



Appeal Decision

Site visit made on 12 December 2023

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2023

Appeal Ref: APP/L3815/W/23/3319211

Bremere House, Selsey Road, Hunston, West Sussex PO20 1AU

- 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 and Mrs Clifford Darton against the decision of Chichester District Council.
 - The application Ref HN/22/02398/DOM, dated 7 October 2022, was refused by notice dated 2 February 2023.
 - The development proposed is an extension to the existing double garage to form a larger outbuilding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework (the Framework) was updated on 19 December 2023. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views, though the revised version is referenced in this decision.

Main Issue

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

Reasons

4. The appeal site, along with Hunston Mill and Kipson Green House on either side, form a cluster of residential buildings. This cluster is situated to one side of Selsey Road and is surrounded by large, flat fields. The locality is characterised by these types of fields interspersed with clusters of buildings, and it is the capacity of these clusters to sit unobtrusively within this relatively open and rural setting that is key to the character and appearance of the area.
5. In the main the boundaries of these clusters are delineated by hedges and landscaping which is denser nearer the roads and thins out as it progresses along the boundaries towards the surrounding fields. The appeal site is not dissimilar with an established hedge to the front, some planting along the sides and an open rear boundary. This means although the site is reasonably well screened from Selsey Road, it is visible for some distance across the fields, particularly from the public right of way through the golf course beyond.

6. The buildings that make up the cluster including the appeal site are a mix of designs, sizes, and forms, although they are predominantly of a rural vernacular. On each of the 3 properties, the appeal site, Hunston Mill and Kipson Green House, there appears to be a main building with all other structures visually and physically less dominant. The whole cluster, though interspersed with a variety of mature trees and hedges, enjoys a level of visual permeability with views through to the fields beyond. This provides a link with their surroundings and ensures their relatively unobtrusive presence within this rural setting.
7. On the appeal site itself the existing garage building sits perpendicular to the main dwelling, and along with the mature hedging and planting, they create a semi-enclosed parking and garden area to the front of the property. Even though this is a visually prominent location when entering the appeal site, the garage's footprint, height, and mass ensures it does not dominate the space and retains a visually and physically subservient relationship with the main dwelling, characteristic of this cluster of properties.
8. However, the proposed extensions to the garage would create a significantly larger building. It would be comparable to the main dwelling's footprint, similar in height, and longer in length. Therefore, when viewed from the appeal site's access it would dominate the main dwelling and visually overwhelm the parking and front garden area.
9. Its design would include features such as the porch, large roof dormers and areas of glazing, which would be more commonly attributed to a dwelling than an outbuilding. Thus, it would also unbalance the building hierarchy of the site by failing to retain the subservient nature of the existing garage as an outbuilding.
10. It is noted that the appellant considers the proposal to be of a similar footprint to the cumulative footprint of the outbuildings of nearby properties. Nevertheless, this does not overcome its disproportionate form and size as a singular building in comparison to the appeal site's main dwelling.
11. When viewed from the rear, it is acknowledged that the proposed length and mass of the outbuilding would not be immediately obvious, as it would be set back from the rear elevation of the appeal dwelling and other buildings within the cluster. However, when viewed from across the fields the proposed overall height and near fully glazed two-storey elevation would be visually obvious, especially when lit from inside. This would be a dominant and uncharacteristic feature of both the appeal site and the whole building cluster. Thus, it would fail to retain their unobtrusive appearance within their rural setting to the detriment of the character of the surrounding area.
12. The appellant's assertion that 'subservient' is not a requirement in either the quoted Chichester Local Plan (LP) policies or the National Planning Policy Framework (the Framework) is acknowledged. However, as a descriptive word it is not uncommon for it to be used to describe a relationship between buildings.
13. Therefore, due to its overwhelming proportions, dominant design features, and poor relationship with the appeal dwelling and its surroundings, the proposal would cause significant harm to the character and appearance of the area. It would consequently fail to comply with LP Policies 2, 33, 45 and 48 and the

Framework insofar as they require new development to be well designed and to respect the character of its setting.

Other Matters

14. Within the reason for refusal the Council state that the proposal would constitute a new dwelling. This is disputed by the appellant. However, it is also noted that the Council do not contest that the proposed uses could be construed as ancillary, and that ancillary uses relating to a domestic dwelling could be located within an annex or outbuilding. It is also acknowledged that the use of an outbuilding for ancillary purposes could be secured by condition. As I intend to dismiss this appeal for other reasons, I have not pursued this matter further. Nonetheless, even if this were not the case, I am not convinced in these circumstances a justification relying solely on shared outdoor space shows an adequate level of interdependency between that proposed and the main dwelling to be considered ancillary.
15. It is also acknowledged that the appellant is a professional artist who requires studio space, that there have been no objections from interested parties, and that the Council considers there would be no detrimental effect on the living conditions of nearby occupants or future users. Nevertheless, these factors do not mitigate the identified harm to character and appearance.
16. The photographic evidence submitted by the Council is noted. However, I was able to make my own observations of the site and its surroundings during my visit. In terms of how various spaces within the proposal are referred to, it is noted that the area above the studio is referred to as a study by both the main parties and on drawing P.002.

Conclusion

17. For the reasons given above the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR