TOWN AND COUNTRY PLANNING ACT 1990

Site at 18 Southdown Road, Shoreham-by-Sea, West Sussex, BN43 5AN

Appeal by Ms Vicky Portwain

Planning Inspectorate reference: APP/Y3805/A/14/2213324

LPA reference: AWDM/0810/13

WRITTEN REPRESENTATIONS OF LOCAL PLANNING AUTHORITY

The Site and its Location

The appeal site comprises a semi detached dwelling in Southdown Road. It has a long rear garden containing a garage at the end which is accessed via a narrow unmade track off Mill Lane and Ravens Road. The area is largely characterised by dwellings with similarly long gardens in Southdown Road, with shorter gardens common for the dwellings in Ravens Road to the east.

The site is within the Shoreham Conservation Area.

The Appeal Proposal

The proposal is to demolish the garage and construct a single storey building to be used as holiday accommodation for rent. The building will measure 4.93m by 6.05m and be 2.8m high with a gently sloping roof, 0.36m higher than the existing garage. The roof would be covered with solar water and PV panels and sedum. Parking for the accommodation would be in front of the building, accessed from the existing access off the unmade track. To facilitate access, a small section of flint wall would be removed and new gates installed. An additional parking space for the existing dwelling is to be provided adjacent to the existing space off Southdown Road.

The application was refused under the Council's Scheme of Delegation for the following reasons:

> *01. The proposed development would result in an intensification of activity in this back garden location with an associated increase in noise and disturbance to the detriment of the residential amenities of neighbouring dwellings. The introduction of self contained holiday accommodation in this location would*

therefore be inappropriate and out of character with the locality and contrary to saved policies AG1, AB4 and AH2 of the Adur District Local Plan and the policies of the National Planning Policy Framework.

02. *The holiday accommodation to be provided is substandard, resulting in cramped living conditions to the detriment of the future occupiers of the building. The proposal is therefore contrary to saved policies AG1 and AH2 of the Adur District Local Plan, the 'Good Practice Guidance Note: Internal Space Standards for New Homes' and the policies of the National Planning Policy Framework.*

Planning Policy

The adopted Development Plan for the area comprises the Adur District Local Plan (1993-2006). The Adur District Local Plan 1993-2006 was adopted in 1996, following a Public Inquiry. A number of policies have been 'saved' until adoption of a new Adur Local Plan, including those relevant to this appeal, namely AG1, AB4, AH2 and AR20. The Council's Supplementary Planning Guidance 'Development Control Standard No.2 - Space Around New Dwellings and Flats' and the 'Good Practice Guidance Note: Internal Space Standards for New Homes' are also material considerations.

Paragraph 215 of the The National Planning Policy Framework (NPPF) states that in the case of policies adopted prior to 2004, "due weight should be given to relevant polices in existing plans according to their degree of consistency with (the NPPF)."

It is the Council's contention that the relevant policies are fully consistent with the NPPF and should be afforded significant weight. This is confirmed in the document sent previously which show the findings of a recent assessment of the saved policies and which confirms that the policies referred to are in conformity with the NPPF.

The NPPF seeks to achieve sustainable development, defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The Council argues that the appeal should be dismissed as the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (para 14).

Material Considerations

The main considerations in the determination of this appeal are the impact of the development on the character of the area and on the amenities of neighbouring residents plus whether the size of the building and the accommodation to be provided is of a satisfactory standard.

Tourist facilities are generally supported in the built up area, under saved policy AR20, as it is recognised that tourism brings economic benefits to the local area. However, as with all development proposals, the form and location of the building must be appropriate and must not result in harm. The Officer's Report submitted previously sets out the Council's case in this appeal and should be read in conjunction with this statement, which responds to the appellant's Grounds for Appeal.

The existing garage is not regularly used for vehicles, with parking taking place at the front of the property, accessed from Southdown Road. The garage is accessed via a narrow, unmade track which makes its use difficult. The flint wall at the site entrance is proposed to be partially demolished to improve access which further demonstrates the difficulty with currently using the garage. As the Officer's report states, while the existing garage, were it to be used to its full potential, could generate as much activity as a holiday let, in reality the proposal will see an increase in vehicular movements because of the current low level of use of the access road.

The appellant states that the garage is used for storage and games, which is acknowledged to be a normal use for a garden outbuilding such as this. However, the current family activity is not concentrated on that building or in that area but is spread throughout the house and garden space. Activity in and around the garage is likely to be irregular. By contrast, a holiday unit would potentially be occupied by a small family and would be the sole area available to the family. Consequently, all activity associated with the holiday unit would be concentrated within the unit and the small amenity area in front of it, potentially until late into the evening, and on a daily basis. There would therefore be a more intensive use of the building with the resulting activity causing increased noise and disturbance in what is currently a relatively quiet back garden location.

The existing garage could be converted to ancillary annex accommodation which may generate similar levels of activity to its use as holiday accommodation. However, annex accommodation by its nature would be ancillary to the main house and there would be much greater interaction with the main house. An occupant of an annex would also be more likely to park at the front of the main house rather than utilise the awkward access at the rear. The level of noise and disturbance caused by a regular changeover of occupants and occupation by up to 3 people at a time, with associated car parking and vehicle movements along the unmade road, is not considered to be appropriate in this location.

A new residential use in this location, even if restricted to holiday accommodation only, would not be acceptable as it would not respect the character of the area, which is characterised by large dwellings with long rear gardens. To introduce a holiday unit at the end of the garden of No.18 would be inappropriate. It would conflict with the established character of this part of Southdown Road and would therefore fail to preserve the Conservation Area and would be contrary to policy AB4, as referred to in reason for refusal No.1. The cumulative impact of such uses at the end of residential gardens would adversely affect the character of the area and residents' enjoyment of their quiet garden space.

The appellant makes reference to Policy AH2 which includes amongst its criteria for new residential development residential amenity standards in terms of open space, daylight, outlook and privacy. This policy is supplemented by Supplementary Planning Guidance in the form of DC Standard 2 and the Internal Space Standards for New Homes. The size of the building would be inadequate and would fail to meet those minimum standards and would offer only limited outdoor space. While it is a holiday unit only, occupants should be entitled to expect a similar standard of amenity to their own home. The NPPF requires new development to be sustainable. It is the Council's contention that the provision of substandard accommodation is not sustainable and therefore fails to meet the aims of the NPPF.

The appellant has made reference to a decision in another District. Each case must of course be judged on its own merits and the case therefore has limited relevance. The site location plan on the front page of the Officer's report in that case further illustrates the difference between that site and the appeal site. That site was within the countryside and appears to be sited within a fairly small collection of houses with no immediate neighbours to either side. The current appeal differs

significantly in character, being in an urban location where there are numerous residential properties in close proximity which are more directly affected and are likely to suffer increased disturbance as a result of this proposal. It is also noted that there was specific policy support in St Edmondsbury for the re-use of rural buildings in the countryside for tourist purposes. The two cases are not comparable therefore.

The appellant also refers to an appeal decision for a site in Northumberland. That case also differs significantly from this case in that the Park Authority did not dispute the site's suitability in principle for the type of development proposed. This is not the case here. The accommodation allowed in that appeal was also a "significant distance from the neighbouring dwellings" whereas the current appeal site immediately abuts neighbouring residential curtilages and is likely to have a much more noticeable impact on the quiet enjoyment of the neighbouring properties and their gardens than a site within the Northumberland countryside.

Conclusion

The Inspector is respectfully requested to dismiss the appeal for the reasons referred to in this statement. However, without prejudice to the Council's case, if the appeal is allowed the Council requests that the conditions submitted with this statement be imposed.