



Appeal Decision

Site visit made on 15 January 2023

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

an Inspector appointed by the Secretary of State

Decision date: 23 January 2024

Appeal Ref: APP/M3835/W/23/3328000

51 Princess Avenue, Tarring, Worthing, West Sussex BN13 1AT

- 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 R Corbett against the decision of Worthing Borough Council.
 - The application Ref AWD/0218/23, dated 11 February 2023, was refused by notice dated 12 April 2023.
 - The development proposed is demolition of existing dwelling and erection of a terrace of 3 dwellings with cycle store and bin storage. Provision of off street parking for 3 cars.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application for outline planning permission was made with access for consideration at this time. Layout, scale, appearance and landscaping matters are reserved for future consideration. So, Policy DM1 of the Worthing Borough Council Local Plan 2020-2036 (LP) which seeks the most appropriate housing mix is not one of the most relevant policies. The indicative details of reserved matters shown on the plans are to be treated as being for illustrative purposes only.

Main issue

3. The main issue is the effect that the proposed development would have on the character of the surrounding area.

Reasons

4. The appeal site includes the existing bungalow, its garden, and the drive from the north west side of Princess Avenue that also leads to a garage court between the far ends of the back gardens of dwellings in Princess Avenue and Upton Road, which run roughly parallel to one another. The broad alignment of the low-key garages reflects that of most dwellings in these roads but the hipped roofed bungalow and its garden are at an angle to them. The nearest dwellings include 49 Princess Avenue to roughly south, 55 Princess Avenue to roughly east, and dwellings in Upton Road to roughly north west and west. Two holly trees (T1 and T2), which are subject to The Borough Council of Worthing Tree Preservation Order No. 12 of 2004, relating to 51 Princess Avenue, Worthing, are situated near the south east corner of the bungalow's grounds.
5. Whilst the nearby Lincett Avenue includes 3 storey flats and the taller Princess Court, the mostly residential area is mainly characterised by 2 storey pitched

roofed terraced and semidetached dwellings, which are set back from the streets by front gardens, some of which include drives. Most nearby back gardens are relatively compact and some adjoin garage courts. The front gardens and street trees in the verge lined Princess Avenue, the mostly open plan front gardens in Upton Road and Lincett Avenue, and the spaciousness over the back gardens and garages behind most dwellings, contribute positively to the local suburban character. There is a partly verdant street scene gap in the row of dwellings on the north west side of the road between 49 and 55 Princess Avenue. Due to the alignment of the drive, the boundary treatments and planting in most nearby gardens, the form and siting of trees T1 and T2, and the existing dwelling's scale, form and siting, the bungalow is partly screened in the nearby views from Princess Avenue.

6. The illustrative details submitted with the application show a terrace of three 2 storey pitched roofed dwellings facing roughly east towards the drive. The illustrative details submitted with the appeal include a terrace facing roughly south reached from a parking and turning area by the south boundary.
7. Due to their siting behind the existing dwellings, and their scale and bulk, three 2 storey or taller dwellings anywhere within the site would be harmfully at odds with the local development pattern. The dwellings would also be poorly related to the nearby streets. As a 2 storey or taller terrace would be prominent in the Princess Avenue street scene, the proposal would be incongruous. Because the dwellings and their related hard surfaces and bike and refuse stores would be unacceptably squeezed in, there would be insufficient scope to provide acceptable useable private outdoor space for the future occupiers and for front gardens to respect the local suburban character. As the nearby dwellings in Upton Road to roughly west are set back from the road and face each other over spacious verdant grounds, their modest back gardens provide little support for this damaging scheme. Also, as the same number of single storey dwellings would be likely to take up more of the tightly constrained site, they would not overcome the harm to the local character.
8. As the site is within a mainly residential area, the activity associated with 2 more dwellings, including the future occupiers' comings and goings, should be acceptable. It might also be possible to design the proposal in such a way that the living conditions of the future occupiers and the nearby occupiers would not be unacceptably harmed, regarding outlook, privacy, and daylight and sunlight, without the need for trees T1 and/or T2 to be replaced elsewhere within the site. So, the proposal could satisfy LP Policies DM18 and DM19 which aim to protect biodiversity and green infrastructure respectively. However, due to the site specific circumstances, there would be insufficient scope for such a scheme to respect or enhance the sense of place.
9. Therefore, I consider that the proposed development would harm the character of the surrounding area. It would be contrary to LP Policy DM2 which seeks efficient use of land with particular consideration given to the site context and character of the surrounding area, LP Policy DM5 which seeks high quality design and respect for context, guidance in the Worthing Borough Council Guide to Residential Development Supplementary Planning Document (SPD), and the National Planning Policy Framework (Framework) which aims to achieve well designed and beautiful places, and sympathy for local character.

Other matters

10. The most recent Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years, so Framework paragraph 11 d) is relevant. The proposal aims to make effective use of the site within a reasonably accessible area, and its other benefits would include 2 more homes. 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, outline planning permission should not be granted.

Conclusion

11. 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.
12. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR