



Appeal Decision

Site visit made on 30 January 2024

by S Harley BSc(Hons) M.Phil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 9th February 2024

Appeal Ref: APP/Z3825/W/23/3325590

Flagstones, North Heath Lane, Horsham, West Sussex, RH12 5PQ

- 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 Mrs Lauren Winskill against the decision of Horsham District Council.
 - The application Ref DC/22/1960, dated 16 October 2022, was refused by notice dated 20 January 2023.
 - The development proposed is a new 3 bedroomed, 2 storey detached house to be located on land to the north side of Flagstones on North Heath Lane, as well as new off street parking arrangements for Flagstones to the south side.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The main Parties have had the opportunity of commenting on the implications of the revised National Planning Policy Framework (the Framework) published in late December 2023. I have taken account of the responses made.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the effect on the living conditions of occupiers of Flagstones.

Reasons

4. The appeal site is within a relatively dense built up residential area where houses are of different shapes, sizes and designs with no single predominant style. A new house would be acceptable in principle provided planning policies and material considerations are satisfied.

Character and appearance

5. Flagstones has a relatively wide footprint in a much larger garden than those of nearby properties. Sufficient garden of regular shape would be retained for Flagstones. The proposed plot, whilst not dissimilar in size to nearby properties, would be an awkward, broadly triangular shape, tapering to the rear. In response to the shape of the site and the proximity of the Flagstones house the appellant proposes a bespoke carefully designed house.
6. There would be a two storey element at an angle to both the side wall of Flagstones and to the road frontage. A single storey flat roofed element, roughly triangular in shape, parallel to the side wall and the road frontage

would separate the two storey elements of the existing and host buildings. Due to this the front and side wall of the proposed house would be seen together with the front of Flagstones. The skewed roof and the ridgeline rooflights, which would be totally at odds with the simple pitches of Flagstones's roofs, combined with the relative positioning of the properties would result in an awkward discordant juxtaposition between the proposed house and Flagstones. The proposed house would be set back but the provision of parking, turning area and waste and recycling enclosure means there would be little, if any, scope for meaningful planting to soften the harsh juxtaposition.

7. Flagstones has a symmetrical pattern of openings on the front wall. The proposed building would be assertively asymmetrical and, although the proposed first floor side windows roughly echo the proportions of the dormer windows in Flagstones, the disposition and shapes of the other openings bear no relationship to any of the other openings in Flagstones. The mixture of render, knapped flint, metal cladding and horizontal board cladding seem overly complex for a small building and would clash with the simple palette of red brick and decorative tile cladding at Flagstones. I note that the appellant would be open to discussion about the materials but, it seems to me the materials proposed are a significant part of the overall contemporary design.
8. Flagstones is a non-designated heritage asset and is included in the Horsham Town Local List 2011. It is special building locally as it is one of the few older ones in an area of predominantly more modern stock housing estates. The brick façades at ground floor level with tile hung first floor façades and a clay tile roof would have been typical for houses at the time. The chimney details on the side elevations are interesting but have been partly subsumed into the more recent single storey mono pitch ground floor extensions. A porch has also been added and windows replaced. The original two cottages have been combined and there appears to have been a change of use to a day nursery for a period. Flagstones retains some architectural interest this is of only limited weight because of the alterations that have taken place.
9. Flagstones is on the OS map published in 1874 close to or in the Wimblehurst Estate boundary. A walking route of the area describes Flagstones as called Wimblehurst/Gardeners Cottage and as previously occupied by Thomas Sparkes, Head Gardener at Wimblehurst House. The source of this information is unclear. There is some census evidence that one or more gardeners, including a Thomas Sparkes, lived at a Wimblehurst Cottage and/or a Wimblehurst Gardeners Cottage around the 1890s. It is not certain that this is the same as today's Flagstones as there is no accompanying plan to the census records, and the naming of properties in the area has varied over time. There is no firm evidence available to show that Thomas Sparkes was Head Gardener at Wimblehurst House or a gardener of any particular historic importance to the nation or the local area. Wimblehurst House has been demolished and the estate redeveloped for housing. These potential historical connections create no more than a very limited heritage interest.
10. The proposal would not directly alter the Flagstones house but would be within its immediate setting. The surroundings of Flagstones has changed significantly from rural to suburban with now only a limited area of open space alongside one of its boundaries. The way in which its relatively limited architectural and historical interest is appreciated has already diminished and the proposed development would not have a significant additional impact.

11. Over development is not simply a matter of plot coverage by buildings. The shape of the available space and the disposition of buildings are also important. The awkward juxtaposition of the existing and proposed buildings would be harmful irrespective of the limited architectural and historical heritage of Flagstones. The need for specially designed windows that project from the wall with glazing that only faces to the street and the lack of space for meaningful planting are further indications of a cramped and contrived layout. In addition, whilst not determinative in my Decision, only a narrow, awkwardly shaped private garden space would be available for occupiers of the proposed house.
12. There is no doubt that considerable thought has been given to the design of the proposed building and I see no reason to suppose that it might not be appropriate and be positive in the local environment in some circumstances. Nor is it the case that the design and materials of the surrounding estate houses necessarily need to be emulated. However, for the above reasons I do not consider the proposal would amount to good design or to a beautiful development on this particular site. I conclude the proposal would have a harmful effect on the character and appearance of the street scene. There would be conflict with Policies 32, 33 and 34 of the HDPF and the Framework in this respect.

Living Conditions

13. The side wall of Flagstones would become part of the boundary line shared with the proposed house. The ground floor window in this wall faces towards the side wall of the existing garage. The part of the proposed house that would be closest to this window would be single storey with a flat roof and would roughly coincide with the footprint of the existing garage so would have little additional effect on the outlook from the window.
14. The two storey part of the proposed building would interrupt views out from this window to some extent. However, the proposed first floor side wall would be some distance away to the north and at an angle so the effect on light and outlook would be relatively small. The evidence indicates that the affected living room has other windows meaning the need for light from that specific window is reduced.
15. The majority of the building would not project beyond the rear wall of the Flagstones house. The remainder would be at an angle to the side boundary of Flagstones rear garden. The garden at Flagstones is relatively wide, and given the distance to the proposed building there would be no unacceptable over shadowing of the garden or visual intrusion into views from it.
16. The effect on the living conditions of occupiers of Flagstones would not be unacceptable so I find no material conflict with Policy 33(2) of the HDPF.

Other Matters

17. The appeal site is within the Sussex North Water Supply Zone where Natural England have advised that developments must not add to the impact of water abstraction on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites¹. Water neutrality measures accompany the proposal but, in view of my conclusion on the first main issue, it is not necessary for me undertake an Appropriate Assessment or to consider this matter further.

¹ Under the Conservation of Species and Habitats Regulations 2017 (as amended)

18. The Framework encourages community-led self-build developments on small sites. I have seen no evidence to indicate the development is instigated or would be taken forward by a not-for-profit organisation as defined in the Glossary, so this carries no weight in this appeal.
19. There would be no material harm to the living conditions of occupiers of Flagstones. The development would use sustainable construction methods, use high-quality renewable or sustainably sourced materials, provide electric car charging points and would maximise thermal efficiency. However, these are matters to be expected of all developments.
20. The house at No 1a Heath Way is on a relatively small plot, is larger than the host building and less than 1 metre away from it. However, its front wall is on the same line as that of the host property and the dormer and eaves broadly correspond. The Fountains is next to a non-designated heritage asset and has an asymmetric roof with narrow horizontal windows but in a much more spacious plot. The plot for a house on land adjacent to Fieldfare is a wider more regular plot with better relationship to the neighbouring property. I do not consider they set an appropriate precedent for this appeal proposal.
21. The appellant has expressed dissatisfaction with the way in which the Council has handled the proposal. No neighbours have objected. Neither of these matters go to the heart of the planning issues for the proposal before me.

Planning Balance and Conclusion

22. The Council advises that it cannot currently demonstrate a 5 year supply of deliverable housing sites and its suggested 4.3 year supply is not disputed by the appellant. In these circumstances paragraph 11d) of the Framework is engaged. The starting point is permission should be granted.
23. The layout would be cramped and contrived and the form and appearance of the proposed house would have a harmful appearance in the street scene and in relation to the existing house even given the limited heritage harm. The proposal therefore does not amount to good design or create a beautiful place for this particular site. There would be conflict with those environmental Policies 32, 33 and 34 of the HBPF which do accord with the Framework.
24. An additional infill house would contribute towards the much needed supply of houses. Small and windfall sites can often be built-out relatively quickly. There would be economic benefits arising from construction and spend in the local economy. These matters together carry great weight but are tempered by the small, but valuable, contribution that one house would make. The support for the proposal in the Framework is countered by the importance attached to design as a key aspect of sustainable development. Moreover, it may be possible to devise a scheme that would address these objections and so deliver an extra house in a less harmful way.
25. I conclude the adverse environmental impacts significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the Framework taken as a whole. There are insufficient material considerations that lead me to conclude otherwise. The appeal should be dismissed.

S Harley

INSPECTOR