RESPONSE TO LOCAL PLANNING AUTHORITY'S APPEAL STATEMENT & SUGGESTED CONDITIONS

APPEAL REFERENCE - APP/M3835/W/24/3349199

APPEAL AGAINST REFUSAL OF PLANNING APPLICATION: AWDM/0378/24
ON BEHALF OF: MR ARMEND CUNI
SITE: ANNEXE REAR OF 77 BROUGHAM ROAD, WORTHING, BN11 2PA

1.0 RESPONSE TO LPA STATEMENT

1.1 The LPA's statement has been reviewed. The Appellant's case already submitted is maintained. The purpose of this Response is to address certain points within the LPA's appeal submission. The LPA's statement does not contain paragraph or page numbers, so that the general section and matters therein are addressed.

1.2 ***Urban grain, plot pattern and street character*** - The approved plans for the existing annexe show a garden / living room and shower at ground floor with a guest bedroom and games room (able to be used as a second bedroom) at first floor. Therefore, continuous occupation of the existing annexe by two to four immediate or extended family members is feasible and permitted. There would be little increase in intensity over the existing situation through the proposed use of the annexe as a separate dwelling.

1.3 The LPA agree that development at depth in respective plots and behind the building line is characteristic of the area. Also, that there has been a building in the position of the annexe for many years. These factors align with the Appellant's case that the appeal scheme fits with the pattern of development in the area.

1.4 The existing developments at depth the LPA acknowledge are not comprehensively planned to relate to road or footpath frontage. For instance, the backland bungalows (circled in purple on the page 15 Appeal Statement image) do not have road or footpath frontage. Nor do the apartments at Brougham Walk (circled in blue in the same image) front a road or footpath network. These developments have made effective use of the spaces behind the building lines and are part of the established character of the area. The LPA reference to 'road or

footpath frontage' alludes to the variety of plot arrangement in this location. The appeal scheme aligns with this variety of plot arrangement.

1.5 The Appellant disagrees that the converted annexe would have a poor relationship with the urban grain, plot pattern and street character here. Backland developments and access roads are part of the character of East Worthing. Their utilisation in suitable circumstances, such as the appeal scheme, and the existing similar developments at depth are established parts of the development pattern.

1.6 The LPA includes several photographs of the access road. The Appellant re-iterates that the Highway Authority raised no objection to the use of the existing access road for the proposed dwelling.

1.7 ***Living conditions for future occupiers*** - The new dwelling will benefit from two access points. Vehicular access to the rear and pedestrian access (on level ground) from the front at Brougham Road. The access road is not intended or needed as a place for occupiers of the new dwelling to dwell, notwithstanding that existing users of the annexe could feasibly dwell here, if they choose.

1.8 The proposed ground floor bedroom would enjoy reasonable outlook over the access road. Such outlook is akin to the outlook from ground floor bedrooms of the Meadow Walk bungalows over the cul-de-sac turning area or the Brougham Walk apartments over the rear car park.

1.9 The LPA concedes that the outdoor amenity space for both new and host dwellings would be comparable to many existing dwellings in the borough.

1.10 ***Relationship to host dwelling*** – The Appellant maintains that the relationship between the subdivided gardens is similar to the relationship between existing neighbours in the area.

1.11 ***Other considerations and Conclusion*** – The appeal development will provide social gains through the delivery of new housing and environmental gains through the inclusion of low carbon energy generation (solar panels).

1.12 As agreed by both parties, the *tilted balance* in favour of new housing applies in this case. The development is socially and environmentally sustainable as it provides much needed housing suitable for a range of demographics (young families and / or elderly persons) via the efficient use of already built on land in an established residential area. The appeal scheme has been shown to align with the development pattern of the area, provide suitable living accommodation and enjoy an appropriate relationship with the host dwelling.

1.13 The harms alleged by the LPA (which the Appellant has refuted) do not significantly or demonstrably outweigh the benefit to local housing delivery.

1.14 In light of the above (and previously submitted), the Inspector is respectfully requested to allow the appeal and grant planning permission accordingly.

2.0 SUGGESTED CONDITIONS

2.1 The Appellant has reviewed the conditions suggested by the LPA. The conditions seem reasonable and there is no objection to them.

Lewis & Co Planning – 3rd October 2024