From: Carol Wheeler <carol@planright.co.uk>
Sent: 03 December 2009 12:16
To: developmentcontrol
Subject: Appeal - APP/Y3805/A/09/2118234 - on line form and appeal statement
Attachments: on-line appeal form.pdf; Appeal 031209.pdf

Dear Madam,

21 Halewick Lane, Sompting, BN15 0ND

I refer to the above and confirm that I have submitted an appeal against the refusal of planning permission ADC/0297/09 to the Planning inspectorate today 3rd December 2009.

I attach a copy of the on-line form and the Appeal Statement as required.

Any queries please do not hesitate to contact me via email or on the direct dial telephone number below.

Yours faithfully,

Carol Wheeler MRTPI
PlanRight
Adur Business Centre
Little High street
Shoreham-by-Sea
BN43 5EG

01273 467557

The Planning Inspectorate

Further information on us and the planning appeal system can be found on our website www.planning-inspectorate.gov.uk

For official use only (Date received)
3-Dec-2009 11:31

PLANNING APPEAL FORM (Online Version)

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application). Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: **If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.**

APPEAL REFERENCE: **APP/Y3805/A/09/2118234**

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name: Mr Rex Fuller

Address:

Phone no.:

Fax no:

Postcode:

E-mail:

Please confirm how you wish to correspond with us:

- Electronically, via the email address specified above
- On paper, by post.

B. AGENT DETAILS FOR THE APPEAL (if any)

Name: Mrs C Wheeler

Address: The Adur Business Centre
Little High Street
Shoreham-by-Sea
West Sussex

Your reference: Fuller

Phone no.: 01273467557

Fax no.: 01273467555

Postcode: BN43 5EG

E-mail: caroldoyle57@btinternet.com

Please confirm how you wish to correspond with us:

- Electronically, via the email address specified above ✓
- On paper, by post.

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA: Adur District Council

LPA's reference number: ADC/0297/09

Date of the planning application: 31 Jul 2009

Date of the LPA's decision (if issued): 10 Sep 2009

D. APPEAL SITE ADDRESS

Address 21 Halewick Lane
Sompting
LANCING
West Sussex

Postcode BN15 0ND

Grid Reference: Easting 05173799 Northing 01057933

Is the appeal site within a Green Belt? YES ☐ NO ✓

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? YES ☐ NO ✓

E. DESCRIPTION OF THE DEVELOPMENT

Area of the whole appeal site (in hectares)

0.08

Area of floor space of proposed development (in square metres)

150

Has the description of the development changed from that stated on the application form? YES ☐ NO ✓

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

Demolition of bungalow and garage and erection of 3 detached dwellings with 6 parking spaces and landscaping (outline with all details reserved)

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

1 Refuse planning permission for the development described on the application form or in Section E. ✓

2 Grant planning permission for the development subject to conditions to which you object. ☐

3 Refuse approval of the matters reserved under an outline planning permission. ☐

4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐

5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or

6 Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐

G. CHOICE OF PROCEDURE

There are 3 possible procedures:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances before selecting your preferred option by ticking the box.

1. THE WRITTEN REPRESENTATIONS PROCEDURE ✓

This is normally the simplest, quickest and most straightforward way of making an appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses; appeals against conditions or changes of use).

Please answer the questions below.

a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? YES ☐ NO ✓

b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? YES ✓ NO ☐

If so, please explain below or on a separate sheet.

the Inspector may wish to view the rear of the site to ascertain whether the proposal may have any effect on neighbouring properties

2. THE HEARING PROCEDURE ☐

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. Although you may indicate a preference for a hearing, the Inspectorate must also consider that your appeal is suitable for this procedure.

Please answer the question below.

a) Is there any further information relevant to the hearing which you need to tell us about? If so please explain below. YES ☐ NO ☐

3. THE INQUIRY PROCEDURE ☐

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar, as the parties to the appeal will usually be legally represented and expert witnesses may be called to give evidence. Although you may indicate a preference for an inquiry the Inspectorate must also consider that your appeal is suitable for this procedure.

Please answer the questions below.

a) How long do you estimate the inquiry will last? (Note: We will take this into consideration, but please bear in mind that our estimate will also be informed by others' advice and our own assessment.) No. of days ☐

b) How many witnesses do you intend to call? No. of witnesses ☐

c) Is there any further information relevant to the inquiry which you need to tell us about? If so, please explain below. Please continue on a separate sheet if necessary. YES ☐ NO ☐

H. GROUNDS OF APPEAL

If you have chosen the written representations procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? ☐ YES ✓ NO

** See separate documents **

H. GROUNDS OF APPEAL (continued)

I. (part one) APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeals site. If you do not own the appeal site or only own a part of it, we need to know the name(s) of the owner(s) or part owner(s). and be sure that you have told them that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the <u>sole</u> owner of the <u>whole</u> appeal site, certificate A will apply: Please tick **one** box only ✓

CERTIFICATE A ✓

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which the notice was served	Date the notice was served

CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

I (part two) AGRICULTURAL HOLDINGS CERTIFICATE

We also need to know whether the appeal site forms part of an agricultural holding.
Please tick either (a) or (b).

✓

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding: ✓

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

Tenant's name	Address at which the notice was served	Date the notice was served

J. ESSENTIAL SUPPORTING DOCUMENTS

You **must** send the documents listed 1-7 below with your appeal form.
Please tick the boxes to show which documents you are enclosing.

		✓
1	A copy of the original **planning application** sent to the LPA.	✓
2	A copy of the **site ownership certificate** and **agricultural holdings certificate submitted** to the LPA at application stage (this is usually part of the LPA's planning application form).	✓
3	A copy of the **LPA's decision notice** (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.	✓
4	A **site plan** (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.	✓
5	Copies of all **plans, drawings and documents** sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. Please number them clearly and list the numbers here or on a separate sheet:	✓
6	Copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). Please number them clearly and list the numbers here or on a separate sheet:	
7	A copy of the **design and access statement** sent to the LPA (if required)	✓

You must send copies of the following, if appropriate:

8	Additional plans, drawings or documents relating to the application but **not previously seen by the LPA.** Please number them clearly and list the numbers here or on a separate sheet:	
9	Any relevant **correspondence** with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.	
10	If the appeal is against the LPA's refusal or failure to approve the **matters reserved under an outline permission,** please encose:	
	(a) the relevant outline application;	
	(b) all plans sent at outline application stage;	
	(c) the original outline planning permission.	
11	If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.	
12	A copy of any **Environmental Statement** plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).	

K. OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the 6 month time limit)

I confirm that I have sent a copy of this appeal form and relevant documents to the LPA *(if you do not your appeal will not normally be accepted).*

I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature Date 3 December 2009

Name (in capitals) Mrs C Wheeler

On behalf of (if applicable) Mr Rex Fuller

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement.

M. NOW SEND

- **1 COPY to the LPA**
- **1 COPY for you to keep**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

WHEN WE RECEIVE YOUR APPEAL

We will:

1) Tell you if it is valid and who is dealing with it.
2) Tell you and the LPA the procedure for your appeal.
3) Tell you the timetable for sending further information or representations.
4) Tell you about the arrangements for the site visit, hearing or inquiry.
5) At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

YOU MUST KEEP TO THE TIMETABLE
If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@pins.gsi.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to PO Box 2606, Bristol, BS1 9AY.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number:

APP/Y3805/A/09/2118234

Please ensure that a copy of your appeal form and any supporting documents are sent to the local planning authority.

```
**********************************************************************
* The Documents Listed Below Were Uploaded With The Appeal Form *
**********************************************************************
==========  GROUNDS OF APPEAL  ==========
TITLE:       Grounds of Appeal 1
DESCRIPTION: Grounds of appeal
FILENAME:    Appeal 031209.pdf


==========  ESSENTIAL SUPPORTING DOCUMENTS  ==========
TITLE:       03. A copy of the LPA's decision notice (if issued). Or, in the event of
             the failure of the LPA to give a decision, if possible please enclose a
             copy of the LPA's letter in which they acknowledged the application.
DESCRIPTION: Decision notice
FILENAME:    DECISION NOTICE.pdf

TITLE:       04. A site plan (preferably on a copy of an Ordnance Survey map at not less
             than 10,000 scale) showing the general location of the proposed development
             and its boundary. This plan should show two named roads so as to assist
             identifying the location of th
DESCRIPTION: site plan 1:1250 A4
FILENAME:    site plan 11250.pdf

TITLE:       05. Copies of all plans, drawings and documents sent to the LPA as part of
             the application.  The plans and drawings should show all boundaries and
             coloured markings given on those sent to the LPA.
DESCRIPTION: Plan 1:100 A1
FILENAME:    PLAN.pdf

TITLE:       05i. A list of all plans, drawings and documents (stating drawing numbers)
             submitted with the application to the LPA.
DESCRIPTION: List of Documents
FILENAME:    List of documents.pdf

TITLE:       07. A copy of the design and access statement sent to the LPA (if
             required).
DESCRIPTION: DAS
FILENAME:    DAS.pdf

**********************************************
* The Documents Listed Below Will Follow By Post *
**********************************************
==========  ESSENTIAL SUPPORTING DOCUMENTS  ==========
** 01. A copy of the original planning application sent to the LPA.
```

Continued on Supplementary Sheet

SUPPLEMENTARY SHEET

Appeal Documents (continued)

** 02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (these are usually part of the LPA's planning application form).

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78

APPEAL BY MR REX FULLER

AGAINST THE REFUSAL OF
PLANNING PERMISSION

BY

ADUR DISTRICT COUNCIL

FOR

DEMOLITION OF DWELLING AND ERECTION OF 3 DETACHED DWELLINGS

AT
21 HALEWICK LANE, SOMPTING

LPA REFERENCE NO
ADC/0297/09

WRITTEN STATEMENT OF APPEAL
ON BEHALF OF THE APPELLANT

PREPARED BY PLANRIGHT
DECEMBER 2009

PLAN RIGHT

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APPENDICES

APPENDIX 1	**Photographs of site and its surrounding environs**
APPENDIX 2	**Historical Map circa 1947**

1.0 INTRODUCTION

1.1 This appeal is made against the refusal of an outline planning application for the demolition of the existing bungalow and garage and erection of three detached dwellings with 6 parking spaces and landscaping with all other matters reserved under planning application DC/0297/09.

1.2 The evidence which I have prepared and provide for this appeal in this written statement is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

1.3 The outline planning application for the works detailed above was received by Adur District Council on July 31st 2009.

1.4 The application was refused under the Council's delegated procedure on 10th September 2009 for the following reason:

Reason 1:

The proposal constitutes overdevelopment that would be out of keeping with and detrimental to the environmental character and visual amenities of the locality and the submitted illustrative plans do not demonstrate that this site is of a sufficient size to accommodate 3 detached dwellings and 6 parking spaces in a satisfactory manner, therefore contrary to the policies of the Adur District Local Plan (AG1, AH2).

2.0 SITE AND SURROUNDINGS

2.1 The site relates to a detached single-storey bungalow on the west side of Halewick Lane. The road is characterised by mainly semi –detached bungalows and chalet bungalows to the south of the site with a newer development comprising 5 detached chalet bungalows adjacent to the Abbott Public House (on the south-eastern end of Halewick Lane). The road changes character after the appeal site and becomes more uniform in appearance with the remaining northern end of Halewick Lane characterised by semi-detached, local authority built dwellings. However, there are some detached bungalows situated on the northern end of the lane as well as a small estate (Highview) constructed in the 1990s comprising large detached dwellings. Planning permission for a detached dwelling (No 57a) was granted in 2003.

2.2 The appellant and his family have owned the property since 1971. Prior to the family owning the property it sat in a larger plot which includes the site where new development has been recently approved.

3.0 PLANNING HISTORY

3.1 The relevant planning application reference ADC/0297/09 was registered on 31st July 2009, and was subsequently refused planning permission on 10th September 2009. This is the application on which the appeal is based. Other relevant planning history attached to this property is:

ADC/0363/07: Demolition of existing bungalow and erection of a terrace of 4, three bedroom, 2 storey dwellings – Refused July 2007. Appeal lodged (2060745): December 2007. Appeal Dismissed – 26th March 2008.

PLANNING POLICY

4.0 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications and appeals to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Section 38 (3) states that the Development Plan includes the Regional Spatial Strategy and other Development Plan Documents. Other material considerations include national planning guidance.

4.1 The approved Development Plan in relation to this site, for the purposes of the Act, is the South-East Plan (published May 2009) and the Adopted Adur District Local Plan 1996 (ADLP). The refusal of planning permission was based on Polices AG1, AP8, AH1-2, AH5 and AH7 of the ADLP. Development Control Standard No 2 'Space Around New Dwellings and Flats; PPS1 ' Delivering Sustainable development' (ODPM 2005) and PPS3 'Housing' (DCLG 2006). No policies from the South-East Plan were cited within the reason for refusal and are therefore not discussed within this Report.

National Planning Guidance

4.2 PPS1: Delivering Sustainable Development, sets out the Government's objectives for the planning system, and emphasises that sustainable development is the core principle underpinning planning, and the heart of this concept is ensuring the best quality of life for everyone, now and for future generations. Paragraph 5 notes that one way of promoting sustainable and inclusive patterns of urban and rural

development is to ensure high quality development through good and inclusive design, and the efficient use of resources.

4.3 PPS3: Housing encourages best use of urban land for housing development at higher densities (avoiding those at less than 30 dwellings per hectare (DPHA) and without rigid application of parking and amenity space standards. It also seeks to improve the quality and attractiveness of residential areas and requires development to make ore efficient use of land without compromising the quality of the environment.

Local Plan Policies

4.4 The 1996 Local Plan, remains the adopted Local Plan, although more up to date government guidance has been published in recent years. The relevant policies used for refusing the application under Reason 1 are AG1 and AH2.

4.5 Policy AG1 is a general policy relating to development within the built-up area.

4.6 Policy AH2 relates to housing development by way of infilling and redevelopment and expects development to be designed so that its appearance, character and scale creates a pleasant place in which to live, is in keeping with and enhances the local environment with particular attention to the architectural form, height, materials, density and layout; respects the natural features of the site, including trees; has no un-neighbourly effect on existing dwellings by loss of privacy, light, outlook or open amenity space and; has adequate access and parking arrangements in accordance with adopted Standards.

APPELLANT'S CASE

5.0 The LPA considered there was only 1 reason for refusing the application. This is discussed below.

Reason 1 – Over-development out of keeping with, and detrimental to, the environmental character and visual amenities of the locality; insufficient size site to accommodate the proposed development in a satisfactory manner.

5.1 The planning officers report considers the previous application (ADC/0363/07) and subsequent appeal (2060745) in some detail. We also consider the previous appeal decision as relevant. The previous application was refused on both over-development of the site and highway issues. The Inspector reaching a decision

agreed with the LPA that the terraced nature of the proposed new houses would be out of keeping with the line of properties in which they would be located and the proximity to the side boundaries would contrast awkwardly with the more generous separation distances that characterised development of this side of the road and coupled with the proposed full height gables the Inspector found that the proposal would unacceptably harm the area's character and appearance. The Inspector did not consider the proposal would materially harm highway safety.

5.2 It is acknowledged that the Inspectors view was valid and that, on reflection, a terrace of 4 dwellings would not be appropriate within the site. The appellant, taking this decision into consideration felt that the proposal for 3 detached dwellings would be acceptable.

5.3 Although the application is outline, an indicative drawing was submitted showing the proposed layout of the site (with parking and access) as well as the illustrative design of the dwellings themselves, in order to allow the LPA to assess whether the proposal would, in their opinion, have a harmful effect on the character and appearance of the area.

5.4 The indicative drawings show 3 dwellings with front roof planes in a cat slide design with a dormer window at first floor level but with full 2 storey height at the rear. The roof lines would take on a traditional hipped appearance. The walls would be tile hung at first floor level with brick and colour wash render at ground floor.

5.5 The LPA comment in their report that although no details could be considered at outline stage, it appeared that the dwellings could be designed to avoid overlooking to the side of adjacent properties and the proximity of the proposed dwellings to the boundaries would not be considered overbearing. However, they then go on to cite, within their reason for refusal that the illustrative plans do not demonstrate that the site is of a sufficient size to accommodate the proposal in a satisfactory manner.

5.6 We consider that this is a contradiction in terms. Guidance within their adopted *Standard 'No 2 – Space Around New Dwellings and Flats'* require certain criteria to be met which should be designed in from the outset. The indicative drawings show that the dwellings can be accommodated comfortably within the site without having a harmful effect on adjacent dwellings.

5.7 The dwellings would be situated almost centrally within the plot, allowing sufficient space at the front for off-street parking provision and a long enough rear garden to allow play space and drying space as well as exceeding the Councils space standards as laid out in their design guidance.

5.8 There is a gap of 1m from the two side boundaries and the dwelling to the north end of the site is set back from the adjacent dwelling (No 23) to avoid any onerous impact. The front elevations of the dwellings broadly follow the 'build line' of the dwellings to the south and step forward in a pattern that staggers the change in the build line between the existing dwellings No 19 and No 23.

5.9 Although there is a difference between the rear 'build line' of the northern most dwelling and No 23, a 45 degree rule test has been carried out between the middle of the rear windows of No 23 and the edge of the new dwelling. The angle between the two is approximately 35 degrees with the 45 degree angle crossing the boundary line approximately 2.5m beyond the rear wall of the new dwelling and therefore there would be no loss of daylight/sunlight to this western facing window.

5.10 It is our view that the indicative drawings do demonstrate that the proposal is achievable and it is our view that, if all other matters pertaining to the refusal could be addressed, the proposed 3 dwellings could be constructed without causing harm to residential amenity contrary to the LPA's decision.

5.11 The density of the area is typical of suburban estate layouts (approximately 22dpha). The density of the site alone with 3 dwellings totals 38 dpha –within the required density set out in PPS3. However, the overall average density (taking into account the existing patterns of development) and including the 3 proposed dwellings amounts to 23dpha therefore the proposed scheme would not create any apparent intensification of the area and would lead to a more efficient use of the land without compromising the quality of the local environment contrary to the LPA's decision.

5.12 Finally, the LPA are concerned that the form of development is out of keeping with, and detrimental to, the environmental character and visual amenities of the locality.

5.13 The previous appeal was dismissed for a similar reason as the Inspector found that as. terraced housing did not appear significantly within this area, that a terraced development within the plot would cause unacceptable harm to the areas character and appearance.

5.14 The majority of Halewick Lane comprises detached and semi-detached single and two storey family houses set in typically suburban size plots with off-street parking. Detached properties are also prevalent particularly within the southern part of the street and further to the north within the small estate Highview.

5.15 The early development of Halewick Lane comprised detached dwellings and the semi-detached form of house building (which became popular post-war) is not original although we acknowledge that the semi-detached properties characterise the northern part of Halewick Lane starting immediately to the north of the appeal site. Appendix 1 contains photos of the different types of development within Halewick Lane.

5.16 Historically, the first 3 dwellings within Halewick Lane were the large detached house (No 12) opposite the pub on the southern end, a single detached bungalow on the west side (No 58) and the appellants property No 21. No 21 sits at right angles to surrounding development enjoying a north-south aspect. This is because originally it fronted an unadopted lane/track leading to Halewick Farm (see historic map featured in Appendix 2). The next stage of development was from No's 1-19 Halewick Lane (immediately to the south of the appeal site) and its mirror image in Steepdown Road included the land on which the lane/track was on and the original proposed layout with Meadowview Road continuing westwards linking to Steepdown Road (on which No 21 would have fronted) was never built. The properties to the north of No 21 were built later (after WW2) by the local authority. These properties are typical of estate design and development of that intense period of building and bear very little relation to the original style of development already existing within Halewick Lane. No 21 represents the sea-change within Halewick Lane from individually built and styled dwellings on the south part to the unformity of the two-storey semi-detached properties to the north.

5.17 The juxtaposition of No 21 within Halewick Lane represents a unique plot that is not replicated elsewhere within this area of Sompting. Its north-south layout is already inconsistent within the east-west majority and its place at the crossroads between the two periods of development represents the demarcation where the character and appearance changes dramatically. The re-development of the plot to anything other than the proposal (ie a pair of two-storey semis as suggested by the LPA as part of the correspondence within the previous application) would take away the idiosyncrasy of the plot and its important change of character of the street at this point. It is our view that the proposal for 3 detached dwellings within this plot

continues to confirm the change of character and appearance and rather than harm the street scene will continue to add to the streets development and built form.

5.18 The refusal of the application does not include highway issues. However, for clarification, there is parking provision for 2 vehicles per dwelling which is in line with the LPAs Standards and transport policies. The Highways Authority has no concern regarding visibility and the LPA confirm that a refusal could not be justified on highway safety grounds.

.

6.0 SUMMARY

6.1 The previously dismissed appeal for a terrace of 4 dwellings was carefully considered by the appellant before making the application for 3 detached dwellings within the plot. Although the application was made as an outline application, indicative drawings were submitted to allow the LPA to make a judgement as to whether the design would be appropriate.

6.2 The LPA chose to refuse the application on the grounds that the proposal for 3 dwellings constitutes an over development out of keeping with and detrimental to the environmental character and visual amenities of the locality.

6.3 This appeal statement demonstrates that this is simply not the case. The plot is unique in that it is the gateway between two very different characters of Halewick Lane. To the south are individually built detached and semi-detached bungalows and houses, to the north, the more uniform semi-detached houses that represent the post war era of local authority estate building. No 21 Halewick Lane sits on a north-south axis whilst every other property within Halewick Lane sits on an east-west axis. Detached dwellings do make up the character of Halewick Lane and are as much as part of the character of the area than the more traditional semis. A detached property amongst the semi-detached dwellings at No 57A was approved in 2003 and there are detached properties within both Hillbarn Avenue and Hillview, both roads accessed from the northern end of Halewick Lane.

6.4 The plot needs to be re-developed with a proposal that reflects and celebrates its uniqueness. It is our view that the proposal for 3 detached dwellings does this in a style that enhances the area with a density which does not over-intensify the prevailing density of the area and of appropriate size dwellings that sit comfortably

within the plot and comply with all the relevant policies, guidance and standards of both national, regional and local development plans and statements.

6.5 It is respectfully requested that the Inspector is in agreement with the appellant and allows this appeal on all levels**.**

APPENDIX 1

PHOTOS OF THE SITE AND SURROUNDINGS





The appeal site





Properties to the south of the site





Properties on the south-west side of Halewick Lane (south of the site)





Properties to the north and north-east

APPENDIX 2

HISTORICAL MAP (CIRCA 1947) showing the first 3 houses within Halewick Lane, the track fronting the appeal site and Halewick Farm

