Planning Inspectorate

Appeal Decision

Site visit made on 24 February 2025

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 MARCH 2025

Appeal Ref: APP/M3835/D/24/3352751
5 Southcourt Road, Worthing, West Sussex, BN14 7DF

- 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 Mr Aaron Phillips against the decision of Worthing Borough Council.
- The application Ref is AWDM/0840/24.
- The development proposed is for a single-storey side infill extension.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For clarity, I have used the address and description of the proposed development given on the Council's decision notice.

3. The National Planning Policy Framework (the Framework) was revised in December 2024. However, I am satisfied that any changes to the Framework have not prejudiced any party in this case.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the living conditions of neighbouring occupiers.

Reasons

5. The appeal site is located within the rear garden space to the side of No 5 Southcourt Road (No 5) where the host dwelling has a shared timber fence and brick wall side boundary with No 4 Southcourt Road (No 4), which appears to have a number of habitable rooms at ground and first floor level to its side and rear elevations.

6. The development would be in an established residential area. Therefore, the general principle of development on the appeal site is accepted. Moreover, the submitted drawings show that the sloped roofed proposal would be possible on the plot available, be subordinate to the host dwelling and constructed in materials matching the surrounding built form.

7. In support of his case, the appellant also contends that the proposal would be similar to extensions nearby. However, I have limited details of those schemes before me, and for this reason I have considered the proposal on its own planning merits.

8. As such, while not visible from public vantage points, the proposed extension would be directly adjacent to the shared boundary and in close proximity to the side and rear elevations and windows of No 4.

9. Therefore, the immediate outlook from No 4 would be onto the relatively high and blank elevation of the development. Consequently, notwithstanding the height of the existing fenced boundary treatment, the immediacy and scale of the single-storey development would not only erode the outlook but also create a sense of enclosure for the occupiers of No 4.

10. Hence, irrespective of the orientation of the rear gardens on this section of Southcourt Road, the bulk and mass of the proposed development would be overbearing and harm the living conditions of the neighbouring occupiers.

11. Accordingly, in respect of the living conditions of the neighbouring occupiers, the proposal is contrary to Policy DM5 of the Worthing Local Plan (2023), as supported by Worthing Borough Council's Supplementary Planning Guidance 'Extending or Altering Your Home', which says, amongst other things, that all new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings.

Other Matters

12. The appellant has brought to my attention that the proposal is well regarded by some of the occupiers of neighbouring dwellings. This is noted. However, as the occupancy of those dwellings is likely to change over time, I can only give this very limited weight.

13. The appellant also argues that the proposal would tidy the shared boundary, increase the garden, kitchen and living space available to existing and future users of No 5 and furthermore, that its construction would offer economic benefits to the wider community. Nevertheless, even in combination, the benefits associated with the new extension would be limited and therefore, fail to outweigh the harm to the living conditions of neighbouring occupiers that I have found above.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

J E Jolly

INSPECTOR