H. FULL STATEMENT OF CASE

1.0 Description of the appeal site and surrounding area

95 South Street is a detached property that was erected in 1965 and constructed with part brick and part rendered elevations under a flat mineral felt roof. The ground floor comprises two small shop units. One of these is vacant, whilst Shop 2, which is currently closed, is let to the Brighton Kite and Sail Company. The first floor comprises a 2 bedroom flat as shown on Drawing no. 13/14/1, with access from an external staircase to the rear.

The property is located at the junction of South Street and Roberts Road. South Street is a very secondary shopping area with the shops, offices and specialist units spread out over a lengthy stretch of street interspersed with mostly residential development. Much of this consists of modern flatted developments, some being three or four storeys high (see Applesham and Victoria Courts to the south).

There are very few, if any, convenience stores and the majority of the shop units are occupied by Gardner & Scardifield, a firm of timber suppliers/builders' merchants and retailers of ironmongery, electrical goods, etc. Abutting the property to the north is a Chinese take-away restaurant (nos. 89/91) beyond which the single shop unit is vacant. There are residential properties further north up to no. 71, which is a small solicitor's office.

Along Roberts Road the dwellings on the north side to the rear of the appeal site comprise Victorian terraced houses with modern flats beyond, whilst nos. 27 – 31 are late Victorian properties with dormer windows added in recent years to create living accommodation within the roof space.

No. 95 is wholly out of character with its surroundings, as demonstrated by the existing elevations shown on Drawing no. 13/14/2 and the longitudinal sections on Drawing no. 13/14/1.

2.0 The Proposal

It is proposed to extend the property forwards to accord with the established building line of 89/91 next door and to add a Mansard roof construction over the flat roof to create additional living accommodation. It will be seen from the drawings that the ridge height will be marginally below that of nos. 89/91, while the proposed dormer windows will accord with the use of such features in Roberts Road and on the modern developments to the south at Victoria Court and to the north at Yew Tree Close.

2.0 Policy

i) The National Planning Policy Framework

The site is in a very sustainable location close to the main shopping centre in North Road and the main line railway station with good services to Portsmouth, Southampton, Brighton, London Victoria and Gatwick Airport. Accordingly, the scheme should be considered by reference to paragraph 14 of the Framework.

It is relevant that this is a brownfield site within the definition of PDL in the Framework (Annex 2). The Local Authority is unable to show a 5 year supply of housing land.

Given the constraints of Worthing and Adur by reason of the sea to the south and the Downs to the north (now a National Park), every opportunity should be taken to make effective use of brownfield sites such as this (see paragraphs 17 and 49 of the Framework).

Paragraphs 47 onwards of the Framework encourage Local Authorities to deliver a wide choice of high quality homes, which would be the case here, with 3 x 2 bedroom flats and 2 x 1 bedroom flats.

Section 7 (paragraphs 56 onwards) is concerned with design issues, which are at the heart of the Council's decision to refuse the application.

The site is not within a Conservation Area or Area of Special Character and surrounding development is very diverse in terms of age, appearance and form. The scheme will provide high quality housing which has been designed taking into account the appearance of surrounding development, as illustrated on the photographs provided by the architect with the submitted drawings.

For these reasons, development as proposed would optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses, respond to local character and be visually attractive as a result of the form of the overall scheme and its relationship to adjoining properties. These are the criteria set out in paragraph 58 of the Framework.

ii) The Development Plan

The Local Plan policies referred to are contained in the Adur District Local Plan April 1996. This document is some 8 years out of date and the policies have to some extent been superseded by those of the Framework, particularly in response to design issues.

I propose to address the quoted policies in response to the six reasons for refusal in the following section.

3.0 Grounds of Refusal

a) Reason for Refusal No. 1

The Council considers the proposal to be unduly prominent and out of context with the surrounding area, thereby being harmful to its character and appearance ("saved" Policies AH2, AH9 and AS1).

The site is at the junction of South Street with Roberts Road. However, the pavement in front of the property is exceedingly wide at this point. The extension lines up with the property to the north at 89/91 South Street and would be set back from the equivalent property on the south side of Roberts Road (97/99 South Street) and the terrace to the south of that. It is also noticeable that the pavement of Roberts Road is marginally wider on the north side abutting the appeal site as compared to that on the south side abutting the long return frontage of 97/99.

The existing building is unsympathetic given its relationship with the properties to the north and south and in terms of its design, height, materials and flat roof. The current proposal seeks to utilise appropriate materials in terms of a tiled roof with the Mansard roof design reflecting the dwellings to the southeast in Roberts Road, Yew Tree Close and Victoria Court.

b) Reason for Refusal No. 2

The property retains the same depth rearwards as the existing and, as explained above, the forward extension merely seeks to address the established building line of 89/91 to the north.

c) Reason for Refusal No. 3

The building would not be of excessive scale given that its ridge height is below that of 89/91 as clearly demonstrated by the elevational drawing (no. 13/14/5). Likewise, it would also be of a similar height to the properties on the south side of the junction with Roberts Road.

The proposal would not be imposing or overbearing to the detriment of residential occupiers of adjoining properties, neither would it reduce light to the occupier of the adjoining flats given that the building extends rearwards over the existing balcony by only 2.7m and, with a sloping Mansard roof, would not impact upon the single rear-facing window in the property to the north. Likewise, the elevation to Roberts Road to the south will not impact upon the north-facing windows of the first floor flat of 97/99 South Street, which is located more than 7m away and to the south of the existing structure.

d) Reason for Refusal No. 4

The site is totally unsuitable for other than small flatted units of accommodation given its main road and town centre location.

The suggestion in the Officer's Report to Committee that there is a need to provide for family housing is considered unrealistic as applied to the appeal site.

Reference is made to the living environment of future occupiers. The living areas will all benefit from dual outlooks to the south or the east/west, whilst the ground floor units have been specifically designed so that the flats are raised above ground level and will not suffer from loss of privacy or other adverse living conditions (see side elevation shown on Drawing no. 13/14/5).

The site is well placed to benefit from the considerable areas of open space to the south along the Brighton Road, including the seafront and the Manor Sports Centre, playing field and Downs to the north. There is also a small open space just to the south.

e) Reason No. 5

The single shop unit now proposed is adequate to preserve a frontage to South Street. Furthermore, it is located in a prominent position in line with the shops to the north and south so that it will be a more lettable proposition. The interior has been left without any offices or facilities to enable any incoming tenant to select an appropriate layout.

f) Reason No. 6

A signed and completed legal agreement in order to make a contribution for transport infrastructure will be forwarded once the appeal has been acknowledged.

Conclusion

The existing property is totally out of character with its surroundings. Development as proposed will enhance the appearance of the street scene whilst providing additional housing within an area which is sustainably located and close to the seafront. There continues to be a good demand for one and two bedroom flats within the locality for sale or for rent.

The re-arrangement of the retail facilities will render them more lettable. On-site parking provision is adequate given the reduced commercial element and the fact that occupiers of the flats will be able to avail themselves of nearby transport facilities. Additionally, cycle parking facilities will be provided as part of the proposal.

I would ask, therefore, that planning permission be granted subject to conditions.

I reserve the right to comment upon the Council's Statement and any conditions it may suggest.