



Appeal Decision

Site visit made on 2 April 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd April 2025

Appeal Ref: APP/L3815/W/24/3351167

South Mundham Farm, South Mundham Road, South Mundham, West Sussex PO20 1LU

- 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 J W A Developments against the decision of Chichester District Council.
 - The application Ref is 23/02478/FUL.
 - The development proposed is demolition of existing dwelling, 2no. outbuildings, containers, shed and silo replaced with 1 no. new dwelling and additional new garage/outbuilding with ancillary landscape works and change of use of agricultural land to residential.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. Whilst paragraph numbers have altered, any policies that are material to this decision have not fundamentally changed. I am satisfied that this has not prejudiced any party, and I have had regard to the latest version in reaching my decision.
3. During the course of the appeal the Council advised that work on the review of the Chichester Local Plan: Key Policies 2014-2029 (LP) is now well advanced with Examination Hearings commenced in October 2024 on The Chichester Local Plan 2021-2039: Proposed Submission (ELP). Given its advanced stage of production, the ELP is a material consideration in the determination of this appeal. As part of the appeal process the appellant had the opportunity to provide comments in relation to policies in the ELP. I have taken these comments, and those of the Council into account in my consideration of this appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to extension of residential use into the countryside and the siting, scale, massing and form of the proposed dwelling.

Reasons

5. The appeal site is a large plot on the southern side of the narrow access lane in open countryside beyond any built-up area boundaries. It is currently occupied by a modest two-storey dwelling and associated shed set back from the lane. In addition, the site comprises two storage containers, silo, an existing barn and two large agricultural barns close to the southern site boundary.

6. Although the dwelling is not highly prominent in the street scene due to its scale, position and existing planting, there are glimpses available on approach on Fisher Lane/Manor Lane, Ructon Lane, Bowley Lane, public footpath number 91 and by anyone travelling on the access lane as detailed within the Landscape and Visual Appraisal by Hankinson Duckett Associates September 2023 (LVIA). The two large barns are less visible from the public domain due to their position to the rear of the site and are visually separate from the house. The site is enclosed by fencing and by some established trees and vegetation, particularly to the eastern and northern boundaries. With the exception of the built residential development adjoining the western site boundary and to its south-west, it is otherwise surrounded by relatively flat, open agricultural fields.
7. The proposal is for a replacement dwelling that would be sited a slightly further back from the road than the existing dwelling utilising the existing access point. Towards the eastern boundary there would be a new garage building close to the existing barn that would be refurbished. The two large agricultural barns would be demolished with the remainder of the site forming outdoor space for the dwelling.
8. The dwelling would be orientated to look out over the front and rear garden, most of which would be to the south of the house. There is no objection in principle to a replacement dwelling. However, LP Policies 33, 45 and 48 state that replacement dwellings and dwellings in the countryside should respect and where possible enhance the character of the surrounding area and site, and amongst other things, ensure that its form, massing, height, size, scale, and detailed design would have a minimal impact and respect and enhance landscape character. The requirements of these policies are closely reflected in, and not fundamentally different to, ELP Policies P1, P2, NE2 and NE10.
9. The new house would occupy a much larger footprint than the existing dwelling and also comprise a new sizable garage block. The overall volume of the dwelling and garage would be considerably larger than that of the original dwelling, shed, and containers. It would also be significantly taller and wider, and as a result considerably bulkier than the existing property even considering the varied ridgeline. All these factors demonstrate that the proposal bears little relationship to the scale or proportions of the existing house.
10. Although the dwelling would be sited slightly further back on the plot, it would also be on slightly higher ground than the existing house. This would accentuate its additional height, bulk and width when seen from the access lane and in the longer-range glimpsed views, even considering its reduction in height compared to a previous proposal. It would therefore appear as a rather grand and imposing dwelling at odds with the generally smaller and lower adjacent and nearby residential dwellings. It would also be at odds with the agricultural character of the surrounding open rural landscape and the scattered buildings within it. This would be the case despite the use of render and clay roof tiles that are characteristic of some residential properties nearby, and the desire to mimic a country house.
11. I have had regard to the presence of South Mundham House but this is well screened such that the house cannot be easily viewed in association with the appeal site. Furthermore, it is not in itself characteristic of the scale and mass of dwellings in the wider area.

12. The proposal's incongruity with its surroundings would be apparent in glimpsed views notwithstanding the proposed retention of some of the trees on the site's boundaries and provision of new planting. Moreover, it would be highly perceptible from within the site and from the neighbouring residential dwellings to the west.
13. While I acknowledge that the volume and gross internal area of the proposed buildings would be less than that of the existing buildings given the demolition of the two large barns, removal of containers and silo, these structures are not highly visible from the public domain. Furthermore, the size, scale and appearance of the agricultural barns, silo and associated hardstanding's are not uncommon in a rural environment. As a result, I do not find that their removal mitigates the harm identified above from the size, scale and bulk of the replacement dwelling.
14. The redevelopment of the site would retain existing planting and include planting to enhance its appearance and screen the development in time. This could be achieved with planting as detailed in the LVIA and on the proposed plans. However, planting could enhance the site's existing appearance, and the purpose of landscaping should be to secure effective integration of the proposal into the area rather than screening the increased bulk and mass of the built form on the site.
15. The change of use of the appeal site to residential would result in a very large residential plot and would extend the domestic garden and any associated paraphernalia into the countryside, particularly towards the southern boundary. However, given the redundant agricultural use of part of the site and associated barns, lack of separate agricultural access, and clear southern boundary separating the site from the adjacent agricultural field that I have been advised is in different ownership, I find no harm from the loss of this area of agricultural land. Moreover, for the same reasons, given the similar size of the appeal site to the combined adjacent residential group forming South Mundham Farm, given limited public views of the rear of the appeal site, and subject to conditions to remove permitted development rights for further outbuildings and securing a suitable soft and hard landscaping scheme, I find no harm from the extended residential garden/use in itself. While the planting could only be controlled by condition for a few years, this would be adequate time to enable it to establish.
16. I have had regard to the benefits of the proposal in retaining and refurbishing the non-designated heritage assets comprising the existing barn and walling. I give great weight to the asset's conservation. Nonetheless, I see no reason why such benefits could not be provided as part of a proposal for a replacement dwelling that does not harm the character and appearance of the area.
17. It follows from the above that although I find no harm to the character and appearance of the area from the extension of residential use into the countryside, I conclude that the proposal would harm the character and appearance of the area, having particular regard to the siting, scale, massing and form of the proposed dwelling. As such, the proposal conflicts with LP Policies 1, 2, 33, 45 and 48 and ELP Policies P1, P2, NE2 and NE10, the aims of which I have outlined above. For the same reasons, the proposal conflicts with the provisions of Sections 12 and 15 of the Framework that seek to achieve well-designed places and conserve and enhance the natural environment.
18. The Council's Statement of Case raises conflict with ELP Policies P4 and P5. However, as these policies relate to matters of layout and access, spaces and

landscaping, and given my findings above, I do not find specific conflict with these policies.

Other Considerations

19. I have had regard to the dwelling being well-designed in itself and to the proposal causing no harm to living conditions, highway safety, biodiversity, ecology, trees, drainage and to its sustainable design and construction. However, as these are requirements of local and national planning policy and guidance, I give them limited weight in my consideration.
20. While it is noted that there was a planning permission¹ for a replacement dwelling and previous Prior Approvals for the site², these have not been implemented and therefore carry limited weight. Furthermore, these were for proposals of a different size, scale and height such that they are not directly comparable, and I am required to consider the proposal on its merits.
21. Even if paragraph 11d) ii. of the Framework is engaged by virtue of the Council being unable to demonstrate a five year supply of deliverable housing sites, the proposal is for a replacement dwelling thus would not add to the overall housing numbers. While the proposal would add a large dwelling to the housing stock and provide economic benefits during construction, given the scale of the proposal and the harm identified above to the character and appearance of the area, I find that the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole having particular regard to policies for achieving well-designed places. This is because paragraphs 129, 135 and 139 of the Framework require that developments maintain an area's character, secure well-design places, are sympathetic to local character and that development should be refused that is not well designed and as I have found above that the proposal would not achieve this resulting in significant harm in this regard. The proposal does not therefore benefit from the presumption in favour of sustainable development given by paragraph 11 of the Framework.

Conclusion

22. Although I have found no harm from the extension of residential use into the countryside, I have found significant harm to the character and appearance of the area having regard to the siting, scale, massing and form of the proposed dwelling. In my view, this is the prevailing consideration, and the proposal should be regarded as being in conflict with the development plan, when read as a whole.
23. Material considerations, including the Framework do not indicate that the proposal should be determined other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude the appeal should be dismissed.

C Rose

INSPECTOR

¹ NM/16/03948/FUL

² NM/19/01714/PA3Q and NM/19/01715/PA3Q