
Appeal Decision

Site visit made on 28 June 2022

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 July 2022

Appeal Ref: APP/C3810/W/21/3284860
10 Second Avenue, Felpham, PO22 7LJ

- 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 and Mrs C & J Lankester against the decision of Arun District Council.
 - The application Ref FP/32/21/PL, dated 23 February 2021, was refused by notice dated 21 April 2021.
 - The development proposed is a new 2 storey 4xbedroom detached dwelling with new access and parking.
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Decision

1. For the reasons given below, the appeal is dismissed.

Reasons

The effect on the character and appearance of the area

2. The appeal site is on the eastern side of Second Avenue and comprises the side garden of No 10. To the south is No 12, which I understand was one of the original dwellings built on the Summerley Estate. This is an attractive residential area characterised by detached houses of varied size, style and character standing back from private roadways within a verdant setting. Second Avenue is a relatively short, wide street edged with grass verges and with many of the frontages delineated by hedges or low walls. With sea views at the southern end, the immediate environment is characterised by a sense of greenery and spaciousness that no doubt makes it a very pleasant place in which to live.
3. There is no dispute that the appeal site is within an accessible built-up area where the principle of development would be acceptable. Both national and local planning policy encourage the efficient use of land resources in such places. Indeed, it seems likely that No 10 was originally built on land that was intended as two plots. This is evidenced by its lack of central positioning and the fact that the numbering omits a No 11. The modern appearance of the proposed dwelling with its part rendered and part boarded elevations would be very similar to others within the road, including No 10. Purely as a piece of architecture, I am satisfied that it would be in keeping with the locality.
4. The proposed development would be relatively close to its side boundaries and there would be approximately 2.4 metres from the side wall of No 10 and 2.9-3.2 metres from that of No 12. I note that the roof overhangs and chimney would reduce these dimensions slightly. Large gaps between dwellings are not

typical in this part of the Summerley Estate and there are a number of examples of houses where gaps are similar in width to what is being proposed here. These include modern infills, such as No 2a, and they contribute to the area's character as it exists today. Of more importance is the way that each house relates to its neighbour. Unlike most of the other examples cited by the Appellant, including Nos 2 and 2a, Nos 10 and 12 are not aligned. Not only does No 12 stand further forwards than No 10, but also the front part of the latter property is single storey. This results in a more difficult juxtaposition to accommodate if a satisfactory outcome is to be achieved.

5. The front elevation of the proposed new dwelling would stand slightly behind the front of No 12 and this seems to me appropriate and respectful. However, its position relative to No 10 does not appear to have been carefully considered. The two-storey flank wall of the new dwelling would not only stand well forward of the adjacent two storey wall of No 10 but would also extend forward of the adjoining single-storey part of that building. When approaching the site from the north, the side wall of the new house would be seen as an obtrusive feature in the view. The relationship between the new and existing dwelling would, in my opinion, appear incongruous, awkward and harmful to the streetscape at this point.
6. The proposal would use the land in question more efficiently. However, for the reasons given above it would fail to integrate successfully with its surroundings and unacceptably harm the character and quality of the local area. It would therefore be contrary to policies D SP1, D DM1 and QE SPI in the *Adoption Arun Local Plan 2011-2031* and policy ESD1 in the *Felpham Neighbourhood Development Plan 2019-2031* (the FNDP).

The effect on the living conditions of the neighbouring properties

7. There are a number of windows at ground and first floor level within the side elevation of No 12. I noted that there is a fence and shrubbery along the common boundary. These features will restrict light and outlook, especially at ground floor level. The windows appear to serve habitable rooms but from what I could see light also penetrates from windows to the front and rear. There are windows in the southern elevation of No 10 that serve a large entrance hall, a living space and a first floor room. These windows presently enjoy an open outlook over the garden and are south facing. The new two-storey side elevation, which would also extend beyond the rear wall of No 10, would considerably diminish the light and outlook to these rooms. However, the windows all appear to be secondary and the entrance hall is a non-habitable room that is further inset from the boundary.
8. The first floor windows in both side elevations of the proposed dwelling would serve bathrooms, and a planning condition could require them to be non-opening and fitted with obscure glass. Bearing all of these points in mind I am satisfied that the living conditions of the occupiers of Nos 10 and 12 would not be unacceptably harmed.

Other matters

9. There is no dispute that the Council only has a 3.3 year supply of deliverable housing sites. However, as I have already indicated the site is within an urban area and the principle of development is not in question. In this case the most important policies for determining the appeal are not those relating to housing

supply. Nevertheless, in accordance with Footnote 8 of the National Planning Policy Framework (the Framework) the presumption in favour of sustainable development is engaged. Whilst the FNDP was made less than 3 years ago, paragraph 14 of the Framework does not apply. This is because the FNDP does not contain policies and allocations to meet the identified housing requirement.

10. The Appellant has referred to a recent appeal where planning permission was granted for a new dwelling on a narrow piece of land between Nos 49 and 51 Summerley Lane. I observed that this site is on a relatively busy through road that contains a variety of development, including flats. The context and character is not comparable but, in any event, it is not the width of the plot that is the critical factor in this case.

Conclusion and planning balance

11. The proposal would make a small contribution to the Council's housing shortfall. There would be some jobs generated during its construction and the new occupiers would no doubt contribute to the local economy. These are benefits of some weight. The Council Tax receipt would contribute to the infrastructure needs of the development and so would not be a benefit. There is no evidence that the Council would ringfence the New Homes Bonus to advantage the locality in some way. In the circumstances, this is not an advantage of the scheme either.
12. There are no objections on highway grounds, and I have concluded that the living conditions of the adjoining occupiers would not be unduly harmed. Nevertheless, the proposal would cause unacceptable harm to the character and appearance of the area and would conflict with the relevant policies of the development plan. Such an adverse impact would significantly and demonstrably outweigh the aforementioned benefits. There are no material considerations in this case of sufficient weight to indicate that the appeal proposal should be determined otherwise than in accordance with the development plan.
13. I have considered all other matters raised in the written representations, including that the Summerley Estate Management Committee has raised no objections. However, I have found nothing to alter my conclusion that the appeal should not succeed.

Christina Downes

INSPECTOR