



Appeal Decision

Site visit made on 6 October 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 November 2025

Appeal Ref: APP/C3810/W/25/3365883

Former Rushington Manor Hotel and Restaurant, 12 Broadmark Lane and 1 A Broadmark Avenue, Rushington, West Sussex BN16 2HH

- 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 Peter Leach against the decision of Arun District Council.
 - The application Ref is R/223/24/PL.
 - The proposed development is demolition of existing pair of garages and erection of a three-bay car port with studio flat (Use Class C3) above.
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Decision

1. The appeal is dismissed

Main Issue

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

Reasons

3. The site, located at the corner of Broadmark Lane and Broadmark Avenue, includes the two-storey former Rustington Manor hotel, a two-bay garage, and adjacent hardstanding. There are open views into the site from the road due to the boundary comprising only low-level planting and a grass verge. The character of the area is mixed with predominantly detached properties of varying design styles. There is a consistent approach to building lines along the road with properties set back behind generally open frontages with boundary planting.
4. The appeal scheme proposes to demolish the existing garages and erect a replacement building with a car port on the ground floor and a one-bedroom flat above. The proposed building would be positioned around 5.7m closer to the road than the existing building. The proposal would resemble a barn with a part-flat roof with barn hip and timber cladding. The ground floor car parking would accord with the Council's parking size requirements.
5. I acknowledge that the existing garage building has a functional design and does not contribute particularly positively to the character and appearance of the street scene. The double garage building is, however, only a modest, single-storey structure set back from the road and as such does not stand out in the street scene. In contrast, the proposed building would be substantially larger in scale with a footprint around double the size of the existing building. It would also be sited well

forward of the established building line along Broadmark Lane where generally no other separate ancillary buildings exist on nearby plots. Although boundary treatment obscures views of the building line in some instances, the setting back of properties remains a key characteristic of the road when passing through Broadmark Lane, which this development would unacceptably disrupt by its scale and siting.

6. Moreover, the proposed roof's part-hipped design and height to 1.5 storeys would create a top-heavy building that would lack subservience with the adjacent hotel building. Overall, when the height and roof structure is considered with the footprint and siting, the proposal would appear as an unusually dominant and visually prominent structure in its site and when viewed within the street scene.
7. Furthermore, the north and east sides of the development would have blank frontages facing both Broadmark Avenue and Broadmark Lane that would further accentuate the stark bulk and scale of the proposal when viewed from both. With the siting and scale, this would unacceptably diminish the openness at the entrance to Broadmark Avenue with a building that lacks an active street frontage. Even though Broadmark Avenue is a private road with no footways, its existing open entrance contributes positively to the character of the area that the proposal would unacceptably denude.
8. I recognise the efforts made to increase landscaping along the boundary with Broadmark Avenue after consulting with residents. I also acknowledge that the proposed planting would be an improvement over the existing hardstanding. However, the planned landscaping would still not sufficiently address the concerns identified regarding the scale of the development. This is further evidenced by the CGIs that highlight that the envisaged landscaping would have little practical effect in lessening or effectively mitigating the appearance of what would be an overly large and awkwardly placed building that would result in harm to the character and appearance of the area. I also note the appellant's suggestion that the landscaping could be secured by condition. However, I give this option only limited weight in this decision as I am not satisfied, from the limited information before me, that the proposed landscaping would adequately address the harm identified.
9. I acknowledge that a similar development was approved by the Council at Elm Farm on The Street, as referenced by the appellant. However, this other example is set back behind mature vegetation and not prominently visible within the street scene. Additionally, the appellant has identified the proposal would have a similar set back from the road as two other dwellings in the vicinity. However, the single storey front extension at No 8 Broadmark Lane is attached to the main dwelling and appears as a subservient and integrated addition. The cited dwelling on Knightscroft Avenue is set behind enclosed boundary treatment and not directly comparable to the appeal proposal. These other examples, therefore, do not provide sufficient justification for the harm identified.
10. Finally, while the barn-design, part-hipped roof and chosen materials are not in dispute between the parties given the area's mixed architectural styles, they do not outweigh the visual harm identified from the excessive scale and incongruous siting of the proposal.
11. In conclusion, the proposal would result in a visually incongruous addition to the street scene due to its size and siting that would be notably at odds with the

prevailing pattern of development in the area. Accordingly, I find that the proposal would conflict with Policies D SP1 and D DM1 of the Arun Local Plan 2011-2031 and Policy 2 of the Rushington Neighbourhood Plan 2014-2029, which require development to reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish, and architectural details and reflect the architectural and historic character and scale of the surrounding buildings and landscape.

Other matters

12. I am aware that there were not any objections to the proposal including from the Parish Council. However, this does not negate the need to assess the impact of the proposal on aspects such as the character of the area that, for the reasons stated, would be unacceptably affected by the proposed development.

Planning Balance and Conclusion

13. The Council can currently only demonstrate 3.41 years of housing supply at the present time. In these circumstances, the National Planning Policy Framework's (the Framework) presumption in favour of sustainable development set out in Paragraph 11 (d) (ii) is engaged, which requires any adverse impacts of granting planning permission to be significantly and demonstrably outweighed by the benefits when assessed against the policies in the Framework taken as a whole.
14. I have found that the proposal does not comply with several development plan policies because it lacks high-quality and sympathetic design that fails to fit in with the local character and pattern of development in the area. These policies are consistent with the Framework, which aims to achieve well-designed places that are sympathetic to local character. I give significant weight to the conflict with the Framework's policies in this regard.
15. From a benefits perspective, the proposal would provide an additional dwelling on a previously developed small site situated in a sustainable location, contributing to housing land supply in an area with an existing deficit, all of which is consistent with policies in the Framework. Nonetheless, the overall impact would be modest and make only a very minimal contribution toward addressing the Council's housing supply shortfall. The proposal would also introduce new signage, improved parking and a visual improvement by removing the existing building and hardstanding and increase planting. However, these have limited weight as any visual benefits are negated by the significant visual harm that would derive from the proposed building, the parking is not strictly needed over and above what has been already secured by earlier approvals, and the new signage is only required to facilitate the development.
16. Accordingly, I find that the benefits of the proposal would not outweigh the harm I have identified from its unacceptable visual impact on the character and appearance of the area contrary to the policies of the Framework, and the development plan when read as a whole.
17. For the reasons given, I dismiss the appeal.

N Perrins

INSPECTOR