The Planning Inspectorate

Appeal Decision

Site visit made on 17 April 2018

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2018

Appeal Ref: APP/Y3805/D/18/3193899
78 Greentrees Crescent, Sompting BN15 9SR

- 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 Mr Alex Leiserach against the decision of Adur District Council.
- The application Ref AWDM/0857/17, dated 22 May 2017, was refused by notice dated 31 October 2017.
- The development proposed is the retention of timber built outbuilding in rear garden.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The structure has been substantially constructed, with the exception of the curved roof detail shown on the submitted plans. Accordingly I have assessed the appeal on the basis of what is physically on the site, and in accordance with the submitted plans.

3. I have used the description as set out in the Council's decision notice as this more accurately reflects the development.

4. The Adur District Council Local Plan 2017 (Local Plan) was formally adopted by the Council on 14 December 2017. I have assessed the scheme in accordance with the up to date Local Plan.

Main Issue

5. The main issue is the effect of the outbuilding on the living conditions of neighbouring occupiers.

Reasons

6. No 78 Greentrees Crescent is a bungalow sitting within a relatively generous plot. To one side of the site are dwellings located along Boundstone Lane, the rear gardens of which adjoin the boundary of the appeal property. Along the boundary runs a relatively low wall, which allows views into adjoining gardens. In addition there are a number of small sheds and low level ancillary outbuildings, which are easily visible due to the open character of the area.

7. The structure extends the full width of the rear garden of No 37 Boundstone Lane, and a large part of the rear garden of No 39 Boundstone Lane. The height of the structure is in excess of three metres and is located almost

immediately adjacent to the low boundary wall. As a result the occupiers of Nos 37 and 39 have a large, overbearing structure extending across the width of their gardens. The scale and mass of the structure results in an overbearing and dominating form of development which would have a severely detrimental impact on the living conditions of neighbouring occupiers.

8. I accept that historically there may have been ancillary outbuildings on the site. However there is very limited evidence to suggest that these were comparable to the existing structure with regards to their scale. Accordingly I attach limited weight to this comparison.

9. In addition I note that the appellant has suggested the use of landscaping to provide screening for the structure. Although this may be acceptable in principle, on the basis of the existing location of the structure, I do not consider that there is adequate space to provide screening through the use of natural landscaping. The appellant has suggested that the use of a curved roof would reduce the impact of the structure. This may be true with regards to the visual aspect when looking at the front of the structure, but it would not mitigate the harm caused to the living conditions of the neighbouring occupiers.

10. I find that the scale and mass of the structure has an overbearing effect on the occupiers of neighbouring properties, particularly those at Nos. 37 and 39 Boundstone Lane. It therefore conflicts with Policy 15 of the Local Plan and the National Planning Policy Framework with regards to ensuring that development respects the built environment and public realm.

Conclusion

11. For the reasons above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR