



Appeal Decision

Site Visit made on 28 July 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2021

Appeal Ref: APP/D3830/W/21/3268436

21A The Crescent, Hassocks BN6 8RB

- 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 and Mrs P Fassam against the decision of Mid Sussex District Council.
 - The application Ref DM/20/2880, dated 4 August 2020, was refused by notice dated 30 October 2020.
 - The development proposed is erection of 1 no 3 bed dwelling with associated parking, cycle and refuse storage.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. A sustainability statement has been submitted with the appellants' evidence which was not before the Council at the time it made its decision and interested parties would not have been made aware of this information. It provides additional information but does not represent a significant change to the proposed development. The Council has also provided comments on this document. As such, the parties would not be prejudiced if I were to consider this document, and therefore the appeal is assessed on the basis of the submitted statement.
3. During the consideration of this appeal the revised National Planning Policy Framework July 2021 (the Framework) has been published. I have invited both main parties to submit comments on the relevance of the Framework to this case.

Main Issues

4. The main issues are whether the proposed development would preserve or enhance the character or appearance of the Keymer Conservation Area (CA), and whether the proposed development would provide sustainable design and construction.

Reasons

Keymer Conservation Area

5. The significance of the CA, as a whole, appears to me to derive from the traditional pattern of development in this settlement and its historic buildings. The dwellings along the Crescent make a positive contribution to the CA in terms of both their traditional layout and appearance. This includes their generally two to two and a half storey scale with pitched or gabled roofs, set in

generous grounds. Their layout includes wide gaps between properties, albeit that spacings vary, and the soft landscaping prevalent in this area contributes a leafy character to these open spaces. Although many of the houses have driveways, due to the size of the plots, these do not dominate the dwellings' frontages and appropriate soft landscaped front gardens are retained. These features make a positive contribution to the significance of the CA.

6. 21A The Crescent is a modern building which reflects the positive characteristics described above including its appearance and spaciousness. The appeal site forms the side garden to this property and currently provides an undeveloped, open gap between the host property and 15 The Crescent and the access to nos 17 and 19. There are trees on the appeal site along the western boundary. Although the appellants Tree Layout Plan classes these as category C, they are visible in the streetscene and provide a visible natural break between 15 and 21a The Crescent, making a positive contribution to the green character of the CA.
7. The proposal would introduce development to this currently open space. The proposed dwelling would be tight to its boundaries with limited separation from no 21A and although it would be single storey, the scale and size of the dwelling is nevertheless evident. The resultant dwelling would harmfully erode the gaps between these buildings which would unacceptably weaken the attractive sense of spaciousness. It would also remove the trees to the boundary further undermining the verdant character of this area and emphasising the cramped urban form of the development proposed. Replacement planting could be secured by condition, however as the proposed built form would occupy the full width of the plot it is unlikely that any replacement would create the same sense of separation.
8. The proposed development has a single storey above ground level and no windows to the front elevation, which is intended to appear as a garden wall with planting. Nevertheless, due to the separate driveway and front door along with the comings and goings associated with a separate house, it would be apparent that this was an independent dwelling. Furthermore, the proposed flat roof and basements do not reflect the characteristics of the surrounding properties and would be visually jarring with the nearby buildings. Also, the car parking would dominate the frontage of this plot further undermining the leafy character of this part of the CA.
9. I am not provided with detail as to the proposed photovoltaic panels, although the submitted evidence states that they would be mounted horizontally. Therefore, they should not notably increase the bulk of the building. I also observed such panels on a number of the nearby properties. Consequently, this feature would be appropriate to these surroundings.
10. Nevertheless, taking all the above into account, the proposed development would not preserve or enhance the character or appearance of the CA. In terms of the Framework the harm to the CA would be less than substantial. However, the Framework advises that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance. It goes on to require that any harm should be weighed against the public benefits of the scheme.
11. The proposed development would provide the social and economic benefits associated with the provision of one new dwelling. However, given the size of the proposed development these benefits would be limited in their scale. On

the other hand, having regard to my statutory duty I am required to attribute considerable weight and importance to the public and permanent harm I have found to the CA.

12. Accordingly, the limited public benefits would not outweigh the harm to the CA. As such, the appeal scheme is not sustainable development in the terms of the Framework. Consequently, the proposed development would not preserve or enhance the character or appearance of the CA. Therefore, in this respect, it would be contrary to Policies DP26, DP35 and DP37 of the Mid Sussex District Plan 2014-2031 (March 2018) (the District Plan), Policies 7, 9 and 14 of the Hassocks Neighbourhood Plan 2014-2031 (July 2020) the NP and paragraphs 130, 134, 174 and 202 of the Framework. Together these require well designed development and provide detail as to how this can be achieved taking into account the character of the area. They also require that development in a conservation area must conserve or enhance its special character, which include the properties in the Crescent, along with recognising the benefits of and providing detail regarding the protection of trees.

Sustainable Design and Construction

13. The sustainability statement includes information about the proposed thermal efficiency of the building, water usage and use of renewable sources of energy. The Council states that subject to conditions, their concerns in relation to this main issue can be overcome. Consequently, there is no dispute between the main parties in relation to this issue and based on the evidence before me, I agree with this assessment.
14. Therefore, in these respects, the proposed development would provide sustainable design and construction. Consequently, it would comply with policies DP26 and DP39 of the District Plan, Policy 5 of the NP and paragraph 157 of the Framework which together set out measures to improve the sustainability of development and require that development avoids increased vulnerability to climate change and helps reduce greenhouse gas emissions.
15. Paragraph 158 of the Framework relates to applications for renewable and low carbon development and therefore the policies above are more relevant to the main issue for the proposed development.

Other Matters

16. There was a previous application and appeal on this site¹ for a two storey dwelling. The current appeal scheme has been reduced in scale and massing from that proposed in 2016. However, these two proposals are notably different and therefore, although I have had regard to the comments made, this decision does not alter my conclusions set out above.

Conclusion

17. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons set out above, this appeal is dismissed.

H Miles INSPECTOR

¹ APP/D3830/W/17/3170344