



Appeal Decision

Site visit made on 23 September 2019

by Tim Crouch DipUD MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 29 November 2019

Appeal Ref: APP/L3815/W/19/3226187

Greytiles, Claypit Lane, Westhampnett PO18 0NU

- 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 & Mrs Ubsdell against the decision of Chichester District Council.
 - The application Ref WH/18/02003/FUL, dated 6 August 2018, was refused by notice dated 7 March 2019.
 - The development proposed is demolition of existing garage, construction of additional dwelling and associated works, subdividing plot.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on, firstly, the character and appearance of the area, and secondly, the Chichester and Langstone Harbours Special Protection Area (SPA)

Reasons

Character and appearance

3. The appeal site comprises the property known as 'Greytiles', its associated side garden and detached garage. Greytiles is a substantial property with generous garden to the rear and side. It sits within a line of neighbouring properties with spacious settings fronting the road along the east side of Claypit Lane. This setting creates a transition from the rural area to the north, towards the more built up area to the south and establishes a strong character of spacious and verdant plots with direct relationship with the road.
4. The proposal seeks to subdivide the existing garden, remove the existing garage and erect a single storey dwelling. This would be accessed along the drive to Greytiles and across the front of the house, with associated vehicular parking within the existing landscaping to the front of Greytiles.
5. Whilst the existing plot at Greytiles is irregular with a 'L' shape projecting behind the neighbouring property, much of this garden is screened from the street behind the neighbouring property. The built form of the main house therefore continues the frontage relationship of the area. The introduction of a dwelling, albeit single storey, would introduce development at depth behind

- existing properties, reducing the gaps between properties and appear cramped and harmfully out of character with the prevailing spatial pattern of built form.
6. Whilst providing a 2 bedroom unit may increase the mix of dwellings in the locality, this would not reflect the general size of the buildings within the vicinity. The resultant plot would be significantly smaller than those in the immediate area and not reflective of the established character. I recognise that the proposal would have built form over only a proportion of the site and would provide amenity space to the side and rear. However, this would be much reduced from the general spatial pattern of the area and appear tight and contrived.
 7. The impression of an incongruous tight form of development would also be highlighted by the shared vehicle parking with Greytiles proposed in the frontage, separate from the proposal, and resultant walk to the front of the proposed dwelling. Whilst there is no statutory requirement for on-plot parking, the separation is significant and out of character for the surrounding area. I note that this is a design decision to overcome potential amenity issues as a result of vehicles passing Greytiles, however the resultant relationship would be out of character and appear contrived.
 8. Whilst visibility from public vantage points may be limited with its low proposed ridge height, and the appellant identifies that the existing garage height could be increased¹, the proposal would harm the spatial character and appearance of the surrounding area. Consequently, it would be contrary to Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 (2015) and Section 12 of the National Planning Policy Framework (2019). Cumulatively, and amongst other objectives, these require development to meet the highest standards of design, provide a high quality living environment in keeping with the character of the surrounding area, respect and where possible enhance the character of the surrounding area and the site, and should be sympathetic to local character and the surrounding built environment.

Chichester and Langstone Harbours SPA

9. The proposal lies within the 5.6km zone of influence upon the Chichester and Langstone Harbours SPA where the Council has identified that increases in net residential development is likely to have a significant effect on the SPA in combination with other plans and projects. The Council has a joint mitigation strategy as part of the Solent Disturbance and Mitigation Project. The appellants have sought to make a financial contribution towards the implementation of this and a signed Unilateral Undertaking has been provided. The Council confirms that this, and the requisite fee now overcomes this reason for refusal in its view, a position which is also supported by Natural England.
10. However, given my findings on the first main issue I have not considered this matter further, including whether an appropriate assessment is required or the necessity of a legal agreement.

Other Matters

11. I recognise that the proposal has been amended from a previous refusal and there are no objections from the Council in relation to neighbouring amenity,

¹ Council Planning Ref 13/02710/DOM

trees, local biodiversity household waste or recycling. However, the absence of harm is not a benefit to the scheme and therefore I give this neutral weight.

Conclusion

12. For the reasons given above, I conclude that the appeal is dismissed.

Tim Crouch

INSPECTOR