



Appeal Decision

Site visit made on 2 January 2024

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2024

Appeal Ref: APP/Y9507/D/23/3329282

Ivy Bank, Carron Lane, Midhurst, West Sussex GU29 9LB

- 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 Philip Mills against the decision of South Downs National Park Authority.
 - The application Ref SDNP/23/00351/HOUS, dated 22 December 2022, was refused by notice dated 22 June 2023.
 - The development proposed is demolition works and for the erection of single and two storey house extensions (reflecting a revision to the west elevation extension element, as approved under planning permission SDNP/21/03451/HOUS, dated 8 October 2021).
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Decision

1. The appeal is allowed and planning permission is granted for demolition works and for the erection of single and two storey house extensions (reflecting a revision to the west elevation extension element, as approved under planning permission SDNP/21/03451/HOUS, dated 8 October 2021) at Ivy Bank, Carron Lane, Midhurst, West Sussex GU29 9LB in accordance with the terms of the application, Ref SDNP/23/00351/HOUS, dated 22 December 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PA19-165:01 *Plans & Elevations: as existing*; PA19-165:05 *C General arrangement plans*; PA19-165:07 Rev C *Proposed elevations, location plan and layout plan*.

Preliminary Matters

2. During the appeal, the National Planning Policy Framework (the Framework) was revised. Its content in respect of the main issues has not been materially altered and in this instance, it has not been necessary to consult the parties on the revisions to the Framework.
3. The site benefits from extant planning permission¹ for a development of similar form and appearance which would provide additional living accommodation, thus fulfilling the same purpose as the appeal proposal. The design of the proposed two-storey extension differs from the permitted scheme and therefore my reasoning focusses upon this element of the proposal.

¹ LPA Ref: SDNP/21/03451/HOUS

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the appeal property and the Midhurst Conservation Area.

Reasons

5. The appeal property is a two-storey detached house set within a large, sloping plot, elevated above the street by a steep bank and accessed by a flight of steps. The appeal site is within the South Downs National Park and the Midhurst Conservation Area (CA), a designated heritage asset.
6. The Midhurst Conservation Area Character Appraisal and Management Proposals 2012 (CA Appraisal) summarises the special interest of the CA, namely the quality and preservation of its historic environment with its readily discernible historic plan form and relationship to topographic features. The CA Appraisal notes the CA's relationship to the settlement's early form, comprising the castle on St Ann's Hill, small town surrounded by a defensive ditch and the large un-encroached marketplace surrounded by timber-framed houses.
7. The appeal site is situated outside the medieval town in a character area comprising late nineteenth and twentieth-century suburbs. The CA Appraisal classifies Carron Lane as a suburban lane with no pedestrian footway, peripheral to the principal routes and built at a lower density. The appeal property is contemporary with the stretches of late Victorian and Edwardian suburban housing which dominate the character area, and from its large plot size, reflects the area's low-density pattern of development.
8. From the rear, the dwelling appears ornate with large bay windows at ground floor level situated either side of a pair of French doors covered by a storm porch. The hipped roof form, arrangement, and proportions of the first-floor windows with surrounding white render also contribute significant visual interest to the rear of the building.
9. At the front, windows are arranged asymmetrically, and expansive sections of brick dominate the building's appearance. A lean-to and outbuildings sit forward of this elevation. The roof form is irregular with a two-storey, flat-roofed projection adjacent to the L-shaped hipped roof. The main entrance is via an aged garden room to the side of the building. Consequently, from public vantage points the building appears less coherent and of lesser visual quality and interest than as experienced from the private rear garden.
10. The proposed two-storey extension would adjoin the dwelling's west side elevation. Removal of the lean-to and the addition of fenestration and flint panels would add visual interest and contribute a symmetrical appearance to building's frontage.
11. The roof ridge and eaves of the proposed two-storey extension would be level with the main dwelling's ridge and eaves, providing a uniform appearance between the extension and existing dwelling. The scale, form and massing of the extension would reflect the existing hipped-roofed two-storey front projection. The design of the proposed extension would therefore compliment the character of the main dwelling.
12. The connecting section of the proposed two storey extension would be set back to create a recessed area and the roof height would be set down from the ridge

- of the main dwelling. This connecting link would separate the bulk and mass of the two-storey extension from the larger main dwelling, thus achieving a subservient appearance. In addition, visual subservience would be achieved at the rear through the set back of the extension from the rear elevation.
13. Therefore, whilst the ridge height of the proposed extension would be level with the existing dwelling, the proposed extension's recessed connection and set back would achieve an overall appearance of subservience and the scale of extension would not therefore appear out of keeping with the main dwelling.
 14. Even if the proposed extension's roof ridge were set down below the ridge height of the main dwelling, due to the elevated siting of the appeal property and sloping form of the hipped roof, neither roof ridge would be visually prominent from the perspective of users of the public highway and therefore the perceived effect on subservience would be inconsequential.
 15. For these reasons, the design, scale, bulk and massing of the proposed development would not appear excessive or unsympathetic to the character and appearance of the existing dwelling.
 16. When considering the impact of a proposal on the significance of a designated heritage asset, paragraph 205 of the Framework requires great weight be given to the asset's conservation. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
 17. The proposal would not alter the historic plan form and relationship to topographic features from which the significance of the CA is derived. The CA Appraisal advises that the character of period suburban houses be retained through the preservation of their original features. The proposal would preserve original features of value and, as set out above, the design of the proposal would reflect the character of the existing building. The proposal would not therefore detract from the dominance of Victorian and Edwardian houses within the suburban lanes. The proposal would therefore preserve the character and appearance of the CA, and its effects on the CA's significance would be neutral.
 18. For the reasons given above, the proposal would not harm the character and appearance of the appeal property and CA. The proposal would therefore comply with Policies SD4, SD5 and SD31 of the South Downs Local Plan 2019 (LP) which require proposals to be informed by, respect, and conserve established local character, including through utilising architectural design which is appropriate and sympathetic to its setting in terms of height, massing, and roof form. The proposal would comply with LP Policy SD15 which requires development proposals within a conservation area preserve or enhance the special architectural or historic interest, character or appearance of the conservation area.
 19. In addition, the proposal would satisfy LP Policy SD1 which echoes the first of the statutory purposes of the National Park in requiring proposals to conserve and enhance the cultural heritage of the area. The proposal would not harm, and thus would conserve the scenic quality, tranquillity, and dark skies of the National Park, as required by LP Policies SD6, SD7, and SD8.

Conditions

20. In addition to the standard time limit of the planning permission granted, in the interests of certainty I have attached a condition specifying the approved plans. The approved plans identify external materials to be used in the development.

Conclusion

21. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, including the provisions of the Framework, I conclude the appeal should be allowed.

E Dade

INSPECTOR