



Appeal Decision

Site visit made on 20 March 2023

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/D3830/D/22/3306516

Ashburn, The Green, West Sussex, Horsted Keynes RH17 7AW

- 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 Lawrence Wintergold against the decision of Mid Sussex District Council.
 - The application Ref DM/22/1648, dated 20 May 2022, was refused by notice dated 20 July 2022.
 - The development proposed is 1 1/2 storey side and rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the heading above has been taken from the planning application form. However, the appellant at Part E of the appeal form, refers to an alternative description of the development, which is the same as the wording on the Council's decision notice. Nevertheless, neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original planning application.

Main Issues

3. The main issues are the effects of the proposed development on the character and appearance of the host property and the setting of the designated heritage assets; and the character of the landscape in the High Weald Area of Outstanding Natural Beauty (HWAONB).

Reasons

Character and appearance

4. The appeal site is a detached chalet bungalow located on the south side of The Green in Horsted Keynes, which has a quaint village feel. There are small shops and public houses providing local facilities, however the main character is made up of traditional residential cottages. The appeal site is located in the Horsted Keynes Conservation Area (HKCA). It is also located within the setting of designated heritage assets, The Crown Inn and Nos 5 and 6 The Green which are Grade II listed buildings.
5. As such, I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) to have special regard to the desirability of preserving the listed building or its setting or any features of

special architectural or historic interest. Also, I have a statutory duty under section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
7. The area surrounding the appeal site is enhanced by the setting and the historic fabric of the Grade II listed buildings at 5 and 6 The Green and the Crown Inn. It is these factors that contribute to their significance, thus providing a sensitive location. Furthermore, the buildings in this section of The Green have traditional frontages, whilst at the rear, they have more modest elevations lacking the architectural detailing of their front facades, and some exhibit incremental alterations and additions at the rear. As such, it is the front elevations that contribute positively to the significance of the HKCA.
8. The proposal would provide for two extensions to the host property, a two storey rear extension and a two storey flank extension with a hipped roof. Given the more modern appearance of the host property, which is set forward from the neighbouring cottages, the appeal site has a more prominent and focal position, albeit more subservient to the adjoining public house. Nevertheless, the existing property is of a modest scale, maintaining a cottage like feel which makes a positive contribution to the overall significance of the HKCA.
9. Taken in isolation, the proposed extension to the rear could sit comfortably within its context given that the existing rear elevation is set back from the adjoining cottages to the east and the public house to the west. This could be proportionate to the host property. However, the proposal also includes a large side and roof extension that would significantly alter the flank elevation and roof form of the host property. The increased bulk would substantially alter the roof on the west side profile. In doing so, the proportions of the existing pitched roof and modest dormer extension would be detrimentally altered, and there would be a significant visual change in the mass of the property at roof level on this flank.
10. The resultant elongated building coupled with the increase in mass at roof level and inappropriate side extension, would diminish the more modest nature of the host property within the HKCA and the setting of the adjoining listed building. The resulting building would provide a significantly larger dwelling that would compete with the adjoining public house in terms of prominence.
11. Given its prominent location, the proposal would be visible from several vantage points including The Green, the cricket pitch to the rear and from Chapel Lane. As such the increase in scale, roof form and mass of the proposal would compete with its surroundings rather than preserve or enhance it. Consequently, the form, scale and detailed design of the appeal site is not proportionate or harmonious in appearance and would therefore be harmful to

the character and appearance of the host building, the HKCA and setting of the designated heritage assets.

12. For the above reasons, I conclude that the proposed development would harm the character and appearance of the host property and would fail to preserve or enhance the character or appearance of the HKCA and the setting of the Grade II listed buildings. The proposal would therefore be contrary to Policies DP26, DP34 and DP35 of the Mid Sussex District Plan 2014-2031, adopted March 2018 (MSDP) which, amongst other things, require all development to be of high-quality design; respect the character of towns and villages as well as the character of the buildings and to conserve heritage assets in a manner appropriate to their significance. Nor would it accord with the guidance of the Framework nor the principles of the Mid Sussex Design Guide Supplementary Planning Document (SPD) which seek to conserve and enhance the historic environment.
13. Given it would be relatively localised, the harm I have identified to the significance of the heritage assets would be less than substantial. Paragraph 202 of the Framework advises where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
14. I have had regard to the public benefits of the appeal scheme, which would make modest improvements to the building including improved accessibility for the appellant and future occupiers, providing a limited public benefit. However, the appeal scheme would fail to preserve the character and appearance of the conservation area and setting of heritage assets, to which I must attach importance and great weight. Accordingly, the public benefits would not outweigh the less than substantial harm that would be caused to the significance of the heritage assets identified above.

High Weald Area of Outstanding Natural Beauty (HWAONB)

15. Policy DP16 of the MSDP is consistent with paragraph 176 of the Framework, in that it requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONB which have the highest status of protection in relation to these issues. Policy DP16 advises that the High Weald AONB Management Plan should be a material consideration in decision making in the AONB and that proposals that support the economy and social wellbeing of communities located in the AONB will be supported. There are five key components of the HWAONB character which are Landforms, Settlements, Routeways, Woodland and Fields/Heath.
16. It is acknowledged that the appeal site falls within HWONB and is visible from several public vantage points in the locality. Nevertheless, it is located within the existing residential settlement of Horsted Keynes and the site is bounded by built developments providing a more developed feel. Given that the proposal is viewed in the context of these residential properties within the existing settlement, there would be no harm to the visual qualities and essential characteristics of the HWAONB in terms of its landscape and scenic beauty.
17. The Council also raise concerns in respect to the light spillage from the proposed glazing at the rear, on the dark skies in the locality. I appreciate that dark skies are a factor that contribute to the natural beauty and special

qualities of the HWAONB. However, given the location within the existing settlement, and in particular the adjoining public house, it is unlikely that dark skies would be as strong in the vicinity of the site as in more remote locations within the HWAONB. Accordingly, any additional light spillage caused by the proposed development would neither be significant nor have an unacceptable effect on dark skies.

18. Overall, any adverse effects of the development would be seen within the context of the existing residential settlement that the appeal site forms part of. The proposal would be perceived in the context of a much wider view. As such, the proposal would at the very least conserve the landscape and natural scenic beauty; visual qualities and essential characteristics of the HWAONB. Consequently, the scheme is in accordance with Policy DP16 of the MSDP, the aims and objectives of the HWAONB Housing Design Guide, the Mid Sussex Design Guide SPD and paragraph 176 of the Framework which seek to protect and enhance valued landscapes.

Other Matters

19. The appellant draws my attention to other properties that have been extended and altered in the vicinity. I have also had regard to these properties during my site observations. However, based on the limited information before me, the context of these schemes would appear to be different. In my view, the character, prominence, and scale of development of each site also varies, along with how they relate to the HKCA and the street scene. I have therefore dealt with the appeal proposal on its individual merits.
20. I have also had regard to the examples cited from the Mid Sussex Design Guide SPD. These examples may have some design similarities to the appeal proposal, but I have no details on their context, designations, or relationship in their surrounding areas. While consistency in decision making is important, ultimately, each scheme needs to be determined in the light of the specific circumstances and context of each case. I am not therefore persuaded that these examples are directly comparable to the proposal before me.

Conclusion

21. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be taken other than in accordance with that plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR