



Appeal Decision

Site visit made on 20 May 2024

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 29 MAY 2024

Appeal Ref: APP/L3815/W/23/3330520

Old School House, Vicarage Hill, Loxwood, West Sussex RH14 0RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Smith of Derwent Property Developments Ltd against the decision of Chichester District Council.
 - The application Ref is LX/22/02372/FUL.
 - The development proposed is Demolition of The Old School House. Construction of three detached dwellings with car parking and alterations to vehicle access.
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Decision

1. The appeal is dismissed.

Preliminary matter and main issues

2. The appellant has submitted further evidence with the appeal, including details of the visibility splays, which shows that, subject to the imposition of suitable conditions, the proposal would be acceptable in terms of highway safety and its impact on the highway network. So, the Council has confirmed that it does not seek to defend its reason for refusal 4. I see no reason to disagree.
3. The main issues are the effect that the proposed development would have on:
 - the character and appearance of the surrounding area, and
 - the integrity of the Arun Valley Special Protection Area, Special Area of Conservation and Ramsar (the Arun Valley site).

Reasons

Character and appearance

4. The appeal site is situated outside any settlement boundary designated in the Chichester Local Plan: Key Policies 2014-2029 (LP) and the Loxwood Neighbourhood Plan 2013-2029, so it is, in policy terms, in the countryside. The site is situated on the roughly east side of Vicarage Hill, almost opposite the church of St John the Baptist, which is at the roughly north end of a short row of well set back mostly C20 dwellings in good-sized plots on the opposite side of Vicarage Hill, beyond which lies mainly open countryside. The site is partly bounded by a ditch to roughly south east, beyond which lie the spacious grounds of the well set back dwelling at Fletchings Hollow. Woodland lies to roughly north. So, although the site is towards one end of a loose knit cluster of buildings, including the dwellings in Brewhurst Lane, the surrounding area has a mainly open rural character and mostly verdant appearance.

5. LP Policy 1 reflects the presumption in favour of sustainable development in the National Planning Policy Framework (Framework). LP Policy 2 sets out the settlement hierarchy for the District, and it explains that outside Chichester city and the designated Settlement Hubs, the Service Villages will be the focus for new development. In the Rest of Plan Area, outside the Settlement Boundaries of the settlements listed in LP Policy 2, development is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with LP Policies 45 and 46.
6. LP Policy 45 states that within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets essential small scale and local need which cannot be met within or immediately adjacent to existing settlements. LP Policy 46 applies to proposals for the conversion and re-use of buildings in the countryside, so it is not relevant.
7. Loxwood is a Service Village, but as the site is within the Rest of Plan Area and roughly 300 m from its nearest settlement boundary, the proposal would be contrary to LP Policy 2. There is almost nothing to show that the proposal would need to be within the countryside and would meet an essential small scale and local need, so it would be contrary to LP Policy 45.
8. Part of The Old School House (the building) is now a dwelling. However, the building was the village school for a considerable time, and from its historic form and features, including its historic plan form, the building was likely to have been built as a school (in the north part) with an attached school teacher's dwelling (in the south part). As the relatively few later alterations and modest extensions are mainly at the back, they have little impact on the ability to appreciate the historic school building in the nearby views in both directions along the leafy Vicarage Hill, and from the surrounding area.
9. The building is closer to the road than most nearby buildings, but its low eaves and the openness in its grounds, including the former playground to roughly north and the garden to roughly south, harmonise with the nearby almost continuous leafiness on the east side of the road. So, the building is in keeping with the rural character and verdant appearance of the locality.
10. Due to its siting, fairly close to the road, and its historic architectural form and features, including its decorative corbelled brickwork eaves, chamfered brick jambs, grey headers, prominent stacks, steeply pitched clay tiled roofs, tall school rooms and historic joinery windows, the high quality late C19 building is easily recognisable as a former school building. Because the building was the village school for many years, it is likely to hold significant historic and communal value for local people. Moreover, as the building can be seen in the same views as the slightly later church, and there are buildings of a similar age within the village, it enables that part of the locality's historic evolution to be appreciated. So, the historic character and appearance of the building and its leafy rural setting are important to its heritage interest and significance as a historic school and dwelling. The Council considers The Old School House to be a non-designated heritage asset for similar reasons. As the building has been identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest, I agree.
11. The building has been unused for some while, so it would need some repairs. However, it is said to be structurally sound, so there should be ample scope for the building to be sympathetically adapted and refurbished to provide a high

quality living environment in keeping with the character of the surrounding area and its setting in the landscape. Instead, there is little evidence to show why the total loss of the building would be necessary. As the building makes an important positive contribution to the character and appearance of the surrounding area, its unnecessary loss would damage the local character and the sense of place.

12. The building would make way for two 5 bedroom and one 4 bedroom pitched roofed dwellings, which would be reached by the new shared access from the roadside parking court. However, due to their scale and bulk, the 2 storey plus attic dwellings, with their tall roofs, prominent dormers and rooflights, would be sited close to one another, the site's boundaries, and the hard surfaced parking court, so the proposal would be harmfully squeezed-in. The dwellings' tight-knit curving layout would be at odds with the spacious linear pattern on the other side of the road. As the dwellings would be poorly related to the nearby development and to the road, and there would be little room for front gardens, the built-up character of the proposal would dominate the nearby mainly sylvan street scene on the east side of Vicarage Hill, eroding its rural character and verdant appearance. So, the proposal would be incongruous.
13. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area. It would be contrary to LP Policies 1 and 2, LP Policy 33 which seeks a high standard of design and respect for context, LP Policy 45, LP Policy 47 which aims to conserve and enhance the special interest of non-designated heritage assets, and the Framework which seeks sympathy for local character and history, and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

The Arun Valley site

14. The appeal site is within the Sussex North Water Supply Zone. In determining this appeal, I am the competent authority for the purposes of The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations).
15. Natural England has advised that the Sussex North Water Supply Zone includes supplies from an abstraction which cannot, with certainty, conclude no adverse effect on the integrity of the Arun Valley site. As it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley site, developments within this zone must not add to this impact. One way of dealing with this is water neutrality, that is, the use of water in the supply area is the same or lower after the development has taken place.
16. The proposal would replace the existing dwelling with 3 dwellings. As the proposal would increase the number of dwellings, and it would be likely to increase the number of people living at the site, the proposal would be likely to increase the use of water. Because the proposal is not directly connected with or necessary for the management of the Arun Valley site, it would be necessary for me to undertake an appropriate assessment of the implications of the proposal for the Arun Valley site in view of its conservation objectives. I could only grant planning permission if I were to ascertain in that appropriate assessment that the integrity of the Arun Valley site would not be adversely affected. However, as the proposal would not be acceptable for other reasons,

it is not necessary for me to undertake an appropriate assessment. So, whilst the appellant has submitted an existing fittings survey and a water neutrality report, I have not pursued the matter further with the parties.

17. Thus, I consider that the proposal would be likely to have a significant effect on the integrity of the Arun Valley site. It would be contrary to the Habitats Regulations, and the Framework which aims to conserve and enhance the natural environment.

Other matters

18. The earlier applications for extensions, and the cases in the appellant's heritage statement, as well as the 2 storey plus attic dwellings in Willetts Way, were found acceptable on their merits, so they attract little weight. As the Council can demonstrate more than 4 years supply of deliverable land for housing, and the emerging Chichester Local Plan 2021-2039: Proposed Submission has reached Regulation 19 stage, Framework paragraph 11 d) is not relevant. Whilst the site is moderately accessible, it is not contiguous with any settlement boundary, so the Council's Interim Position Statement for Housing Development provides little support for this damaging scheme. So, whilst the proposal's benefits would include 2 more welcome homes, jobs during construction and the future occupiers' likely support for local shops and services, they would not outweigh the harm identified in my first main issue.

Conclusion

19. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
20. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR