
Appeal Decision

Site visit made on 13 October 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 11 November 2016

Appeal Ref: APP/C3810/W/16/3154452

1 Green Park, Ferring, West Sussex BN12 6QX

- 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 Joe Greco against the decision of Arun District Council.
 - The application Ref FG/171/15/PL, dated 21 October 2015, was refused by notice dated 27 January 2016.
 - The development proposed is the construction of one chalet bungalow, together with parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the draft Arun District Local Plan has been submitted for examination but I am not aware of the exact stage it has reached and the extent of outstanding objections or whether the policies concerned will be considered as consistent with the National Planning Policy Framework (the Framework). Consequently, I am only able to give it limited weight in my decision.
3. Since determination of the planning application, the Court of Appeal issued judgement in the case of Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council [2016] EWCA Civ 441. This confirms that the policies in the Written Ministerial Statement of 28 November 2014 (WMS) relating to contributions toward affordable housing and tariff-style planning obligations on small scale development should be treated as a material consideration in the determination of appeals. In the light of this, the Council have withdrawn the reason for refusal relating to the lack of contributions toward affordable housing. As a result, the lack of a scheme to provide for these contributions does not count against the proposal.

Main Issues

4. The main issues are:
 - the effect of the proposed chalet bungalow on the character and appearance of the surrounding area; and
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- the effect of the proposed chalet bungalow on the living conditions of occupants of the proposed and neighbouring dwellings.

Reasons

Character and appearance

5. Green Park is a short cul-de-sac of mainly detached bungalows and chalet bungalows edged by wide verges providing an open and spacious character. It is located off Ferring Lane that comprises bungalows and houses in large plots, resulting in a leafy suburban character to the area.
6. 1 Green Park is a detached house with low eaves line, set within a large garden, most of which faces toward Green Park or Ferring Lane. The proposal is to provide a chalet bungalow to the side of the existing house when viewed from Green Park, replacing the existing garage and separated from the neighbouring dwelling at 3 Green Park by their garage. Most of the remaining garden to 1 Green Park would be located between the house and roads.
7. The width of the site would reflect that of other development in the locality with a modest gap to neighbouring development, but the depth would be considerably smaller with the proposed dwelling close to the rear boundary fence and the property at 8 Ferring Lane. This would mean that the proposed dwelling would also have little in the way of a rear garden such that the front garden would form the main outside space for the dwelling. This limited amount of private rear garden means that domestic paraphernalia would be kept to the front of the dwelling, such that it would be visible through and around the hedge to the front of the proposed dwelling. As a result of this, the proposed dwelling would appear cramped within the site and incongruous in the wider street scene.
8. The design and materials of the proposed chalet bungalow would reflect the appearance of other development on Green Park and the front of the building would be in line with neighbouring properties. As such, other than the cramped appearance to the proposed development, it would reflect the design of surrounding development.
9. For these reasons, I conclude that the proposed chalet bungalow would harm the character and appearance of the surrounding area and would be contrary to Policy GEN7 of the adopted Arun District Local Plan (LP) that seeks to ensure development is of high quality design and layout that responds to the characteristics of the site and area to create attractive places and spaces.

Living conditions

10. As set out above, the proposed chalet bungalow would have a shallow rear garden that would result in the front garden area being used as private amenity space. In terms of space, this area would be adequate for use by occupiers of the proposed dwelling.
11. There may be some oblique views over the garden from neighbouring dwellings, particularly the first floor front windows of 1 Green Park, but these are likely to be limited. The front boundary planting would restrict views over the front garden of the proposed dwelling to some extent and this short road would have a limited number of people passing the site, such that the private amenity area would not suffer a material lack of privacy.

12. I note that the proposal would include blocking the first floor side window to 1 Green Park that would restrict overlooking from this direction.
13. The proposed dwelling would have windows in the dormers to the front elevation that would have some oblique views to the front gardens of neighbouring properties, but these would not have any material effect on the privacy of occupiers of those dwellings. The rear dormer would serve a bathroom such that the only window would be obscure glazed and would not overlook the neighbouring dwelling to the rear.
14. Given the scale of the proposed dwelling and surrounding development, and relationship of the buildings alongside each other, there would be no material effect from the proposed development on the outlook of neighbouring occupiers.
15. For these reasons, I conclude that the proposed chalet bungalow would provide adequate living conditions for existing and future occupiers of the proposed and neighbouring dwellings. As such, the development would comply with Policy GEN7 of the LP that seeks to resist unacceptable adverse impacts on adjoining properties.

Other matters

16. I note that there are developments to the rear of other houses in the vicinity of the site. However, these tend not to have a frontage to a road, such that they have a different relationship to the surrounding street scene. As such, I do not consider them comparable to the current scheme and have considered the proposed development on its individual merits.
17. Reference is made to the need to provide affordable housing within the District, but nothing has been provided to suggest that the proposed dwelling would comprise affordable housing. The proposal would provide a modest single dwelling to the supply of housing, but that would not outweigh the harm I have identified above.
18. Parking is provided to the side of the dwelling that would meet the needs of future occupants. I acknowledge that support has been received for the proposed development, but I consider that the harm to the character and appearance of the area is such that the appeal should be dismissed.

Conclusion

19. On the basis of the above considerations, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR