Planning Inspectorate

Appeal Decision

Site visit made on 20 August 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2025

Appeal Ref: APP/Y3805/W/25/3365928
30 Mash Barn Lane, Lancing, West Sussex BN15 9EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Sue Fry against the decision of Adur District Council.
- The application Ref is AWDM/1246/23.
- The development proposed is a new dwelling-house.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Following the submission of the appellant's appeal documents, the Council confirmed that it no longer wished to pursue its second reason for refusal on flood risk. Accordingly, it is not a matter I need to address in my decision.

Main Issue

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

Reasons

4. Mash Barn Lane comprises a mix of building types, with some variation in the appearance of the individual properties, plot sizes and the gaps between buildings. Nonetheless, there is broad consistency in plots being reasonably sized which in turn enables houses to be set back into them. This, together with limited built form close to site frontages or near to street corners and junctions gives the area an open and spacious character to which the appeal site positively contributes.

5. The proposed scheme would involve the demolition of the existing garage and see it replaced by a new dwelling. A two-storey detached dwelling would not, in and of itself, be out of keeping with the character of built form in the area.

6. However, given the shape of the plot and size of the proposed dwelling, the building would be positioned close to the front of the site, when compared to neighbouring properties. This positioning might increase the size of the rear garden, but it would place the dwelling noticeably forward of the other houses on this side of Mash Barn Lane. Even allowing for the slight curve of the road at this point, this positioning, together with the dwelling's height, would result in a highly conspicuous building.

7. Consequently, and notwithstanding the choice of materials and styling to reflect neighbouring houses, the dwelling would appear out of keeping with the pattern of development and spacious character and appearance of the prevailing street scene.

8. The proposal is therefore contrary to Policy 15 of the Adur Local Plan which, amongst other things, requires developments to respect and enhance the prevailing character of an area through such factors as siting and layout.

9. The scheme is also contrary to Paragraph 135 of the National Planning Policy Framework (the Framework) which similarly seeks to ensure developments are sympathetic to local character.

Other Matters

10. The Council is currently able to demonstrate a 3.2-year housing land supply. The Council's current planning policies are therefore failing to deliver the houses required to meet government targets. This is a matter which weighs positively in favour of the proposal.

11. The appellant details some of the features proposed to ensure a sustainable form of development. Although such measures are becoming more common, they can nevertheless be given a small amount of positive weight.

12. The site is said to be an unmaintained plot of land. Lack of maintenance is not in itself a reason to allow a development. Furthermore, improving the site's appearance is not dependent upon the proposed development proceeding.

13. Aside from flood risk, there are no specific environmental or other designations on the site. However, this does not mean that no harm will arise as a result of the site's development. The absence of designations may reduce the potential obstacles to a site's development but does not, of itself, weigh in favour of the scheme.

14. The appellant points to the absence of technical objections as well as local support for the proposed development. However, this similarly does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issue of the case.

Planning Balance

15. Given the absence of a 5-year supply of housing land and that there are no policies in the Framework which offer a strong reason for refusal, Paragraph 11(d)(ii) of the Framework is engaged.

16. The proposal would make a positive, albeit small numerical contribution towards boosting housing supply. It would also result in some economic benefits during the construction phase and subsequently upon occupation. There may also be some social benefits too. The dwelling would be within the built-up area of Lancing and could be built out quickly. The Framework highlights the importance of ensuring an adequate supply of housing sites, and the need to support economic growth and productivity. Despite the proposal only being for a single dwelling, I give considerable weight to its provision given the context of the housing land supply position.

17. Weighed against this is the harm that I have identified to the character and appearance of the area. This harm is likely to be substantial and long lasting. The need to avoid such harm is perennial and in direct compliance with the Framework. Indeed, there is nothing in the Framework which indicates that the provision of housing should be at the expense of local character and appearance. Accordingly, I ascribe this harm substantial weight.

18. I therefore find that the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Consequently, the presumption in favour of sustainable development does not apply in this case.

Conclusion

19. In conclusion, the proposal conflicts with the development plan when taken as a whole. There are no material considerations, including the provisions of the Framework, that indicate that a decision should be made other than in accordance with it. The appeal is therefore dismissed.

Stewart Glassar

INSPECTOR