Appeal Decision

Site visit made on 6 June 2007

by Roger Pritchard MA PhD 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

Date: 14 June 2007

Appeal Ref: APP/Y3805/A/07/2034087
Dovecote Mews, Chanctonbury Drive, Shoreham-by-Sea, BN43 5FS

- 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 J Twiss against the decision of Adur District Council.
- The application Ref ADC/0276/06, dated 14 August 2006, was refused by notice dated 6 November 2006.
- The development proposed is 2-storey side extension and roof conversion to extend 3 existing flats and 1.8m boundary wall around new garden area.

Decision

1. I dismiss the appeal.

Main Issues

2. I consider the main issues to be the effect of the proposed development on –

   a) the character and appearance of the area;

   b) the living conditions of the occupants of neighbouring properties;

   c) the living conditions of future occupants of the property; and

   d) parking provision.

Reasons

Background

3. The appeal site is in a late 20th century residential area towards the northern edge of Shoreham. The original building was used as a shop with residential accommodation above but was converted to 5 x one bedroom flats in 2000. The proposed development would add a two storey extension to the property's southern elevation and construct rooms in the roof of the existing single storey section. The outcome would remain five units but comprising 2 x one bedroom flats, 2 x two bedroom flats and a two bedroom house.

The character and appearance of the area

4. Because of its original function, the current building sits well away from surrounding houses and is of different form in detail, though with a common design typical of residential estates of its period. The proposed development would continue to provide accommodation for small households and would also

be well located within the urban area to benefit from good accessibility by public transport to a wide range of facilities. In these respects, the proposed development conforms to national policy priorities, to the policies of the West Sussex Structure Plan, 2001 -2016, and to Policies AG1 and AH5 of the adopted Adur District Local Plan 1996.

5. Nor do I consider that the design of the proposal would cause material harm to the character and appearance of the area. The relative isolation of the site means that the proposed extension would not overbear on neighbouring properties and I do not agree with the Council that the development would appear cramped in the wider context. Reference to the Council's own Supplementary Planning Guidance (SPG), Development Control Standard No 3, Extensions and Alterations to Dwellings, suggests to me that both the two storey side extension and the roof extension do meet the advice contained therein.

6. (The appellant has suggested to me that, because Policy AH7 refers to "Extensions and alterations to existing houses and bungalows...", it is not applicable to this proposal. I accept that the cross-reference is not direct, but I consider that the principles set out in that Policy, especially as developed in the supporting text, which refers to "...improvements to dwellings...", are generally applicable to this proposal.)

7. I therefore conclude that the proposed extensions would not be contrary to the policies of the development plan in being out of sympathy with the character of the surrounding area.

The living conditions of the occupants of neighbouring properties

8. Although the two storey extension would come close up against the site's boundary, a large car park separates that boundary from other properties. Neighbouring dwellings are also separated from the appeal site by roads on the western and northern sides. Only to the east do the curtilages of the properties in Downsway directly abut the site's boundaries. New windows on the eastern elevation of the two storey extension and the southern elevation of the roof extension would result in some additional overlooking of the back gardens of those properties. However, the distances involved and the existing window layout of the appeal property cause me to consider that there would be only minimal, additional material harm to the living conditions of the occupiers of the properties in Downsway. I therefore conclude that the proposed development would not be contrary to criterion (a) of Policy AH7 of the Local Plan.

The living conditions of future occupants of the property

9. The current dwellings have no usable amenity space and the appellant has emphasised the benefit derived from his purchase of land to the east which would be separated from the parking area by a 1.8m wall and which would laid out as private amenity space for the proposed development. Nevertheless, the amount of amenity space to be provided is small and may, as I discuss below, have to be further reduced in order to resolve parking issues.

10. Furthermore, I agree with the Council that what may be acceptable for one bedroom flats would become less satisfactory when three of the new units

would have two bedrooms and thereby be possibly occupied by small families. The SPG on Extensions and Alterations emphasises the need to retain adequate garden size depending on the size of the property and suggests that 50m^2 would be necessary for a two bedroom terraced house. I accept that standard could be lower in the case of the proposed development but the space to be provided would be so limited as to be inadequate in my view were even two families to seek to use it. I therefore conclude that the amenity space to be provided would be insufficient and would therefore be contrary to the provisions of the adopted SPG.

Parking provision

11. There are currently five parking spaces associated with the existing dwelling, though they are not marked out and I gained the impression from my site visit that parking was, in practice, somewhat informal. The proposed development retains five parking spaces and adds a cycle park. I agree with the Council that five parking spaces should be sufficient given the nature and location of the proposed development but I also agree with the Highway Authority that the layout of the parking spaces and the turning and manoeuvring areas are not adequate.

12. I give some weight to the issue of parking provision. A number of local residents have commented on existing on-street parking problems. I also believe it possible that the changed nature of the units proposed could lead to a higher level of car ownership on site. Parking spaces and turning circles that cause difficulties for manoeuvring would encourage occupants to leave their vehicles on the street with an attendant increase in parking problems over the surrounding area

13. The appellant has suggested that parking issues might easily be resolved through the imposition of a condition. However, I was not convinced. The Highway Authority's comments suggest that resolution of the on-site parking issue would require, at the very least, a significant reduction in the newly proposed private amenity space, at worst, in more radical redesign. A condition that leaves open the parking issue to be resolved at some later stage seems to me to be inherently unsatisfactory.

14. I therefore conclude that the parking provision associated with the proposed development would be contrary to Policy DEV5 of the West Sussex Structure Plan and Policy AT12 of the adopted Local Plan.

Conclusions

15. The development occupies a priority location in terms of its accessibility and would provide small units, though the gain over the present situation would be limited. Neither the character and appearance of the surrounding area nor the living conditions of the occupants of neighbouring dwellings would be compromised. However, the private amenity space proposed would not be sufficient, in my view, for the needs of the likely occupants of the enlarged units, an issue which would be exacerbated by the limitations of the proposed parking provision and uncertainties over possible means to resolve these. Overall, I do not consider that the benefits of the proposed development outweigh the perceived disadvantages and the significant material harm that would result.

16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Roger Pritchard

INSPECTOR