



Appeal Decision

Site visit made on 27 August 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2019

Appeal Ref: APP/Z3825/W/19/3230663

The Chardonnay Restaurant, Old London Road, Washington RH20 3BN

- 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 Carl Iles against the decision of Horsham District Council.
 - The application Ref DC/18/2249, dated 19 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is the erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road at The Chardonnay Restaurant, Old London Road, Washington RH20 3BN in accordance with the terms of the application, Ref DC/18/2249 dated 19 October 2018 subject to the conditions set out in the attached schedule.

Procedural Matters

2. The description of development above has been taken from the Council's decision notice. This differs from the description given on the application form of 'new 2 bedroom attached dwelling with associated parking'. While part E of the appeal form indicates that the description of development had not changed from the application form, the appellant's statement uses this description and it is a more accurate description of the development which is proposed. I have therefore used this description within my decision.
3. The Council's appeal statement refers to relevant policies of the Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 (SSWNP) and advises that since the application was determined and the appeal submitted, the SSWNP successfully passed referendum and was formally 'made' on 4 September 2019. The National Planning Policy Framework (the Framework) confirms that Neighbourhood Plans that have been approved at referendum are part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made. The appellant has provided comments in response referring the progress of the SSWNP and the relevance of policies to the appeal, and I have therefore considered the appeal on this basis.

Main Issues

4. The main issues are (i) the effect of the development on the character and

appearance of the building and area and (ii) whether or not the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan.

Reasons

Character and Appearance

5. The appeal site is set between Old London Road and the A24 London Road and accommodates a former restaurant known as 'The Chardonnay'. The site is part of a cluster of mixed residential and commercial uses to the north of the village of Washington, but the surrounding development and adjacent dual carriageway mean that the site is not significantly rural in character. Other dwellings on Old London Road are generally two-storey in height and are set back from the highway with frontages marked by a variety of vegetation, walls and fences. However, there is little consistency in terms of the scale, design, architectural styles or materials of the mix of terraced and detached dwellings here. This varied character in the immediate vicinity of the site is further increased by the commercial uses to the north where there are assorted buildings, some of which are of significant scale and footprint.
6. At the time of my visit, works were ongoing on the appeal site to convert The Chardonnay to 3 dwellings. However, its overall form and mass was still clearly apparent. The northern part of the building is set at the edge of the road, although there is a small step in the front elevation resulting in a slight setback to the southern part. While it is a single storey building in comparison to the mainly two-storey development nearby, it is of significant width and together with its proximity to the road this results in a relatively prominent appearance in the Old London Road street scene. The building is further notable as a consequence of the alternating and varied roof ridge heights, slopes and dormer window additions; as well as the staggered rear projections to different elements which are particularly apparent from the south and east. This gives the impression that it has been extended incrementally over time.
7. The proposed dwelling would further extend the width of the building on the site, and while it would be set back from the adjacent front elevation it would be readily visible from Old London Road. Despite the presence of some trees to the rear boundary of the site with the A24 London Road towards the northern part of the building, there are also views of the site from this dual carriageway and the dwelling would therefore also be visible from the rear.
8. However, I agree with the Council that the design of the windows, doors and entrance porch to the dwelling would provide for a consistent appearance with the existing building. Furthermore, the development would continue the existing pattern of alternating roof ridge heights and stepped front elevation.
9. Although the resulting building would be relatively wide, the set back of the dwelling, stepped roof form and entrance porch detail to the front elevation and the stepped footprint and roof form when viewed from the rear would add detail and help to break up the massing of the building. Furthermore, with regard to the two-storey terrace of 6 dwellings at Montpellier Cottages and commercial buildings including the substantial HGH Groundworks building nearby, the resulting width would not be discordant or out of keeping.
10. The footprint of the existing building reduces towards the south as the site

narrows. While the proposed dwelling would be of greater depth than the immediately adjacent section, it would project no deeper than the northern part of the building and significant separation would be retained to the rear site boundary. Furthermore, the roof would be set down lessening its visual impact. I am thus satisfied that this would continue the overall impression of built form reducing in scale towards the southern part of the site and that the proposal would not undermine the appreciation of the general form of the building.

11. I acknowledge that the development would obscure some views of the existing multi-element roof from the south and that the roof design would result in a partial flat section. However, the proposed height and depth would both be less than the existing building, retaining some views of the current form. Additionally, as viewed from both Old London Road and the A24 London Road the roof would give the impression of a ridge running parallel to Old London Road and hipped projection perpendicular to this, which would be consistent with the existing form. Therefore, while the proposed dwelling may appear as a later addition to the original building, the flat section would not appear unduly prominent or incongruous and the development would be consistent with the appearance of the existing structure as having grown incrementally over time. Given this, I find that it would integrate well as a sympathetic addition to the building in views from both Old London Road and the A24 London Road.
12. I conclude that the development would not constitute poor design or result in harm to the character or appearance of the existing building or area. I therefore find no conflict with the Framework or with Policies 32 and 33 of the Horsham District Planning Framework 2015 (HDPF). Together, these seek high quality design and include requirements that the scale, massing and appearance of development relates sympathetically to its surroundings and that it provides an attractive environment which complements locally distinctive character.

Suitability of the Location

13. The appeal site is located to the north of Washington, outside of any defined built-up area. Policy 2 of the HDPF seeks to focus development around the key settlement of Horsham and allow for growth in accordance with the settlement hierarchy identified at Policy 3. However, HDPF Policy 4 supports growth outside of built-up areas to meet identified needs where certain criteria are met. These include at part 1 of the policy a requirement that the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
14. The more recent SSWNP advises at Policy 1 that proposals outside the built-up area of Washington will be supported within and around Montpellier Gardens/Luckings Yard, or if it results in the reuse of previously developed land outside of the South Downs National Park provided the proposal accords with other policies in the development plan.
15. SSWNP Policy 1 continues that outside of these definitions, development will be required to conform with development plan policies in respect of the management of development in the countryside. The Council refer to HDPF Policy 26 which sets out that the rural character and undeveloped nature of the countryside will be protected and that outside of built-up areas, proposals must be essential to a countryside location, be of a scale appropriate to its countryside character and location, and meet one or more criteria which

- include enabling the sustainable development of rural areas.
16. There is no dispute between the parties that the appeal site constitutes previously developed land and that it is not within the South Downs National Park. The site is just to the south of the Montpellier Gardens/Luckings Yard site allocated for development by the SSWNP. While it is not formally part of the allocation, in my view it would clearly be considered to be 'around' this allocation as referred to by SSWNP Policy 1. It is therefore a location where development may be supported by this policy where it accords with other policies of the development plan.
 17. The development would result in re-use of the previously developed site as sought by SSWNP Policy 1 and would constitute infilling between the A24 London Road and the existing development to the north and west of the site. Given this and the single dwelling scale of the development, it would not result in a significant impact on the rural character or undeveloped nature of the countryside which HDPF Policy 26 seeks to protect. It would further be set within defensible boundaries and would maintain the overall settlement pattern and function in accordance with the objectives of HDPF Policies 2, 3 and 4.
 18. The Council has expressed concern that the site would not immediately adjoin the settlement edge, that there is a relatively limited range of services available in Washington and that there would be reliance by occupiers on private motor vehicles. However, I also note that paragraph 103 of the Framework advises that opportunities to maximise sustainable transport solutions will not be the same in rural areas as urban locations, and that this should be taken into account in decision-making. Additionally, paragraph 78 promotes housing development in rural areas where it will enhance or maintain the vitality of rural communities.
 19. The appellant refers to comments by the Examiner of the SSWNP in the report recommending that the plan proceeded to referendum and these references have not been challenged by the Council. The Examiner specifically considered the suitability of the area around Old London Road for development with regard to accessibility to services and concluded that this area is within walking distance of the nearby Squires Garden Centre where a local farm shop provides a wide variety of stock which could meet some day to day needs, and that the route to the primary school in Washington is also walkable. I agree that there would be opportunities to meet some day to day needs by walking, and therefore find that future occupiers would not be wholly reliant on the private motor vehicle.
 20. Furthermore, while the Council advise that they are able to demonstrate a 5 year supply of housing, the SSWNP Examiner's report indicates that the provision of housing identified in the plan would not meet needs in the SSWNP area. In this context, the SSWNP notes that Washington is constrained due to its location in the South Downs National Park, but that some development will be necessary to meet recognised local needs and to maintain the vitality of smaller villages and support local facilities such as shops and schools whilst retaining existing settlement functions and rural character. The small cluster of residential dwellings to the north west is identified as offering the opportunity to help meet local housing needs and to support local services.
 21. I have not been provided with any specific evidence to demonstrate that the proposed development is essential to a countryside location as referred to by

HDPF Policy 26. However, the provision of a dwelling on the appeal site would contribute to meeting housing needs locally, and to providing support for the local economy and services. Given the opportunities for travel by modes other than by private motor vehicle, I therefore find that it would comprise sustainable development of rural areas as enabled by HDPF Policy 26. Furthermore, I note that in line with the objectives of the Framework, HDPF Policies 2 and 33 prioritise effective use of previously developed land.

22. The proposal would conflict with some aspects of the development plan, specifically the requirement of part 1 of HDPF Policy 4 that sites outside of built-up areas are allocated in the Local Plan or in a Neighbourhood Plan and adjoin an existing settlement edge; and the requirement within HDPF Policy 26 that proposals outside of built-up area boundaries are essential to a countryside location.
23. However, the development would accord with the principles of SSWNP Policy 1 and would make effective use of a previously developed site without detrimental impact on the rural character of the area. Additionally, there would be no harm to the overall settlement pattern and function. I therefore conclude that the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities and the provisions of the development plan including Policies 2, 3, 4 and 26 of the HDPF and Policy 1 of the SSWNP when considered as a whole.

Conditions

24. I have considered the Council's suggested conditions. Where necessary, I have altered the conditions for clarity and to ensure compliance with the relevant tests. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. Conditions requiring details of external materials, finishes and colours; and the provision of cycle parking are necessary to ensure a satisfactory appearance of the development and in the interests of encouraging cycling. A condition to require water efficiency measures is also necessary in the interests of resource efficiency as required by HDPF Policy 37.
25. The Council has also suggested a condition to remove permitted development rights for various alterations to the dwelling and I have considered this against paragraph 53 of the Framework. While I do not consider it would be necessary to control additions or alterations to the roof, given the relationship of the dwelling with other properties within the site, a condition to control development under classes A and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 is necessary in the interests of the living conditions of neighbouring occupiers.

Conclusion

26. For the reasons given above, I conclude that the proposal accords with the development plan when taken as a whole and no material considerations indicate a decision otherwise than in accordance with it. The appeal should therefore be allowed.

J Bowyer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 18293/P100, 18293/P101, 18293/P102, 18293/P103, 18293/P104, 18293/P105 and 18293/P106.
- 3) No development above ground level shall commence until a schedule of all materials, finishes and colours to be used for external walls, windows and roofs has been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved schedule.
- 4) The dwelling shall not be occupied until Building Regulations approval has been issued certifying that optional requirement G2 to the Building Regulations 2010 (as amended) to limit water usage of the dwelling to 110 litres per person per day has been achieved. Water limiting measures to meet this standard shall thereafter be retained.
- 5) The dwelling shall not be occupied until cycle parking to serve the dwelling has been provided in accordance with details which have first been submitted to and approved in writing by the local planning authority. The cycle parking shall thereafter be kept available for the parking of bicycles.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargement, improvement, addition or other alteration as defined within Classes A or E of Part 1 of Schedule 2 of the Order, shall be carried out to the dwelling hereby permitted.

Mr Mark Alford
Mark Alford Design Limited
Heatherlands
Bracken Lane
Storrington
RH20 3HS

Application Number: DC/18/2249

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr Carl Illes

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby REFUSE to permit the works specified hereunder, that is to say:

Erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road.

The Chardonnay Restaurant Old London Road Washington Pulborough

as shown on Plan and Application Number DC/18/2249 submitted to the Council on 24/10/2018. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The proposed development would be located outside of the defined built-up area of a settlement, on a site not allocated within the Development Plan or Neighbourhood Plan, and would not be essential to its countryside location. The proposal would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within the main settlements of the District, contrary to policies 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).
- 2 The proposed dwelling would be of a form, siting, scale and mass that would constitute a prominent addition to the existing building and would detract from its pre-existing character and the visual amenities of its wider setting, contrary to policies 32 and 33 of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	24.10.2018
Block plan	Existing and Proposed	18293 / P100	22.10.2018
Elevation plan	Proposed	18293 / P106	22.10.2018
Elevation plan	Existing	18293 P102	22.10.2018
Elevation plan	Proposed	18293 P104	22.10.2018
Floor plan	Roof as Proposed	18293 / P103	22.10.2018

Floor plan	Roof as Proposed	18293 / P105	22.10.2018
Supporting Statement	Flood Risk Assessment	NONE	22.10.2018
Floor plan	Roof as Existing	18293 / P101	22.10.2018
Design & Access Statement		NONE	22.10.2018
Supporting Statement	Traffic Noise Assessment	NONE	22.10.2018

Note To Applicant:

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.



Barbara Childs
Director of Place

Date: 19/12/2018

ADDITIONAL INFORMATION

Right of Appeal

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application and within 26 weeks for other types of planning applications. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or on-line at www.planningportal.gov.uk/pcs



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/18/2249

The Chardonnay Restaurant, Old London Road, Washington, Pulborough, West Sussex, RH20 3BN

DESCRIPTION:

Erection of a 2 bedroom attached dwelling with associated parking and new access onto Old London Road.

RELEVANT PLANNING HISTORY:

DC/18/1970	Non material amendment to previously approved DC/17/2498) (Proposed Change of Use from A3 Restaurant to C3 Residential (3 x 2 bedroom apartments) with associated parking (including 2 community spaces) and bin store. Removal of existing conservatory and commercial binstore and enclosure and erection of new bin/cycle store). Amendment to Unit 3 master bedroom windows, side window to new master bedroom to be removed.	Application Permitted on 17.09.2018
DC/17/2498	Proposed Change of Use from A3 Restaurant to C3 Residential (3 x 2 bedroom apartments) with associated parking (including 2 community spaces) and bin store. Removal of existing conservatory and commercial binstore and enclosure and erection of new bin/cycle store	Application Permitted on 24.01.2018
WS/15/02	Single-storey extension to kitchen	Application Permitted on 24.12.2002
WS/7/88	Erection of one bungalow and garage (outline)	Application Refused on 15.08.1990
WS/61/73	Addition to restaurant	Application Permitted on 11.12.1973
WS/44/87	Erection of dwelling & garage (outline)	Application Refused on 23.12.1987
WS/35/72	Chalet bungalow	Application Refused on 15.09.1972
WS/34/88	2 storey extension to form 7 bed hotel	Application Refused on 26.10.1988
WS/22/63	Annexe for staff	Application Refused on 06.11.1963

SITE AND SURROUNDS

The application site comprises of a former restaurant and associated amenity land located to the east of Old London Road and to the west of the A24 dual carriageway. The existing building is currently

undergoing conversion to 3 x flats as permitted under previous application (DC/17/2498) with several different building works being undertaken at the time of the Officer's site visit. Whilst acknowledging the current state of the building does not reflect its final finish, the overall character of the building is capable of being understood. The building comprises of an interesting variety of different roof slopes, and as seen from the rear (from the A24), has a rambling appearance that is reinforced by its mainly linear composition. From Old London Road the building possesses a far more unassuming character, that is predominantly derived from its modest height and roof surfaces that slope away from the public highway. It is noted that the variety of different roof surfaces over rear projections/extensions as evident to the rear, are far less appreciable from public perspectives on Old London Road.

The application site incorporates a moderately sized area of maintained garden land to the rear of the existing building, with an incomplete parking area located to its immediate south that is currently used for construction/storage purposes. There is a slight gradient present within the application site, with land sloping away from Old London Road towards the A24. A low Conifer hedge currently delineates the application site from adjacent highway land on the A24, however, this is not of a height or density that currently provides any significant diminution in traffic noise; which remains notable.

Buildings opposite the application site on Old London Road are of a two storey composition and mixed in character, however, 'Country Market' appears to be of more traditional construction whilst 'Harraton House' appears to be of a circa 1980/90s construction. A former highway depot (now demolished) is situated opposite the site to the south west, and benefits from extant outline planning permission for the erection of 5 dwellings.

The application site falls outside the defined built up area of any settlement and is located approximately 40m east of the South Downs National Park boundary.

DETAILED DESCRIPTION

Planning permission is sought for the erection of a single two bedroom dwelling as a side extension to the former Chardonnay Restaurant. The dwelling would project 8.7m beyond the current side elevation of the former Restaurant and would measure 10.9m in width. The proposal would be inset 1.4m to the rear of the principal elevation of the adjoining building, benefiting from an independent entrance onto Old London Road. A mixed dual pitched and mansard roof is proposed, constructed to an overall height of 5.05m and eave height of 2.75m. The proposal would see the provision of two dedicated car parking spaces for the proposed dwelling, a visitor parking space and see revisions to the previously approved parking area associated with application DC/17/2498 to provide eight parking spaces and four secure cycle stores for the occupiers of all four dwellings within the confines of the application site.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 Submission Plan:

- Policy 1 - A Spatial Plan for the Parishes
- Policy 8 - Countryside Protection

Policy 9 - Green Gaps
Policy 14 - Design
Policy 18 - Traffic & Transport
Policy 19 - Car Parking

The Storrington, Sullington and Washington Neighbourhood Plan 2018-2031 Submission Plan has undergone examination with the Examiner's Report publicised under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Subject to the Submission Plan being amended in line with the recommended modifications, the plan is recommended to be brought forward to referendum. The neighbourhood plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication.

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

Consultations:

INTERNAL CONSULTATIONS

HDC Environmental Health: Comment.

The Council's Environmental Health department responded with comments relating to noise, contamination and air quality.

The Officer identified the significance of road traffic noise in this location and considered that noise mitigation methods would be necessary, including the necessity for materials with enhanced sound attenuation properties and the permanent closure of glazed surfaces. The Officer highlighted alternative methods required for suitable ventilation and recommended suitable conditions relating to a noise insulation scheme.

The Officer further recognised the difficulty in mitigating likely noise levels in outside amenity spaces, which were regarded to be above serious annoyance thresholds as outlined in World Health Organisation guideline values. The Officer invited the Local Planning Authority to consider the appropriateness of associated amenity spaces, given the likely level of noise disturbance in private amenity spaces and distance to nearby public amenity areas.

A pre-commencement condition was recommended in respect of potential contamination and further mitigation methods advised in respect of local air quality and emissions, including the provision of at least a single electric vehicle charging point.

OUTSIDE AGENCIES

WSCC Highways: No Objection.

The Local Highways Authority (LHA) considered that the proposal would not result in a severe impact on the operation of the highway network, and that there would be no transport grounds to resist the proposal. The LHA Officer identified that proposal would satisfy its anticipated parking demand, providing three spaces for the additional dwelling and eight spaces as per the previous proposal for the dwellings previously approved. There is no pre-existing evidence of unsafe highway operation in this location. Several conditions relating to the chronology of development were recommended.

The LHA officer further advised that, in addition to the grant of planning permission, a formal vehicle crossover licence would be required from the LHA in order to implement site access works onto the publicly maintained highway. The applicant is advised to review the consultation response in full in relation to this matter.

Southern Water: Comment.

The water utility company responded to raise no objection to proposed development. Given the proximity of the proposal to identified mains and sewers a condition was recommended to secure details of methods taken to ensure the protection of water apparatus.

Parish Comments:
No Objection.

Representations:
None received.

Member Comments:
None received.

HUMAN RIGHTS

Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT:

The main considerations material to this application relate to:

- The principle of development
- The design, scale and appearance of proposed development
- The impact of development on the amenities of neighbouring occupiers
- The impact of development on the operation of the public highway network

Principle of Development:

Policies 3 and 4 of the Horsham District Planning Framework (HDPF) state that development will be permitted within towns and villages that have defined built-up areas. Any redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy. Outside of built-up areas, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development meets identified local housing needs and/or employment needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape features are maintained and enhanced.

Policy 26 of the HDPF seeks to ensure the protection of the countryside, and states that development outside of the built-up area boundary should protect the countryside against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of rural areas.

Policy 1 of the Storrington, Sullington & Washington Neighbourhood Plan: Submission Plan 2018-2031 provides that development located inside built-up area boundaries will be supported where appropriate, especially if this results in the beneficial reuse of previously developed land. Development for infilling outside the built up area of Washington will be supported, including extensions to existing buildings, provided development accords with the relevant provisions of the Horsham District Planning Framework in respect to the management of development in the countryside.

In addition, Paragraph 78 of the National Planning Policy Framework (NPPF) states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need to for an agricultural worker to live at or near the site; where such development would represent the optimal viable use of a heritage asset; where the development would re-use redundant or disused buildings and lead to enhancement of the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling.

The application site is situated approximately 620m north of the centre of Washington and 3.5km east of the centre of Storrington. Whilst it is acknowledged that the application site falls amongst not unsubstantial residential development on Old London Road, residences are well removed from nearby settlements as identified by the Inspector under appeal APP/Z3825/W/15/3035644 (Land Adj 6

Montpelier Cottages, Old London Road, Washington). Furthermore, as highlighted by the response of the Local Highways Authority, it is anticipated that there would be a significant reliance on the use of the private car in this location. For these reasons the application site is regarded as a countryside location for the purposes of planning policy.

It is acknowledged that the application site is situated opposite an extant permission for the development of five dwellings, however, a review of the relevant permissions (DC/14/0317, DC/16/0679 and DC/18/1603) would reveal that the principle of development on this site was primarily established at a point where the Local Planning Authority could not demonstrate a five year housing land supply. Such proposals, therefore, were determined primarily against paragraphs 49 and 14 of the 2012 NPPF, being deemed to result in long-term economic benefits, improve neighbouring living conditions and improve existing environmental conditions. Similarly, in respect to the extant permission for conversion of the restaurant, (DC/17/2498), the principle of development was established in relation to the proven decline of existing A3 uses and the unlikely increase in overall activity in the countryside given the loss of an existing business. Therefore, although these previous decisions have been considered, the application now before the Council is of an entirely different nature, being assessed on its own merits and context

Policy 1 of the Storrington, Sullington & Washington Neighbourhood Plan: Submission Plan 2018-2031 allows for infill development outside the built-up area of Washington subject to the countryside management policies of the local plan. Policy 26 of the HDPF stipulates that development falling outside of a defined built-up area boundary must be essential to its countryside location, and, in addition satisfy one or more defined criteria. The proposal has not sought to demonstrate that it is essential to its countryside location, and no evidence has been provided to suggest that the dwelling would be related to agriculture or forestry, the extraction of minerals or the disposal of waste and would not constitute quiet informal recreational use.

The application site does not adjoin an existing settlement edge and has not been allocated in the Local Plan or Neighbourhood Plan. Furthermore, the Council can demonstrate that it has a five year housing land supply. It is accepted that the housing delivery figures under Policy 15 of the HDPF do not represent a ceiling, however, there is no overriding identified local housing need that would warrant development contrary to policy. Whilst the Council is currently undertaking a review of settlement boundaries, and the designation of current 'unclassified settlements' within the HDPF as 'secondary settlements', the area incorporating Old London Road is not being considered for designation as a secondary settlement.

The overarching policy approach of the HDPF is to concentrate development within defined built-up area, where new development is best supported by existing infrastructure, amenities and services. Given that the Storrington, Sullington & Washington Neighbourhood Plan: Submission Plan 2018-2031 is not yet a made plan, primacy must be given to the established spatial strategy and hierarchy approach of the Local Development Plan in this instance. The proposal is contrary to policies 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and policies within the submission version of the Storrington, Sullington and Washington Neighbourhood Plan and guidance as set out in the NPPF.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development which is of high quality and design, and is sympathetic to the distinctiveness of its surroundings. Development should protect, conserve and enhance the landscape character, taking account of the natural environment, landscape and landform pattern to which it forms a part.

Policy 14 of the Storrington, Sullington & Washington Neighbourhood Plan: Submission Plan 2018-2031 provides that the scale, density, massing, height, landscape design, layout and materials of development will be required to reflect the architectural and historic character and scale of surrounding buildings and landscape as defined within the Washington Parish Plan.

It is noted that the proposal incorporates a design that deliberately attempts to reflect the character, materials and finish of the existing building to which it would adjoin. The proposed structure incorporates a roof form that closely accords with that present over the central perpendicular roof

surface of the former restaurant, and windows, doors and entrance porch near identical to those approved for use in the conversion. It is considered that such measures are sufficient to ensure a predominantly consistent appearance between the proposed dwelling and adjoining building.

Notwithstanding this, however, it is considered that the overall siting, form and scale of the proposed dwelling relates relatively poorly to the existing building. When viewed from Old London Road it is considered that the proposed dwelling and adjoining building present an overly linear frontage that would be of little architectural interest. It is acknowledged that the proposal would incorporate a 1.4m inset from the principal elevation of the former restaurant, providing a degree of articulation that somewhat mitigates this impact, however, it is considered that this further acts to highlight the nature of the proposal as a later addition to the main form of the building.

The rear elevation in particular sits uncomfortably against the main form of the existing building. Whilst it is accepted the existing building features an arguably overly prolific combination of hipped and gabled roof surfaces, the proposal features a simplistic mansard roof that is sited roughly in line with adjacent rear projections. As such, when perceived from the A24, the proposed extension stands out in direct contrast to the adjoining building. The siting of the proposed extension furthermore acts to interrupt an appreciation of the original form of the building, being one that tapers inwards towards Old London Road. It is acknowledged that passing traffic on the A24 often passes at speed, with the passing public appreciating the site in short glimpses, however, the Washington roundabout is also known to be a busy junction with significant queues at peak hours. As such, the proposed development would be readily understood within the public realm, especially given the absence of relevant screening on the eastern boundary of the application site.

It is overall considered that the proposed dwelling fails to either successfully distinguish itself from the adjoining former restaurant as a building of individual architectural merit or alternatively integrate effectively and sympathetically with the main form of the adjoining building. Given the awkward layout of the former restaurant, however, it is acknowledged that the later may be challenging to achieve without altering the structure as a whole. In any instance the proposed extension is considered to be of a form, scale and layout that would result in an excessively linear frontage against Old London Road and result in an undesirable relationship with the adjoining building when perceived from the rear. The NPPF places renewed emphasis on design and provides that development should seek to promote standards of design in a local area (paragraphs 129 and 130). In this instance it is considered that the proposal fails to raise standards of design and results in harm to the character of the existing building and the character of its wider surroundings, contrary policies 32 and 33 of the HDPF.

Amenity Impacts:

Policy 33 of the HDPF provides that development will be required to ensure a design that avoids unacceptable harm to the occupiers/users of nearby property and land.

The proposed dwelling would be sited opposite the neighbouring property of 'Harraton' on Old London Road. By virtue of the single storey composition of the proposed dwelling, and the approximate 18m separation provided by the public highway, it is considered that the proposal would be sufficiently far removed to prevent any unacceptable overbearing impression or loss of light to the occupiers of Harraton. It is recognised that the proposal incorporates ground floor windows orientated towards Harraton, however, the degree of separation in combination with boundary treatments would also be regarded as sufficient to prevent any unacceptable loss of privacy.

It is noted that the proposal would involve the closure of a window leading to an adjoining bathroom in unit 3, resulting in a living space with no natural light or ventilation. Given the nature of this room as a bathroom, however, it is recognised that such a window would likely be obscure glazed in nature and, as such, the proposal would unlikely appear overbearing to adjoining occupiers. The provision of a bathroom with no natural light is considered undesirable, however, would not be regarded as unacceptable in principal; given this is a somewhat typical arrangement for internal en-suites. Ventilation could be secured by alternative natural or artificial means, notwithstanding the proposed extension.

The proposal would introduce further windows and a Juliet balcony overlooking shared amenity spaces to its rear. Given the shared nature of these areas, however, it is considered that this would not result

in an unacceptable loss of privacy, instead being consistent with the pre-existing relationship of mutual overlooking as shared between previously approved units. As such the proposal would not be regarded to result in unacceptable harm to the amenities of nearby occupiers.

The response of the Council's Environmental Health department is acknowledged in respect of sound attenuation and disturbance to prospective occupiers. Further details of requisite sound insulation and mechanical extract ventilation could be secured by means of an appropriate planning condition. Subject to such a condition, as assessed previously under application DC/17/2498, it is envisaged mitigation methods could be secured to ensure that noise disturbance resulting from road traffic on the A24 would not amount to unacceptable harm to prospective occupiers.

Given the countryside setting of the proposal, it is considered unusual that private garden space is omitted in favour of shared amenity space to the east of the proposed dwelling and former restaurant. Given the relative density of dwellings within the site, and the somewhat constrained amenity area, it is accepted that a larger open space shared between all prospective residents may better suit the needs of prospective occupiers (in accordance with NPPF paragraph 127(f)) than alternative provision for a modest private garden per each dwelling respectively. Therefore, whilst such an arrangement is considered more usual to an urban setting, given the context and specific constraints of the application site is not deemed unacceptable in this instance.

Highways Impacts:

Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.

Policy 41 of the HDPF stipulates that development must provide adequate parking and facilities to meet the needs of anticipated users, with consideration given to the needs of cycle parking, motorcycle parking and electric/low emission vehicles. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

The proposal would provide three parking spaces for the new dwelling and eight parking spaces for the three dwellings previously approved in addition to four covered cycle stores. It is considered that the proposed parking arrangements are suitable, exceeding the LHA's calculated parking demand for the additional dwelling and providing equivalent vehicular parking to that previously deemed acceptable under application DC/17/2498. No conflict with Policy 41 of the HDPF would be envisaged in this instance, therefore.

The response of the LHA identifies that the proposed parking and turning areas would be sufficient to enable vehicles to manoeuvre and exit on the publicly maintained highway in forward gear. The proposed highway access, in a revised position from that proposed under DC/17/2498, would be of adequate width to allow two vehicles to pass leading onto a lightly trafficked highway. The LHA raised no concerns regarding possible unsafe operation for the proposed access that would arise from insufficient visibility or inappropriate road layouts. The introduction of an additional dwelling would not be anticipated to result in a significant intensification of uses within the application site that would materially impact on the operation of the wider highway network.

Conclusions and Planning Balance:

The proposed dwelling is located outside of a defined built up area and the site is therefore considered to be within the countryside. The proposal is not deemed essential to its countryside location, or compliant with any of the defined criteria under Policy 26 of the HDPF. The form, siting, scale and massing of the proposed dwelling is considered detrimental to the character of the adjoining building and the visual amenities of the wider area. The proposal would fail to raise standards of design in the immediate locality. The proposal, therefore, is considered an unsustainable and inappropriate form of development within the countryside, contrary to policies 1, 2, 3, 4, 26, 32 and 33 of the HDPF.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	99.39	0	99.39
	Total Gain		99.39
	Total Demolition		0

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Refused

Reasons for Refusal:

1. The proposed development would be located outside of the defined built-up area of a settlement, on a site not allocated within the Development Plan or Neighbourhood Plan, and would not be essential to its countryside location. The proposal would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within the main settlements of the District, contrary to policies 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).
2. The proposed dwelling would be of a form, siting, scale and mass that would constitute a prominent addition to the existing building and would detract from its pre-existing character and the visual amenities of its wider setting, contrary to policies 32 and 33 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

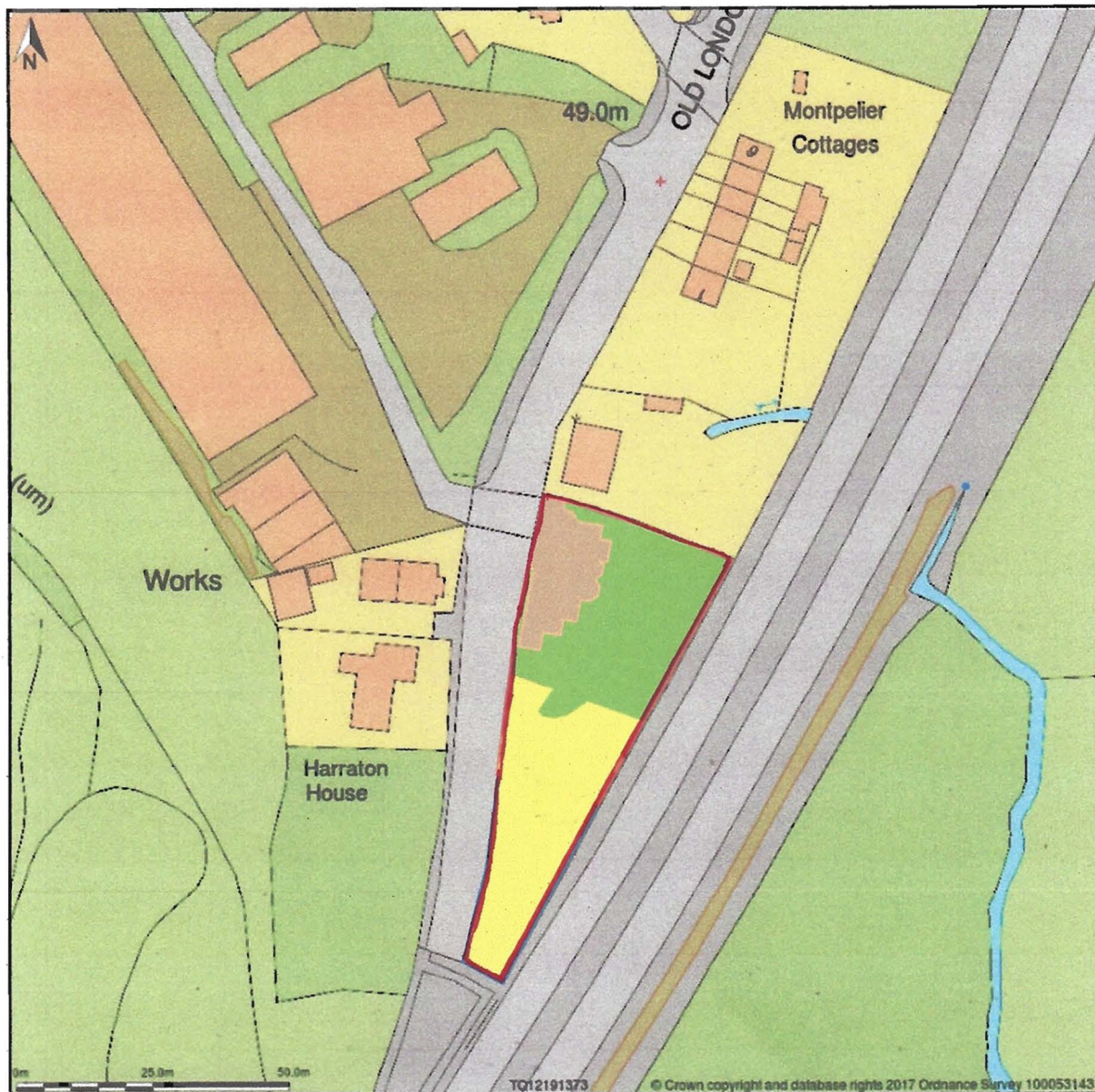
Plans list for: DC/18/2249

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	24.10.2018
Block plan	Existing and Proposed	18293 / P100	22.10.2018
Elevation plan	Proposed	18293 / P106	22.10.2018
Elevation plan	Existing	18293 P102	22.10.2018
Elevation plan	Proposed	18293 P104	22.10.2018
Floor plan	Roof as Proposed	18293 / P103	22.10.2018
Floor plan	Roof as Proposed	18293 / P105	22.10.2018

#

The Chardonnay Restaurant Old London Road Washington West Sussex RH20 3BN



Site Plan shows area bounded by: 512099.26, 113635.9 512299.26, 113835.9 (at a scale of 1:1250), OSGridRef: TQ12191373. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

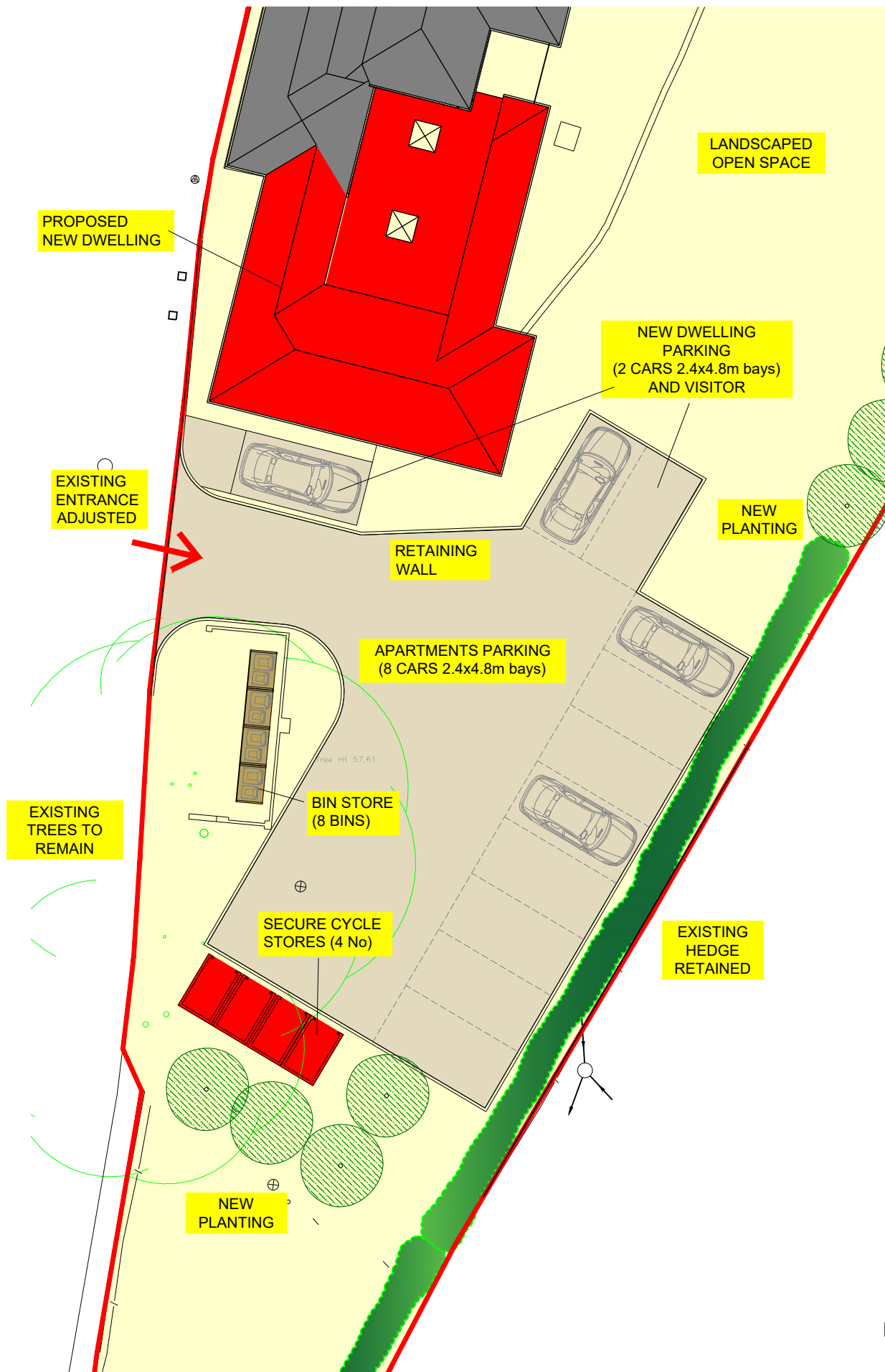
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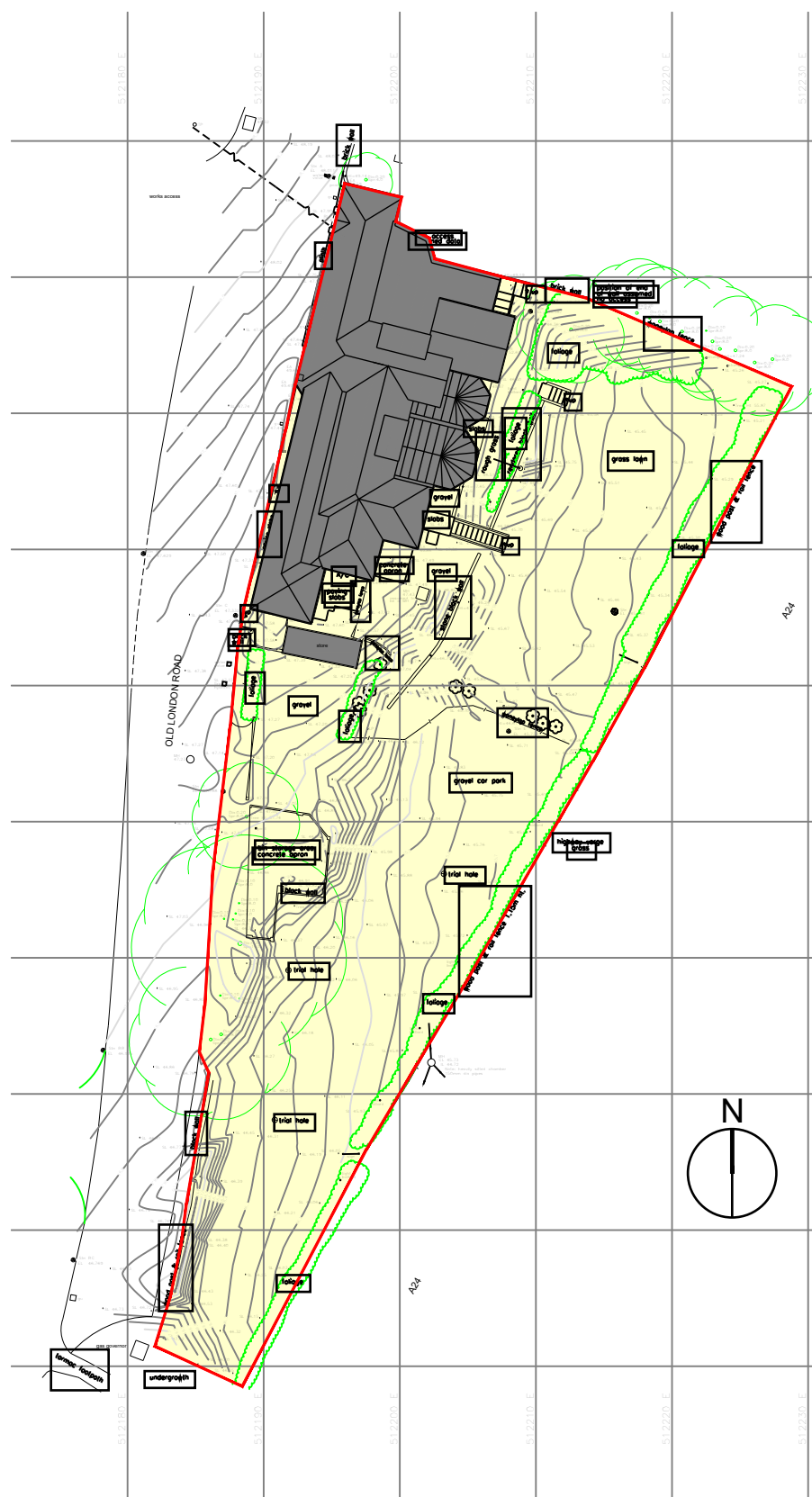
**"THE CHARDONNAY
RESTAURANT"
OLD LONDON ROAD,
WASHINGTON
WEST SUSSEX
RH20 3BN**

SCALE : 1:1250 @ A4

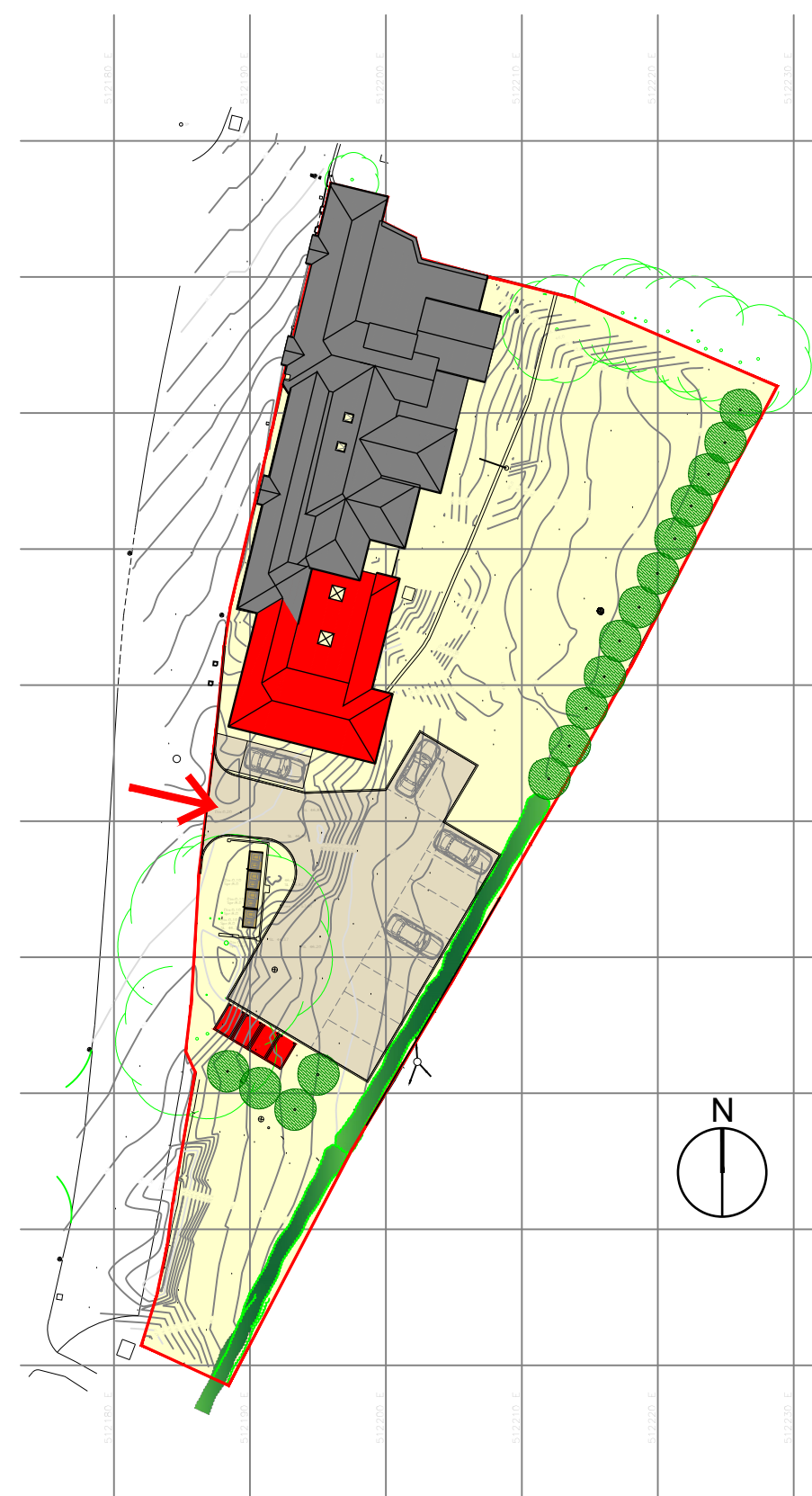
**PLAN
LOCATION**



PROPOSED BLOCK PLAN 1:200



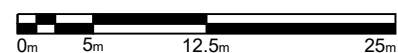
EXISTING BLOCK PLAN 1:500



PROPOSED BLOCK PLAN 1:500



Scale 1:200



Scale 1:500



mark alford design architecture

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client: MR CARL ILLES

project title: THE OLD CHARDONNAY RESTAURANT
PROPOSED NEW DWELLING

drawing title: EXISTING AND PROPOSED BLOCK PLANS

drawn by: MSA date: OCT 18 scale: 1:200/1:500 @ A3

issue status: design ☒ BofQ ☐ construction ☐ record ☐

drawing number: **18293 / P100** revision:

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No dimensions to be scaled from this drawing except for Planning purposes.