The Planning Inspectorate

Appeal Decision

Site visit made on 29 January 2019

by Tim Crouch MSc DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th March 2019

Appeal Ref: APP/Y3805/W/18/3208285
26 St Richards Road, Southwick, BN41 1PA

- 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 Freddie Matther of Mather Family LLP against the decision of Adur District Council.
- The application Ref AWDM/0551/18, dated 10 April 2018, was refused by notice dated 07 June 2018.
- The development proposed is for the conversion of property to form 1no. 2 bedroom unit and 1no. 3 bedroom unit incorporating two storey side extension, loft conversion with rear dormers and roof lights to front.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage and construction of two storey extension, two rear dormers and two front roof lights to facilitate conversion to 1 x 2 bedroom and 1 x 3 bedroom residential units. New cycle stores at 26 St Richards Road, Southwick, BN41 1PA in accordance with the terms of the application, Ref AWDM/0551/18, dated 10 April 2018, and the plans submitted with it, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing plans, section and elevations (1842 01) and Proposed plans, section and elevations (1842 02).

    3) No development above slab level shall commence until a schedule and samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved schedule.

    4) No part of the development shall be first occupied until covered and secure cycle parking facilities have been provided in accordance with the approved plans. Such facilities shall thereafter be retained solely for the purpose of storing bicycles.

    5) No development above slab level shall be commenced until full details for the disposal of surface water have been submitted to and approved by the Local Planning Authority. These drainage works shall be completed in accordance with the details and timetable approved by the Local Planning

Authority and the development shall not be first occupied prior to completion of the works.

Procedural Matter

2. The description of the proposal was amended during the application process. I have considered the appeal on this basis and used the amended description in this decision.

Main Issue

3. The main issue is the effect of the proposal on the character of the area.

Reasons

4. St Richards Road connects the residential area to the north with the more commercial water frontage to the south. It is primarily residential with commercial buildings to the south and includes a run of bungalows to the north. There is a strong visual character created by the two storey terraced dwellings, but with some minor variations.

5. The proposal would replace a single garage at the end of a length of terraces with a two storey side extension and rear dormer windows to the host and proposed buildings. It would partially fill one of the few gaps in the street.

6. Policy 20 of the Adur Local Plan (ALP) (2017) seeks development of a range of dwelling types based on the principles of new family sized housing provided through infill development of mainly 2-3 bedrooms. Flats, it identifies, should be more focused to town centre developments. The proposal would give the appearance of a two storey dwelling of similar proportions, with two ground level front doors, continuing the main visual character of the street. It would result in one 2 bed unit and one 3 bed unit and comply with the associated space standards, albeit that the accommodation would be horizontal rather than vertical. The proposal would therefore be substantially in line with the objectives of Policy 20, allowing for a range of dwelling types, family sized units and reflecting the existing minor variations of the street.

7. Therefore the proposal would not have a detrimental impact on the character of the area. Consequently it complies with polices 15 and 20 of the ALP which together seek, amongst other objectives, a range of dwelling types to respect the prevailing character of the area.

Other Matters

8. I note the concern of the Council relating to the cumulative effect on the character of the area should more dwellings be converted to flats. However, this is an unusual relatively large plot which I have found can suitably accommodate development reflecting Policy 20 of the ALP. In any case, I must consider each appeal on its merits.

9. Local residents have raised concerns about a number of other matters including additional pressure on parking and the increased noise and disturbance from additional residents. The officer's report considered issue of parking. It found that the proposal would not give rise to material harm that could justify withholding planning permission. Whilst I appreciate the concerns of local people, I have no substantive evidence to cause me to come to different conclusions in relation to this. No objection was made from the Council's

Environmental Health team to matters of noise and disturbance from occupation, which can be controlled and maintained through separate regulatory processes.

Conditions

10. The Council has suggested a number of conditions in the event that the appeal is allowed. I have considered these in the light of the tests set out in paragraph 56 of the National Planning Policy Framework.

11. In addition to the standard time limit condition, a condition is required to ensure that development is carried out in accordance with the approved plans to provide certainty. To ensure the visual appearance of the building, external materials will need to be approved. A condition is required for the installation and retention of cycle parking to support alternative travel options to the car. Finally, surface water drainage details are required before development above slab level to avoid the risk of localised flooding.

Conclusion

12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Tim Crouch

INSPECTOR