The Planning Inspectorate

Appeal Decision

Site visit made on 21 June 2021

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 JUNE 2021

Appeal Ref: APP/Y3805/W/20/3266076
Land opposite 17-19 Victoria Road, Shoreham BN43 5LA

- 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 and Mrs Abbott against the decision of Adur District Council.
- The application Ref AWDM/0989/20, dated 22 June 2020, was refused by notice dated 7 October 2020.
- The development proposed is for the erection of a single two double bedroom family dwelling and associated landscaping.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is a parcel of land close to the town-centre of Shoreham by Sea, and is located directly adjacent to a former railway embankment. The site is accessed from the main highway on Victoria Road via a concrete and asphalt lane. When viewed from the main road entrance to the lane informal parking spaces can be seen to the left-hand side which are set in mostly uncultivated verges, trees and hedges, and there is also a short row of semi-detached traditional style dwellings on the right-hand side of the lane. The dwellings are typified by uniform pitched roof panes, rendered white or sand coloured elevations, and landscaped gardens or on-plot parking spaces which face the trees and hedgerows seen on the opposite side of the lane. At the end of the lane a three-storey, brick and tile apartment type development can be seen over a fence which has a simple roof pane and low-key elevations.

4. The proposal is to construct a two-storey x 2 bedroom dwelling on the appeal site that would have white render, green zinc and sweet chestnut clad elevations. The development would include an elongated 'butterfly' shape upper-floor and roof form. There would be two parking spaces and a garden area facing towards Victoria Road, as well as a first floor balcony above an extended dining area on the ground floor.

5. The Appellant has brought to my attention an Appeal[1] of some vintage in support of his case, and the Council has confirmed in its statement of case that there was a previous application[2] for a dwelling on the appeal site that was found to be unacceptable. However, I have limited details of those schemes before me. Indeed the above mentioned Appeal is located in a different Borough altogether. Therefore, as is correct, I have considered the proposal before me on its own planning merits.

6. The development is sited in a residential area as part of a sustainable location near to Shoreham by Sea town centre. As such, while the Appellant highlights in paragraph 4.14 of his statement of case that the proposal differs from the overall prevailing character of the area, and bearing in mind Paragraph 131 of the *National Planning Policy Framework* (the Framework), the general principle of a contemporary style development on the currently underused appeal site is not at odds with the surrounding area.

7. Indeed, I noticed at my site visit that the materials of the contemporary type design, which include white rendered, green zinc and sweet chestnut clad elevations, would broadly accord with the white render and muted colours of the surrounding dwellings. Furthermore, the drawings show that the proposal, which meets nationally described space standards, would be possible on the limited plot available, and could be located without harm to the surrounding trees, or highway safety.

8. However, while I acknowledge that the proposed development would have a similar separation gap to the adjacent dwellings in the lane as the properties seen on either side of West Road, or the properties found in the newer development at 'Riverside', the proposal is nonetheless located within a different type of residential area altogether. Indeed, although the lane is somewhat narrow, the properties on this 'offshoot' of Victoria Road are set on relatively spacious plots, that include generous back gardens, in comparison to the dwellings at West Street or 'Riverside'. Moreover, the dwellings in the lane look across an open-plan type front garden space or a parking area on to the trees and hedges that line the base of a railway embankment, rather than across a road, courtyard or pavement.

9. Furthermore, while the proposal is unlikely to harm the living conditions of the neighbouring occupiers, the proposed development would have a walled garden bordering the lane. Consequently, while there would be limited views of the proposal from the highway, the siting of the development would be at odds with the immediate built environment which is typified by dwellings that have generous plots and open type areas facing directly onto the verdant lane, which the proposed development as a result of its siting on the comparatively slender plot available would not.

10. In addition, while some care has been taken to develop the proposed design as part of the pre-application process provided by the Council, including reduction of the overall footprint, the fact remains that the over-hanging bulk of the angled upper floor and roof form of the proposed development is of some considerable scale and mass in comparison to the simple pitched roofed dwellings facing the appeal site, and also the modest and balanced roof pane of the flats seen to the rear of the lane.

[1] APP/Q1445/W/19/3226126
[2] SU/63/94

11. I conclude therefore, notwithstanding the Council's likely preference for a residential dwelling rather than garages in this location, that the siting, form and massing of the proposal would be cramped, overly dominant and appear out of place in this specific location, and hence would harm the character and appearance of the area.

12. Accordingly, the proposal is contrary to Policy 15 of the Adur Local Plan 2017, which says amongst other things that development should be of high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, scale, materials, detailed design features and landscaping.

13. For similar reasons, the development does not meet the aim of Paragraph 127 (c) of the Framework, which requires that development is sympathetic to local character and history, including the surrounding built environment and landscape setting.

Planning Balance and Conclusions

14. I acknowledge that the windfall proposal would add one new dwelling to the Council's housing supply, and would result in some public benefit associated with the construction and occupation of the dwelling. However, I find the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, which include the provision of one 2 bedroom dwelling.

15. Having considered all matters raised in support of the development I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Accordingly, the development is in conflict with the adopted development plan when considered as a whole, and given the above would also conflict with Policies contained within the Framework, and as there are no other material considerations that indicate a decision other than in accordance with those Policies, I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR