



Appeal Decision

Site visit made on 15 March 2022

by C Shearing BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2022

Appeal Ref: APP/Y9507/D/21/3277488

Dunrovin, Limbourne Lane, Fittleworth RH20 1HR

- 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 A Spiers against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/20/04533/HOUS, dated 16 October 2020, was refused by notice dated 20 April 2021.
 - The development proposed is erection of a two storey rear extension and front porch together with installation of tile hanging at the first floor level.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. There are no substantive changes relevant to the appeal before me and therefore no interested parties would be prejudiced by my consideration of the 2021 version of the Framework.

Main Issue

3. The main issue is the effect of the proposed development on the supply of small and medium sized homes within the National Park.

Reasons

4. Due to the appeal building having two bedrooms on the first floor and commensurate internal floorspace, it can be defined as a small dwelling by the Authority's 2020 technical advice note on extensions and replacement dwellings. Both main parties agree that the appeal scheme would be in breach of the approximate 30% enlargement cap (unless there are exceptional circumstances) set out by Policy SD31 of the South Downs Local Plan 2019 (LP). The house would be enlarged to a four bedroom property and would thus exceed the size of either a small or medium sized dwelling by definition. It would therefore result in the loss of one such unit in the housing stock.
5. SD31 aims, amongst other things, to protect the limited supply of small and medium sized homes in the National Park. Policy SD27 reiterates the identified need for houses of 2 and 3 bedrooms in the National Park, in line with the Authority's Strategic Housing Market Assessment (SHMA). While SD27 relates to new development, it assists in demonstrating the identified housing need in the National Park over the plan period up to 2033.

6. Planning permission was granted for the neighbouring site (Ref SDNP/20/03676), which would deliver a mix of homes comprising predominantly one, two and three bedroom properties. While this would deliver on the identified need, I am not satisfied that it would entirely alleviate or reduces the need for small or medium sized homes within the local area, or indeed the wider National Park, to the extent that there would no longer be a need for their protection in accordance with the development plan. I have also had regard to the scheme granted at Briar Cottage (ref SDNP/20/02921). I nonetheless understand that, despite the works exceeding the 30% floorspace threshold, the property remained a three bedroom house and so continued to provide a small or medium sized home by definition. I do not therefore find this to be comparable to the appeal scheme.
7. It has been argued that the appeal property is not affordable based on UK average salary data and that it is above the average value for a two bedroom property in the local area. This information is however based on a snapshot in time in the local area and does not necessarily reflect trends across the wider area or across the lengthier development plan period. In addition, and despite the issue of affordability, it remains the case that the Authority have identified a strong need for houses of 2 bedrooms across the National Park.
8. A scheme of permitted development rights in combination with a planning application could otherwise be used to extend the property to a similar degree. However, I have no details of this potential scheme or evidence that these works would otherwise be carried out. As such, I can afford this matter, as a perceived fallback position, only limited weight.
9. The proposals would benefit the occupiers by upgrading the accommodation to meet their family's needs, and prevent the potential for disruption to the children's education should they need to relocate. Based on the limited information provided of any specific educational need however, I attach moderate weight to this matter.
10. The proposed development would not cause harm to the character and appearance of the area, and would provide a well designed home which would also preserve the living conditions of neighbouring occupiers. These are however a lack of harm and thus neutral matters.
11. Overall, I do not find that there are exceptional circumstances applicable in this instance, nor indeed sufficiently weighty material considerations which would outweigh the harm that the appeal scheme would cause to the supply of small houses in the National Park for which there is a strong identified need over the plan period. As such the proposals would conflict with Policy SD31 and SD27 of the LP insofar as they seek to protect the limited supply of small and medium sized homes in the National Park.

Conclusions

12. The proposed development would be contrary to the development plan as a whole and this conflict is not outweighed by other material considerations in this instance. The appeal is therefore dismissed.

C Shearing

INSPECTOR