



Appeal Decision

Site visit made on 17 July 2023

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 26 July 2023

Appeal Ref: APP/C3810/W/23/3317021

Downsview, Littlehampton Road, Angmering BN12 6PW

- 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 Nicholas Young against the decision of Arun District Council.
 - The application Ref A/256/22/PL, dated 8 November 2022, was refused by notice dated 4 January 2023.
 - The development proposed is sub-division of existing residential curtilage and erection of 1no. 4-bedroom chalet bungalow and detached single garage, retention of existing access, provision of landscaping.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is whether the proposed development would have reasonable access to local shops and services by means other than the private car.

Reasons

3. Policy SD SP2 of the Arun Local Plan 2011-2031 (LP) aims for development to be focussed within the Built Up Areas defined for the towns and villages in the District. Policy HD1 of the Angmering Neighbourhood Plan 2014-2029 (NP) aims for the development of Angmering to be focussed within the Built-up Area Boundary and to be permitted subject to meeting other policies in the Plan.
4. The appeal site is situated outside any built-up area boundary designated in the LP and the NP, so it is, in policy terms, in the countryside. The site is also within the Angmering and Worthing settlement gap (the gap), where LP Policy SD SP3 aims to protect the generally open and undeveloped nature of the gaps between settlements, to prevent coalescence and retain their separate identity. LP Policy C SP1 seeks to recognise the intrinsic character and beauty of the countryside.
5. The site includes the roughly south east part of the grounds of the detached mostly 2 storey dwelling at Downsview. Beyond the adjoining land controlled by the appellant, which includes the dwelling at Downsview, there are works/self-storage units to roughly north, which are reached by a drive to roughly east of the site. A garden centre lies to roughly east beyond the drive, and agricultural fields (parts of which are used for boot sales) lie to roughly west. The built-up area boundary of Ferring lies on the opposite (south) side of the wide A259 Littlehampton Road trunk road dual carriageway, which is subject to a 50 mph speed restriction close by.

6. The South Downs National Park, which has the highest status of protection in relation to landscape and scenic beauty, lies some way further north. Even so, due to its context by Littlehampton Road, the proposal would have little effect on the setting of the National Park, having regard to its statutory purposes, which include the conservation and enhancement of its natural beauty.
7. The proposal includes a mostly hipped roofed 2 storey chalet style dwelling and a detached garage, which would be sited in the garden of the existing dwelling, and which would be reached by the existing access from Littlehampton Road. Whilst the site would amount to previously developed land because the site is outside the built-up area, the National Planning Policy Framework (Framework) glossary explains that it should not be assumed that the whole of the curtilage should be developed.
8. LP Policy C SP1 aims to permit specific uses or types of development within the countryside, but the proposed dwelling would be for none of them. Moreover, LP Policy SD SP3 says that development will only be permitted within the gaps between settlements if they satisfy 4 criteria, or if a subsequent Development Plan Document or Neighbourhood Plan deems it appropriate through an allocation, which is not the case here.
9. Due to its siting within the grounds of Downsview, the proposal would not undermine the physical and visual separation of settlements. The built form of the development would erode openness, but it would be largely contained by existing development. So, in the context of the entire gap, the proposal would not compromise the gap's integrity, which is in line with my colleague's findings in her appeal decision ref APP/C3810/W/22/3290960. As the coast is some distance away, the proposal would maintain the character of the undeveloped coast. However, as almost no evidence has been put to me to show that the proposal cannot be located elsewhere, it would be contrary to criterion c. So, the proposal would be contrary to LP Policy SD SP3.
10. The nearest bus stop, at the supermarket on the opposite side of the busy Littlehampton Road, is roughly 84 m south of the proposal. However, that road would, at times, be hazardous to cross on foot close by. There is a traffic light controlled pedestrian crossing to roughly east, roughly 280 m away, broadly opposite Langbury Lane in Ferring, but there are no footpaths in either direction in the nearby grass verges on the north side of the road, and the footpath from the junction with Hangleton Lane is close to the crossing. Walking along the grass verge would be an unattractive prospect for, say, an adult accompanying a small child or pushing a buggy, or an elderly person, and especially so in inclement weather. The nearby premises on the north side of Littlehampton Road are not within the control of the appellant, so the suggested optional route through them attracts almost no weight. Moreover, from what I saw, cycling in Littlehampton Road would be unlikely to be suited to all but experienced cyclists.
11. So, whilst there would be reasonable access to public transport modes from within the built-up area of Ferring, and there is a supermarket opposite and other local shops and services further away in Ferring and beyond, the occupiers would have unacceptably poor access to them by sustainable modes. Whilst the appellant may walk and cycle to reach local shops and services, most occupiers would be likely to be reliant on the private car for most trips.

12. Therefore, I consider that the proposed development would not have reasonable access to local shops and services by means other than the private car. It would be contrary to LP Policies C SP1, SD SP2, SD SP3, and NP Policy HD1, LP Policy T SP1 which aims to promote sustainable transport, T DM1 which seeks sustainable travel, and the National Planning Policy Framework (Framework) which aims to promote sustainable transport, to actively manage patterns of growth, and to achieve safe and suitable access for all users.

Other matters

13. The Council cannot demonstrate a 5 year supply of deliverable housing sites and, in the light of another of my colleague's findings in his appeal decisions ref APP/C3810/W/22/3298192 and APP/C3810/W/22/3301932, the shortfall is significant. So, Framework paragraph 11 d) is relevant. The proposal aims to make efficient use of land, and its other benefits would include a welcome new dwelling and jobs during construction. However, as the harm identified in my main issue would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, planning permission should not be granted.

Conclusion

14. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
15. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR