

# Appeal Decision

Site visit made on 12 March 2024

**by J Bell-Williamson MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 27.03.2024**

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**Appeal Ref: APP/D3830/D/23/3333394**

**8 East Street, Turners Hill, West Sussex RH10 4PU**

- 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 Bezer against the decision of Mid Sussex District Council.
  - The application Ref DM/23/1864, dated 17 July 2023, was refused by notice dated 11 September 2023.
  - The development proposed is porch to front elevation.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the proposed porch would preserve or enhance the character or appearance of the Turners Hill Conservation Area in which the appeal property is located.

## Reasons

3. The Turners Hill Conservation Area extends northwards from the original heart of the village at the main crossroads and the small village green. There is a mix of house types and styles, some dating from the 17th and 18th centuries, and some of the buildings are listed.
  4. The appeal property is a mid-terrace two storey dwelling located close to the village green. It is part of a terrace of five dwellings that is mirrored by a similar terrace on the opposite side of the central building, The Old Reading Room. This group of buildings is opposite the attractive half-timbered New Cottages. As such, the appeal property and group of buildings of which it is part reflect the original layout and built forms in this part of East Street, and therefore make a positive contribution to the character and appearance of the conservation area.
  5. Seen as a whole the two terraces and The Old Reading Room have largely retained their original built forms and architectural details. The most obvious changes are the loss of a chimney at the terrace end above No 10, the painted brickwork of No 10 and the brick-built porches to Nos 9 and 10. There is also a more limited canopy structure above the front door of No 7.
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6. Therefore, the majority of the ten dwellings across the two terraces do not have porches, while the porch to The Old Reading Room appears to be an original feature. Consequently, the two porches and smaller canopy that have been built are features that disrupt and detract from the otherwise uniform, original terraced dwellings. I note in this regard that the Council indicates that the existing porches have been in place for some time and were not built as a result of a planning permissions. As such, they should not be seen as positive precedents for a further similar porch as proposed. Based on these findings, therefore, the porch proposed in this case would further harmfully erode the original character and appearance of this part of the conservation area.
7. Therefore, for these reasons, I find that the proposal would fail to preserve the character and appearance of the Turners Hill Conservation Area. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation<sup>1</sup>. Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
8. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal<sup>2</sup>. Therefore, I have had regard to the benefits of the proposed porch put forward by the appellant, which relate to improving the thermal efficiency of the property. While I recognise the importance of this objective, it is not clear that this is the only or principal means by which this might be achieved. Therefore, while I have had full regard to this matter, it is not sufficient in terms of any public benefits to outweigh the long-term harmful effects of the proposed porch in this sensitive location, as found above. The fact that the Parish Council or other interested parties did not object does not have a direct effect on the above findings, but rather is a neutral factor.
9. Therefore, for the above reasons, I conclude that the proposed porch would not preserve the character and appearance of the Turners Hill Conservation Area. Consequently, the proposal is contrary to Policies DP26 of the Mid Sussex District Plan 2014-2031 (2018), concerning character and design, which includes the requirement that development should respect local character; and to Policy DP35, concerning the effect of development on conservation areas.
10. In reaching this conclusion I am mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area<sup>3</sup>.

## **Conclusion**

11. For the reasons given it is concluded that the appeal should not succeed.

*J Bell-Williamson*

INSPECTOR

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<sup>1</sup> Paragraph 205.

<sup>2</sup> Paragraph 208.

<sup>3</sup> Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.