Appeal Against Planning Refusal
22 Downside, Shoreham-by-Sea, West Sussex
Application No: AWDM/1188/10

The proposal to which this appeal relates is for the erection of a detached 2 bedroom bungalow with new vehicular access and hard standing.

The application was refused by Adur District Council for two reasons:

'The size and shape of the plot and its relationship to existing properties are incompatible with existing development in the area and the proposal constitutes overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to Policy 15 of the Adur Local Plan and the NPPF

And

'The proposal would result in a reduction of amenity space at 22 Downside to an unacceptable standard which would be detrimental to the residential amenities of the existing dwelling. The new dwelling would also have insufficient amenity space provision and therefore both are contrary to Policy 15 of the Adur Local Plan and Development Management Standard No.1 'Space Around New Dwellings and Flats''

With regard to Policy 15, it states in part:

'development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area, in terms of proportion, form, context, massing, siting, layout, density, height, size, detailed design features and landscaping. Development should:

> **Enhance the local environment by way of its appearance and character, with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping and layout of the development;**
> **Include a layout and design which takes account of the potential users of the site;**
> **Incorporate the principles of securing safety and reducing crime through design in order to create a safe and secure environment**
> **Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have any unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space.**

Downside, Slonk Hill Road and TottingtonWay, the three close road consists mainly of detached and semi detached bungalow of varying shapes and sizes. The proposal therefore fits within the area being a bungalow of a similar size to some of the existing properties. The design is of a simple one, again in line with others in the locality.

The size of the plot will be smaller than others it is not considered under sized.

The materials used will match those of the surrounding properties.

The building has been orientated to ensure the main expanse of roof is facing south to enable solar panels to be installed to increase the green credentials of the building.

As can be seen from the street scene, due to the topography of the area the proposal will not result in any unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space of the adjacent residential dwellings.

The Council's Space Around New Dwellings and Flats requires that firstly a minimum of 22m should be provided between principal facing windows. As can be seen there are no principle windows facing each other.

It also requires a minimum of 1m to the boundary which has been met.

With regard to rear boundaries a minimum distance of 22m is required to another rear elevation and in this case this requirement is met. This also applies to the requirement for the distance from rear to side elevations. The proposal also meets the 45º rule.

The minimum garden depth requirement is for 11m and although this has not been achieved this will be discussed later.

The minimum garden area required for both the proposed and host swelling is 85m².

The proposal has a rear garden of 87m² and the host dwelling has a rear garden of 119m², thus meeting the Council's requirements.

Returning to the required minimum distance for the rear gardens, an application for outline planning permission for the erection of six dwellings was made under reference AWDM/1128/14, which although refused by the Council but was allowed on appeal.

Of the six properties two do not meet this requirement and only two meet the minimum area requirement.

It is felt that the proposed occupiers of the proposed and existing dwellings will be fully aware of the size and shape of the garden before purchase.

It is hoped that when the inspector visits the site and surrounding area, that the proposal will not be out of keeping or have a detrimental effect on the adjoining properties and surrounding area.