



Appeal Decision

Site visit made on 30 November 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2022

Appeal Ref: APP/Z3825/W/21/3274430

Birchwood Cottages, Shaws Lane, Southwater RH13 9BX

- 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 Michael Day against the decision of Horsham District Council.
 - The application Ref DC/20/2533, dated 16 December 2020, was refused by notice dated 16 February 2021.
 - The development proposed is the installation of a hayloft door and balcony to south elevation with projecting beam, winch and trap door to balcony floor below and installation of a dormer window to north elevation of holiday accommodation unit (part-retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for the installation of a hayloft door and balcony to south elevation with projecting beam, winch and trap door to balcony floor below and installation of a dormer window to north elevation of holiday accommodation unit (part-retrospective) at Birchwood Cottages, Shaws Lane, HORSHAM, RH13 9BX in accordance with the terms of the application, Ref DC/20/2533, dated 16 December 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2001 01, 2001 02, PD 1301 04 and PD 1301 05A.

Applications for costs

2. An application for costs was made by Mr Michael Day against the decision of Horsham District Council. This application is the subject of a separate decision.

Preliminary Matters

3. I have taken the description of the development proposed in the banner heading above from the Council's decision notice, but I have amended it to refer to a hayloft door on the south elevation, rather than a dormer window. This more accurately describes the proposal in comparison to the description provided in the application form, and the appellant has confirmed their acceptance of this amended description within their appeal statement. I have also added the text "(part retrospective)", as the appellant has confirmed that construction of the proposed dormer window and hayloft door have commenced, but they remain incomplete. The amended description provided in the banner heading above therefore clearly describes the development proposed and does not cause injustice to any parties.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal building is a detached three-bedroom holiday unit located within the open countryside, which was previously a partially constructed replacement timber framed barn. The submitted plans titled 'approved details'¹ show the appellant's fallback position², which would include large rooflights on the north and south elevations in place of the dormer window and hayloft door. Its existing form and materials are sympathetic to its rural surroundings, but its porch and the approved large rooflights set the building out as distinctly residential in character.
6. The Council has claimed the dormer window and hayloft door fail to respect the existing building's 'low key agrarian character and appearance' and I note comments from an interested party claiming the building resembles a house. I do not consider the dormer window and hayloft door would result in any substantial change to the building's character or appearance in comparison to the approved rooflights. They change the building's roof form and increase its mass, but these changes would respect the scale of the building, and even in the absence of the dormer window and hayloft door, the appeal building would resemble a house, as shown on the approved details plans.
7. The dormer window and hayloft door are small in size, have pitched roofs and are finished in materials to match the rest of the building. They are not suburban in character and do not substantially change the barn style roof of the building or prevent it from remaining sympathetic to the character and appearance of its rural location, which includes nearby dwellings, domestic outbuildings and utilitarian/agricultural buildings.
8. The development therefore causes no harm to the character or appearance of the site or its surroundings, in accordance with Policies 28, 32 and 33 of the Horsham District Planning Framework (2015) and Policy SNP16 of the Southwater Neighbourhood Development Plan (2019-2031) (2021).
9. These policies require, amongst other things, the scale, massing and appearance of new development to comprise high quality design which complements locally distinctive character and is sympathetic to its surroundings, with extensions needing to be in keeping with the scale and character of existing dwellings.

Conditions

10. The Council have not provided any suggested conditions in the event that the appeal is allowed. As the development has already commenced, there is no need for a condition requiring the commencement of development within the relevant timeframe. It is reasonable and necessary to attach a condition identifying the approved plans, in the interests of clarity and enforcement.

¹ Drawing No. 05A

² Planning permission reference DC/16/0247

Conclusion

11. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

L Douglas

INSPECTOR