36 Rg

Appeal Decision

Site visit made on 6 August 2008

by D Grace BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date: 14 August 2008

Appeal Ref: APP/M3835/A/08/2069282
Part of garden land to the east of 94 Canterbury Road, Worthing BN13 1AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr G. Head against the decision of Worthing Borough Council.
- The application Ref. WB/07/1327/FULL, dated 23 October 2007, was refused by notice dated 10 December 2007.
- The development proposed is a single attached 3 bed dwelling.

Decision

1. For the reasons given below, **I dismiss the appeal**.

Main Issue

2. I consider the main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The proposed dwelling would extend an existing terrace (Nos. 94 - 100 Canterbury Road) on to the site of outbuildings and garden between No. 94 and Ely Road. The site is, therefore, previously-developed land the maximised re-use of which for housing is encouraged by Planning Policy Statement 3: Housing (PPS3) and the development plan. I also accept that the site is well located in relation to facilities and services and a bus route. However, PPS3 also indicates that design which is inappropriate in its context should not be accepted. I consider this below.

4. The existing development in this part of Canterbury Road and Ely Road is formally laid out. There is a strong building line on both sides of the nearby part of Ely Road. The dwellings are set back from the road and there is space to the side of the dwellings that flank the junction of Ely Road and Canterbury Road. This allows the sense of space that is a distinctive characteristic of the layout to extend through the junction. The existing flat roof single storey buildings on part of the appeal land do not significantly detract from this.

5. The main flank wall of No. 94 currently aligns with the front elevations of the dwellings on the west side of Ely Road. The proposed dwelling would project from this forward of the Ely Road building line to close to the footway. In my view, it would intrude into and unacceptably erode the sense of space at the junction. In the context of the more spaciously arranged development around it, I consider the dwelling would appear crammed between No. 94 and the road and would appear incongruously at odds with the prevailing pattern of development. This would be particularly apparent in southward views along Ely

Road. Due to the prominent siting of the development, the rear elevation would appear intrusively dominant in such views. It would also introduce a greater sense of enclosure on the west side of the road that would be out of accord with the overall character of the street. I agree that the design of the proposed dwelling would acceptably integrate with the existing terrace. However, this would not overcome the harm that I have identified above.

6. Overall, I conclude on the main issue that the proposed development would unacceptably harm the character and appearance of the surrounding area and would conflict with Policy DEV1 of the West Sussex Structure Plan 2001-2016 and Policy BE1 of the Worthing Local Plan in that respect. I further conclude that this harm is such that it outweighs the accord of the proposal with the aims of PPS3 and the development plan in respect of encouraging the re-use of previously-developed land for housing.

7. The appellant has drawn my attention to a previous appeal decision (Ref. APP/M3835/A/06/2023296) which granted permission for a dwelling attached to the side of No.104 Canterbury Road. However, I consider the specific characteristics of that site are materially different to the current appeal land. In particular, Canterbury Court, to which the approved scheme is adjacent, has a less open character and a layout that does not have the distinctive building lines of Ely Road. As a result, the effect of that scheme on the street scene is not directly comparable with that which would result from the current appeal proposal. In any event, the appeal scheme falls to be considered on its own planning merits and that is how I have dealt with this appeal.

8. The Council is concerned that the proposed dwelling would not have a traditionally shaped rear garden and that the outlook from the kitchen of the proposed dwelling would be restricted. However, I am satisfied that both the proposed dwelling and No. 94 would have acceptable areas of private amenity space and that this matter is not in itself a good reason to withhold permission. Notwithstanding my favourable view in this respect, I consider my conclusion on the main issue is the determining matter in this appeal.

9. I have considered all other matters raised, including those at the application stage, but find nothing leads me to a different conclusion.

D Grace

INSPECTOR