



Appeal Decision

Site visit made on 15 November 2019

by Julia Gregory BSc (Hons) BTP MRTPI MCMi

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

Decision date: 29 November 2019

Appeal Ref: APP/M3835/W/19/3234620

**Land west of 70 Parham Road, Findon Valley, Worthing, West Sussex
BN14 0BN**

- 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 Neal Roberts against the decision of Worthing Borough Council.
 - The application Ref AWDM/0317/19, dated 3 March 2019, was refused by notice dated 4 June 2019.
 - The development proposed is the erection of a new single storey 2-bedroom eco-home.
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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, the effect on the living conditions of the occupiers of neighbouring properties in respect of outlook, overlooking and noise and disturbance, and the adequacy of living conditions for future occupiers in respect of outlook and amenity space.

Reasons

Character and appearance

3. The L-shaped piece of land is currently unused and overgrown but was formerly garden and secondary access to Byde-A-Wee in Mill Lane, from which it is now separated. The dwelling would be sited at the rear of No 70 Parham Road, which is the end property in Parham Road and Allmar in Mill Lane. Access would be to the south of No 70 adjacent to Durrington Cemetery. The site is severely sloping, but the land where the dwelling would be sited would be levelled by reducing it to the west side.
4. The dwellings in Mill Lane are substantial in size with reasonable amounts of garden around them. In contrast the dwelling would fill much of the west portion of the site with little more than 1.1m to 1.2m around the building. Although there would be an area of garden, that would be sloping, narrow and poorly related to the east of the building.
5. The building would be single storey, but because of its close relationship to its boundaries and the Durrington Cemetery boundary fencing it would appear cramped on its plot relating poorly to the boundary and the openness of the Cemetery. Although there are some historic backland plots locally the

constrained nature of this particular site, its lack of frontage, its close relationship to the Cemetery and the elevated topography all would lead to the development relating poorly to its neighbours and the street scene.

6. I acknowledge that there are some small plots locally, some backland dwellings and some recently granted permissions. Nonetheless, here the combination of the plot shape, which the appellant accepts is relatively unique, and narrow dimensions of both parts of the dog leg land, the lack of any meaningful relationship that the property would have with any of the surrounding properties, the elevated topography and lack of street frontage all lead to the conclusion that it would not reflect its context.
7. Worthing Core Strategy (CS) policy 8 specifies that within suburban areas there will be only limited infilling which will predominantly consist of family houses. That comprises 3 bedroomed houses, not small two-bedroom properties such as here.
8. The Guide for Residential Development (SPD) indicates that new development should display a good quality of architectural composition and detailing as well as responding positively to the important aspects of local character, exploiting all reasonable opportunities for enhancement. Where appropriate, innovative and contemporary design solutions will be encouraged.
9. A backland or infill development should contribute to the character of the existing locality. In broad terms, a proposal that fails to complement the local area in terms of design, density levels and layout will be refused. Although not altogether barred, backland garden development is generally regarded as an inappropriate form of development in the Borough and will be resisted in most cases. The development would be contrary to the SPD because of its backland nature and failure to respect its context.
10. The development would also be contrary to CS policy 16 which requires development to demonstrate good quality architectural and landscape design that takes account of local physical, historical and environmental characteristics of the area, and the National Planning Policy Framework (the Framework) that promotes achieving well designed places.

Living conditions-neighbours

11. The dwelling would be sited closest to No 70 Parham Road, although it would also be close to the boundaries of 68 Parham Road, No 14 and Allmar in Mill Lane. The dwelling would be on much higher land than No 70, which is a bungalow sited on land higher than Parham Road with a tiered rear garden.
12. The dwelling would have a door plus a decked area along the east side facing the boundary with No 70, only some 1.1m to the common boundary. The dwelling would extend to almost the full width of the garden of No 70 and the ridge of the roof would be significantly higher than the boundary fence and the ridge of the roof of No 70.
13. The close proximity of the pathway to the front door of the property adjacent to the boundary and the terraced garden which includes a garden building and so is actively used also creates potential for noise and disturbance. Although there would not be direct overlooking, there would visual impact on outlook in the garden and noise and disturbance when using the garden which would have a detrimental impact on the amenity of occupiers of No 70.

14. This would be contrary to Worthing Local Plan (LP) saved policy H18 which specifies that where there is an unacceptable reduction in amenity for local residents, development will not be permitted. It would also be contrary to the 'Guide to Residential Development' SPD which provides guidance on siting and relationship of proposed development on neighbouring properties and seeks to protect living conditions. It would also be contrary to the Framework which promotes a high standard of amenity for existing and future users.

Living conditions- future occupiers

15. The Council's Space Standards SPD requires 77sq m internal floorspace for a two-bedroom dwelling. The dwelling would have according to the Council some 65 sq m internal floorspace. Nonetheless, the National Space Standard for a 3-person unit is 61 sq m, and so that in itself would not be unacceptable.
16. The main living area would be one large open plan living space. Although this area would be fully glazed to the south, the outlook would be towards a high fence on the common boundary with Durrington Cemetery. This fence would be close by, limiting outlook. Although there would be another window giving outlook towards the east, which could give distance views, this would be the only room in the whole house with any outlook, and it would face towards the access path to the dwelling.
17. The bedrooms would be served by roof lights. Bedroom 1 would have glazed doors, but these would be close to the boundary fence. The same would be the case for a side window in bedroom 2. Overall, the dwelling would be constrained on the site and the outlook for future residents would be poor.
18. The grassed garden area, whilst it could be fenced and private, because it would be a narrow strip and would be sloping would be of limited amenity value to future occupiers. Pedestrian access to the front door would be through this area and along the side of the house, again limiting its value. The development would not amount to a high-quality home as sought by CS policy 8 and the Framework.

Balancing

19. The Council has confirmed that it cannot demonstrate a five-year supply of deliverable housing sites locally. This means that policies which are most important for determining the application are out-of-date. Permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
20. I have identified adverse impacts in respect of the character and appearance of the area that would be contrary to the Framework's promotion of high-quality design that is sympathetic to the surrounding built environment. This is fundamental to sustainable development. The Framework also requires a high quality of amenity for existing and future users. Creating high quality buildings and places is fundamental to what the planning and development process should achieve. These are matters of substantial weight.
21. I acknowledge the Government objective to significantly boost the supply of homes. A small new dwelling would be provided in an area which cannot demonstrate a 5-year supply, but this would be a minimal contribution to supply.

22. The dwelling would have many sustainable energy features. The land is currently overgrown and not used. The site would be made secure and cleared.
23. Nonetheless, the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

Conclusions

24. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be dismissed.

Julia Gregory

Inspector