



Appeal Decision

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th May 2020.

Appeal Ref: APP/C3810/W/20/3245956

12 Plover Close, Bognor Regis, West Sussex PO21 4LZ

- 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 A Salter against the decision of Arun District Council.
 - The application Ref BE/112/19/PL, dated 16 October 2019, was refused by notice dated 12 December 2019.
 - The development proposed is a new 1 no. bedroom bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In response to travel restrictions currently in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available, supplemented by additional photographic evidence supplied by the appellant and confirmed as being appropriate and representative by the Council, together with the publicly available online resource, Google Street View. Both the appellant and the Council were given an opportunity to provide comments on this approach and I have taken any responses into account.

Preliminary Matter and Main Issue

3. There are submissions in respect of garden sizes and internal space standards, and the reason for refusal indicates that a dwelling at the site could not meet appropriate standards without causing harm to the character and appearance of the area. However, the policies cited in the reason for refusal, with which conflict is alleged, do not refer to space standards. It is not for me to speculate whether a suitable dwelling could be accommodated at the site, but to consider the specific proposal before me.
4. Therefore, the main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The site is at the end of Plover Close, between No.12 and adjoining residential development at Osprey Gardens. These roads meet each other broadly at the appeal site and, whilst there is no vehicular link between the two, the site maintains a connection with the wider public realm. In that regard, the proposed arrangement would be similar to a number of other dwellings in the

- area that are only accessed via footpaths or driveways from the terminus of their access roads.
6. There may well be a diverse mix of housing, including some detached dwellings within the area. However, the built form around the site of mainly semi-detached bungalows and terraced two-storey houses that share a common architectural language, gives a fairly uniform character and appearance.
 7. There are a number of examples, at 1 Cygnet Way¹, 36 Corbishley Road and 1 Finch Gardens where new infill dwellings have been provided extending existing terraces, or forming new terraces with buildings of comparable proportions and positions to their neighbours. Whilst the example at 36 Corbishley Road has a bulky rear gable projection, the position and form of these examples means that they do not appear at odds with the prevailing built form around them.
 8. By contrast, the appeal proposal would result in a bungalow to the side of No.12 that was set further back on its plot and had a different appearance to its neighbours. Although the site may be physically large enough to accommodate the dwelling, it would have a narrow gable projecting from a wider gable facing towards the street. Most nearby dwellings, including No.12, have eaves addressing the road.
 9. I understand that this stepped design approach responds to the non-rectangular shape of the plot and would allow space to be retained around the dwelling on the site and to neighbouring dwellings. This would preserve some of the openness of the area and may reduce the apparent bulk of the dwelling. However, the differing design approach, together with its detached, set back position, would give a visual impression of a dwelling that had been squeezed onto its plot, with inadequate space forcing a variation in established design characteristics.
 10. I have been referred to another example of an infill dwelling at 47 Van Gough Place, permitted by the Council. This bungalow has been inserted close to the side of a two-storey dwelling and, therefore, forms an unusual composition with its neighbour. Whilst the Council suggests that the decision to permit that dwelling pre-dates the current development plan, it is likely that there were policies and guidance requiring respect for the character and appearance of the area. Nevertheless, although Van Gough Place may have a similar overall character to Plover Close, it does not influence the immediate context of the appeal site. Nor is there any substantive evidence as to why that development should be considered a good example to follow.
 11. With regard to the above, I find that the proposal would appear cramped and at odds with the surrounding character and appearance of the area. It would, therefore, conflict with those aspects of Policies D DM1 and D SP1 of the Arun Local Plan 2011-2031 and Policies ES1, HDQ2 and HDQ5 of the Bersted Neighbourhood Plan 2014-29 that seek to ensure that new development is visually integrated with its surroundings and existing development, reflecting the characteristics of the site and local area.

¹ referred to on plans provided by the appellant as Cygnet Walk

Other matters

12. The appellant suggests that the Council cannot demonstrate a 5 year supply of deliverable housing land, which would make it important to deliver small sites for housing. I have no evidence from the Council on this matter. If I were to accept the appellant's position, then paragraph 11(d) of the National Planning Policy Framework (the Framework) would be engaged, indicating that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
13. There would be benefits associated with the supply of housing particularly as there is no dispute that the site is in an accessible location that would be appropriate for development in broad locational terms. The site is currently a vacant plot, partly separated from 12 Plover Close by fencing. Both the development plan and the Framework seek to maximise the efficient use of land within appropriate locations.
14. However, the proposal is for only one single dwelling and the appellant suggests that the current supply is 4.7 years which is only a small shortfall relative to the overall 5-year requirement. Therefore, the benefits would be small. The Framework is clear that regard must also be had to the effect on the character and appearance of the area. Given the harm that I have identified in respect of the main issue, I find that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when the considered against the policies of the Framework taken as a whole. The presumption in favour of sustainable development, outlined at Framework paragraph 11 does not, therefore, apply.
15. The Council's decision notice includes a second reason for refusal that the application "fails to secure the financial contribution required towards the cost of providing accessible natural open green spaces to serve the Pagham Harbour area (Site of International Importance for Nature Conservation)". A unilateral undertaking relating to this has been provided to me. However, whether or not the undertaking is sufficient to overcome the second reason for refusal, as I am dismissing the appeal for other reasons, my decision would not lead to any likely significant effects on this site.

Conclusion

16. For the reasons given above, I find that the proposal is contrary to the development plan and there are no material considerations that outweigh that finding. Therefore, the appeal is dismissed.

M Bale

INSPECTOR