



Appeal Decision

Site visit made on 21 March 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/D3830/D/23/3314890

108 Western Road, Hurstpierpoint, West Sussex, BN6 9TB.

- 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 Daniel White against the decision of Mid Sussex District Council.
 - The application Ref DM/22/2361, dated 26 July 2022, was refused by notice dated 16 November 2022.
 - The development proposed is roof conversion, including two rear flat roofed dormers, and two conservation styled rooflights to front roof slope. Extension of dropped kerb, by four flags, for vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposed development on the architectural integrity of the host property, the terrace of which it is part and thereby whether the proposal would serve to preserve or enhance the character or appearance of the Hurstpierpoint Conservation Area.

Procedural Matters

3. The description of the development set out on the application form and noted in the bullet point above refers to the extension of dropped kerb for vehicular access. However, there are no drawings illustrating this element of the development and neither party refer to it in their evidence. Accordingly, I shall confine my deliberations and determination to the proposed alterations to the dwelling.

Reasons

4. The appeal property, 108 Western Road, is a two-storey, end of terrace Victorian dwelling, located in the Hurstpierpoint Conservation Area. The western side of the road is characterised by terraces and pairs of semi-detached vernacular dwellings of similar form and scale to the appeal property.
5. The appellant proposes the conversion of the loft along with the construction of two rear dormers to the rear roof slope and the insertion of two conservation style rooflights in the front roof slope.

6. Due to the size of the rooflights, the number openings proposed and as several neighbouring properties benefit from front rooflights the Council raise no objection to this element of the proposal. From what I have seen and read I would not disagree with this conclusion.
7. The proposed dormers to the rear roof slope would, due to their width and height appear overly large given the size of the rear roof slope. They would therefore appear out of proportion to the roof slope in which they would be located.
8. Further, the inset windows, due primarily to their width, would be disproportionately large in comparison to the size and proportions of the existing windows. They would therefore detract from and thereby denude the established fenestration pattern of the dwelling.
9. In my judgement for all these reasons the proposed development, by virtue of the design, scale, massing and proportions of the rear dormers, would represent unduly dominant and incongruous additions which would cause significant harm to the architectural integrity and character of the existing dwelling and the terrace of which it is part. The development as designed would therefore fail to preserve or enhance the character or appearance of the Hurstpierpoint Conservation Area.
10. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets, which include conservation areas. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
11. The proposed development would provide some limited economic benefit. However, given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict that it would have with the objectives of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework and Policies DP26 and DP35 of the Mid Sussex District Plan 2014-2031 (Adopted March 2018), The Mid Sussex Design Guide Supplementary Planning Document SPD (Adopted November 2020) as they relate to, along with other things, the quality of development and the preservation or enhancement of the character or appearance of conservation areas.

Other Matters

12. I note from my site visit that there are examples of large box dormers on the rear roof slope of similar neighbouring dwellings. Whatever the background to those cases, the existence of a large and unattractive dormers on a nearby site is not an appropriate justification for permitting those proposed here.
13. I note from the evidence that the Council considers that the dormers would not cause significant harm to the living conditions of the occupiers of neighbouring properties and therefore would accord with the aims of LP Policy DP26 in this regard. I am also aware that the current scheme is the result of the appellant endeavouring to find a design solution to overcome earlier refusals. Furthermore, I am sympathetic to the particular needs of the appellant and

those of his growing family. However, these matters do not outweigh the harm that I have identified if the development were to go ahead as designed.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR