Statement of Case for:

Site Address: 9 Priory Close, Sompting, West Sussex, BN15 0EB

LPA Reference: AWDM/1891/21

Applicant: Mr Tony Jenner

Date: 10th December 2021



Nigel Locke Planning Consultant
T: 07770 375240
E: planningappeals@gmail.com
W: www.nigellockeplanningconsultant.vpweb.co.uk

Nigel Locke Planning Consultant

The Site and Surroundings



The property comprises a detached two-storey modern house having mainly red brick elevations with tile hanging to the front first elevation. It has a concrete tiled roof and white UPVC windows.

To the front of the property there is an open plan front garden area, which is hardsurfaced for car parking. To the rear there is a secluded garden, which backs onto Dankton Lane.

The property is situated in a very accessible and sustainable location close to all local amenities and transport links.

The Proposal

Is for a garage and crossover at the rear off Dankton Lane.

The proposed new detached garage will have brick elevations to match the existing property and also white UPVC windows and side door with a sectional garage door operated by remote controls.

The proposal will require a new vehicular access onto Dankton Lane.

The garage is required to house the applicant's classic cars and is of sufficient size to also provide the additional amenity of secure cycle storage.

Reasons For Refusal

The Local Planning Authority have given the following reasons for refusal.

Reason One

The garage and vehicular access will give rise to a secondary access and structure to the rear of the property which will be detrimental to the character and appearance of the street scene and existing property. It will set a precedent for similar development which will have a cumulative detrimental impact. The proposal is therefore contrary to Policy 15 of the Adur Local Plan and the NPPF.

With regard to the proposal's affect upon the street scene and the existing property, it should be noted that the proposal will have no effect on the Priory Close street scene as it will not be visible from the front of the property.

The existing rear garden and proposed new access at the rear of the property fronts onto Dankton Lane.

Careful consideration has been given to the impact of the proposal on the Dankton Lane street scene. The height of the garage has been reduced at the request of the Local Planning Authority.

It will have a flat roof which will assist in minimising the visual impact of the garage, which will only be 0.6 metres above the existing fence line along the rear boundary. The design includes a sliding gate to give access to the garage, which once closed will continue the existing timber fence appearance.

It is considered that the revised proposals minimise any visual impact upon the Dankton Lane street scene and also ensure that it has an acceptable relationship with adjacent dwellings.

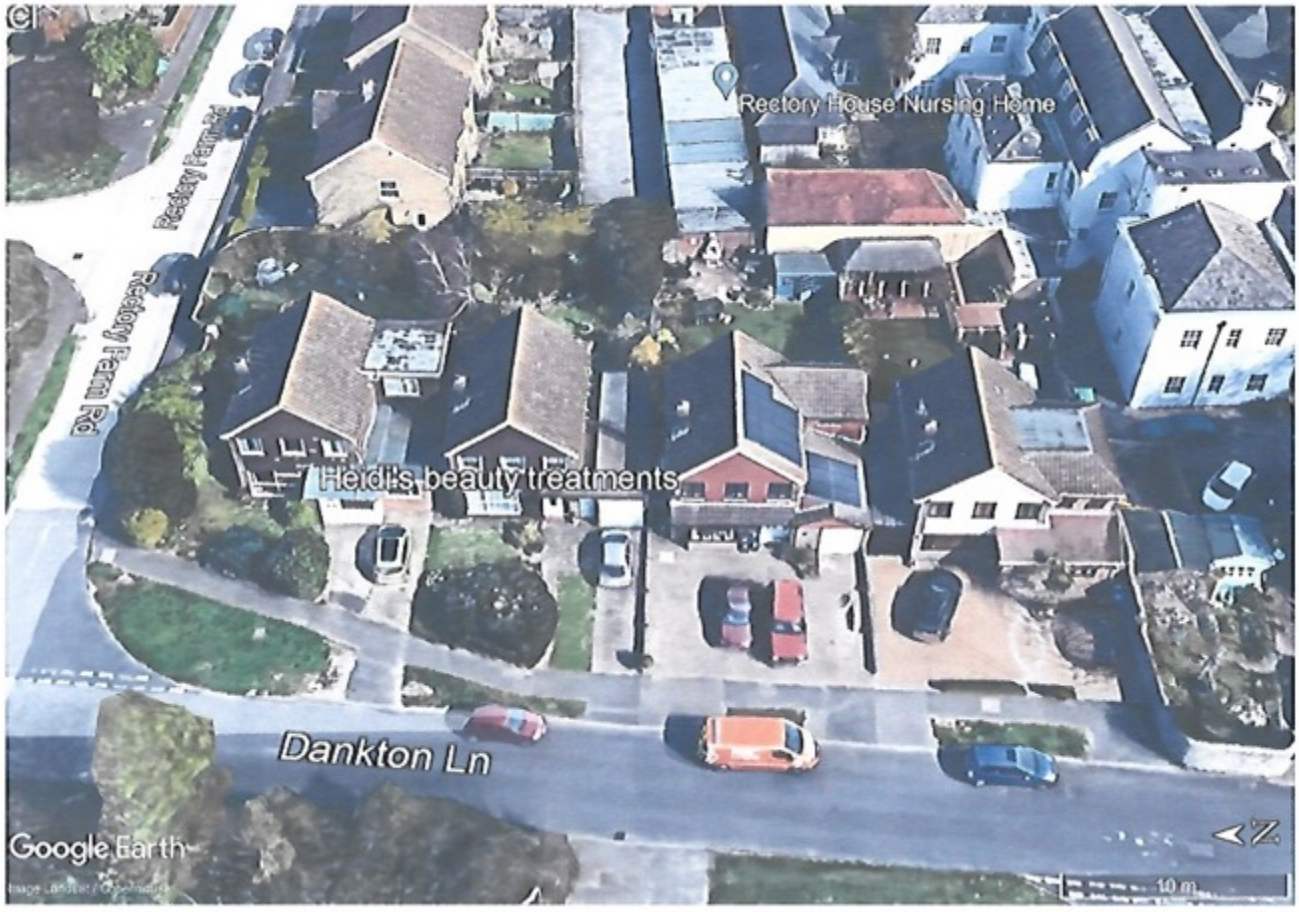
The garage will have brick elevations and white UPVC windows to match the host property.

The Dankton Lane street scene is already mixed in appearance with some of the properties, as with Priory Close backing onto it and other properties fronting onto it with vehicular accesses.

Google image No. 1 copied below shows the Priory Close properties backing onto Dankton Lane with an assortment of garden buildings and extensions.



Google image No. 2 copied below show the properties to the south with vehicular accesses onto the lane.



West Sussex County Council as the Highways Authority were consulted on this application and the summary and conclusion of their consultation response is copied below.

"To summarise the LHA raises no concerns over parking.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal."

It is noted that Sompting Parish Council have raised no objection to the proposal.

Planning consent under reference AWDM/0323/19 was granted in September 2021 for a development of 300+ houses. One of the new access roads to the development is off Dankton Lane, almost opposite the site of the proposed access to the garage at No. 9 Priory Close. Layout plans for this part of the development are copied in the appendix to this statement. This will have more impact on the character of the area than the appeal application.

Paragraph 130(e) of the National Planning Policy Framework states that planning policies and decisions should ensure that developments optimise the potential of the site to accommodate development and create places that safe, inclusive and accessible with a high standard for existing and future users.

The proposal makes good use of garden land and the opportunity for vehicular access off of Dankton Lane to erect a garage for the applicant's

classic cars, providing a functional and accessible asset to the property for current and future users.

In summary it is considered that the existing visual amenities of the Dankton Lane street scene would not be adversely affected by the proposals.

The Highway Authority have stated that the proposal would not generate a highways safety concern.

Reason Two

The garage structure due to its excessive height, scale and footprint will result in a loss of light and overbearing impact upon the occupiers of the adjacent property and will cause a significant reduction in amenity space at the application site therefore it will be harmful to the residential amenities of the occupiers of both the host dwelling and the neighbouring property. The proposal is therefore contrary to Policy 15 of the Adur Local Plan, Development Management Standard No.1 'Space Around New Dwellings' and the NPPF.

In response to the Planning Officer's concern regarding the height and scale of the garage, the original height of the proposal has now been reduced to 2.83 metres. This means that the flat roof of the garage will only be about 0.6 metres above the height of the existing boundary fence between No's 9 and 8 Priory Close. The proposal therefore will not have any significant upon the amenities of No. 8 Priory Close in terms of overshadowing or loss of sunlight or daylight.

The minimal increase in height above the fence line should not be determined as having an overbearing presence to the amenities of the occupiers of No. 8 Priory Close.

It is considered overall that the proposal will have a largely inconspicuous presence when viewed from either of the adjacent gardens of the Dankton Lane street scene.

With regard to the reduction in garden size to No. 9 Priory Close, the Government's Nationally Described Space Standards do not set any minimum sizes for rear garden space. The planning system should allow for flexibility to allow residents an element of choice in relation to garden sizes and in this case the remaining rear garden, although modest in size, would provide an enclosed private garden space of sufficient size for siting out and children's play etc.

Again, it should be noted that the Sompting Parish Council have raised no objection in this respect.

In summary it is considered that there would be no detrimental impacts on the residential amenity of neighbouring properties. Sufficient amenity and garden space will be retained with the host property.

Local Planning Policies

The Local Planning Authority have stated that the proposal is contrary to Policy 15 of the Adur Local Plan 2017 and Development Management Standard No. 1. I would like to comment on these as follows.

Policy 15: Quality of the Built Environment and Public Realm

This policy states as follows:

Development should be of a high architectural quality and respect and enhance the character of the site, and the prevailing character of the area,

in terms of proportion, form, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping.

It is considered that the proposed garage as amended with a reduced ridge height is of an appropriate scale in the context of its urban situation and relationship with nearby buildings.

It will be accessed off Dankton Lane, which has a varied mix of houses with some backing onto the lane and some fronting it. There is no particular local distinctiveness or architectural characteristics within this part of Dankton Lane. The reduced height of the proposed building means that it will be hardly visible within the street scene, being set behind a 2 metre high fence with the access gate being a sliding one in materials to match the existing fence.

The garage will have brick elevations to match the house and the window styles in white UPVC will also match those of the house.

As the roof height will only be slightly above the height of the existing boundary fence height between No's. 8 and 9 Priory Close, it is not considered that the proposals will significantly impact upon the residential amenities of residential properties in terms of sunlight, daylight, overshadowing or overbearing.

Overall, it is considered to be a well designed solution to provide safe and secure garaging for the applicant's classic calls and also additional space to provide secure cycle storage, it is considered that this can be achieved with minimal impact upon the street scene, character of the area and residential amenities.

Development Management Standard No. 1 SPD

This SPD refers to space around new dwellings and it is therefore not considered relevant to this application as there is no guidance given with regard to garage buildings and their sitings in relation to existing houses.

National Planning Policy Framework

The Government's revised NPPF was published on the July 2021 and is now a material consideration in all planning applications.

I set out below the particular sections of the Framework that I consider appropriate to this development.

Section 2: Achieving Sustainable Development

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so

that opportunities can be taken to secure net gains across each of the different objectives):

*a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

Economic

Economically the development will add vitality to the local community and economy.

It is considered that the construction activities associated with the development could potentially generate employment opportunities for the local community and have associated benefits for services and suppliers.

The proposal satisfies the economic dimension of sustainable development.

Social

The site is situated in a highly sustainable and accessible location close to good transport links. Local shopping, schooling, medical and recreation facilities are all available within the immediate vicinity.

The garage is required to provide safe and secure parking for classic cars and cycles. Therefore, providing an adaptable and functional asset to the property, whilst still retaining adequate areas of private garden for leisure, recreation and the general wellbeing of occupiers.

It will add well to the housing mix in the area.

It can be considered that the proposal satisfies the social dimension of sustainable development.

Environmental

The proposal will not adversely affect any wildlife habitats or the general biodiversity of the site. The proposal will not harm the local environment in any way.

It is considered that the proposal will comply with the environmental role.

Paragraph 10 states that so that sustainable development is pursued in a positive way, at the heart of the Framework is a ***presumption in favour of sustainable development*** *(paragraph 11).*

The presumption in favour of sustainable development

Section 11 states that plans and decisions should apply a presumption in favour of sustainable development.

Sustainability features of the proposal include provision of safe cycle storage, all new hardsurfacing areas to be in permeable materials to minimise water run off, building materials will be sourced locally where possible, material wastage will be monitored during construction and waste collections to be made by specialist contractors.

The proposal is considered to be sustainable development in terms of transport, location, construction, the local economy and the local environment, and will contribute positively to socially inclusive communities.

Considering Development Proposals

Paragraph 110 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Local Highways Authority have raised no concerns over parking and have also stated that they would not anticipate that the proposal would generate a highways safety concern at the proposed access.

Section 11: Making Effective Use of Land

Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

The proposal makes efficient use of space within the rear garden for the proposed garage development, whilst still retaining a good area of private rear garden for family use.

Section 12 Achieving Well-Designed Places

Paragraph 126 states that creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

In accordance with the guidelines set out in Paragraph 126 and guidelines set out in the National Design Guide, it is considered that the proposal has been well designed to provide a safe and secure solution to housing classic cars, whilst at the same time having minimal impact upon residential amenity, the street scene, the character of the area or the local environment.

Paragraph 130 states that planning policies and decisions should ensure that developments:

- *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;*
- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.*

In compliance with the guidance set out in the Paragraph 130 and the National Design Guide it is considered that the proposal is a functional, accessible and sustainable development.

The proposal maximises the opportunity for development at the site.

Materials will be chosen to blend with the existing house and will have minimal impact upon the character of the area as set out in this statement.

Conclusion

This statement sets out the appellant's grounds of appeal and rebuttal of the Council's reasons for refusal.

- ✓ The proposal is considered to be compliant with the guidelines of Policy 15 of the Adur Local Plan 2017.
- ✓ The design of the proposed development including the reduced scale, is considered to be in keeping with the surrounding area of the site without significantly impacting upon the residential amenity of nearby properties.
- ✓ Sompting Parish Council have raised no objections to the proposal.
- ✓ The Highway Authority have raised no objection to the planning proposal and confirm that it will have no detrimental impact upon the local highway networks.

I would respectfully ask the Inspector to allow the appeal.