

Appeal Decision

Site visit made on 7 June 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 July 2022

Appeal Ref: APP/Z3825/D/22/3292593

Fordyce, Nightingale Lane, Storrington, Pulborough, RH20 4NU

- 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 Paul Knell against the decision of Horsham District Council.
 - The application Ref DC/21/2445, dated 27 October 2021, was refused by notice dated 5 January 2022.
 - The development proposed is the demolition of original timber framed part of house and re-build with extension to zero/low energy construction.
-

Decision

1. The appeal is dismissed.

Preliminary and Procedural matters

2. Late in the proceedings the appellant drew my attention to a planning permission¹ issued recently to alter and extend the next-door property, known as Squirells. As a consequence, the appellant has sought to change the scheme subject of appeal, and has submitted amended plans with a request that I should consider them as part of the appeal. He says that *the 'height, and therefore scale of the development, has been significantly reduced so as to better 'match' the proportions of the approved development at Squirrels'*.
3. The recently granted planning permission for Squirells was not available when the appeal was made, and since publicly accessible documents and plans are involved, I shall take it into account as a material consideration.
4. As the appellant acknowledges, the amended plans for Fordyce involve significant changes and have not been subject to consultation with the Council, the Parish Council or the public. Planning is an open and transparent process, and I consider it would be contrary to the rules of natural justice if I were to accept and consider the amended plans without those parties being consulted on the amended scheme and being given the opportunity to comment. The appeal shall therefore proceed on the basis of the plans which led to the Council's refusal of permission.

Main issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and its surroundings.

¹ Ref DC/21/2624 dated 21 April 2022

Reasons

6. The proposal involves the demolition of part of the host property, the original timber framed structure, which has reached the end of its useful life, and is energy inefficient. The intention is to replace it with a far more sustainable and eco-friendly structure driven in the appellant's words: '*by the need to produce the most effective form for achieving outstanding savings of energy in line with current and continuing future strategies for a net carbon zero community*'. That is a laudable objective and entirely in accord with national policies directed to the promotion of sustainable development.
7. The appellant has pointed to what is perceived as errors in the Council's officer report in respect of measurements. However, given that parts of the existing dwelling are to remain, it is a relatively straightforward task on site to compare the respective heights, massing and bulk of the old and new from the submitted drawings.
8. Nightingale Lane once acted as a link between the A283 and the B2139, but was closed off at the northern end so that it now forms a quiet cul-de-sac. It displays a variety of house types set in verdant surroundings.
9. The appeal property stands at the southern end of the lane, and as the appellant rightly says, the existing dwelling is very well screened by trees and vegetation, including evergreens, when approaching from the south. Approaching from the north the appeal property is more apparent in the street scene, albeit that it is partially screened from some viewpoints.
10. A contemporary design is proposed and no attempt has been made to mimic or march the more traditional forms and designs seen elsewhere in the lane, either in scale or form. I see no objection in principle to the adoption of a modern and contrasting design approach in circumstances such as this, and innovative design is encouraged in the Framework².
11. In this instance, however, the proposal appears to have been designed with its back turned to the public realm. Most of the main rooms face the rear garden, which is possibly understandable, given the pleasant outlook. But the two main elevations seen from the street would be dominated by a prominent bulky, high structure incorporating a staircase and lift shaft.
12. The composition and articulation of both the northern and eastern elevations are such that, in my view, they would closely resemble and be perceived more as those of a commercial rather than a domestic building. The unrelenting bulkiness of the stairway structure combined with its height would overpower the remaining elements of the dwelling, and would appear harmfully dominating when viewed from the street, thus serving only to accentuate the increased mass, bulk and height of the replacement structure as a whole, when compared to the existing.
13. I consider that this development if it were allowed to proceed would appear as an incongruous, overbearing and unattractive addition to the street scene, harmful to its character and appearance.

² National Planning Policy Framework

Planning Balance and conclusions

14. The environmental credentials of the proposal are acknowledged and have been given significant weight in my considerations. But the development would sit unhappily and inappropriately in its visual and spatial contexts, materially harming the character and appearance of the street.
15. I conclude that this latter factor outweighs the environmental benefits of the proposal and is sufficient reason to refuse permission, particularly since a clear conflict arises with those provisions of policies 32 and 33 of the Horsham District Planning Framework (2015), and Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan (2019) which, taken in combination, seek to promote a high standard and quality of design and require new development to respect local character.

Other matters

16. I have taken account of the various references to national policy. However, the government attaches considerable importance to design, and the Framework provides that:

Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

17. The Framework also provides that '*development that is not well designed should be refused*'. I intend to follow that advice here
18. I have taken account of all other matters raised in the representations, including the objection raised by the Parish Council and the letter of support submitted by the next-door neighbours, but none outweighs those considerations which led me to my conclusions.

G Powys Jones

INSPECTOR