Planning Inspectorate

Appeal Decision

Site visit made on 25 March 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2025

Appeal Ref: APP/M3835/W/24/3354695
Land west of 70 Parham Road, Offington, Worthing, West Sussex, BN14 0BN

- 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 Neal Roberts against the decision of Worthing Borough Council.
- The application Ref is AWDM/0320/24.
- The development proposed is the erection of a contemporary single storey 1 bedroom eco-house (suitable for 2 people), with access and parking off Parham Road.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site is situated in a suburban location notable for its variation in levels, with Parham Road following the contours of the land such that the dwellings on the western side sit above the road and those to the east sit below it. It is characterised by semi-detached dwellings set back from the road, with sloping gardens, and whilst plots sizes vary – with some dwellings having generous back gardens and others having more restricted gardens – the regularity of the urban form is a defining feature of the area.

4. Where there are examples of backland development, such as Wayback on the eastern side of Parham Road and Parham Close to the north, the plots are of a conventional shape and to that extent reflective of the general character of area. The same considerations apply to other nearby backland developments referred to by the appellant, including 11A Parham Road, land behind 1 and 2 Parham Close, 8A Franklands Close and 45 Mill Lane.

5. The proposal is to erect a one bedroom bungalow on the highest part of the site, with a vehicular access off the turning head. The site would be excavated to create a level base for the dwelling, with a retaining wall on the western side of the site. The lower part of the site would be excavated to create a driveway and parking for occupiers.

6. The reason for refusal describes the proposal as tandem development, which the Council's Guide for Residential Development (GRD) indicates is more often than not an anomalous and contrived form of development that makes little contribution

to local distinctiveness. However, the GRD defines tandem development as a dwelling which shares the access of the house in front of it, which the appeal scheme does not do.

7. Consequently, I do not regard the proposal as tandem development, and moreover I do not consider it to be contrived. The plot is a remnant of a former property fronting Mill Lane and is thus an established part of the area's character, albeit in contrast with the regularity of the surrounding urban form. By the same token, the proposed creation of a vehicular access from Parham Road would be reflective of the historic function of the site.

8. Nonetheless, the proposal would constitute a form of backland development, and whilst the GRD acknowledges that there may be circumstances where backland development may be appropriate – specifically single storey units which avoid imposing on the surrounding area – it advises that backland development must not be more intensive than the existing development on the adjoining street frontage and should echo the characteristics of existing neighbours. The appeal site, whilst not small in terms of its total area, is irregularly shaped, and the proposed dwelling would be located on the top part of the site, with a resultant high ground coverage on that part of the site.

9. I am mindful that Policy DM2 of the Worthing Borough Council Local Plan (WBCLP) directs development proposals to make the most efficient use of land by developing at densities above those of the surrounding area. Whilst the proposal for a single storey dwelling is a logical response to the constraints of the site, as is the intended positioning of windows and garden space, these considerations do not negate the fact that the resultant development would be cramped and confined, with a high retaining wall on the western side of the site. This would be in contrast with the generally spacious properties in the surrounding area.

10. I am persuaded by the appellant's site sectional drawings that the dwelling would be largely screened in longer views from the east and from the cemetery to the south. Whilst the end part of the dwelling would be visible from the turning head in Parham Road and beyond, its appearance would not be dissimilar to the many outbuildings which are visible in gaps between the properties on the western side of Parham Road (at least one of which is a residential annexe, at no 48 Parham Road), and so not significantly at odds with its surroundings. However, this does not overcome my concern about the impact of the proposal on the area's character.

11. I therefore conclude that, whilst the appearance of the proposed development would not adversely affect the surrounding area, the cramped nature of the development would be out of character with and harmful to the surrounding area, in conflict with policies DM2 and DM5 of the WBCLP. Together these policies promote a design-led approach which ensures that development is compatible with its surroundings and respects and enhances the prevailing character of the area.

Other Matters

12. The appellant has identified a number of alleged failures in the local planning authority's assessment of the scheme, but these have not played a part in my determination of the appeal, which I have determined on its merits and the evidence before me.

13. The appellant has argued that the shortage of housing in the area is disadvantaging younger people by forcing them to share or rent at an inflated price, in contravention of the Public Sector Equality Duty. I have had due regard to the duty under s149 of the Equality Act 2010 to eliminate discrimination, advance opportunity and foster good relations, and whilst the provision of a one bedroom dwelling undoubtedly has the potential to benefit younger people, it does not outweigh the harm I have identified.

14. Although not in the description of development, the appellant has indicated that the dwelling would be a self build development. The National Planning Policy Framework advises that the size, type and tenure of housing needed for different groups in the community – including people wishing to commission or build their own homes – should be assessed and reflected in planning policies. The Council has not disputed the appellant's claim that there are currently no self build plots available in Worthing, and therefore this is a material consideration. However, no mechanism to ensure that the development would be a self build house is before me. I am therefore unable to afford weight to the appellant's aspiration for a self build development.

15. I acknowledge that the site is untidy and underused and that the proposal will assist in resolving these problems. The proposal is for an eco-house to Passive House specification, including the use of photovoltaic solar energy and a mechanical ventilation and heat recovery system, with various measures to ensure that the eco-house is future-proofed. The appellant has additionally listed a number of other benefits of the proposal, however all of these benefits are minor.

16. In my judgement, the scheme's limited benefits, even when considered in cumulative terms, do not outweigh the harm and associated policy conflicts I have identified.

Conclusion

17. The development conflicts with the development plan, read as a whole, and material considerations do not lead me to a decision otherwise. Therefore, for the reasons given above, the appeal should be dismissed.

J Heppell

INSPECTOR