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Appeal Decision

Site visit made on 5 August 2008

by Elizabeth Fieldhouse DipTP DipUD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date: 29 August 2008

Appeal Ref: APP/M3835/A/08/2069654
32 Cuckfield Crescent, Worthing, West Sussex BN13 2EB

- 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 Simon Gusterson against the decision of Worthing Borough Council.
- The application Ref WB/07/0989/FULL, dated 4 August 2007, was refused by notice dated 29 October 2007.
- The development proposed is a detached house.

Decision

1. I dismiss the appeal.

Main issues

2. I consider the main issues are the effect of the proposed development on character and appearance of the area and the effect on neighbouring occupiers' amenities.

Reasons

Character and appearance

3. The appeal site is on the inside of a bend in Cuckfield Crescent and is currently developed with a detached bungalow, the side/rear garden to which lies to the north and fronts Cuckfield Crescent. The proposed dwelling would be developed on about 12.9m of the side/rear garden leaving a space of 1m between the side of the existing dwelling and the mutual boundary with the appeal site. While the existing dwelling has a sizeable area of land on the roadside, with the garage removing part of the land to the rear, the proposal would leave the existing bungalow with a useable private amenity space just under 5m deep and 7m wide plus the access past the garage, much smaller than others in the area.

4. The proposed chalet bungalow would be 9.2m deep and 7.6m wide with an attached flat roof garage at the side of a similar depth and making the overall width of the building 10.9m, leaving limited separation from the mutual boundary with no. 30. The proposed chalet bungalow would have a gable elevation to the road in contrast to the majority of properties in the Crescent that have the main roof ridge parallel to the road although some dwellings have a small gable roof over a forward projection. The proposed dwelling

would extend 1m forward of the front of 32 Cuckfield Crescent and about 2.3m forward of 30 Cuckfield Crescent. I saw that the fronts of dwellings near the appeal site gradually step back from no. 32 through no.30 and beyond to compensate for the bend. The proposal would change this street pattern and, in my opinion, this would be unacceptably harmful and result in proposed dwelling being very prominent in the street scene, its prominence emphasised by the gable elevation to the road.

5. In addition, the proposed dwelling would have an overall height of about 10.9m compared to about 6.6m at no. 32. I saw that the area was largely developed with shallow pitch roof bungalows, although there was some variety, with no.30 higher than no. 32. Nevertheless, no.30 is separated from no. 32 by the sizeable side/rear garden and therefore the existing relationship is not visually discordant. I consider the proposed steep pitch roof with the limited separation from no.32 would result in an unsatisfactory relationship that would be unacceptably harmful to the visual amenities of the area. The proposal would result in an uncharacteristically dense development compared to the area and, due to its scale particularly the height, I consider that the resultant development on the existing curtilage of no.32 would appear cramped and detrimental to the overall character and appearance of the area. In my opinion, the proposal has not paid adequate regard to the local context and I find it would fail to meet all the provisions of policy DEV1 of the West Sussex Structure Plan 2001-2016 adopted in 2005 and Worthing Local Plan 2003 (LP) policy BE1. For the reasons given above I conclude that the appeal should be dismissed.

Residents' amenities

6. I consider that, with adequate boundary fencing, overlooking could be prevented from ground floor windows in the proposed dwelling and, as the first floor window in the rear gable would be obscure glass and non-opening, I do not find any harm as a result of overlooking. Nevertheless, the southern elevation of the appeal property would be 2m from the northern elevation of no.32 and, in my opinion, there could be some loss of amenity to existing and prospective residents from noise and general disturbance but I do note that the proposed bathroom would be obscure glazed with non opening windows. Having regard to the scale and siting of the proposal in relation to the neighbouring properties, particularly numbers 30 and 34, I consider that the proposed dwelling could appear overbearing from neighbouring properties particularly the gardens. Nevertheless, in my opinion, this impact would be mitigated to some extent by the separation of the proposed dwelling from the mutual boundaries with gardens. Overall, I do not consider that that the effect on neighbouring occupiers' amenities would be sufficient reason to withhold planning permission. However, this would not overcome the harm I have identified.

7. I have noted the discrepancies on the submitted plans in relation to adjoining development and within the proposal but they do not alter my decision.

Elizabeth Fieldhouse

INSPECTOR