



Appeal Decision

Site Visit made on 15 September 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2021

Appeal Ref: APP/C3810/W/21/3271218

55 Milton Avenue, Rustington BN16 2PL

- 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 Michael Carter against the decision of Arun District Council.
 - The application Ref R/138/20/PL, dated 28 July 2020, was refused by notice dated 24 September 2020.
 - The development proposed is demolition of garage and construction of 2-storey chalet dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published. The parties have had an opportunity to comment on the implications of the revised Framework during the appeal process. I have had regard to comments received and determined the appeal in accordance with the revised Framework.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises a detached garage, an area of hardstanding and garden to Number 55 (No 55). It is located within an established residential area where there is a mix of both bungalow and two-storey development, both detached and semi-detached. No 55 is itself a semi-detached chalet bungalow which together with the adjoining property, has been extended with two sizeable side dormers. This gives them a two-storey appearance. Plot sizes are modest in size but relatively wide for properties along this section of Milton Avenue, with properties set back behind front gardens and drives. This contributes to a sense of spaciousness along the road.
5. The proposed dwelling would sit between a large, two-storey detached property at Number 53 and the host property. It would have a lower overall height than either of these properties. Two side dormers would be positioned just below the ridge height. Whilst these would be set back from the front elevation of the property, their limited set down from the ridge would make them appear overly large. This would result in a bulky form of development.

6. I appreciate the overall height of the proposal has been reduced in order to overcome harms identified in a previous dismissed appeal¹ for a house on this site. However, the resultant design appears squat and overly large within what would be a relatively narrow plot. Furthermore, in the context of the adjoining houses, with their higher overall height, it would appear both out of proportion and as a jarring element within the streetscene.
7. The proposed house would be set in from the side boundaries, it would nevertheless be physically close to both Nos 53 and 55. I observed on site that there are examples of adjacent properties that are quite close together. However, the reduced width of the plot size for both the host property and the proposed house would be out of character with the wide plots along this section of Milton Avenue. The proximity of the proposed house to both adjoining properties would make both the host property and proposed house appear cramped within their plots which would detract from the streetscene.
8. Surrounding development displays a combination of materials, largely brickwork, render and tiles. The proposal would be finished in similar materials and in this regard would harmonise with surrounding development. However, this would not overcome the harms I have identified.
9. I conclude that the proposed development would harm the character and appearance of the area. It would therefore conflict with Policies D SP1 and D DM1 of the Arun Local Plan 2018 and Policy 2 of the Rustington Neighbourhood Plan 2014 which together support new development that reflects the characteristics of the site and local area in terms of density, scale, massing and character.

Other Matters

10. The appellant has suggested that the proposed would occupy an under-utilised area of land and make efficient use of land. However, the appeal site contributes to the spacious character of the area as part of a domestic garden. In this context, it does not appear as an under-utilised area of land.
11. I have been provided with no details of the Council's housing need. However, a single dwelling would make a very limited contribution to the overall supply of housing within the area and I give this very limited weight.
12. The proposal would provide a suitably sized garden and no harm to the living conditions of neighbouring occupiers would be likely to arise. It would make adequate provision for parking and no highway safety concerns have been raised. These factors are neutral in the balance.
13. The lack of objections from neighbours does not in itself justify the proposal which I have found to be harmful.

Conclusion

14. For the reasons set out above, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR

¹ APP/C3810/W/19/3225912