



## Appeal Decision

Site visit made on 7 December 2018

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 January 2019

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**Appeal Ref: APP/L3815/W/18/3206331**

**Little Wephurst, Walthurst Lane, Loxwood, RH14 0AE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mr Richard Muddle against the decision of Chichester District Council.
  - The application Ref PS/17/03545/FUL, dated 8 December 2017, was refused by notice dated 8 March 2018.
  - The development proposed is for the erection a replacement dwelling, following demolition of an existing dwelling.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the impact of the development on the character and appearance of the area.

### Reasons

3. The existing property is a detached cream painted house located within the Wephurst Park private estate. The dwelling is setback from the access track located to the front of the property by an intervening wide grass verge. To the rear and sides are existing trees and vegetation, including hedges adjoining the side of the property, which provide a verdant setting for the dwelling.
4. Whilst a modest property, the existing building has a level of prominence in its rural setting. It acts as a visual marker along the Public Right of Way (PROW) which wraps around the north-eastern corner of the site and is viewed across the open agricultural field to east from the PROW beyond. To that end I agree with the Council that the property is readily visible from public vantage points.
5. I saw on site that the existing building is unoccupied, and that work had commenced on the side and rear extensions with foundations and low-level walls in place. However, work has ceased on these extensions with the appellant indicating that this is temporary pending the outcome of this appeal as the replacement dwelling would be more financially and energy efficient.
6. I accept that these extensions provide a 'fall-back' position, nevertheless while adding significant floor area and increasing the width and depth to the dwelling these additions would be single storey and subservient to the existing property.

By contrast, in my view, the proposed dwelling would be a large building of substantial width, bulk and increased height. In addition, its siting further forward in the plot would increase its visibility particularly when viewed from the adjacent footpath to the northeast.

7. The appellant explains that the proposed replacement dwelling is of a traditional design and that high-quality muted materials are proposed. I agree that the design itself is of high quality and note that the scheme has evolved through discussions with the Council including amendments made to reduce the height and scale. Notwithstanding this, I am of the opinion that the large expanse of roof together with the dormer windows, gable projections and architectural detailing would result in a massing and scale of development which would not be sympathetic to its setting.
8. While the appellant explains that deep hipped roofs are reflective of the Surrey vernacular, they are not the prevailing form in the locality. The existing dwelling and its nearest neighbours; Sky Cottage and 1 and 2 Wephurst Cottages, exhibit relatively simple building forms with roofs of limited scale. The proposed dwelling with its various projections, differing ridge heights and roof forms would create a relatively complex structure which I consider would add to its prominence.
9. I therefore conclude on the main issue that by virtue of the scale and massing of the replacement dwelling, which is viewed from several public vantage points, it would have an adverse impact on the character and appearance of the area. Thus, I find the development would conflict with policies 33, 40 and 48 of the Chichester Local Plan: Key Policies 2014-2029 which seek to protect and enhance the landscape character of the area and public amenity through detailed design.

### **Other Matters**

10. The Council have stated that the land to the rear of the property lies outside the residential curtilage and as a result the development would encroach onto agricultural land. The redline on the Location Plan does not infer curtilage and irrespective of the formal use of the land it provides a setting for the building. With reference to the plans provided by the appellant (Appeal Statement pages 17 and 20), the replacement dwelling is proposed to be located further forwards outside the area of concern. As such, I concur with the appellant that this is a separate matter and it has not been determinative to my findings in this appeal.
11. The appellant requests that the pre-application process is a matter taken into account as they believed the application was only submitted when agreement had been reached with the Council on the form and size of the dwelling. I understand the appellant's frustration with the process but note from the pre-application letter provided (Appellant Statement Appendix 5 dated 30 June 2017) that the Council concluded at that stage '*.....the proposal is unlikely to receive officer support. The scale of the dwelling proposed should be significantly reduced and the design simplified.*' and is caveated as officer advice which is not necessarily binding on the Council. I have had regard to the full case put forward by the appellant, including the application history, but this does not alter my position on the main issue.

## **Conclusion**

12. The proposal would conflict with the development plan as a whole and would not amount to sustainable development. There are no other considerations, including the policies in the National Planning Policy Framework that would outweigh this conflict. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*G Ellis*

INSPECTOR