

Appeal Decision

Site visit made on 15 August 2013

by H Butcher BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2013

Appeal Ref: APP/C3810/A/13/2196126

28 Kingsway, Craigweil, Bognor Regis, West Sussex, PO21 4DH

- 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 D Colley against the decision of Arun District Council.
 - The application Ref AW/80/12, dated 27 March 2012, was refused by notice dated 18 October 2012.
 - The development proposed is a new four bedroom detached dwelling with integral garage and new front boundary treatment. Demolition of existing single garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal before me makes reference to 28 Kingsway and Brus Lodge, both of which refer to the same property and form part of the appeal site. For the sake of continuity I shall use the former in my decision as this is the site address given on the application form.

Main Issues

3. The main issue is the effect on the character and appearance of the Craigweil House Conservation Area, bearing in mind the statutory test which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Reasons

4. The appeal site is located within the Craigweil House Conservation Area which is also a locally designated Area of Special Character. It is a planned residential estate originally designed to be set within park like surroundings ornamented by forest trees. A great deal of later infill development has occurred over the years within the estate, reducing the open gaps between properties. However, it still has a sense of being laid out as one unified piece and retains its original sense of spaciousness largely through the general absence of road parking, together with open or landscaped verges. Properties, on the whole, display individual designs, illustrating the time periods in which they were constructed, and have a character of grandeur in keeping with the original aspirations of the estate.
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5. The appeal site forms part of the side garden of 28 Kingsway which appears on the Council's local list as a Building of Special Character. It is of traditional design and forms a substantial building with a wide and impressive frontage. It is sited central to Kingsway at a wide bend in the road occupying a prominent position within the estate.
6. The proposed house has a mock Tudor appearance and would be a standard four bedroom property in terms of size and layout. The plot size when compared to the overriding pattern of development within Kingsway would appear comparatively narrow and small. The property itself would have a relatively narrow front elevation and would feature an attached single garage. Altogether this would result in a property of modest appearance which would not display any individuality or grandeur and therefore does not embrace the ethos of the estate or its concept. Consequently the proposal would have a detrimental effect on the appearance of the surrounding Conservation Area. It therefore follows that the proposal would neither preserve nor enhance the appearance of the Conservation Area as a whole.
7. I note that the proposal has been designed to reflect Little Fellows, in terms of its Tudor appearance. Little Fellows is, however, a far more substantial house with detached double garage and is of traditional design featuring bonnet half hips and steep roof pitches. I noted on my site visit that 31a The Drive is similar to the proposal in terms of plot size. However, this dwelling is markedly different in scale and design to the proposal before me. Reference is also made to No. 24 as being a similar scale of property but this is a character building, locally listed for its significance as a heritage asset, and is also set in a wider plot. Consequently these do not provide a direct comparison and accordingly I afford these matters limited weight.
8. I acknowledge the Council's Conservation Officer and Historic Buildings Advisor noted improvements in the design of the proposal, which I understand was amended prior to determination by the Council, but that both still raised concerns with respect to the impact of the proposal on heritage assets. Consequently this does not lead me to conclude differently in terms of the harm identified above.
9. In arriving at this conclusion I acknowledge the Council's concerns regarding the impact of the proposal on the spacious character of No 28. However, substantial grounds would be retained at No. 28 in the form of a pool with pool house to the side and grounds to the rear which taper down into a long avenue, such that there would not be significant harm to the setting of this heritage asset. I also noted on my site visit that properties along Kingsway had varying amounts of hard standing to the front, some of a comparable size to the proposal, therefore this element of the scheme would not appear excessive given the surrounding street scene. There are a variety of boundary treatments in Kingsway including brick boundary walls and fencing, and some with open frontages. Therefore the proposed front hedging to replace an existing fence would not appear out of character. These points, however, do not outweigh the harm identified above in terms of the design of the proposed dwelling.
10. As noted previously the appeal site is located prominently within Kingsway therefore the harm caused to the character and appearance of the immediate area would be significant. However seen in the context of the Conservation

Area as a whole this would be less than substantial in terms of the National Planning Policy Framework paragraph 134. Nevertheless I find insufficient public benefit from the proposal to outweigh the harm to the Conservation Area.

11. For the reasons outlined above the proposal would have a harmful effect on the appearance of the Conservation Area. I therefore find conflict with policies GEN7 and AREA2 of the Arun District Local Plan (2003) which, amongst other things seek to preserve or enhance the character or appearance of Conservation Areas or their settings. These objectives are consistent with the National Planning Policy Framework's (The Framework) principles of conserving and enhancing the historic environment.

Other matters

12. Reference has been made to an outline planning permission which was granted in 1967, the details of which I do not have before me. There would also have been a number of changes to both local and national planning policy during this time. In any event I have determined this appeal on its merits.
13. I note the proposed dwelling would achieve equal to or greater than Level 3 Code for sustainable homes in terms of design. Notwithstanding the encouragement renewable energy draws from The Framework this matter can only be afforded limited weight.

Conclusion

14. For the above reasons and having regard to all other matters I conclude that the development plan conflict would not be outweighed by other material considerations and the appeal should be dismissed.
15. Whilst it did not form part of the Council's original reasons for refusal the Council have put forward a case for securing affordable housing contributions. However, given I am dismissing the appeal for other reasons I do not need to address the matter in any detail.

H Butcher

INSPECTOR