



Appeal Decision

Site visit made on 14 November 2006

by **Mark Balchin BA(Hons) MRTPI**

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

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Date: 5 December 2006

Appeal Ref: APP/C3810/A/06/2021059

**1-3 Little Paddocks House, Little Paddocks Way, Ferring, Worthing, West Sussex
BN12 5NP**

- 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 Designer Developments Ltd against the decision of Arun District Council.
- The application Ref. FG/10/06, dated 9 February 2006, was refused by notice dated 10 May 2006.
- The development proposed is the demolition of 3 no. dwellings and replacement with 6 no. dwellings.

Decision

1. I dismiss the appeal.

Reasons

2. The application is in outline form, with siting and means of access to be determined at this stage. My determination is based on the amended plans which were submitted to the Council before the decision was made on the application.
3. The site lies within a predominantly residential area, in which there is no dispute between the main parties that housing is acceptable in principle. The character of the area is varied, but there is a predominance of bungalows, some with dormer windows and some without, and there are also two-storey dwellings. National guidance and development plan policies stress the requirement for development proposals to be of a high standard of design, taking into account the local context.
4. From what I saw on and around the site, including the properties in Little Paddocks Way, Beehive Lane and Little Paddocks, I consider that the six detached chalet bungalows would not be out of character with the surrounding development and would therefore be appropriate in this setting. Although the site currently has a pleasant garden with grassed areas, trees and shrubs, I do not regard the character as rural. The site is less developed than surrounding plots, but its openness can only be truly appreciated from within the site.
5. In my opinion, there is sufficient space to accommodate the bungalows without compromising normal site planning considerations, taking into account privacy, light and outlook, subject to the detailed design of the dwellings. Extensive vegetation around the boundaries of the site would retain the feeling of self-containment, although there would be some partial views into the site from various directions. I regard the relationship between

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- the dwelling on plot 3 and nearby properties in Little Paddocks as being acceptable. The illustrative layout shows how dormer windows could be restricted to the front elevation. That would be a matter for consideration when details were submitted for approval.
6. I consider that the scheme would make better use of the site than the existing relatively low density housing, in accordance with the advice set out in Planning Policy Statement 1: *Delivering Sustainable Development* and Planning Policy Guidance Note 3: *Housing* (PPG3). Indeed, the proposal would result in a density of development of less than the range of densities sought by PPG3 and the development plan. In terms of planning policy and the character of the area, I do not therefore accept that the proposal represents an overdevelopment of the site. On this basis, I consider that the proposal would not conflict with Policies DEV1 and CH1 of the West Sussex Structure Plan 2001-2016 (SP) nor with Policy GEN7 of the Arun District Local Plan (LP).
 7. I have taken into account the third party objections to the extra traffic which would be generated by the proposal. I understand that Little Paddocks Way is a private road and, from my inspection, I saw that it is narrow and unsurfaced. However, I do not consider that the three extra dwellings would result in material harm to road safety on the road or at the junction with Beehive Lane for either vehicle users or pedestrians. Traffic movements associated with the small number of existing dwellings served by the road are relatively limited; the movements associated with three extra dwellings would also be limited; two new passing places are proposed along the road and one within the site; and the sight lines at the junction are acceptable. I note that the highway authority had no objection to the proposal.
 8. I do not consider that the trees adjacent to the site which are subject to a Tree Preservation Order would be affected by the development, and I have no evidence to show that the site has any special ecological value. Although concerns have been raised about drainage, I have no technical information to show that a satisfactory scheme could not be designed for approval by the Council. Similarly, the Council has not argued that local facilities and services could not cope with three additional dwellings. Land ownership, rights of access and any effect on property values are not planning matters.
 9. Notwithstanding my view that the proposal is acceptable, I have been referred by the Council to the conditions included in its Committee report. That report sets out a requirement for the prior completion of a planning obligation related to a contribution towards off-site play facilities before planning permission is granted. That contribution derives from Policy DEV3 of the SP and Policy GEN8 of the LP, which indicate that development will not be permitted unless the infrastructure or facilities made necessary by the development are available or will be provided at the appropriate time.
 10. The appellant has not provided an agreement nor a unilateral undertaking to cover this contribution. I therefore conclude that the proposal would conflict with Policy DEV3 of the SP and Policy GEN8 of the LP. The appeal should therefore be dismissed.

Mark Balchin

INSPECTOR