



Appeal Decision

Site visit made on 5 August 2022

by Emma Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2022

Appeal Ref: APP/M3835/W/22/3292371

47 Ivydore Avenue, Durrington, Worthing BN13 3JH

- 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 D Japp against the decision of Worthing Borough Council.
 - The application Ref AWD/1364/21, dated 15 July 2021, was refused by notice dated 24 September 2021.
 - The development proposed is the construction of single 1 bedroom residential dwelling with associated parking.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a detached hipped roof single storey dwelling on a corner plot at the junction of Ivydore Avenue with Arundel Road. It is located in a residential area made up of single and 2 storey dwellings of a range of architectural styles. The proposed single storey dwelling would be located to the south of 47 Ivydore Avenue and would replace the existing outbuilding, with vehicular access proposed via the existing access which serves the property.
4. No 47 lies at the end of a row of properties set back a similar distance from Arundel Road. The dwellings sit in comparably sized plots, with gardens behind the dwellings. Whilst No 47 is orientated such that it faces Ivydore Avenue, it reflects the neighbouring properties in the row with regards to its position on the plot and site layout and is therefore read as part of the urban form of Arundel Road. Despite the presence of rear extensions and outbuildings, including those at the appeal property, the size and arrangement of the private garden space, combined with the set back of the properties on Ivydore Avenue, contributes positively to the pleasant open character of the area when viewed from Ivydore Avenue. As the residential properties immediately to the south of the appeal site are set back from Ivydore Avenue, with open frontages, they also make a positive contribution to the congenial setting of the site.
5. The proposal would introduce a dwelling in the garden of No 47 which would be considerably greater in scale than a domestic outbuilding. It would sit in a very modest plot and would be positioned in the corner of the site, close to the rear

and side boundaries. As a result of the scale and layout of the development, the proposal would be a cramped and awkward form of development which would be at odds with and would detract from the established pattern of development on this side of Ivydore Avenue.

6. The proposed dwelling would reflect No 47 with regards to its orientation to front Ivydore Avenue and similar set back distance from the highway. The proposed layout would allow for parking to the front of the property, which would reflect the arrangement of other properties on the road. However, given the site constraints the dwelling would be sited set a considerable distance forward of the front elevation of the neighbouring properties to the south. As a consequence, the proposed dwelling would be an unduly visually prominent and discordant feature in the street scene that would harm the character and appearance of the area.
7. In light of the above, I find that the proposed development would therefore be contrary to Policy 16 of the Core Strategy adopted 2011 (CS), which seeks among other things, that new development is of high quality design, as well as the Council's Guide to Residential Development Supplementary Planning Document adopted 2013, which sets out guidance to ensure that new development respects the character of the area.

Other Matters

8. A number of other examples of similar development have been brought to my attention. However, based on the evidence before me these examples are not directly comparable in that they are located between other dwellings, whereas the location of the appeal proposal means it would protrude into the street scene. In any case, each development proposal is to be considered on its own merits.
9. I have been referred to Policy DM5 of the Submission Draft Worthing Local Plan January 2021 and the Worthing Local Plan Main Modifications Consultation April 2022. The emerging policy, which among other things seeks high design quality that would respect and enhance the character of the site and the area, does not significantly change the approach from those in the adopted plan.
10. The Council indicates that is not able to demonstrate a 5 year supply of deliverable housing sites. In such instances paragraph 11 d) of the Framework falls to be considered. In so far as this appeal is concerned this indicates that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
11. Being a proposal for a single dwelling, the contribution to housing supply would be small. The benefits associated with additional housing, including short-term during the construction phase and longer term relating to the contribution that future residents would make to the community, would be similarly limited. The lack of harm to highway safety and living conditions would be neutral factors. On the other hand, for the reasons set out I have found that the proposals would significantly adversely affect the character and appearance of the area and I attach substantial weight to this harm.
12. Overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against

the policies in the Framework when taken as a whole. Therefore, the proposal would not benefit from the presumption in favour of sustainable development.

Conclusion

13. The appeal scheme would conflict with the development plan and there are no material considerations, including policies within the Framework, worthy of sufficient weight that would indicate a decision other than in accordance therewith. The appeal is therefore dismissed.

Emma Worley

INSPECTOR