prominent and incongruous in these views.
 9. This would be particularly the case as viewed from the footpath to the rear as existing vegetation would be cleared to enable the proposed parking area. To minimise the bulk and height a dual pitched roof is proposed. Although this would be hipped and the roof ridges slightly lower than the existing, it would still be of substantial bulk and the incongruous roof shape would be at odds with the prevailing simple hipped roofs which are a feature of the uniformity of the buildings in the village.
 10. I acknowledge the Council’s concerns about the extent of hard standing proposed for car parking. However, hard surfaced parking areas are not uncommon in the Village. The planting around the proposed car parking area could be secured by condition and would ameliorate the harm arising from the removal of vegetation. The window design, eaves height and materials would all match the existing. However, these matters do not alter my conclusion that the scale and position of the proposed extension would be harmful to the character and appearance of the CA.
 11. The harm I have identified to the CA, whilst real and enduring, would be limited in terms of the effect on the significance of the CA as a whole. I therefore conclude that the harm to the CA would be less than substantial for the purposes of the 2021 Framework. Less than substantial harm does not equate to a less than substantial planning objection. As a decision maker I am required to give considerable importance and weight to the conservation of the CA as a designated heritage asset. Paragraph 202 of the 2021 Framework states that such harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

12. Public benefits would arise from the upgrading of existing social housing in respect of larger floorspace, improved washing facilities, insulation and addressing any damp. However, notwithstanding the refusal of permission for a smaller extension Planning Ref DM/20/4639, it is likely that upgrading could be achieved in a way with a less harmful effect on the CA.
13. The appellant asserts that the rear gardens are not well used and maintained. Whilst somewhat overgrown in parts they are not particularly unattractive and, being undeveloped, add to the verdant spacious character of the CA. Moreover, in the future different occupiers of the premises, including of one-bedroomed flats, may well use the spaces differently. Accordingly I give possible improvements to the garden areas relatively little weight as a public benefit.
14. Eight parking spaces are proposed to the rear of the building. A reduction in on-street parking would visually improve the appearance of the area and improve access for buses and emergency vehicles. However, because of the circuitous access to the proposed spaces and as the location is likely to feel relatively secluded at times, it seems likely to be somewhat unattractive to use. Accordingly I consider it unlikely that such provision would materially help reduce on street parking and I give this little weight as a public benefit of the proposal.
15. Taking all the above into account I conclude that the proposal would have a harmful effect on the character and appearance of the CA that would not be outweighed by its public benefits. Therefore the proposal would conflict with Policies DP26 (Character and Design) and DP35 (Conservation Areas) of the Mid Sussex District Plan 2018; Policies E9 (protect and reinforce local character including conservation areas) and H9 (the design of extensions) of the Haywards Heath Town Council Neighbourhood Plan 2016; the design principles of the Mid Sussex Design Guide Supplementary Planning Document 2020 and those similar principles of the 2021 Framework that seeks high quality design that conserves heritage assets.

Other Matters

16. I acknowledge that CA designation does not preclude all development and that some alterations and extensions have taken place without significant harm to the CA. However, from what I have seen, none are of the scale or design of the appeal proposal and they do not lead me to any different conclusion in respect of the appeal before me.
17. The appellant has expressed dissatisfaction with the way the Council handled the planning application. However, this does not affect my considerations of the planning merits of the proposal.

Conclusion

18. In conflicting with the above Policies the proposal cannot comply with the development plan as a whole. There are no material considerations that indicate the decision should be other than in accordance with the development plan. The appeal should be dismissed.

S Harley

INSPECTOR

