ADUR & WORTHING
COUNCILS

Adur & Worthing Councils
Worthing Town Hall
Chapel Road
Worthing
West Sussex, BN11 1HA
www.adur-worthing.gov.uk

Judith Birch
The Planning Inspectorate
Room 3/N Kite
Temple Quay House
2 The Square
Bristol
BS1 6PN

Date: 11 May 2018
Service: Development Management
Tel: 01903 221065
planning@adur-worthing.gov.uk

Our Reference: AWDM/0954/17
Your Reference: APP/Y3805/W/17/3190967
Appeal at Southwick Nursery, 15 Roman Way, Southwick, BN42 4TN

Dear Mrs Birch

I write with reference to the above planning appeal. The Council does not intend submitting a full Statement of Case on this occasion but it would like to respond to a number of points set out in the appellant's Statement.

The main change since the planning application was determined is the adoption of the Adur Local Plan on 14 December 2017. Consequently, the Adur District Local Plan policies referred to in the reasons for refusal (namely AG1 and AH2) are no longer relevant. The Supplementary Planning Guidance Development Control Standard No.2 has also been renamed as Development Management Standard No.1. Policy 15 of the Submission Adur Local Plan has been adopted as Policy 15 and remains relevant to this appeal.

One further important consideration is that, as the Local Plan has been adopted, the Council's housing delivery strategy has been accepted. Policy 3 of the Adur Local Plan sets out the Housing Provision targets for the period 2011-2032, which has been found to be sound. A copy of Policy 3 is attached as an Appendix to this letter.

The appellant has referred to emerging policy 23 which has been renumbered as Policy 22 in the adopted Adur Local Plan. This refers to housing density and includes the requirement that:

"*Proposals for new dwellings will be expected to comply with the criteria contained in the Council's adopted Development Management Standard No.1 "Space Around New Dwellings and Flats" or any other appropriate national standard.*"

A copy of Policy 22 is also attached.

The appellant accepts that the rear garden area for plot 1 at 64m2 falls short of the 85m2 required for a small detached dwelling as specified in the adopted SPG. They consider that the land to the side and front of the property should also be included in any amenity space calculation, which would increase the overall area by 20m2. However, DM Standard No.1 specifically states (paragraph 3.6):

"*where a side garden is over 3m in width, and is enclosed by screen walls to ensure privacy, it can be added to the rear garden area.*"

In this case, the width of the side garden is around 2m only and therefore cannot be included. Front gardens are also excluded as they are not private. The amenity space for Plot 1 is therefore inadequate and serves to emphasise the lack of space around the dwelling to enable it to comfortably be accommodated within the plot, the result of which is a cramped form of development and unsatisfactory living conditions for future residents.

The appellant has made reference to another development in a different street of very different character and it is not considered to be relevant to this appeal which must be considered on its own merits. The reasoning set out in the extract of the Committee Report included in their Statement explains very clearly why, on that occasion, the particular amenity space for that development was considered to be acceptable.

With regard to the impact on neighbouring residential amenity, the Council contends that Plot 1 will have an overbearing impact on the outlook from 25 and 27 Roman Way to the west. A photograph taken from the rear of No.25 is attached as an Appendix to this letter. It clearly shows the current impact of the existing glasshouse which is approximately 2.8m high. The new bungalow, at over 5m in height and of more solid construction, will have a more overbearing impact, exacerbated by the relatively short depth of the rear garden of No.25. Furthermore, the Council's Drainage Engineer has referred to the possibility that the site has suffered from historic surface water flooding which is quite extensive in the area. He has suggested that the floor levels of the dwellings may need to be raised in the interests of flood resilience, which would increase the height of the new dwellings to the further detriment of neighbouring residents. The Council requests that the Inspector views the site from the gardens of Nos 25 and 27 during their site visit.

Policy 15 of the Adur Local Plan requires new development to:

"be of a high architectural quality and respect and enhance the character of the site."
It should also "Include a layout and design which take account of the potential users of the site",

and

"Make a positive contribution to the sense of place, local character and distinctiveness of an area; and not have an unacceptable impact on adjacent properties, particularly residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook or open amenity space"

The proposed development would not meet these criteria and the adverse impacts of granting permission would significantly and demonstrably outweigh this development's benefits in terms of making a very small contribution to the supply of housing. The proposal fails to be sustainable development in that it fails to secure a good standard of amenity for all existing and future occupants of land and buildings, in conflict with one of the core planning principles of the NPPF. The Inspector is therefore respectfully requested to dismiss the appeal. However, without prejudice to the Council's case, if the appeal is allowed the Council requests that the conditions submitted separately be imposed.

Yours sincerely

Peter Barnett
peter.barnett@adur-worthing.gov.uk
01903 221310