
Appeal Decision

Site visit made on 2 October 2025

by **A Oyebade MSc FCILT**

an Inspector appointed by the Secretary of State

Decision date: 1st April 2027

Appeal Ref: APP/Y9507/W/25/3368897

Steepdown Cottage, Stable Lane, Findon, West Sussex BN14 0RR

- 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 Messers Steve and Marc Des Baux against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/25/00294/FUL.
 - The development proposed is erection of 2 dwellings following demolition of garage and associated works.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect on:
 - the character and appearance of the area, including the South Downs National Park;
 - the mix and balance of housing provision in the area; and
 - living conditions of the residents of neighbouring dwellings, with regard to privacy.

Reasons

Effect on the character and appearance of the area

3. The site is located within the boundary of the South Downs National Park (NP) where there is a statutory duty on decision-makers to seek to further the purposes of designation. The primary purpose in respect of the NP is to conserve and enhance the natural beauty, wildlife and cultural heritage, and to promote opportunities for the public understanding and enjoyment of the special qualities of their areas.
4. The surrounding properties exhibit a low-density pattern of development, comprising predominantly one and two-storey detached and semi-detached dwellings, many of which adopt a traditional cottage form with pitched roofs. The majority occupy generous plots, which contributes appreciably to the area's spacious character. Development along the lane is typically well spaced, often approached via long driveways and set within substantial private gardens. Most dwellings are positioned back from the road and are screened by dense vegetation, reinforcing the sense of enclosure and enhancing the overall tranquillity of the

setting. This vegetation frequently extends beyond the immediate building footprints, on one or both sides, creating clear visual and physical separation between neighbouring properties.

5. The host detached dwelling sits set back from the lane, screened from view by a broad area of dense vegetation in front of its car parking area. The appeal proposal would be located to the rear of the host building. As part of the scheme, the existing access from Stable Lane would be repositioned to the left-hand boundary shared with Meadow Cottage. From this point, the access would first serve the host dwelling's forecourt parking area to the right before continuing directly to the proposed dwelling's parking area and associated vehicle manoeuvring space.
6. The proposed dwellings would be positioned near the neighbouring boundaries with Meadow Cottage and Bridleways, with only around 1.5m separating the proposed buildings from these boundaries. The two detached dwellings would also have limited separation distance between them. The relocation of the existing access to a point adjacent to the boundary with Meadow Cottage would diminish the established vegetated buffer that currently provides a sense of separation between the two existing properties. This would, in turn, erode the verdant character that contributes to the area's qualities. The limited separation between the proposed buildings and the site boundaries further indicates an over-intensification of the plot. Taken together, these factors demonstrate that the scale and footprint of the development would exceed the site's capacity to accommodate it without harming the landscape character and appearance of the locality.
7. The appellant argues that the residential character of the area has evolved over time and continues to do so. They point to the smaller properties on Horseshoe Close to the west, which were built within the former gardens of neighbouring dwellings. Likewise, Kilmore Close was granted planning permission in the 1960s and comprises three detached bungalows arranged around a cul-de-sac. Further development has occurred to the south of Stable Lane, opposite Meadow Cottage, where two large, detached dwellings were constructed on garden land to the west of Braeside and accessed from Braeside Close (LPA ref: SDNP/14/03889/FUL). Both dwellings are visible from Stable Lane. The appellant also maintains that the proposed plot widths are comparable with those at Elm Rise and Horseshoe Close, and that the plot depths exceed those found elsewhere. On this basis, they contend that providing two plots on the appeal site would reflect the general pattern of development and plot sizes in the locality.
8. However, the properties within Horseshoe Close and Kilmore Close are arranged around a cul-de-sac with direct road frontage. Horseshoe Close also benefits from a generous open field opposite most dwellings on the far side of the access route. These characteristics create a stronger sense of openness and visual relief. By contrast, the appeal proposal would be enclosed by built form on three sides, including the consented scheme for 16 dwellings on the allocated site at Elm Rise (Ref: SDNP/23/04993/FUL) to the rear. As a result, the appeal site is likely to feel enclosed on all sides, producing a more constrained and visually confined environment. While the two dwellings on Braeside Close are visible from the road, the key issue here is the appeal proposal's inability, due to its scale, to provide adequate separation distances, both between the two proposed dwellings and between them and neighbouring properties, to preserve the established openness and character that define development in this part of the settlement.

9. The appellant also refers to the Elm Rise residential development located to the rear of the appeal site. They note that the adjoining consented outline development for a single dwelling, to the rear of Meadow Cottage (Ref: SDNP/25/01285/OUT), is narrower than the appeal site. The appellant further argues that the proposed plot widths are comparable with those at Elm Rise and within Horseshoe Close, and that the proposed plot depths exceed those found elsewhere. In their view, the introduction of two plots on the appeal site would therefore reflect the prevailing pattern of development and plot sizes in the surrounding area. They contend that this, combined with recent permissions, demonstrates a shift toward higher-density development that has altered the residential character of the locality.
10. The properties at Elm Rise are arranged around a cul-de-sac with direct road frontage, and they also face a substantial open area on the opposite side of the internal route proposed for meadow grasses and flowers. Together, these elements create a stronger sense of openness and visual relief. Also, the indicative block plan for the consented outline development to the rear of Meadow Cottage shows a single dwelling set within, and visually softened by, extensive landscaping, with significantly greater separation from neighbouring properties, including the host dwelling.
11. In comparison, the appeal site is notably constrained. The depth and scale of the proposed dwellings would make them appear disproportionately large and visually dominant within the plot. This effect is intensified by the use of a crown roof, which gives the buildings a squat form, and by the excessive depth that sits at odds with the design of the frontage. Collectively, these features heighten the sense of massing and would fail to reflect the established character and appearance of surrounding properties.
12. The appellant refers to several nearby properties featuring crown roofs, including Muthaiga, The Pastures and Grasmere on Stable Lane, as well as two further examples within the wider Findon area. However, these isolated instances do not represent the prevailing roof form locally. As outlined above, the dominant and defining roof type in this part of Findon is the traditional pitched roof. The examples cited by the appellant therefore do not contribute positively to the established character of the area, nor do they set a precedent for further crown-roofed development. Introducing an additional crown roof in this context would incrementally erode the area's coherent roofscape and undermine the distinctive character and appearance of surrounding properties.
13. The proposal includes the installation of uPVC windows. The appellant submits that, although the Council sought timber frames, uPVC is prevalent within the surrounding area, including on the host property, and the site does not fall within a conservation area. On this basis, the appellant considers the Council's requirement to be unreasonable and unnecessary for the development to integrate with its context. However, the South Downs Design Supplementary Planning Document (SPD, Adopted 2022) advises that materials should be selected for their low embodied energy and reduced environmental impact, and it therefore discourages the use of uPVC.
14. Having regard to the above considerations, I find that the proposed development would unacceptably harm the character and appearance of the area and fail to conserve and enhance the natural beauty of the NP. The proposal would therefore conflict with Policies SD4, SD5 and SD25 of the South Downs Local Plan (Adopted

2019), Policy HD7 of the Findon Neighbourhood Plan (Adopted 2020), and the South Downs SPD, which, among other things, seek to ensure that developments conserve, protect or enhance landscape character including the valued physical qualities and characteristics of the village and its surroundings.

Mix and balance of housing provision in the area

15. Policy SD27 of the South Downs Local Plan requires proposals for market housing to deliver the following mix of units:
- 1 bedroom dwellings: at least 10%
 - 2 bedroom dwellings: at least 40%
 - 3 bedroom dwellings: at least 40%
 - 4+ bedroom dwellings: up to 10%
16. The policy allows for an alternative mix where robust evidence demonstrates that local housing needs require a different distribution of dwelling sizes, or where site-specific considerations justify a departure to meet the National Park purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
17. The appeal scheme proposes two identical large family homes, each containing four bedrooms, including the first-floor room described as a 'home office'. The appellant has not provided evidence to demonstrate that the proposal meets any of the criteria that would justify not delivering the required housing mix.
18. I therefore find that the proposal would harm the mix and balance of housing provision in the area. The development therefore conflicts with Policy SD27 of the South Downs Local Plan, which requires residential developments to deliver a balanced mix of housing to meet projected future household needs for the local area.

Effect on living conditions of residents of neighbouring dwellings

19. The proposed dwellings would be positioned close to the boundaries of the neighbouring properties on both sides. In relation to potential overlooking from the first-floor windows, the appellant states that the side-elevation windows would serve only bathrooms and landings and would be fitted with obscure glazing and restricted openings below 1.7m to prevent direct views into adjoining gardens. Any views from the rear windows, set approximately 2.5m from the side boundaries, would be oblique, a relationship commonly found between residential properties. This degree and type of overlooking is generally considered acceptable and would not lead to a material loss of privacy, particularly given the depth of the neighbouring gardens.
20. However, while I acknowledge that the obscure glazing on the side-elevation windows would limit overlooking, the rear first-floor windows serving habitable rooms, positioned around 2.5m from the boundaries, would still allow clear views into the neighbouring gardens. This would result in an unacceptable loss of privacy for the adjoining occupiers. Furthermore, due to the scale of the proposed buildings and their proximity to the boundaries, the development would have an overbearing effect on the neighbouring outdoor amenity areas.

21. I find therefore, that the development would unacceptably harm the living conditions of the residents of neighbouring dwellings, regarding privacy. Consequently, the development would not accord with Policy SD5 of the South Downs Local Plan and Policy HD7 of the Findon Neighbourhood Plan, which, among other things, seek to ensure that the design and layout of development proposals are consistent with local landscape character and conserve, protect or enhance landscape character including the valued physical qualities and characteristics of the village and its surroundings.

Other Matters and Planning Balance

22. The appellant contends that the proposed dwellings would occupy a sustainable location and would contribute to meeting the high demand for housing within Findon. They also cite an appeal decision (Ref: APP/L3815/W/18/3205290) that concluded that while no party has commented on whether a five-year supply of deliverable housing land exists, the allowed appeal for one dwelling would boost housing supply by providing a home for present and future generations.
23. Moreover, while the appellant acknowledges non-compliance with Policy SD27, they argue that this should be balanced against other material considerations, including the acceptability of the units in all other respects and the contribution of two additional dwellings in a sustainable location.
24. The scheme would provide a modest increase to the local housing stock, together with associated social and economic benefits arising during construction and subsequent occupation. However, the addition of two dwellings would make only a limited contribution to overall housing supply and does not outweigh the identified harm to the character and appearance of the area, the mix and balance of housing provision in the area, or the living conditions of neighbouring occupiers. The Council's evidence indicates that it can demonstrate a housing land supply comfortably more than five years, with the officer's report confirming a 5.9-year supply for 2025. There is no substantive evidence before me to suggest that this position would not be maintained into 2026 and beyond. Accordingly, the proposal does not engage the presumption in favour of sustainable development set out in paragraph 11 of the National Planning Policy Framework (the "Framework").

Conclusion

25. The appeal scheme conflicts with the development plan as a whole. No other material considerations have been advanced that would justify a decision other than in accordance with the plan. For the reasons set out above, the appeal should be dismissed.

A Oyebade

INSPECTOR