



Appeal Decision

Site visit made on 30 April 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2025

Appeal Ref: APP/Y3805/W/25/3360537

LAND SOUTH OF 4 WILMOT ROAD, SHOREHAM BY SEA BN43 6BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Rigg against the decision of Adur District Council.
 - The application Ref is AWDM/1089/24.
 - The development proposed is a new 2 bedroom bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site is suitable for the proposed development having regard to the character and appearance of the area; and the living conditions of future occupiers.

Reasons

3. Wilmot Road generally has a cohesive character and appearance deriving from the presence of repeated two storey house styles along with their construction from a similar palette of materials. This visual harmony is reinforced by the positioning of the dwellings fronting onto the road, set behind front gardens and within reasonably sized plots. This creates a strong building line to either side of Wilmot Road and adds to the sense of place.
4. The appeal comprises an area of land and an adjacent garage which are located to the rear of Nos. 4 and 4A Wilmot Road. Locating the proposed bungalow to the rear of these gardens would be uncharacteristic of the prevailing pattern and grain of development in the area.
5. The rear gardens serving Nos. 4 and 4A are already shorter than others in the vicinity. However, the open nature of part of the appeal site nearest their boundaries helps to ensure this is not unduly impactful on the character of the area. Whilst the appeal site may not be small in terms of total area it is constrained such that the bungalow would be positioned adjacent to the rear boundaries of Nos. 4 and 4A. When seen in the context of the adjacent gardens and taken collectively, this will result in an arrangement that would appear cramped and constrained, out of keeping with the more spacious qualities found in the area generally.
6. Due to the location of the appeal site and surrounding built form, views of the proposal would be rather limited. Nonetheless, it remains that the proposal does not respect the character or appearance of the area.

7. Given the shape of the plot the proposed garden area would be positioned between the dwelling and an existing garage. The depth of garden from the bi-fold doors to the garage would be limited but a regular shape and so be usable. However, because of the site's configuration, the outlook from the main living area of the dwelling would be across this area and so similarly limited.
8. Without extensive boundary enclosures, which would create a sense of enclosure, future occupiers using the garden would be susceptible to being overlooked and disturbed by pedestrians and vehicles using the entrance to the garage court. This all adds to the unsatisfactory nature of the living conditions that future occupants would experience and results from the awkward nature of the plot.
9. Accordingly, I find the proposal would be harmful to the character and appearance of the area, as well as the living conditions of future residents. It would therefore be contrary to Policies 15 and 22 of the Adur Local Plan 2017 which, amongst other things, seek to ensure that developments respect and enhance the character of a site and the prevailing area, as well as taking into account potential users of the site. There is also a requirement for developments to accord with the Council's Development Management Standard No.1 'Space Around New Dwellings and Flats' which similarly seeks to ensure proposals respect the existing character and appearance of an area and that they have appropriate garden areas.

Other Matters

10. The decision notice refers to harm to existing residents but the nature and scale of this was not clear from the Council's submission. The rear gardens of Nos. 4 and 4A already appear to be shorter in length than others in the area and this would not change as a result of the proposal. This is therefore a neutral matter in my decision.
11. There is no objection from the Highway Authority and the proposal is said to be compliant with required space standards. However, these matters would represent an absence of harm and so would be neutral within the overall balance.
12. As part of my site visit, I saw the development at Wild Rows. However, these dwellings, including the bungalow, appear to have been built in a different context, and comprise a complete redevelopment and infill. I do not have the full details of the scheme at Wembley Avenue and am unaware of its context, or the basis on which that decision was made. Thus, I cannot conclude that these developments are directly comparable to the scheme before me.
13. I am also mindful that even though there may not be a prohibition on backland or infill developments in principle, whether or not such development is acceptable will, in practice, be dependent on the individual characteristics of the case. As such, and given my findings on the main issue in this appeal, the examples presented do not persuade me that the proposal would result in an acceptable development.
14. Both parties have referenced a previous appeal on the site but neither has furnished me with details such as the drawings and Inspector's decision. While it appears that the scheme may have addressed some previous deficiencies, the amendments have not overcome the main issues in this appeal.

15. As each case is considered on its own merits, the issue of precedent is not one which I can take into account.

Planning Balance and Conclusion

16. The Council is unable to demonstrate a five-year housing land supply, meeting only 72% of its 2023 Housing Delivery Test requirement. Accordingly, Paragraph 11(d)(ii) of the National Planning Policy Framework (the Framework) is engaged.
17. The provision of a dwelling accords with the Framework's objectives to boost the supply of housing. This is particularly important in an area which is not providing a sufficient supply of housing to meet national policies. The proposal would also have economic benefits both during construction and upon occupation and there may be some social benefits alongside them. Given the scale of the proposal I give these benefits moderate weight.
18. On the other hand, the Framework attaches importance to development being sympathetic to local character, including the surrounding built environment. It also expects developments to deliver a high standard of amenity for future users. The proposal would result in harm to the character and appearance of the area and the living conditions of future residents. As these harms would be substantial and long lasting, I give them significant weight.
19. Therefore, when assessed against the policies in the Framework taken as a whole, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits. The appeal scheme therefore does not benefit from the presumption in favour of sustainable development.
20. In conclusion, the proposal conflicts with the development plan when taken as a whole. There are no material considerations, including the provisions of the Framework, that indicate that a decision should be made other than in accordance with it. The appeal is therefore dismissed.

Stewart Glassar

INSPECTOR