



Appeal Decision

Site visit made on 20 July 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2020

Appeal Ref: APP/C3810/W/20/3249014

Land to rear of 141 Wick Street, Littlehampton BN17 7JY

- 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 Mrs M Yousif against the decision of Arun District Council.
 - The application Ref LU/297/19/PL, dated 12 September 2019, was refused by notice dated 4 February 2020.
 - The development proposed is one new dwelling on land to the rear of 141 Wick Street. Resubmission of application LU/84/19/PL.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area,
 - the living conditions of neighbouring occupiers, with particular reference to existing amenity space, and;
 - whether the site is a suitable location for a residential dwelling.

Reasons

Character and appearance

3. The appeal site is located in a residential area of Littlehampton where No 141 Wick Street forms part of a parade of shops with accommodation above. The built environment is typified by brick and tile properties facing the highway, many of which have gardens to the rear. The site is accessed via an archway to the left of No 141 which contains access doors to flats on either side, and opens into a service area, parking, garages and the gardens associated with the nearby dwellings. The extended side elevation of No 139 can be seen to the left-hand side of the service yard which leads to a recessed parking area, garage and a gate to a garden type space associated with No 139 that follows the boundary of the appeal site.
4. The appeal site is a plot of raised garden land formerly associated with No 141 which steps down to the archway access road that is being used as garden type space by the property at No 66 Colebrook Road. To the right-hand side of the appeal site there is a cleared section of land that faces onto the garage behind No 143 Wick Street and is adjacent to 103 Colebrook Road and the side elevation of No 66.

5. The proposal is for a two-bedroom dwelling with a study that would be set down within the plot. To the front of the dwelling there would be two parking spaces and refuse storage, and to the rear of the development there would be a garden space that would be accessed by steps from a courtyard area.
6. The appeal site is located in an established residential area with a range of day to day services, businesses and transport links. As such, the general principle of development on the appeal site is not at odds with the surrounding area.
7. I note the appellants reference to previous applications¹ on the site, including one for a similar proposal to the one before me that was refused by the Council². However, whether these were appropriate forms of development or not, I do not have the detail of those cases before me, and the fact remains that the proposal, notwithstanding the changes to the scale and appearance of the dwelling, including a reduced footprint, the removal of a number of windows, and a lower ridge line, would be a two-storey dwelling in close proximity to the properties to the rear of Wick Street, as well as the neighbouring properties which can be seen to the side and rear of the appeal site on Courtwick Road and Colebrook Road.
8. Indeed, while the proposal would be constructed in similar materials to the neighbouring dwellings, the scale and mass of the development on this relatively modest backland site would appear overly prominent and incongruous with the immediate built environment, which is typified by road facing dwellings separated by relatively spacious plots. Moreover, my opinion is reinforced by the relative width of the proposal, which would extend across the majority of the set-down plot, and result in a visually cramped development in comparison to the surrounding built form. I conclude therefore, that the proposal would be at odds with the character and appearance of the area.
9. As such, the proposal is contrary to D DM1 and D SP1 of the Arun Local Plan 2018 (ALP), and Policy 1 of the Littlehampton Neighbourhood Development Plan (2014-2029) (LNDP), in so far as they relate to the character and appearance of the area, which say, amongst other things that development should make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area.
10. For similar reasons, the proposal does not meet the aims of Paragraph 127 (c) of the *National Planning Policy Framework* (the Framework) which says that development should be sympathetic to local character and history, including the surrounding built environment.

Living conditions of neighbouring occupiers

11. The submitted drawings show that the development would be possible on the plot available, and that the blank elevations to either side would retain the privacy of the properties along Courtwick Road. However, the proposal is for a two-storey dwelling on the former garden of No 141, which in combination with the surrounding gardens helps to provide a sense of spaciousness in this backland location.

¹ LU/287/04 and LU/227/05

² LU/84/19/PL

12. Indeed, I noted at my site visit, while there are two-storey dwellings nearby they are separated by relatively generous rear-gardens or spaces as set out above. I acknowledge that the fenced area to the rear of No 139 has been little used as a garden or other leisure style space for some time. However, the level of use of the space and/or the occupiers of No 139 is likely to change over time. As such, the scale, bulk and proximity of the proposal would erode the separation between the gardens of No 139 and No 141, and hence create a sense of enclosure and overbearing on the existing or future users of the garden space associated with No 139. Therefore, I conclude that the proposal would harm the living conditions of the neighbouring occupiers.
13. Accordingly, the proposal is contrary to Policies D DM1(3) and Policy 1 of the LNDP, in so far as they relate to the living conditions of neighbouring occupiers, which require that development should have minimal impact to users and occupiers of nearby property and land, and Paragraph 127 (f) of the Framework, which aims include that new development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Suitable location

14. Notwithstanding the proximity of the proposal to the confined access route, the vehicular activity generated by one additional dwelling, even in combination with the existing vehicle movements, would likely to be relatively modest. Indeed, while the Council highlights the effect of the proposal on both existing and future occupiers, particularly those emerging from the flats accessed from within the archway, the confines of the access is such that the speed of vehicles entering or emerging from this backland location is likely to be limited, and the relationship with existing occupiers unchanged.
15. Nonetheless, I acknowledge that while the proposal would have a courtyard and garden area, the backland location and positioning of the proposal would be less than ideal, and hence not attractive to every household. Nevertheless, it may suit some types of households who prefer ready access to the local services and transport links found on Wick Street and nearby. Ultimately, it is a matter of choice for prospective occupiers and does not justify dismissal of the appeal.
16. Therefore, I conclude that the proposal accords with Policies D DM1 and QE SP1 of the ALP and Policy 1 of the LNDP, in so far as they relate to a suitable location, which say that proposals should take into account the density of the site and its surroundings, which support Paragraph 127 (e) of the Framework, that indicates that development should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks.

Other Matters

17. My attention has been drawn to the suitability of the access for fire and refuse vehicles, the turning of motor vehicles and access to the neighbouring businesses. However, given my findings above I have not considered these matters further.

Conclusions

18. Whilst I have found in favour of the appellant on the third main issue, this does not justify the harm identified on the first and second main issues. The proposed development would conflict with the adopted development plan in respect of the first and second main issues, and there are no material considerations indicating a decision otherwise than in accordance with it.
19. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR