



Appeal Decision

Site visit made on 1 May 2012

by C J Leigh BSC(HONS) MPHIL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 May 2012

Appeal Ref: APP/C3810/D/12/2172586

69 The Fairway, BOGNOR REGIS, West Sussex, PO21 4HE

- 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 H Evans against the decision of Arun District Council.
 - The application Ref AW/281/11/ was refused by notice dated 19 January 2012.
 - The development proposed is described as 'erection of a single storey non permanent garden shed to the rear of the property'.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue in this appeal is the effect of the development on the living conditions of the adjoining occupier of 70 The Fairway.

Reasons

3. The outbuilding the subject of this appeal has been erected and planning permission is sought to retain that building. The erection of this outbuilding followed the demolition of a former, smaller shed. The outbuilding is located alongside the boundary with the adjoining house of No. 70. I saw at my site visit that other properties in the area see rear outbuildings or rearward extensions close to the boundaries with neighbouring properties; that can be seen at the adjoining houses on either side of the appeal property. The location of the outbuilding in question is therefore not objectionable in itself. However, the height of the outbuilding, when combined with this positioning, does create an over-dominant effect upon the outlook of the adjoining house of No. 70. An intervening fence or new planting may reduce this impact to a degree, but not to a sufficient extent to sufficiently mitigate the harm to outlook that arises from the height of the outbuilding.
4. The outbuilding is therefore contrary to the relevant provisions of Policies GEN7 and DEV19 of the Arun District Local Plan 2003, insofar as they seek to ensure all new development does not have an unacceptable impact upon the living conditions of adjoining occupiers.
5. There are limited views of the outbuilding from public viewpoints. In those views the outbuilding appears as a minor change to the character of the area; a character where there are outbuildings sited in similar positions to many houses. The position and design of the outbuilding is therefore not harmful to the character and appearance of the area. Nevertheless, my conclusions

remain on the main issue in this appeal and the conflict with those cited policies of the Local Plan warrant the withholding of planning permission.

6. I have also had regard to the personal circumstances of the appellant and the desire to provide ancillary accommodation for a family member with health difficulties. Whilst I sympathise with this, such personal circumstances do not outweigh the recognised objectives contained within the Council's adopted Local Plan and the conflict with the main issue. The appeal is therefore dismissed.

C Leigh

INSPECTOR