The Planning Inspectorate

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Mrs D Johnson
Adur District Council
Planning & Development Services
Department
Civic Centre
Ham Road
Shoreham By Sea
West Sussex
BN4 6PR

Your Ref: AWDM081013

Our Ref: APP/Y3805/A/14/2213324

Date: 15 April 2014

Dear Mrs Johnson

Town and Country Planning Act 1990
Appeal by Ms Vicky Portwain
Site at 18 Southdown Road, Shoreham-by-sea, BN43 5AN

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours sincerely

pp Jenni Ball

217L(BPR)

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INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

Sharon Leishman

From: Vicky Portwain [redacted]
Sent: 10 April 2014 17:53
To: Team P11
Subject: Re: Planning Inspectorate: Ref 2213324: 18 Southdown Road, BN43 5AN
Attachments: Blank Bkgrd.gif; PINS Apr 14 VP.pdf

Dear Sir/ Madam

Please find attached our response to the LPA statement and third party representations in relation to APP/Y3805/A/1412213324.

Kind regards
Vicky Portwain

On Wed, Mar 26, 2014 at 3:15 PM, Team P11 [redacted] wrote:
<<211A(WR) - Statement and 3rd party reps - to Appellant (WR) 26_03_2014.pdf>> <<APP/Y3805/A/14/2213324 - Appeal at 18 Southdown Rd, Shoreham-by-Sea, BN43 5AN>>

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---------- Forwarded message ----------
From: "Peter Barnett" [redacted]
To: "Team P11" [redacted]
Cc:
Date: Fri, 14 Mar 2014 10:32:14 -0000
Subject: APP/Y3805/A/14/2213324 - Appeal at 18 Southdown Rd, Shoreham-by-Sea, BN43 5AN

Dear Jenni

Please find attached the Council's statement of case and suggested conditions in connection with the above appeal.

Regards

Peter Barnett

Peter Barnett - Principal Planning Officer, Development Management | Adur & Worthing Council Services
Location: Portland House, 44 Richmond Road, Worthing, West Sussex, BN11 1HS
Internal: 1310 | External: 01903 221310 | E-mail: peter.barnett@adur-worthing.gov.uk
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3/05a Wing
Temple Quay House
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BS1 6PN

18 Southdown Road
Shoreham-by-Sea
West Sussex
BN43 5AN

10th April 2014

FAO Jenni Ball

Dear Madam,

Re: Proposed Holiday Let – 18 Southdown Road, Shoreham-By-Sea, APP/Y3805/A/1412213324

I am writing in response to the Local Planning Authority statement and third party representations relating to the above appeal.

National Planning Policy Framework (NPPF)

The Local Planning Authority's (LPA) statement refers to the proposal being unsustainable and therefore failing to meet the aims of the NPPF. The LPA's statement that the proposal is unsustainable because it is below the Council's minimum floor-space requirement is not justified aside from "*people should be entitled to expect a similar standard of amenity to their own home.*" It is not clear where this is set out in either local or national policy or tourism guidance. As stated in previous correspondence with the LPA there is no evidence that the floor-space proposed would not be acceptable to potential visitors and indeed there is a plethora of holiday accommodation with similar floor-space. There is no evidence of sustainability issues arising from the size of the proposed holiday let having been weighed appropriately against the local economy, sustainable location and sustainable design benefits of the new holiday let (for example there has been no consideration of recent tourist studies supporting the emerging local plan policies and no reference to the particularly sustainable location of the proposed holiday let).

NPPF refers to the presumption in favour of sustainable development and a focus on supporting economic growth. Limited weight has been given to these requirements and to the sustainability policies in the local plan, particularly compared with the weight given to residential space standards set out in guidance (not policy) and not designed specifically for holiday accommodation.

Demand for tourist accommodation

A letter from Miss Fox who lives in Bognor Regis states that there is not a demand for B&B accommodation in Shoreham-by-Sea. This conflicts with the latest Adur and Worthing study commissioned to inform local plan policy and consideration of planning applications "Hotel & Visitor Accommodation Futures" - December 2013. The introduction refers to the reduction in guesthouses and increase in supply of self-catering accommodation. Section 3 states that demand for lower-priced budget hotel, pub, guesthouse and B&B accommodation is currently strong in Adur & Worthing with "*strong demand in Worthing and evidence of latent demand in Shoreham-by-Sea*". The study states that there is strong demand for self-catering accommodation in Adur & Worthing between April and October and frequent shortages during the peak summer months. Higher quality, modern self-catering generally attracts the strongest demand. Demand is stated to be lower in the winter months but units still attract weekend break

stays and the study concludes there is scope for additional high quality modern self-catering apartments, holiday homes and beach houses.

The youth hostel referred to by B Goodwin is over 4 kms away from Shoreham-by-Sea. No evidence is put forward to demonstrate that there is no demand for the existing very small number of B&B's.

Existing use of rear garage/ hard standing

I confirm that whilst we have never parked a vehicle in the garage, we have parked our camper van and car on the hard standing to the rear of the garage. It is difficult to manoeuvre the camper van out of the hard standing space (the van is approximately 3m long) and therefore we rarely do this with the van. It is however easier with an average size car. Visitors have also used this space –particularly when there is no on-road space on Southdown Road. A picture of a visitor's car parked to the rear of the garage is included below as an example. This picture was taken earlier in the year (as evidenced by the tree trunk against the wall still being in place- it has now fallen down) because my husband was photographing the surfboards. We use the access to deliver, in particular heavy items into and out of the garage and a local wood supplier delivers wood to our garage via the lane 2 or 3 times per year in the winter using a small truck.



Even if this appeal is not successful we are likely to rebuild the garage as a home office or another type of ancillary space and seek to remove the small section of wall to improve access/ egress (as other Southdown Road house owners have done) to make the building and hard standing space more useable by vehicles. If proposals to bring in resident parking permits are implemented this will be a further incentive to improve accessibility.

The LPA states that the "*occupant of an annex would also be more likely to park at the front of the main house rather than utilise the awkward access at the rear*". I disagree with this statement as it would be easier to park and unload the car from the parking space adjacent to the garage than to carry bags from Southdown Road 60m through the garden to the site location.

Condition and use of access road

The LPA and a few residents make reference to us never using the rear hard standing/ garage for parking the car (even by one resident whose garden does not back onto the lane). Aside from one resident going to the bottom of his garden everyday there is no evidence put forward to support these claims (and in any event it is difficult to see into the space due to the garden wall and gate height). As noted in the Grounds of Appeal we do use this for vehicles from time to time and as noted above we will seek to improve the access whether this appeal is approved or not.

Photos enclosed with 3rd party representations show the lane after the significant January/ February rainfall. This is very unusual and not typical.

There are examples of other non-tarmac and unmade lanes in the Shoreham-by-Sea / Lancing area which are used as access tracks to a number of properties for example the lane of Victoria Road, Shoreham-by-Sea shown in the picture below.



Shopsdam Road in Lancing (immediately west of Shoreham-by-Sea) is a crushed stone access road serving multiple properties as can be seen in the google earth image below.



Number of vehicle movements to and from main house at 18 Southdown Road

The number of car trips to and from the main house at 18 Southdown Road would be reduced as I would not make as many (if any) work trips. Jackie Harbidge states in her letter "*comments concerning reduced number of car trips para 3.2.20 which are rather curious as I believe that both Andy & Vicky already work from home so granting this application will not make any difference*". This is an incorrect assumption. Whilst I often work from home, I also often go to Maidenhead for meetings and carry out site visits, meetings, public meetings and exhibitions throughout the UK from Kings Lynn, Yorkshire, Cornwall to Liverpool. Whilst I try to use the train where possible most of my meetings and site visits are in rural locations or difficult to get to by train due to the number of connections. A summary of my mileage expense claims for the last year are attached with fuel and toll road receipts. These trips would be significantly reduced or eliminated completely if this appeal succeeds.

"Garden Grabbing" and Precedent for other Houses/ Holiday lets

It should be noted that the proposal is largely based on the same footprint as the existing garage (with the additional 1m section being the porch). It is not proposed to build on additional garden land as we very much want to retain the existing character of the garden.

Whilst many objections refer to precedent and "the thin end of the wedge" there are no properties with precisely the same characteristics, distances between existing properties etc. and each case would be decided on its merits. For example it is noted that none of the properties fronting Ravens Road have long enough gardens to meet the 'back to back' distance requirements contained in Development Control Standard 2 (22m). The remaining 8 houses on Southdown Road which do have gardens backing onto the lane have varying length gardens from 30m to 49m and all have different characteristics e.g. adjacent uses and access arrangements.

Proposed Building and Floorspace

The owners of number 20 Southdown Road believe that the proposed building wall will be longer than the existing garage. This is not the case as the extra metre length is a porch area with no wall but an iron support as can be seen on drawing 18SR 04 – North 1. The proposed building height is 2.84m plus solar panels with a thickness of between 3 and 10cm and not the 4.93 metres referred to in Peter Harbidge's letter dated 28th Feb. The height of the garage at number 20 was taken from the survey which notates the ridge height as 11ft. This broadly concurs with Peter Harbidge's measurement. I do not understand why Mr Harbidge makes reference to a building of 4.93m.

A photo of solar panels laid flat on a roof is below.



Jackie Harbidge of 20 Southdown Road states that the internal proposals do not allow for insulation. Insulation is proposed as set out in the planning statement. The external footprint of the building would be 29.8m2 and the internal floorspace would be 26m2. The supplementary guidance on minimum size floorspace for a permanent residential studio referred to by the LPA is 32m2 – gross internal. The proposed holiday let would be 6m2 below the standard per paragraph 3.3.5 of Grounds of Appeal.

I have not found the reference to budget hotel rooms being typically 300sqft cited in B Goodwin's letter dimensionsinfo.com as the page link does not display this information.

Existing noise levels

For the avoidance of doubt we have never complained about noise nuisance from neighbouring properties on Ravens Road and have never been unreasonably disturbed by noise from parties or other vehicles. My reference to various noise sources in the Grounds of Appeal was a statement of fact – the objective being to describe the ambient noise levels in the vicinity of 18 Southdown Road.

Construction Noise

The existing garage is in a poor state of repair with serious cracks in the walls and a badly leaking roof. Even if planning consent is not granted for this holiday let, the building will need to be either

repaired or probably re-constructed. There will inevitably be some construction noise from the rear garden of number 18 Southdown Road over the next 12- 18 months as a result of this work. If the appeal is granted construction noise may be disturbing but will be for a short period of time.

Noise & Disturbance during Occupation

The LPA statement refers to activity from occupants likely to be concentrated in the proposed holiday let building and in the "small" amenity space at the end of the garden. It appears that the LPA believe that potential noise and disturbance levels are not likely to be significantly above the existing levels (apart from potentially traffic noise) but they believe that this will be more continuous noise in the specific holiday let building and amenity space location.

The LPA's statement refers to "the intensification of activity in this back garden location". However Mill Warblers bungalow is located within 11m number 20's northern boundary at the holiday let end of the garden. Further there is a window in the elevation facing this boundary (albeit screened by a wall as the proposed holiday let would be). There is no reference by the residents of number 20 to noise and disturbance from Mill Warblers occupants and there is no reason why there should be materially greater noise from the proposed holiday let occupants than from Mill Warblers and other residents using the lane to access gardens and garages. Within 4m of number 20's back garden is a row of 5 garages and immediately adjacent to 18 Southdown Road's southern boundary at the 'holiday let' end is number 16's double garage and hard surfaced turning area. It is not known if the garage was constructed after the 1980's planning applications and appeals refused at 18 Southdown Road.

It should be noted:

- that visitors will not be in the property all day, every day as one would assume a key reason for visitors staying in Shoreham- by-Sea will be to visit the South Downs, the beach and Brighton and potentially local businesses
- Whilst activity from the main house at 18 Southdown Road may be spread throughout the house and garden (as noted in the LPA statement)– the number of occupants together with regular visitors to the main house are proportionally much greater in number than the number of people who would be staying at the holiday let.

The LPA refers to the amenity space for the holiday let being small and leading to concentrated activity. The LPA also states that the holiday let would "only offer minimum outside space". However the proposed amenity space at 80 square metres is significantly larger than the garden space requirement set out in the LPA's own supplementary guidance standards even for a 2 bed dwelling (minimum garden depth of 11m and area of 50 square metres). The amenity space is larger than any amenity space we have experienced when staying at a holiday let in a suburban or town location. In reality as no boundary planting is proposed within the garden of 18 Southdown Road, it is likely that whilst adults are likely to stay within the amenity area adjacent to the holiday let, children will play throughout the garden (this would be welcomed as we also have a child.)

The LPA refers to the proposed holiday let not complying with Development Control Standard 2 – 'Space around Dwellings and Flats' (supplementary guidance). With regard to side boundaries the standards require a gap of 1m between any wall of a dwelling and the side boundary. The purpose of this standard appears to be to avoid a cramped appearance and to allow access for maintenance (see paragraphs 2.6 and 2.8 of the guidance referred to by the LPA and attached to the Council's online folder). In this case the proposed holiday let would not result in any increase in cramped appearance as it is replacing an existing building. Similarly maintenance accessibility will be no different to the existing situation and there should never be for example a need for scaffolding on this side as it is only a single storey building.

It is noted that the LPA has included a suggested condition requiring the restriction of occupants to 2 adults and 1 child. This would ensure that noise would not be significant enough to be out of character with the existing surroundings.

Boundary Treatment with 20 Southdown Road

The photos of the garden of 20 Southdown Road submitted by Mr and Mrs Harbidge do not show the boundary with 18 Southdown Road. Photo 4 attached to the Planning Statement does

however show this boundary. It is noted that the section of wall between the end of number 18's garage and the start of No. 20's garage is only 6m long to the east of the proposed holiday let (i.e. in the vicinity of the proposed parking space/ amenity area. This is compared with a back garden boundary length between the two properties of c. 47m. This is a very small section of boundary shared between the holiday let garden area and number 20's garden.

Waste

Waste would be paid for to be taken away by the owners of 18 Southdown Road (as it would be considered commercial waste).

Company Directorships, 'Hidden Agendas' and other untruthful claims

The owners of 20 & 22 Southdown Road have stated that I am a director of 8 Companies. It is not clear what the relevance of this information is, however I would like to correct the incorrect information in any event. I hold 2 current company appointments in companies that are trading (one of which has a registered address at 18 Southdown Road and one which is registered in Maidenhead). I was a secretary of the company that owned the freehold of the flat my husband and I used to live in. I am no longer the secretary of that company as we sold the flat and for clarification I am not involved in a company that manages properties.

The company I carry out the majority of my day to day work for is Coriolis Energy. The company is based in Maidenhead and as noted above I often travel to that office and also to rural locations throughout the UK.

One 3rd party letter states that "*the applicant has a history of buying properties with large gardens then seeking permission to develop the gardens for financial gain*". This is untrue – I/we have not submitted any planning applications at our previous homes. I am quite straightforwardly trying to secure some extra income so that I can spend more time at my home with my family.

Security

Finally, the holiday let would increase surveillance, improve lighting and help reduce security issues.

Other third party matters

One 3rd party letter refers to neighbour objections. However it should be noted that some immediate neighbours have not objected to this proposal and we understand do not have concerns about noise and disturbance.

Finally, we look forward to your site visit, consideration and determination of this appeal.

Kind regards.

Yours sincerely,

[redacted]

Vicky Portwain