
Appeal Decision

Site visit made on 18 January 2022

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2022

Appeal Ref: APP/C3810/W/21/3281947

1 Cambridge Walk, Aldwick PO21 5RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Deadman against the decision of Arun District Council.
 - The application Ref AW/353/20/OUT, dated 21 December 2020, was refused by notice dated 29 April 2021.
 - The development proposed is 1 No. new dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is in outline form, with layout to be considered as part of this proposal. I have dealt with the appeal accordingly.
3. Since the refusal of the planning application, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. I have taken the revised Framework into account where relevant to my decision.
4. Two block plans were submitted with the planning application, one of which is annotated to indicate "on-street parking" and the other "off-road parking". The latter does not indicate the proposed location of any on-site parking, or how it would be accessed, and the appellant's statement of case confirms that no on-site parking is proposed. This accords with the information provided on the planning application form. Accordingly, for the avoidance of doubt, I have determined the appeal on the basis of the planning application block plan indicating "on-street parking".

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site is located on the west side of Cambridge Drive, within the West Meads Estate, a suburban residential development dating back to the 1960s and 1970s. It was designed as a "garden estate", and is characterised by detached and semi-detached houses and bungalows, and terraced housing, built with a distinctive open-plan layout. Large, open-plan gardens, open green amenity spaces, wide, tree-lined verges and wide pavements characterise the development. As such, the area has a green and spacious nature.

7. The estate is laid out around a centrally located open field/village green, and comprises a number of main streets with tributary cul-de-sacs extending from them. Residential properties are set back behind clearly identifiable front building lines which enable the provision of deep open frontages onto the roads.
8. The appeal site lies in a prominent corner position at the junction of Cambridge Drive, which is one of the main spine roads through the estate, and Cambridge Walk, which comprises a long rectangular-shaped area of grass incorporating a linear arrangement of trees, with public footpaths running along both sides linking Cambridge Drive with Queens Fields East. As a flat, grassed area of land, in a corner position fronting onto two streets, the appeal site makes a significant positive contribution to the intrinsic verdant and spacious character of the estate.
9. The site forms part of the plot of No.1 Cambridge Walk, which is a semi-detached, pitched roof bungalow, which, together with No.3 adjacent, fronts onto this thoroughfare. The pair of dwellings form an integral part of a clearly defined, regular rhythm of built development, which exists along both sides of Cambridge Walk. This comprises semi-detached pairs of simple, traditionally designed bungalows with a mix of brick, render and cladding walls under tiled pitched roofs. Each pair of properties is similarly orientated in respect of the site frontage, with the sloping part of the roof facing the front and rear.
10. Each semi-detached building also has a clearly defined front building line, with the positioning of each pair of properties being stepped in relation to the other pairs of bungalows, having regard to the north-east to south-west alignment of Cambridge Walk. This has resulted in deep, grassed, open frontages to each pair of dwellings. These open, verdant, undeveloped front gardens provide a visual connection to the central open grassed area which runs between the two footpaths, resulting in a pleasant, green and spacious townscape.
11. The host property also contributes to a well-established open-plan layout of properties which characterises both sides of Cambridge Drive. Whilst there is a greater mix of dwelling design along this road, including detached and semi-detached bungalows and two storey houses, there is also a strong rhythm of built development, whereby dwellings are set behind open, grassed frontages, and the street has a wide, open and spacious character. The position and orientation of the host property is in keeping with the established front building line along this side of the road, where forward-facing gable ended elements of properties form an integral part of the street scene, and buildings are set back behind deep open frontages. The existing space to the front and side of the host property also accords with the amount of undeveloped space around the neighbouring 3 corner properties in Cambridge Drive and St John's Close.
12. The appeal scheme would introduce an additional dwelling onto the site in a manner which would be out of keeping with this established layout of built development. I acknowledge that the proposal would respect the established building line onto Cambridge Walk, and that the scale and detailed design of the new building is not under consideration at this stage. However, the proposed detached nature of the new building, together with its orientation, comprising its narrow end fronting onto Cambridge Walk, would be out of keeping with the layout of the pairs of bungalows that characterise Cambridge Walk.

13. Moreover, notwithstanding that the appeal site comprises a deeper grassed frontage onto Cambridge Drive than that of No.2 Cambridge Walk and those of some others within the street, it is not sufficiently deep to be able to accommodate the proposed dwelling and still respect the established rhythm of built development and open frontages which exist along the road. Due to its proposed proximity to the northeast site boundary, the new building would be sited notably in front of the established building line onto Cambridge Drive, and the resulting narrow landscaped frontage verge would be significantly shallower than that which is characteristic of the street.
14. The combined position of the building in relation to the site frontage and the loss of undeveloped soft landscaping, would result in an unduly cramped and prominent form of built development. It would appear visually discordant in relation to the other residential properties along this side of the road, when viewed from the public realm, and would significantly erode the green and open prevailing character of the area, to the detriment of the visual amenities of the townscape.
15. The existing hedge planting around the site, whilst having an enclosing effect upon the appeal site, does not significantly diminish the positive contribution the site makes to the townscape, through the provision of a green landscaped undeveloped area, which provides a verdant corner setting and softens the impact of built development within the townscape at this prominent corner position. As such, the existing hedging does not justify the proposed introduction of an incongruous layout of built development.
16. The appellant states that built development sited closer to the public highway than the appeal scheme has been accepted elsewhere on the estate. However, I have not been provided with details of the addresses and planning history of such development. I must determine the appeal proposal on the basis of the scheme before me, and the characteristics of the appeal site and its surroundings.
17. For the above reasons, I therefore conclude that the proposal would result in significant harm to the character and appearance of the area. As such, it would be contrary to the aims of Policies D SP1, D DM1 and QE SP1 of the *Adoption Arun Local Plan 2011 – 2031* (2018), the *Arun District Design Guide Supplementary Planning Document* (2021) and the *Aldwick Parish Design Statement* (2015). These policies and guidance, amongst other things, seek to ensure that all development proposals comprise a high quality of design, reflect or improve upon the character of the site and the surrounding area in terms of their layout, and contribute positively to the quality of the environment.
18. For similar reasons, the proposal would also be contrary to Policies of the Framework which seeks to ensure well-designed places as set out in Chapter 12.

Other Matters

19. The appellant has submitted a draft unilateral undertaking (UU), pursuant to section 106 of the Town and Country Planning Act 1990, in respect of the payment of an Access Management Contribution towards the cost of delivering measures to avoid, or mitigate to an acceptable level, the harm caused by recreational disturbance arising from the development to the Pagham Harbour Special Protection Area (SPA). This European designated site is identified as

being of international importance for the breeding, feeding, wintering or migration of rare and vulnerable species of European Union birds. The financial contribution accords with the requirements of Local Plan Policy ENV DM2.

20. The UU is in draft form, and, notwithstanding that this matter does not constitute a reason for refusal, within the context of the appeal, the responsibility for assessing the effects of the proposal on the European designated site falls to me as the competent authority. Had I been minded to allow the appeal, and the circumstances therefore existed in which planning permission could be granted, it would have been necessary for me to examine this matter further, by seeking further comments from both main parties. I would also need to undertake an Appropriate Assessment of the implications of the appeal scheme for the European designated site.
21. However, as the main issue provides clear reasons for dismissing the appeal, the outcome of any such Appropriate Assessment would have no bearing on the overall outcome of this appeal. Therefore, I do not need to consider this matter any further as part of my decision.
22. The Council's Officer Report states that, by not confirming the proposed parking arrangements, the proposal would fail to accord with Local Plan Policy T SP1, having regard to the requirement of this policy to incorporate appropriate levels of parking, and the Council's *Parking Standards Supplementary Planning Document* (2020), which requires the provision of 2 on-site parking spaces in the case of the appeal scheme. This matter is not included as a reason for refusal, and the appellant has confirmed that no on-site parking is proposed.
23. Had I been minded to allow the appeal, it would have been necessary for me to examine this matter further, and to seek further comments from the main parties in respect of this matter. However, since I find the proposal to be unacceptable having regard to the impact on the character and appearance of the area, my conclusion on the matter of parking would not affect the outcome of this appeal. There is, therefore, no need for me to consider this subject any further.

Planning Balance

24. The Council has confirmed that it is unable to demonstrate a five-year supply of deliverable housing sites. It considers that it has 3.3 years of housing supply, and this figure is not disputed by the appellant.
25. As such, paragraph 11 of the Framework applies, which states that relevant policies for the supply of housing should not be considered up to date where a five-year housing land supply cannot be demonstrated. Paragraph 11 states that where relevant policies are out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance, provides a clear reason for refusing the development proposed, or 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 or specific policies in the Framework indicate that development should be restricted.
26. Paragraph 8 of the Framework defines the three dimensions of sustainable development as performing economic, social and environmental objectives.

When judged against some of the core planning principles of the Framework, the appeal proposal would perform well in that it would be located within the built-up area boundary, where access to facilities and services and public transport connections is likely to be greatest. It would make a positive contribution towards the Council's housing supply, and it could be built-out relatively quickly, having regard to paragraph 69 of the Framework.

27. There would also be modest economic benefits as a result of the construction and occupation of the new dwelling. By providing a small, single storey unit, which would suit first time buyers, elderly downsizers, or mobility-impaired occupants, the proposal would also contribute to the Framework objective of creating mixed and balanced communities.
28. The application form states that the proposal would provide an affordable home ownership dwelling. There is positive support for the provision of such units in national policy, and this weighs in favour of the scheme. However, the weight I attach to this is significantly diminished by the absence of a legal agreement or other mechanism before me to secure the delivery of the proposal as an affordable unit of accommodation.
29. Whilst the Council's supply of deliverable housing is very low, an additional dwelling would make a very modest contribution towards addressing the housing supply deficit. Moreover, a high standard of design is also a key aspect of sustainable development. The harm I have identified to the character and appearance of the area would be significant. As a result, the social objective of sustainable development of fostering well-designed and beautiful places, would not be achieved.
30. Whilst the Framework encourages the effective use of land in meeting the need for homes, and requires the Council to approach decisions in a positive and creative way, these matters are not unqualified, and would not address or outweigh the aforementioned harm that I have identified to the character and appearance of the area.
31. Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits, and the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations including the Framework.

Conclusion

32. For the reasons given above, I conclude that the appeal should be dismissed.

S Leonard

INSPECTOR