Appeal Decision

Site visit made on 22 December 2008

by Wm C Cunningham BSc(Hons) MA MCP MRTPI

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

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Decision date:
29 December 2008

Appeal Ref: APP/M3835/A/08/2084994
31 St Georges Road, Worthing, BN11 2DS

- 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 M & S Developments against the decision of Worthing Borough Council.
- The application Ref WB/08/0405/FULL, dated 9 April 2008, was refused by notice dated 16 June 2008.
- The development proposed is amendments to planning permission WB/07/0938/FULL to provide one additional studio flat (Total 11 flats) and two car parking spaces with access to St Georges Road.

Procedural Matter

1. There are two elements that comprise the appeal proposal, the building extension and the area for off-street parking. There is no indication within the written submissions that these elements are severable one from the other. The appellant has in fact refuted the Council's suggestion that the parking element is proposed to meet the requirements of Condition 16 of planning permission WB/07/0938/FULL. I have therefore treated these elements as linked.

Decision

2. I dismiss the appeal.

Main Issues

3. There are two main issues in this case. The first is the impact the proposed development would have on the street scene. The second is the effect the proposed two parking spaces and associated landscaping would have on the living conditions of existing occupiers with particular reference to visual outlook from the adjoining ground floor flats.

Reasoning

Street Scene

4. Most of the eastern site frontage boundary to St Georges Road is marked by a flint and brick wall about 1.2m high and about 17m long. Creation of the proposed two off-street parking spaces would require the removal of a central section of this wall about 4.5m long, together with creation of an area of hard-standing some 7m deep and 4.5m wide. In addition, two 2m long sections of the existing wall, one on each side of the full opening, would be retained at 0.6m high.

5. The immediate street scene is characterised by buildings set well back from the highway, with front gardens and other formally landscaped areas enclosed by walls similar in height to that on the frontage to the appeal site. The flint and brick wall that fronts the appeal site is matched by a similar wall around the church. For the most part the dwellings to the south have white rendered walls.

6. The proposed removal of a substantial section of the existing wall fronting the appeal site and the reduction in height of two further sections, would reduce materially the enclosing impact made by the wall and would introduce a significant break in the relatively continuous walled frontage that is a characteristic of this part of St Georges Road. In addition, the proposal to provide hard surfacing and parking into a frontage area that is characteristically landscaped would materially detract from that important feature of the locality, and would be unacceptable.

7. Creation of the proposed studio flat would involve the addition of second floor accommodation above an existing two storey extension to the rear (west) of the main appeal building. This existing extension is the southern part of a double extension on the pair of large semi-detached Victorian properties that include the appeal building. An existing relatively steep mono-pitch roof that originally formed one side of a rear gable feature on the rear of the linked extension to the rear of both the appeal and the adjoining property (No 33) would be replaced by the proposed additional floor that would have a flat roof with parapet.

8. From public vantage points, the proposed extension would be most visible from Selden Lane to the west, from where it would be viewed against the background of the somewhat higher main frontage part of the appeal building. It would also be alongside a similarly located second floor extension on No 33 that takes the form of three linked "dormers" that currently unbalances the original gable feature. Whilst the proposal would contrast in terms of its shape and form from the adjoining linked "dormers", its overall mass would help to balance the adjoining roof in a way that would not have the same overly dominant visual impact made by those "dormer" features. It would also present a southern elevation that is principally viewed from private vantage positions within the rear open part of the appeal site. This elevation would relate well in terms of overall scale and design features such as fenestration and architectural detailing with the lower existing two storey part of the appeal building.

9. In the light of the above, my conclusion on each of the two elements that comprise the appeal proposal when assessed on this first main issue is that the scale, design and materials proposed for the second floor built structure required to house the additional studio flat would be compatible with its surroundings. In these respects this element of the proposed development would comply with Policies BE1(i) & (iii) and H16(i) of the Worthing Local Plan 2003 and would be acceptable. The proposed provision of two off-street parking spaces would on the other hand remove an important length of enclosing wall would introduce hard surfacing and parking into an area of forecourt in a way that would be intrusive and incongruous in the street scene. This element of the appeal proposal would therefore be contrary to Policy

BE1(ii) and the spirit of Policy H16(ii) of the Local Plan and would be unacceptable.

Living Conditions

10. The proposed parking area would have greatest visual impact on living conditions when viewed from three ground floor flats within the recently extended appeal building. The area of hardstanding that would provide the two proposed parking spaces would be some 7m deep and 4.6m wide and would therefore occupy a substantial proportion of the central part of the formal garden area in front of the building. The loss of this area of garden and its replacement with hardstanding would in itself unacceptably detract from the outlook from the flats, particularly from the four living room windows to two of the flats and one kitchen window. The intended use of the area for car parking would further detract from the outlook by placing vehicles between about 2.4m and 3m from these windows, the nearest of which extend to within about 0.7m from the ground.

11. I note from the appeal plans it is intended to provide a hedge or similar line of landscaping between the windows and the proposed parking area. This is shown as about 7m long and only some 1 - 1.5m immediately in front of at least three of the windows. Full details of this landscaping are not provided and would need to be controlled by condition. If it were to be effective in screening the parked cars/hardstanding from the windows, it would however need to be of a height and density that I consider would materially detract from the outlook from the windows. If on the other hand it were to be low enough not to detract from the outlook then it would not provide an effective screen.

12. I therefore conclude on this second main issue that the provision of an area of hardstanding to provide parking for two cars as proposed would materially detract from the visual outlook from at least two of the adjoining ground floor flats and would therefore have an unacceptable impact on the amenity and living conditions of occupants. In this respect this element of the proposed development would not comply with Policy H18 of the Local Plan and would be unacceptable.

Other Matters

13. All other matters raised in the written representations have been considered, including references to properties with frontage parking such as further south along St Georges Road, to the north of Church Walk and between St Georges Church and the Church Hall. For the most part these locations are not within the same visual envelope as the appeal site and the parking spaces to the south of the church are not on land located between buildings and the highway. These other matters do not outweigh the main considerations that have led to my decision.

Wm C Cunningham

Inspector