Appeal Decision

Site visit made on 6 October 2009

by Mike Stones BSc(Hons) DMS DipM MRTPI

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

Decision date:
9 November 2009

Appeal Ref: APP/C3810/A/09/2107537
15 West Drive, Ferring, West Sussex BN12 5QZ

- 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 MJH Developments Ltd against the decision of Arun District Council.
- The application Ref FG/158/08, dated 11 November 2008, was refused by notice dated 14 January 2009.
- The development proposed is a single 3 no. bedroom bungalow, single garage, parking with access.

Decision

1. I dismiss the appeal.

Main issue

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

Reasons

3. The appeal property is located in an area containing detached bungalows located relatively close to the road with large rear gardens, and also a number of detached houses. The large gardens and gaps between dwellings gives the area a feeling of spaciousness. In contrast to the other dwellings in the immediate area the adjoining bungalow no. 11 is set back some distance from the road. The proposal would be located almost in line with the property at no. 11.

4. The side of the proposed dwelling would be located very close to the mutual boundary with no. 11 and the proposed garage would also be located close to the boundary of the rear garden to no. 17. In addition, the subdivision of the existing garden would result in the proposed dwelling being located within a plot that would be relatively small with limited external amenity space and the existing dwelling would also retain a relatively small garden. The proposal, in providing a large bungalow on this relatively small site, would appear cramped and out of place compared to the established spacious form of development in the area.

5. The proposal would be set back a significant distance from the road and would not be readily visible from public viewpoints; it would thereby not have a

ARUN DISTRICT COUNCIL FG/46/10/

harmful effect on the existing street scene. I accept that the gardens to properties on the west side of West Drive are smaller than those on the east side, however, the gardens there are generally significantly deeper than that for the proposal. I also acknowledge that there are other properties backing onto the proposal that have very small gardens but this in itself does not justify the provision of further properties with small gardens.

6. The appellant quotes the example of a back-land property allowed on appeal in the close vicinity (Ref: APP/C3810/A/06/2011833). However the circumstances of this previous appeal are not the same as the present proposal as the proposal would be located on a smaller and narrower plot. The proposal would also result in smaller gardens for the proposed dwelling and the host dwelling, and would be built closer to a neighbouring dwelling than the quoted appeal.

7. The Council states that if the proposal were allowed it would set an undesirable precedent and the Council would find it difficult to resist similar proposals in the vicinity, the cumulative effect of which would be to alter the character of the locality to the serious detriment of the amenities of the area. However, all applications must be determined on their individual merits and I can only give this particular aspect limited weight.

8. The Council's reasons for refusal included reference to the proposal being an unneighbourly form of development however, I accept that the Council has subsequently withdrawn this reasoning.

9. As a result of its scale and siting, the proposal would appear cramped and would be an inappropriate form of development that would be out of keeping with the character and appearance of the area.

10. I acknowledge that the proposal would make efficient use of housing land, the design, footprint and height would be similar to other properties in the vicinity and would occupy a position similar to the adjoining no. 11. I also acknowledge that the existing hedge could be retained, no trees would be affected by the proposed dwelling, and the garden is unlikely to contain significant wildlife. There would be adequate parking provided on site, and the impact on traffic, infrastructure and services would be limited. I also note the appellant's wish to provide an additional dwelling. I acknowledge that this would be a sustainable development that would comply with some national planning objectives. However, in my opinion these factors do not overcome the harm that I have identified above nor are they sufficient to warrant allowing the appeal.

11. Policies LOC1 and DEV1 of the West Sussex Structure Plan (2001-2016) (SP) and policy GEN7 of the Arun District Local Plan (2003) (LP) require development to be high quality and integrate with adjoining land uses. For the reasons outlined above, I consider that the proposal would have an unacceptable effect on the character and appearance of the area. I therefore conclude that the proposal would be contrary to policies LOC1 and DEV1 of the SP and policy GEN7 of the LP.

12. I have taken account of all other matters raised. However, I find that none of these considerations outweigh the harm that would be caused to the character

ARUN DISTRICT COUNCIL FG/46/10/

and appearance of the area. I therefore conclude that the appeal should be dismissed.

[redacted]

ARUN DISTRICT COUNCIL FG/46/10/