PLANNING APPEAL: APP/Y3805/W/25/3360537

THIRD PARTY REPRESENTATIONS

ON PLANNING REFUSAL

ADUR & WORTHING COUNCIL: AWDM/1089/24

LAND SOUTH OF 4 WILMOT ROAD: WSX424985

SHOREHAM BY SEA

BN43 6BN

Re: **AWDM/1089/24 Appeal Statement (24th February 2025)**

INTRODUCTION

The appellant presents us with an iteration on a theme previously adjudicated upon in the 'Delegated Officer Report' (AWDM/0245/23) and the 'Planning Inspectorate Report' (APP/Y3805/W/23/3330594) outlining their reasons for dismissing that application.

No matter what revisions are made to the orientation or construction of the proposed bungalow, the same core premises for refusal hold; the site is incompatible to the construction of a habitable dwelling. In terms of conflict with current land use (garaging); overdevelopment; wellbeing of prospective occupiers; compromised safety and poor access for those serving the occupants – delivery drivers etc. The site is appropriate for garaging – the current and historic use of this plot.

COMPARATORS

The appellant's attempts to make comparisons with alternative 'approved' applications are completely without merit – the sites:

1. AWDM/0829/22: 2 Wembley Avenue LANCING
2. AWDM/1434/21: Wilds Row, Wilmot Road, SHOREHAM by SEA

are of a very different nature both in location and in 'sense of place'. The Wembley Avenue site sits within an existing community of homes benefitting from safe pedestrian access. The Wilds Row development is a holistic re-purposing of a former compound of garages (entirely demolished) to create a micro-community of safely accessed local authority homes in a sensitively planted, light and airy setting.

Both approved developments are well positioned within an existing community – not isolated from it - promoting both "wellbeing" and neighbourly interaction; considered to be key attributes in planning policy. Such qualities are regrettably absent from the proposal (AWDM/1089/24), it being sited at the end of a 20+ metre narrow track within a garage compound and bounded by the ends of several gardens, dislocated from social interaction. Furthermore, the access to the proposed bungalow is utilitarian, designed for vehicle access, lacking safe footpath provision as a residential amenity.

The appellant further comments on the aesthetic of 2 Wembley Avenue but, as the proposed home is not sited within a designated "Conservation Area" the comments are of no consequence.

APPLELLANT'S "REPLIES" TO REPRESENTATIONS

6. **"…There is no loss of sunshine."**

   The long shadows effected from the construction of a bungalow on this site would result in a significant reduction of direct sunlight into the homes and short, gardens of Nos. 4 & 4a Wilmot Road during the winter months - when the sun is low on the horizon.

   Sunlight has proven health benefits in promoting wellbeing and physical and psychological health. A deficiency can result in Seasonal Affective Disorder (SAD).

The table below indicates the shadow lengths and angle of sun from the horizon during the winter months. Two heights are chosen to demonstrate the effect of the a) 1.8 metre high boundary fences and

b) the roof ridge height of the proposed dwelling - taken as 3.5 metres.

The "greyed" area is presented as the most salient as this demonstrates the effects of the 20 degree (approx.) roof pitch of the proposal at midday.

Choice of "15th of the month". This would appear to align with the appellant's model indicated (AWDM/1089/24 Latest Plan 12113-10 28/08/2024). Here, the appellant cites "mid-winter" – an arbitrary construct which does not truly reflect the solar cycle.

Time	NOV 15		DEC 15		JAN 15		FEB 15	
	Length	Angle°	Length	Angle°	Length	Angle°	Length	Angle°
10:00[1.8]	6m	17	8.8m	12	8m	13	4.9m	20
[3.5]	11.5m	17	17m	12	15m	13	9.4m	20
12:00[1.8]	4.8m	20	6.3m	16	5.5m	18	3.6m	27
[3.5]	9.4m	20	12.3m	16	11m	18	7m	27
14:00[1.8]	7m	14	9.4m	11	7m	14	4m	23
[3.5]	13.8m	14	18.3m	11	14m	14	8.5m	23

8. **"The Highways are happy with the proposal"**

The concerns of "WSCC Highways" are limited to ensuring safe ingress and egress between Wilmot Road and the garage compound and that there is adequate parking provision for a three person/two bedroom dwelling. From this limited perspective they "are happy". What they do not address is the unsafe, severely restricted visibility onto the track (due to the 1.8 metre high boundary fence at No. 4a Wilmot Road) on exiting the bungalow's parking spaces.

WSCC Highways conclude:

"The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network… "

9. **Noise**.

The established land use into which the proposed bungalow is to be inserted is for car parking and garaging where certain allied activities can be anticipated. These could include car washing, light domestic diy projects utilising battery operated power tools and the storage of non-hazardous materials and goods. Were permission granted for a domestic dwelling, the nature of the land use would be fundamentally transformed, leading to the very real risk of neighbour disputes by the proposed bungalow occupiers over the principle of "quiet enjoyment" and psychological wellbeing.

APPLICATION FORM AWDM/1089/24

Several points arise from the completed "Application Form" and appear to have been inadequately or conflictingly addressed.

7. Bin Storage

"Waste Bin Store" (almost illegible by virtue of paver camouflage) is indicated on the submitted site plan but no collection point is indicated. Due to the limited width of the garage compound access track it would be unsuitable for the Local Authority "refuse vehicles" to negotiate safely.

9. & 12. Vehicle Access & Hard Standing

In the "Application Form" this is identified as "concrete/unchanged" yet, the latest plan (12113-10 28/08/2024) and "Design and Access Statement" (15th August 2024) indicate the treatment as "blocked paving".

Allied to this, there appears to be no provision for ground water run-off indicated. If this is to be achieved via porous blocked pavers then the specification for these should be attached to this application.

9. Roof

No "tiles as sample" specification is attached to this application. But, as the roof is constructed with a very shallow pitch (circa 20 degrees) I must assume that the samples supplied were of a specialized, interlocking, low pitch style.

14. Existing Use

The "current use" is described as "garage/garden".

The plot on which the proposed property is to be sited has historically been occupied by a large garage including a vehicle inspection pit. This site has been operated as "sideline" for the repair and maintenance of motor vehicles and associated with such activity there is a widely accepted and documented risk of ground contamination. As this area of the site would be devoted to soft landscaping it would be prudent to commission a survey of this site to assess any attendant risk and institute remedial action should this be recommended. Contemporaneous to this assessment it may be expedient to conduct a Radon risk appraisal.

CONCLUSION

The observations outlined above support and amplify my reasons for seeking a refusal of this application. In the appellant's drive to create an overbearing development on this site they have substantially denuded the outdoor amenity space available to 4a Wilmot Road subsequent to its "planning approval" (AWDM/0772/19 Site Location/Block Plan Drg. No. 05 Rev C Block and Location Plan 09/07/2019). Approval for this application (AWDM/1089/24) would not only further diminish the enjoyment, sunlight and wellbeing of the residents of Nos. 4 & 4a Wilmot Road through an overbearing construction sited as an orphan dwelling in a parking compound but it would create an additional and unsatisfactory living space for any future occupier of the proposed dwelling.