



Appeal Decisions

Site visit made on 19 July 2010

by **David Harmston FRICS DipTP MRTPI**

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
5 August 2010

Appeal Refs: Appeal A - APP/C3810/A/10/2126911

Appeal B - APP/C3810/A/10/2126948

The Brickfield, Hoe Lane, Bognor Regis, West Sussex PO22 8NW

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against refusals to grant planning permission.
- The appeals are made by Mr L D Oldcorn against the decisions of Arun District Council.
- The application for Appeal A (Ref: Y/85/09), dated 6 December 2009, was refused by notice dated 29 January 2010.
- The application for Appeal B (Ref: Y/9/10), dated 5 February 2010, was refused by notice dated 1 April 2010.
- For both appeals the development proposed is the erection of a replacement dwelling.

Decisions

1. Both appeals are dismissed.

Preliminary Matters

2. The two proposals to which these appeals relate are for similar forms of development. The key differences are, firstly; that for Appeal B the appellant states that the front boundary wall proposed in Appeal A has been removed. I note that this point is made clear by paragraph 4 of the Design and Access Statement submitted with application Ref: Y/9/10 and the annotation to this effect on the submitted drawing. Notwithstanding the second reason for the refusal of this application, I shall deal with Appeal B as for a development with the front boundary wall removed and the original hedging re-instated.
3. Secondly, the layout of the proposed dwelling for appeal B has been reversed so that the maximum depth of the building would be positioned adjacent to the western boundary of the site rather than the eastern. Thirdly, in Appeal B, the building line of the dwelling has been set back into the site away from Hoe Lane by an additional distance of some five metres compared to that proposed in Appeal A.
4. Despite the modifications to the proposals contained within the submission for Appeal B, the two developments would be the same in many important respects such as the scale, height and footprint of the proposed building, and the principle of the development generally. I shall therefore deal with the two appeals in this decision, distinguishing between them as necessary.
5. Reference has been made by the appellant to the development proceeding on previously open land to the south and west of the site by way of the Bognor Relief Road, a new viaduct and housing. At the time of my visit roadworks

were in hand. I have attached weight in these decisions to what is said on that matter but at this stage, prior to the full completion of the scheme, the area of land to the rear of the site remains undeveloped.

Main Issue

6. The main issue in these appeals is the effect of either development on the character and appearance of the area.

Reasons

7. The appeal site is a rectangular-shaped area of open and undeveloped land lying on the south side of Hoe Lane, towards its western end. The road has the character of a narrow rural lane leading from the A259 towards and into the countryside situated beyond the development limits of Bognor Regis. Facing the road are a number of individually-designed houses of a variety of ages, sizes and designs. Some of these are of a substantial size and are set within large grounds.
8. With the mature vegetation and open gaps and views into the countryside adjoining Hoe Lane, the area has an attractive semi-rural appearance. Many of the houses, particularly those situated towards the western end of the ribbon of development facing the road, are partially obscured from open view by the landscaping and vegetation. The appellant states that landscaping and planting would be undertaken in a similar way as part of the appeal development in either proposal.
9. Beyond the appeal site to the west is *Hedgerows* – a detached dwelling set well back from Hoe Lane with its access adjacent to the appeal site. To the east is *Carpenters Cottage* – the western half of a pair of semi-detached houses which are smaller in scale and size to that of the majority of buildings in the road. Beyond the site to the south is flat, open countryside over which, from the appeal site, the outskirts of Bognor Regis can be viewed. To the west, beyond *Hedgerows*, the carriageway splits and the development present in Hoe Lane peters out into the countryside.
10. The development proposed in both appeals would be that of a large bungalow with a number of rooflights. The accommodation to be provided would be substantial and would include four bedrooms, each with en-suite facilities, several large living areas and other rooms with a triple garage to the front. The circumstances of the appellant's extended family have led to the creation of a design suitable for their needs. The resultant building would have a maximum depth of more than 35-metres and a frontage width of over 22-metres. The depth of the dwelling in Appeal B would be such as to project behind the rear building line of *Carpenters Cottage* by more than about 15-metres, on average about 4.5-metres from the boundary.
11. The site lies outside the development boundary for Bognor Regis where new residential development is strictly controlled. Saved Policy GEN3 of the Arun District Local Plan allows for residential development within the countryside in certain specific circumstances. Policy GEN7(ii) requires new development to respond positively to the identified characteristics of a particular site to create

developments which respect local distinctiveness. The general principle of providing a replacement dwelling on the site is acceptable to the Council. In 2006 a two-storey house was permitted on the land in place of the mobile home or caravan which was previously present. I have seen the approved plans for that development. This had a much smaller footprint and depth of building than is proposed in these appeals. Additionally, its design appears to me to be sympathetic to many of the existing buildings in Hoe Lane.

12. In setting out the Government's position concerning new developments within the countryside, and under the heading *Countryside Protection and Development in the Countryside*, paragraph 15 to Planning Policy Statement No 7 (*Sustainable Development in Rural Areas*) (PPS7) states that '*Planning Authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced.*' Planning Policy Statement No 1 (*Delivering Sustainable Development*) (PPS1) states that '*design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.*'
13. Towards the western end of Hoe Lane the dwellings are generally smaller and more modest in scale than those present to the east. As a general point, the size of the dwellings reduces to the west such as at *Heather Brae* and *The Fairway*. In some instances, larger dwellings exist on the northern side of the road to the east of the appeal site such as at *Meadow Cottage*, *Willows* and *The Retreat*. However, the more isolated group of buildings present on the southern section of the road between *Red Barn Cottage* and *Hedgerows* (within which the appeal site is situated) contains dwellings whose proportions are appreciably less than the building proposed by these appeals. Particularly, and although dwellings are set back into their sites away from Hoe Lane, their footprints, depth of built mass and rearward projections into their gardens are less than is proposed in these appeals. I therefore draw a distinction in terms of the preservation of local character between the proposals for the development of the appeal site and other sites to the east in Hoe Lane.
14. In my view, and for these reasons, either of the appeal developments would be out of place in this location because of their scale and the proportion of the site which would be occupied by building mass and other hard surfaces. The buildings proposed would extend rearwards into the site retaining a garden area disproportionate in size and length to the building mass that it would support. As such the dwelling would detract from the openness of the rear part of the site by the introduction of a building mass close to its southern boundary. This is an important characteristic of the area, in my view, deriving from the open foil of garden space between the ribbon of development facing Hoe Lane and the open countryside to its south.
15. Further, the nondescript design of the dwelling with its lack of articulation would give it an institutional rather than a domestic appearance which has little sympathy for the character of the area or that of the adjoining and nearby buildings. Whilst the designs of the buildings present in the western section of Hoe Lane are diverse and a product of their ages and individual choice, the buildings are nevertheless broadly traditional in their appearance

and sympathetic to the semi-rural character of the area. They do not possess the regimentation and stylistic properties of the appeal developments.

16. Being situated on land within the countryside for policy purposes, I consider that it is essential for the development of the appeal site to be carried out in a manner which is sensitive thereto and which pays respect to its semi-rural location. What could be appropriate to an urban location may not be appropriate in this part of Hoe Lane. The design of new buildings should respect local distinctiveness. In the context of this location and having regard to the attractive, special character and appearance of the Hoe Lane, I consider that the design of the dwelling proposed in either appeal would introduce a form of building into the streetscene which would visually intrusive and incongruous. It would be materially harmful for those reasons and in conflict with the provisions of Saved Policy GEN7 of the Local Plan. Whilst new landscaping could mitigate this harm, I do not believe that the building would be totally concealed from all inward views.
17. My conclusions on this issue are the same for both appeals. Whilst Appeal B incorporates changes to the handing of the building and the removal of the front wall, these do not alter my conclusions regarding the scale and design of either building or the detrimental impact either development would have on the character and appearance of the area. I conclude that the developments in both appeals would be in conflict with national guidance set out in PPS1 and PPS7 and contrary to the relevant policies of the development plan. I have taken into account all the points made in support of the proposals, including the references made to the development to take place on land to the rear of the site, but nothing outweighs my conclusions above and the reasons for them.

David Harmston

Inspector