The Planning Inspectorate

Appeal Decision

Site visit made on 17 February 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date:25TH February 2022

Appeal Ref: APP/Y3805/D/21/3288788
9 Priory Close, Sompting, Lancing BN15 0EB

- 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 Tony Jenner against the decision of Adur District Council.
- The application, Ref. AWDM/1891/21, dated 13 October 2021 was refused by notice dated 23 November 2021.
- The development proposed is a proposed garage and crossover to rear of main house.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed access on the character and appearance of the street scene of Dankton Lane, and (ii) the effect of the proposed garage on the living conditions for the occupiers of the host dwelling and No.8 Priory Close as regards outlook, noise and disturbance, and amenity space.

Reasons

3. On the first issue, I saw on my visit that Dankton Lane has a semi-rural character with a mature hedge and fields on the side opposite the rear curtilages of the houses in Priory Close, including the appeal dwelling. This rural aspect is in no small measure complemented by the continuity of the grass verge. And whilst the visual amenity of the verge is interrupted to the north by a roadside parking bay for the terrace of 5 or 6 houses facing the lane, this is compensated for by the pleasing appearance of their open plan front gardens laid mostly to lawn.

4. None of the houses either facing or backing onto the road have individual driveways and the introduction of a vehicular access to the rear of No. 9 would significantly harm the character and appearance of Dankton Lane. It would require the removal of a section of the grass verge, whilst the existence of an access to the proposed garage would in all probability encourage casual parking to the rear of the property. The bulk of the building in a small garden would additionally be detrimental in views along the Lane. Furthermore, if permission were to be given in this case it would be difficult for the Council to resist similar proposals for the adjoining properties.

5. I recognise that the character and appearance of Dankton Lane is likely to be affected by the proposed access to a large new housing development, but the layout of this scheme shows a substantial green landscaping / buffer strip retained along Dankton Lane. And in my view the proposed increase in the use of the highway by that development makes it all the more important for the existing visual amenity of the Lane to be retained.

6. Turning to the second issue, the block plan submitted with the application shows the proposed garage as occupying almost all of the flank rear boundary between Nos. 9 and 8. For the appellant it is argued that the proposal has been amended to reduce its impact, but the fact remains that with a height of 2.83 metres the extent of built form above the fence line would be enough to harmfully restrict the outlook and increase the effect of enclosure of the modestly sized neighbouring garden. And whilst the officer's report does not mention other effects for No. 8, I consider that noise and disturbance to the rear garden may well be an additional consequence of the proposal.

7. The Council also refers under the second issue to the adverse effect of the combination of the footprint size of the garage and the limited remaining area of garden in terms of an amenity area. Clearly the very modest size of remaining back garden is of no concern to the appellants, but I consider that the Council is correct to regard such a small outdoor amenity area for a family dwelling of a substantial size as being contrary to good planning and harmful to the living conditions for future occupiers.

8. Overall, I conclude that on both main issues the appeal proposal is unacceptable and would be contrary to Policy 15 of the Adur Local Plan 2017; the principles of Section 3 'Amenity Space' of the Council's Development Management Standard No. 1, and Section 12: 'Achieving Well-Designed Places' of Government policy in the National Planning Policy Framework 2021.

9. For the above reasons the appeal is dismissed.

Martin Andrews

INSPECTOR