From: Plummer, Kevin <Kevin.Plummer@pins.gsi.gov.uk> on behalf of Despatch_Admin <Despatch.Admin@pins.gsi.gov.uk>
Sent: 21 June 2013 07:47
To: developmentcontrol
Subject: Planning Inspectorate: Ref 2191749: Overstrand, Shopsdam Road, BN15 8ES
Attachments: COVERDL1 21_06_2013.pdf; Decision..pdf

Follow Up Flag: Follow up
Flag Status: Flagged

<<COVERDL1 21_06_2013.pdf>> <<Decision..pdf>>

****
Correspondents should note that all communications to or from the Planning Inspectorate may be automatically logged, monitored and/or recorded for lawful purposes.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by MIMEsweeper for the presence of computer viruses.

www.clearswift.com
****

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) On leaving the GSi this email was certified virus free.
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

The Planning Inspectorate
EST 1909

Quality Assurance Unit
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000

Mrs D Johnson
Adur District Council
Planning & Development Services
Department
Civic Centre
Ham Road
Shoreham By Sea
West Sussex
BN4 6PR

Your Ref: AWDM/0678/12

Our Ref: APP/Y3805/A/13/2191749

Date: 21 June 2013

Dear Mrs Johnson

Town and Country Planning Act 1990
Appeal by Mr A Beckford
Site at Overstrand, Shopsdam Road, Lancing, BN15 8ES

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or feedback about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at http://www.planningportal.gov.uk/planninginspectoratefeedback.

If you do not have internet access please write to the Quality Assurance Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

Yours sincerely

Kevin Plummer

COVERDL1

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -
http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

The Planning Inspectorate

Appeal Decision

Site visit made on 28 May 2013

by Mrs S A F Simpson LLB Solicitor (N-P)

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

Decision date: 21 June 2013

Appeal Ref: APP/Y3805/A/13/2191749
Overstrand Garage, Shopsdam Road, Lancing, West Sussex BN15 8ES

- 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 Aidan Beckford against the decision of the Adur District Council.
- The application Ref AWDM/0678/12, dated 25 May 2012, was refused by a notice dated 26 July 2012.
- The development proposed is described as the "demolition of existing garage and construction of a ground floor bedroom and toilet plus first floor living area room with external terrace and ground floor parking bay".

Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is some debate between the parties as to whether the proposal should be determined as an independent dwelling or as ancillary accommodation for House 3 (paragraph 5 below refers). Although not specified in the description of the development originally applied for, the design and access statement accompanying the application makes it clear that the proposal would take the form of a "granny or nanny" annex. This information was available to interested persons at application stage and was included for consideration by the Council when reaching its decision.

3. Accordingly, I propose to determine the appeal on the same basis but mindful of the fact that, if the proposal is found to be acceptable in planning terms in this location, a condition (as suggested by the Council) to retain the development as ancillary accommodation would have to pass the tests of necessity and reasonableness as laid down in Circular 11/95.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. Shopsdam Road is an unmade, narrow road which also serves as a public footpath to the seafront and beach. Its western side has been developed with a

variety of buildings including the low profile dwellings found nearest to the main road and the recently constructed large house that, together with its neighbour (Lancing Sailing Club), front onto the walkway adjoining the beach. To the rear of the new build is the site of the former dwelling (Overstrand) which has been demolished and building work is underway for the erection of three houses (Houses 1, 2 and 3) that formed part of a scheme for four dwellings that was approved on appeal in 2010.

6. Other than for a couple of garages, the eastern side of Shopsdam Road is undeveloped and includes open areas used for parking and the storage of dinghies. The proposal would involve the demolition of the garage (which is located opposite what will be House 3) and the construction of a residential unit that has been designed to reflect the nautical storage use nearby and the materials that have been approved for the parent dwelling.

7. As the building would occupy almost the full extent of the plot, it would appear wedged into this small site and have to rely on borrowed neighbouring land to achieve some impression of space around the structure. Its height and bulk would also represent an uncharacteristic intrusion along this side of the road where currently there are no buildings of a comparable scale and size.

8. The unit would also be much smaller and bear little relationship to the larger scale residential buildings that exist (and are in the course of being constructed) on the opposite side of Shopsdam Road. It would be readily visible from the public domain - particularly when walking back from the seafront - where it would appear as an isolated, discordant and incongruous feature in the local environment.

9. I conclude that the development would harm the character and appearance of the area and, so, be contrary to Policies AH2 and AG1 of the Adur District Local Plan which seek to ensure that proposals do not detract from, but are in keeping with, and enhance the local environment. It would also be contrary to similar advice in the National Planning Policy Framework which states that poor design that fails to improve the character and quality of an area and the way it functions should be resisted.

10. In arriving at my conclusion, I have taken into account all the other matters raised including the Appellant's reference to the unit being designed to create an adaptable and sustainable home and its convenient location close to public transport facilities but find that, neither these nor any other matters raised, alter the conclusion I have reached that the appeal should be dismissed for the reasons set out above.

S A F Simpson

INSPECTOR