

AGENDA ITEM NO.

ARUN DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 5 February 2020

Information Paper

Subject : Appeals Performance & Cost
1 January 2019 – 31 December 2019

Report Date: January 2020

EXECUTIVE SUMMARY

The purpose of this report is to advise Members on how the Council has performed in the calendar year 2019 in respect of appeals.

1.0 INTRODUCTION

1.1 The purpose of this report is to advise Members on how the Council has performed in the calendar year of 2019 in respect of appeals. The Council has an indicator within the planning departments Business Plan that aims for 70% of all appeals being dismissed.

1.2 On 10 April 2019, a report to Committee reported appeal performance for the 2018 calendar year. In summary, performance for this period was as follows;

- A total of 29 appeals were determined in 2018, an increase of 4 over that determined in 2017.
- Of these, 11 were dismissed representing a success rate for the Council of 38% of all appeals dismissed. That equated to a 10% reduction in success rate over 2017.
- Of all planning appeal decisions, 48% were made in accordance with the recommendation of officers.

2.0 ALL APPEALS

- 2.1 A total of 43 appeals were determined in 2019, an increase of 14 over that determined in 2018. Of these, 26 were dismissed representing a success rate for the Council of 61% of all appeals dismissed. That equates to a 23% increase in success rate over 2018.

3.0 WRITTEN REPRESENTATIONS

Overall performance

- 3.1 A total of 41 appeals were determined by written representations in 2019. Overall, 24 appeals were dismissed. This equates to a success rate of 58% being dismissed and an increase of 14% of appeals dismissed by written representation procedure in 2019 over that dismissed in 2018.
- 3.2 A procedural measure was adopted after the 2018 appeals performance where each application that is recommended for refusal needed to be agreed by the Group Head for Planning. This has had a positive result on appeal performance.

Officer performance

- 3.3 Those appeals made following a refusal in accordance with an officer decision made under delegated powers had a success rate of 59% being dismissed. That equates to 24 out of 41 appeals, which is an increase of 7% in officer performance over the previous year.

Committee performance

- 3.4 There was 1 appeal arising out of a committee decision to refuse permission contrary to the recommendation of officers. This was eventually allowed by the Inspectorate (BE/74/18/PL).

4.0 INFORMAL HEARINGS

- 4.1 During 2019, there was one appeal determined by way of informal hearing which was allowed. The officer recommendation to refuse was agreed by Committee (A/51/18/PL).

5.0 PUBLIC INQUIRIES

- 5.1 During 2019, there was one appeal determined by way of an Inquiry and it was dismissed in accordance with the officer recommendation (AB/36/18/PL).

6.0 **MAJOR PROPOSALS**

6.1 During 2019, there were six appeals classified as a 'major' scheme. These were:

- LU/162/17/PL – Land north and west of Toddington Farm Cottages, Toddington Lane, Littlehampton. Demolition of existing building, erection of 10 residential dwellings.

This appeal was allowed following an officer's delegated recommendation to refuse.

- BN/6/18/RES – Lillies, Yapton Road, Barnham. Reserved matters application relating to appearance, landscaping, layout & scale for erection of 38 No. dwellings.

This appeal was allowed following an officer's delegated decision to refuse. Officers believed the proposals were a poor layout and poor quality open space provision and location. The Inspector concluded that the proposals were satisfactory.

- BN/28/17/RES – Land r/o Lillies, Yapton Road, Barnham. Reserved matters application relating to appearance, landscaping, layout & scale for erection of 38 No. dwellings.

This appeal was dismissed following an officer's delegated decision to refuse. The Inspector agreed with officers that the proposed layout was unsatisfactory in terms of open space provision.

- LU/133/19/PL – Site at Inglecroft, Barn Close, Littlehampton. Demolition of the existing vacant dwelling and workshop and the erection of 10 detached dwellings.

This appeal was for the Council's failure to determine this application within the prescribed period and was dismissed following the officer's recommendation to refuse. The applicants agent would not agree to the pre-commencement conditions around surface water drainage and the information submitted with the application was inadequate. The Inspector agreed that, in the absence of such a condition requiring approval of surface water drainage details, the proposals were unacceptable.

- AB/36/18/PL – Blastreat, Fitzalan Road, Arundel. Demolition of existing buildings & erection of a block of 46 No. sheltered apartments for the elderly.

This appeal was dismissed following an officer delegated decision to refuse. The Inspector agreed with officers that the scale and bulk of the proposed block of flats would harm the character and appearance of the area. He did not agree that the loss of a non designated building of heritage character (proposed to be demolished) was unacceptable but he agreed that a case had not been made as to whether it could be retained. He agreed with the new policy of the Arundel Town Council

Neighbourhood Plan (policy AR3) that the site should be considered for a fewer number of dwellings aimed at first time buyers and provide appropriate levels of affordable units.

- A/51/18/PL - Pounds Place, Roundstone Lane, Angmering. Demolition of existing dwelling & erection of a 64-bedroom care home.

This appeal was allowed following an officer and committee decision to refuse. The application was refused because the proposals failed to assimilate with the adjoining development sites or provide visual or pedestrian linkages to the sites to the north and south. Unfortunately, the Inspector considered this to be an acceptable scheme in what was a poor decision for the Council in trying to ensure good planning and sites being developed strategically (not piecemeal).

7.0 **COSTS**

- 7.1 The costs of defending appeals during 2019, where Counsel and consultants were used is set out in the table below. It should also be noted that significant officer time was also spent managing this appeal.

Site	Decision	Counsel costs (£)	Consultant Costs (£)	Overall Cost (£)
Blastreat, Fitzalan Road, Arundel.	Dismissed	£8,000	£12,000	£20,000
TOTAL (£)		£8,000	£12,000	£20,000

8.0 **SUMMARY OF ISSUES**

- 8.1 Attached to this report as **Appendix 2** is a summary of all the appeal decisions received in the 2019 period.
- 8.2 Generally, those Arun Local Plan policies that are used in the defence of householder appeals and more minor proposals are afforded significant weight by Inspectors when determining appeals. Similarly, for householder appeals where Neighbourhood Plans have been made and policies referred to have also been given significant weight. This is to be expected as they are policies that are in conformity with good planning principles within the NPPF.
- 8.3 The Arun Local Plan was adopted in July 2018 so Inspectors have given full weight to Arun Local Plan policies on design and residential amenity (D SP1 & D DM1).
- 8.4 Unlike previous years, in 2019 Inspectors generally supported Arun's householder policies and agreed with officers as to what constitutes unacceptable harm to the

appearance of a dwelling and that of the area it sits in the case of all 3 householder appeals that were determined.

8.5 The schedule of appeal summary for all appeals determined in 2019 attached to this report highlights the issues raised by Inspectors when making decisions.

8.6 The schedule in Appendix 2 reveals all 17 appeals where the Inspector has disagreed with officer recommendation. The areas of disagreement are as follows:

- In eleven of the decisions (65% of cases) the Inspectors disagreed with officer's view that proposals would result in unacceptable harm to the areas character and appearance. This demonstrates that when refusing applications on grounds of character and appearance a greater examination/understanding of the area is required before using this as a reason for refusal.
- In three appeal decisions Inspectors have disagreed that proposals would have an adverse effect on neighbour's residential amenity. Two of these decisions were as a result of an Environmental Health objection on excessive noise on neighbours/future inhabitants from what was proposed. In the other decision the Inspector noted design features which would preclude a proposed extension having an overbearing impact on neighbours.
- In three appeals, Inspectors disagreed that a sites location outside the built up area did not necessarily mean that it should be refused on sustainability grounds. Where the location of an appeal property is remote and if officers, as a result, are to use the reason for refusal that it will generate a reliance for car borne transport in conflict with NPPF guidance then it needs to be clearly established why. In these decisions Inspectors were of the mind that the appeal proposal was set within other residential development which made them sustainable and not remote development.
- In three appeals the Inspector disagreed with officer's opinion that the impact of a change to a Heritage property (Listed Building) and/or the setting of a neighbouring heritage property (Listed Building) was unacceptable. A more rigorous assessment of the NPPF and Paras 189 – 192 is required where it sets out a clear process in considering impacts on heritage assets.
- There was one appeal where the Inspector disagreed with West Sussex County Council Highway advice that proposals were inadequate in terms of provision of parking and/or highway safety.
- There were two other appeals where members of the Development Control Committee disagreed with officers from the County Council concerning highway safety and the Inspectors eventual decision disagreed with Council members on this point. It is important to give considerable weight to the advice given by West Sussex Highways.
- An enforcement appeal found against the Council on grounds that a breach of Condition Notice (BCN) citing discrepancies with approved plans were not sufficient to justify the service of a BCN. This is a useful decision for

enforcement officers to measure the amount of acceptable differences with approved plans.

- 8.7 There was only one case in 2019 where DCC Members resolve to overturn officer recommendations to approve and the eventual appeal was allowed. The areas of disagreement are as follows:
1. The Inspector could find no compelling evidence to substantiate Members' view that the proposal represented overdevelopment of the site which would harm the character of the area. Where members choose to refuse in such cases they must articulate why they consider overdevelopment/harm to the character of a given area to result from proposed development.
 2. In this case Members were also of the view that the proposed parking/access arrangement would cause harm to highway safety. The Inspector noted that there was no evidence given that there was limited on street parking. This conflicted with the Inspectors site visit when numerous spaces were seen to be available. Again, if a reason for refusal is to withstand an Inspectors scrutiny it must be backed up by evidence.

9.0 COSTS AWARDS AGAINST THE COUNCIL

- 9.1 One significant element of appeals performance is the quality of decision making and the Council's ability to impose reasons for refusal that are reasonable and can be robustly defended.
- 9.2 In 2019 there were 6 applications for costs. 5 of these were against the Council where no costs were awarded and the other was an application made by the Council where no costs were awarded.
- 9.3 The central issue to Inspectors decision on cost applications is whether the party claimed against has behaved unreasonably where an appeal should not have been necessary and has therefore resulted in unnecessary financial expense by the aggrieved party. In the following cases Inspectors were of the view that the Council reasonably refused the applications in question:
- BR/52/18/PL: sought costs due to delay in processing application and failed to substantiate reason for refusal.
 - EP/160/18/PL: argued that the Council's approach to the application for variation of the condition was contradictory to the Council's initial appraisal for the application to alter and extend the building.
 - BN/6/18/RES & BN/28/17/RES: argued that the Council on the basis that the size/location was established at outline stage.
 - A/51/18/PL: sought to argue that the Council had failed to take into consideration the need for the type of accommodation being proposed.

- LU/133/19/PL: costs were sought on the grounds that the Council should have approved the application based on the information submitted.

10.0 APPEAL RESULTS IN NEIGHBOURING AUTHORITIES FOR 2019

- 10.1 Worthing Borough Council had 18 appeals determined. Of these 12 were dismissed. This represents a success rate of 67%.

11.0 UNDER PERFORMING PLANNING AUTHORITY?

- 11.1 The Government's document 'Improving Planning Performance (2018)' says that the performance of Local Authorities in deciding applications for planning permission enables development to deliver home ownership, building homes people can afford to buy and supporting economic growth. It also states that a Local Planning Authority can be considered as not fulfilling this role by reference to the criteria in this document and it may be that "the Secretary of State considers that there are respects in which the authority are not adequately performing their function of determining applications".

- 11.2 The data used in measuring performance by the quality of decisions made by Local Planning Authorities is the proportion of decisions on applications that are subsequently overturned at appeal. If the threshold of 10% is exceeded, the department will be designated as an 'under performing authority' and applications can be submitted direct to the Planning Inspectorate for determination.

- 11.3 In the case of Arun for the period 31/03/16 – 31/03/18, it records the number of major application decisions as 87 which have resulted in 6 appeals. Of these 5 are categorised as major decisions which have been overturned at appeal. It then goes on to score Arun as 5.7% in terms of quality of decisions. This compares to 2.2% for England as a whole. The six major appeals that have been allowed in this period are;

- CM/1/17OUT – refused against officer recommendation
- Y/80/16/OUT – refused under delegated powers
- AL/8/16/OUT – refused under delegated powers
- BE/77/16/OUT – called in by Secretary of State and allowed in line with officer recommendation.
- A/51/18/PL – Refused in accordance with officer recommendation
- BN/6/18/RES - refused under delegated powers

- 11.4 Other authorities in West Sussex perform as follows;

Chichester	-	1.8% (5 decisions)
Horsham	-	1.4% (6 decisions)
Mid Sussex	-	1.6% (10 decisions)

- Adur - 0% (no appeal decisions on major proposals)
- Worthing - 0% (no appeal decisions on major proposals)
- Crawley - 0% (2 decisions)

11.5 Whilst the performance of the Council does not put it at risk of 'special measures' it has to be acknowledged that it is poor when compared to the national average and the performance of our adjoining authorities. Nationally, Arun is 321 out of 344 authorities. With particular reference to those 'majors' for the 2019 year, it is considered that the decision to refuse was absolutely correct but we have received some poor decisions from Inspectors who have been satisfied to allow sub-standard development proposals.

12.0 CONCLUSIONS

12.1 When compared to 2018, the above shows that there has been a 23% increase in the overall success rate in terms of the Council's ability to defend appeals. At a success rate of winning 61% of all appeals the Council has not met its corporate target of winning 70% of appeals for the last 5 years.

12.2 The performance of the Council in defending appeals in 2019 is set out in the table below.

1 January 2019 – 31 December 2019

	Total dismissed (%)	In accordance with officer recommendation (%)	In accordance with decision made by DC Committee (%)
All appeals	61%	60% (26/43)	0% (0/2)
Written Reps	58%	59%	0%
Informal Hearing	0%	0%	0%
Public Inquiry	100%	100%	-

12.3 Written reps appeal decisions in accordance with officer recommendations have improved by 6% from 52% in 2018 to 58% in 2019.

Background Papers:

Appendix 1 - Appeals Figures 2015-2019

Appendix 2 – Appeals Summary 2019

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Appeal Figures 2015 – 2019

APPENDIX 1

	2015	% Dismissed	2016	% Dismissed	2017	% Dismissed	2018	% Dismissed	2019	% Dismissed
Total number of appeals	52		39		25		29		43	
Total dismissed	24	46 %	19	49 %	12	48 %	11	38%	26	61%
Written Reps	47		34		23		25		41	
Total dismissed	24	51%	17	50 %	12	52 %	10	44%	24	58%
Decision in acc with officer recommendation	22	65 %	17	57 %	12	63 %	9	52%	24	59%
Decision in acc with DC Committee	1	33 %	1	25 %	1	25 %	2	50%	0	0%
Informal Hearing	3		3		0	0	1		1	
Total dismissed	3	100 %	1	33 %	-	-	0	0%	0	0%
Decision in acc with recommendation	1	50 %	1	33 %	-	-		0%	0	0%
Decision in acc with DC Committee	1	50 %	-	-	-	-		100%	1	0%
Inquiry	2		2		2		3		1	
Total dismissed	0		1	50 %	-	-	0	0%	1	100%
Decision in acc with recommendation	-	-	1	50 %	2	100 %	2	66%	1	100%
Decision in acc with DC Committee	0	0	1	50 %	-	-	0	0%	-	-

Appeals Summary 2019

APPENDIX 2

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
A/3/18/PL Land at Arundel Road/A27 Angmering	Change of use of land to storage (B8 Storage or Distribution), erection of barn & hardstanding (resubmission following A/111/17/PL).	Refused (R) - R – Dismissed (D)	<p style="text-align: center;">Written Representation (WR)</p> <p>The effect of the proposed development on road safety.</p> <p>The National Planning Policy Framework 2018 (NPPF) makes clear that development should only be refused planning permission on highway grounds if there would be an unacceptable impact on highway safety.</p> <p>Accordingly, I intend to take a precautionary approach to this matter and conclude that the use of land for a B8 storage and distribution use would result in a material increase in traffic movements to/from the site.</p> <p>Based on the horizontal alignment of Arundel Road and my own observations and notwithstanding that vehicles might be slowing down on the approach to the A27 junction, I consider that northbound speeds are considerably higher than 10mph. The Council has commented that ‘observed speeds are low past the site’. However, without a speed survey that proposition it is nothing more than assertion.</p> <p>The appellant has suggested conditions to ensure the provision of a banksmen at all times and restrictions on vehicles sizes/movements to/from the site. However, conditions of this nature would be difficult if not impossible to enforce and, therefore, would not satisfy the tests for the use of conditions set out in Government Planning Practice Guidance.</p> <p>I conclude that the development would cause unacceptable harm to highway safety contrary to Policies TSP1, TDM1 and EMPDM1 of the Arun District Council Local Plan 2018. and TM1 of the Angmering Neighbourhood Plan 2015 and paragraph 109 of the NPPF.</p>
Y/88/17/HH Dyers Croft Main Road Yapton	Demolish existing open garage/store & replace with garage	R-R-D	<p style="text-align: center;">WR</p> <p>In the balance, the proposed extension would cause harm to the significance of the listed building for which there is insufficient justification, such that the harm is not outweighed by public benefits as required by paragraph 196 of the Framework. As a result, the proposal would not accord with Development Plan or national policy on the preservation of heritage assets and would fail the statutory tests in sections 16(20 and 66(1) of the 1990 Act. For the reasons given above it is concluded that both appeals should be dismissed.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
Y/89/17/L Dyers Croft, Main Road Yapton	Listed building consent to demolish existing open garage/store & replace with garage.	R-R-D	<p style="text-align: center;">WR</p> <p>In the balance, the proposed extension would cause harm to the significance of the listed building for which there is insufficient justification, such that the harm is not outweighed by public benefits as required by paragraph 196 of the Framework. As a result, the proposal would not accord with Development Plan or national policy on the preservation of heritage assets, and would fail the statutory tests in sections 16(20 and 66(1) of the 1990 Act. For the reasons given above it is concluded that both appeals should be dismissed.</p>
R/267/17/PL Rustington Hall Nursing Home	2 storey block of 6 No Flats comprising of 4 No. 2 bed & 2 No. 1 bed flats.	R-R-D	<p style="text-align: center;">WR</p> <p>The living conditions of occupants of 5, 6 and 7 Paddock Green, and Rustington Hall Cottage, with particular regard to outlook and the character and appearance of the area.</p> <p>Conclude that whilst the proposed development would not harm the living conditions of occupants of No 5, it would cause unacceptable harm to the living conditions of occupants at No 6, No 7 and Rustington Hall Cottage.</p> <p>The development would cause no unacceptable harm to the character and appearance of the area. It would therefore comply with Policy D DM1 of the Local Plan which amongst other things states that development should reflect or improve upon the character of the site and the surrounding area, and Policy D SP1 of the Local Plan, which also states that development proposals should reflect the characteristics of the site and local area.</p>
AL/129/17/PL Land East of Forge House	Demolition of existing garage, demolition of portion of flint wall to re-instate pedestrian access onto Nyton Road & erection of 2 No. dwellings with associated car parking, cycle storage, bin storage & gardens. This application may affect the setting of a Listed Building.	R-R-Allowed with Conditions (ALC)	<p style="text-align: center;">WR</p> <p>The dwellings would appear as one dwelling when viewed from the street scene, the detailing would utilise brick with flint panels and plain tiled roofs, replicating details found within the immediate area including Applecroft which is next to Deene, and combining a mixture of old and new. By locating the proposal adjacent to the more varied and modern dwellings the proposal would sit comfortably within the street scene.</p> <p>The ridge height of the proposed building would be very slightly lower than Forge house and the building would be smaller in width when viewed from the public realm, it would also be set back from the front boundary. Planting would be included along the boundary between the proposal and Forge House, along with a new flint wall. When taken collectively these design considerations would ensure that the proposed dwellings would not appear as a dominant addition when viewed alongside Forge House. Furthermore, there would be an adequate</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>separation distance between the proposal and the locally listed building to ensure that it retained its spacious, somewhat solitary character.</p> <p>No impact on setting of nearby Grade II Listed Building. Conflict with ANDP policy EH11 is outweighed by reuse of removed material to erect further flint walls within the site.</p>
BN/25/18/PL Parsonage Farm	Change of use of land for dog training and exercising.	R-R-ALC	<p style="text-align: right;">WR</p> <p>The prevailing daytime noise environment cannot be considered tranquil, and can be expected to become noisier at times. Within the context of the established commercial use of the shopping village, it is indeed reasonable to both expect and accept that levels of noise are substantially greater than if the locality was wholly residential in character, and that some such noise is inevitably generated by dogs and their owners.</p> <p>The Council has not provided any data relating to measurement of noise levels generated by the use in the past, or which might therefore be anticipated in the future. Past noise complaints are referenced, but no details are provided of their number, nature, source, timing or frequency, or whether all such complaints were reasonable. Further anecdotal reference is made within the submissions to noise levels being 'worse than ever', but without any clear point of evidential reference. The Council has also drawn attention to videos which show dogs running around and barking on part of the land currently in use, but not forming part of the proposed site. However, the fact that one or more dogs barked on one or more occasions does not indicate that such barking caused any harm, or indeed that the use of the proposed site would be inappropriate. Indeed, it would be clearly unreasonable to characterise all noise that has been or might be generated by dogs within or adjacent to the site as harmful.</p> <p>A condition could be imposed to bring future hours of operation more closely in line with those of the shopping village. Such a condition has been proposed by the Council and no objection has been raised by the appellant. As this would restrict early and late opening, reasonable scope therefore exists to substantially remove the potential for disturbance at times when it is least acceptable, and therefore most likely to cause harm. I further note that during the winter the actual hours of operation, as too the intensity of the use of the site are likely to be reduced in line with the hours of daylight.</p> <p>I see no reason to consider that improved management would fail to achieve a</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>reduction in noise relative to past levels, or that continuing improvement could not be achieved. This is particularly in view of the Council's stated willingness to utilise other statutory means to control noise nuisances should they arise.</p> <p>I see no reason to consider that use of the proposed site would be likely to give rise to an 'unacceptable adverse effect' on the living conditions of residents in the area as claimed by the Council. Allowing the appeal would not however be an indication that the generation of noise nuisances would be permissible and reiterate that it would remain the case that such nuisances did arise, reasonable scope would exist for them be addressed by separate statutory means.</p>
BE/17/18/PL 37 Norbren Avenue	Proposed 2 bed bungalow	R-R-D	<p style="text-align: center;">WR</p> <p>The area features 2-storey dwellings of generally matching design and predominately semi-detached form, set back from the pavement, regularly aligned and regularly spaced. Development within both streets therefore has a strongly consistent planned layout and distinctive visual character.</p> <p>The proposed dwelling would be a chalet bungalow. As such the dwelling type and design would be acutely at odds with that of dwellings which currently characterise both Norbren Avenue with Greencourt Drive, and for this reason incongruous within the street scene. Though I acknowledge that bungalows can be found within other streets in the surrounding area, these have no bearing on the visual character of the site's immediate setting.</p> <p>The position of the dwelling would align with the frontage of No 53, but would be set well forward of No 37. The frontage on Norbren Avenue would also be angled relative to the front boundary, creating a narrow and tapering front garden, with relatively little space left between the pavement and the south-east corner of the dwelling. The arrangement would be appreciably at odds with the regular layout and set back of dwellings along Norbren Avenue, and the spacing between the proposed dwelling and No 53 would be atypically close. Considered in combination this would cause the dwelling to appear cramped within its plot, and intrusive within the streetscene.</p> <p>The bedroom window would however provide the potential to overlook more or less the whole of the back-garden space of No 53. This would cause significant harm to the privacy of its users which could not be resolved through obscure glazing of the bedroom window. This is because the complete loss of outlook from the room would create unacceptable living conditions for its occupants.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>As the Council has no adopted external space standard, I have taken into account the number and type of occupants likely to be supported by the proposed dwelling. In this case it is reasonable to consider that the dwelling would be most likely to attract an individual or couple. Even so, the outdoor space provided would be very small in area. This would comprise part of the current 'front' garden of No 53, which is located on the corner. Boundary screening would be required given the high level of exposure of this space to public view, which along front boundaries within the immediate setting commonly involves hedging. The space required to accommodate hedging would reduce the garden area further, as too would the projecting bow window. It appears unlikely therefore that the space would be capable of comfortably supporting the range of roles generally expected of outdoor amenity space, such as seating as drying. I additionally note that both the hedge and dwelling would be likely to partially shade the space at different times of the day, and that there would be no direct access into the garden from the dwelling. Each would further accentuate the limited usability of the space.</p> <p>Though the appellant indicates that the space on the east side of the proposed dwelling could accommodate both parking and outdoor amenity space, the level of parking provision within the scheme was only judged acceptable by the Council on the basis that 2 cars could park tandem within this space. It is reasonable to suppose that 2 adult occupants might well have a car each. Parking of 2 cars would require more or less the whole of the space. Furthermore, the space would also contain a bin store. As such there appears to be little or no potential to accommodate suitable amenity space on the east side of the proposed dwelling.</p> <p>The impact on the living conditions of occupants of the existing dwellings in terms of garden space would be acceptable in both cases, despite the reduction in the amount of garden space.</p> <p>It is highly unlikely that manoeuvring of vehicles into the parking spaces would give rise to a level of noise disturbance or air pollution sufficient to harm the enjoyment of the garden space at No 53.</p>
EP/52/18/PL 9 Lime Tree Close	Demolition of existing dwelling & the erection of 7No. residential dwellings, with associated	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the development on, firstly, the character and appearance of the area and, secondly, the setting of nearby listed buildings. The appellant has submitted a revised plan Ref: LT.SL 006, with the appeal. This shows the creation of 2 additional parking spaces for visitors, and a pedestrian</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
	parking, amended access location from Lime Tree Close & landscaping.		<p>walkway in the existing northern grass verge of Lime Tree Close. This is intended to overcome concerns expressed by the Council and neighbours with regard to road safety and visitor and local parking provision.</p> <p>The proposed dwellings would be very similar in scale, siting and plot size to other properties in the area, including the existing terraced houses on the south side of Lime Tree Close and would not appear cramped.</p> <p>The 14 proposed parking spaces would be appropriate to the scale of the proposed development. Being located in the middle of the plot, the location of the parking area would be sensitive to the character and appearance of the area and would not be unduly prominent in wider views of the site, particularly with regard to the setting of Wisteria Cottage.</p> <p>Based on the foregoing, the Inspector is satisfied that the development would not harm the character and appearance of the area.</p> <p>The architectural design approach adopted by the appellant also seeks to provide a design that sits well with the more rural feel of parts of East Preston, and the listed cottages in particular. The scale and design of the proposed terrace reflects the local cottage typology, particularly though its roof profile, choice of materials and considered detailing, without being a poor pastiche of any of the existing listed cottages.</p>
FG/194/17/PL 1 South Point	Erection of 1 no. 1 bed dwelling - Resubmission of FG/135/17/PL	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the development on the character and appearance of the area; and on the living conditions of existing and future residents, with particular regard to the provision of outdoor amenity space. The immediate open setting of the existing apartment building would be preserved. There would also be a reasonably sized gap between the building and No.3 Beehive Lane. Consequently, the proposed building would not appear cramped in relation to its surroundings. The site would not appear overdeveloped. there would be no harm to the character and appearance of the area. There is no conflict with policies D DM1 and D SP1 of the Local Plan, policy 1A of the Ferring Neighbourhood Plan ("Neighbourhood Plan"), nor the relevant parts of the National Planning Policy Framework (2018).</p> <p>The proposed building is functionally connected to the landscaped space which</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>would surround it, in a similar manner to the adjacent apartments. Both the living room and bedroom have patio doors which open out on to this area. Consequently, there is a clear intention that it will provide external amenity space for the new unit. he proposal provides satisfactory outdoor amenity space for existing and future residents and there would be no harm to their living conditions. The proposed building is functionally connected to the landscaped space which would surround it, in a similar manner to the adjacent apartments. Both the living room and bedroom have patio doors which open out on to this area. There is a clear intention that it will provide external amenity space for the new unit..</p>
<p>LU/162/17/PL Land North & West of Toddington Farm Cottages</p>	<p>Demolition of existing building, erection of 10 residential dwellings (Use Class C3) with associated open space, landscaping, parking, and access.</p>	<p>R-R-ALC</p>	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the proposal on the character and appearance of the area; highway safety; and the provision of a financial contribution towards infrastructure. The proposal would accord with the general pattern of development in the locality. The dwellings would be similar in terms of scale, their design would utilise a range of materials which would assist in breaking up the built form whilst adding some visually interesting elements. The built form would be set back from Toddington Lane, and would be enhanced through the use of soft landscaping which would allow it to sit comfortably within the street scene.</p> <p>Whilst there would be a concentration of hardstanding within the centre of the site to provide parking, this would be broken up through the use of open sided car ports, and the layout of rear gardens. As such I find that the proposal would sit comfortably within, and respond positively to, the character and appearance of the area. It would therefore comply with Policy D DM1 of the Local Plan with regards to ensuring that development is of a good quality and high standard of design. subject to ensuring that the splays are maintained, which could be secured by a condition, the proposed splays would provide adequate and safe access. Accordingly I find that the proposed access as shown in the amended plan would safely accommodate the passing of vehicles on the access way itself, and would allow safe access and egress from the appeal site onto Toddington Lane.</p> <p>Pedestrian access to the site would be provided via access points on the northern boundary, and the main access to the site. The original suggested width of the footpath would accord with the guidance in Manual for Streets. However, the plans do not identify areas of street lighting, and the footpath is on a sharp bend. The proposed ramped access would be on the northern side of the site, and pedestrians would need to walk around the site to utilise the ramp.</p>

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			<p>Accordingly, the amended plan delineating a 2.0 metre footpath would be more suitable for this particular site, and would ensure that those with limited mobility or those with pushchairs would be able to use the footpath safely to access the site via the ramp. the appellant has secured three safe and accessible points of access for pedestrians. The provision of a boundary footpath is a benefit on this site and would significantly improve the current position. the proposal would provide a safe means of access for vehicles and pedestrians. On-site parking would be suitable for the proposed development. It would therefore comply with Policy T SP1 of the Local Plan and the Framework a financial contribution to education facilities within the area would not be necessary and, thus, the absence of a provision in this respect would not be a reason to find against the proposal.</p>
<p>M/51/18/PL 5A Tuscan Avenue and 6 Main Drive, M-O-S</p>	<p>Demolition of properties and construction of 1No new building comprising 1No 3bed and 1No 1bed properties.</p>	<p>R-R-D</p>	<p style="text-align: center;">WR</p> <p>The main issues are: -The effect of the proposal upon the character and appearance of the area; -Whether the proposed development would provide adequate living conditions for future occupiers, with particular regard to internal and outdoor living space; -The effect of the proposal upon the living conditions of neighbouring occupants of no 5 Tuscan Avenue, with particular regard to outlook and privacy.</p> <p>The proposal would cause unacceptable harm to the character and appearance of the area. Planning policies require all development proposals to be well designed and reflect the characteristics of the site and local area.</p> <p>The proposal would not provide adequate living conditions for future occupiers, having regard to the internal arrangement and provision of usable outdoor space.</p> <p>Subject to the imposition of an appropriate planning condition to ensure that these windows remain obscure glazed, the proposed development would not harm the living conditions of the residents of no 5, with particular regard to privacy and outlook.</p>
<p>WA/76/17/PL Land South of Wandleys Farm</p>	<p>Application of four Affordable Intermediate Sale Homes and one Full Market home with associated car</p>	<p>R-R-ALC</p>	<p style="text-align: center;">WR</p> <p>The main issues are; • the effect of the proposal on the character and appearance of the area; and • whether the proposed development is in a suitable location having regard to the development plan and other material considerations.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
	parking, garaging, landscaping and bin storage and the creation of 2 new accesses onto Wandleys Lane. This application is a Departure from the Development Plan.		<p>The proposed scheme would sit comfortably within the context of Wandleys Lane and would comply with Policy D SP1 Design which seeks to ensure proposal make efficient use of land whilst reflecting the characteristics of the area. It would contribute to the local character and would therefore comply with Policy HP13 of the Walberton Neighbourhood Plan which seeks to ensure that development is of a high quality that creates a sense of place appropriate to its location.</p> <p>It would be located within walking distance of bus routes within Fontwell and also the cycle network and would therefore comply with Policy T DM1 which advises development should be within easy access of public transport services. Future occupiers would also be a relatively short distance from Walberton which provides a range of services to address day to day needs and therefore reduces the need to travel long distances, as advocated by Policy TSP1 of the Local Plan which identifies Walberton as a village/suburban centre. The proposal would also promote the aims of the Framework which advises at paragraph 77 that local planning authorities should support opportunities to bring forward rural exception sites that would provide affordable housing to meet identified local needs. When assessed in its entirety the proposal would deliver a development in accordance with Policy SD SP1 of the Local Plan which encourages sustainable development.</p>
FG/168/18/PL 4 Sea Lane Ferring	Erection of 2 bedroom single story dwelling to the rear of existing property	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issue is the effect of the proposed development on the living conditions of neighbouring occupiers with particular reference to 6 Sea Lane.</p> <p>The proposed layout would not result in any direct overlooking between windows. The windows at the proposed dwelling would be at ground floor only, so any views towards neighbouring gardens would be screened by boundary treatment. As such I do not find harm in relation to loss of privacy. The proposed dwelling is single storey with a pitched roof which would set its bulk away from neighbouring properties and detailed evidence has not been submitted which persuades me that the proposed development would result in a loss of light nor be overbearing to neighbouring occupiers.</p>
R/197/18/HH 1 Pigeonhouse Lane	Rear ground & first floor extension & front first floor gable extension.	R-R-D	<p style="text-align: center;">WR</p> <p>I consider that the proposed first floor extensions would have a harmful, overbearing effect which would detrimentally restrict outlook from the facing ground floor habitable room windows of 9 Cross Road and its patio. On this basis the proposal again conflicts with LP Policies D DM1 and D DM4 which, amongst other things, require proposals to provide a high standard of amenity and ensure</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>that extensions do not have an adverse overbearing effect on neighbouring properties.</p> <p>I acknowledge that the appellants seek to enhance the living accommodation for their growing family and wish to stay in the area for schools and due to the fact that they have a business local to the area. I also understand that the property may require a level of investment, updating and refurbishment and that the proposed works would go some way to creating a more energy efficient and sustainable home. I note that there were no objections raised to the proposal from the Willowhayne Estate and that their particular requirements were satisfied and therefore I fully understand why the appellants were disappointed with the outcome of the planning application and, no doubt, will also be with my decision. I fully understand the appellants' frustration that the Planning Officer did not view the proposals from the rear of their property, although ultimately this does not have a bearing on the outcome of the appeal.</p> <p>Overall, I find that these factors in favour of the proposal do not outweigh the harm that the proposal would have upon the character and appearance of the host dwelling and the wider area, in addition to the living conditions of the occupants of 9 Cross Road, in regard to a reduction of outlook therefrom.</p>
WA/75/17/PL Sunny Corner, Copse Lane, Walberton	Erect 9 houses with associated car parking	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issues are:</p> <ul style="list-style-type: none"> • the effect of the development on the character and appearance of the area, including with regard to lighting; and • whether the site is a suitable location for residential development in respect of the potential for future occupants to access everyday local facilities and services and facilities, by a range of modes of transport. <p>The site is currently a field. This is located between West Walberton Lane and Copse Lane, immediately adjacent to the edge of the developed area of Walberton. Existing residential development with boundaries abutting the site, is located to the south, the east, and to the north-east. Woodland to the north, and field boundaries to the west, otherwise provide a high degree of visual and physical containment. This is further accentuated by the fact that only a small sliver of land containing the main access to the site links it to West Walberton Lane, with other spaces lying between.</p> <p>Considered in relation to the existing layout of Walberton, development of the site</p>

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			<p>would, for the above reasons, effectively achieve a 'rounding off' of the northern boundary of the settlement. Given very limited visibility of the site from West Walberton Lane, the development would furthermore have no significant effect on the existing 'gap' between Walberton and Fontwell as viewed from the lane.</p> <p>In terms of its location, the proposed development would be sited some distance from the edge of the BUAB but would be directly adjacent to existing housing which forms an identifiable part of the developed area of Walberton. Services in Walberton are few in number and scale but given their proximity to the development they would see likely use by future occupants. This could help to sustain these services, benefitting the broader rural community. Similar would also be true of services available in nearby Barnham and Fontwell.</p>
ENF/513/17 Greengates	Extension Erected in Breach of condition 2	Breach of Condition Notice – ALL	<p style="text-align: center;">WR</p> <p>When considering whether something has been constructed in accordance with a planning permission, the extent that the development that complies with the plans submitted has to be considered as well as the extent that it does not accord with the plans. In this case there is substantial agreement with the main plan and elevation and the small error of around 250mm at the front corner is relatively small and to my mind de minimis.</p> <p>Therefore, planning permission is not required for what has been completed and the appeal on ground (c) succeeds.</p>
FG/137/18/PL 11 Telgarth Road Application for costs by Council	Application for variation of a condition 2 imposed under planning permission FG/180/16/HH relating to approved plans	R-R-D Application for cost made by Council dismissed	<p style="text-align: center;">WR</p> <p>Telgarth Road is characterised by detached houses, which are generally a mix of one and two storeys in height and reasonably modest in size. There is no overriding design or style of dwelling in this area. The appearance of the host dwelling is relatively dominant in the streetscene due to its position close to the road and two storey height, however the pitched roof to the main front roofslope moderates this somewhat.</p> <p>The extensions and alterations as approved included a modest single storey porch forward of the main building line. Notwithstanding the fact that it would be set down from the main ridge and that it would be flat roofed, the size, scale and bulk of the proposed two storey front projection would change its character from a modest entrance porch to a large, visually dominant two-storey element to the front elevation. Consequently, the resultant dwelling would be bulky in the streetscene in terms of its massing and scale and would be unacceptably dominant in this context.</p>

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			<p>The materials proposed include timber cladding, which is found elsewhere on the host property. As such the use of this material would not have a harmful effect on the character and appearance of the area. However, timber cladding is solid and opaque and as such it would not reduce the perception of the size of the proposed first floor front extension. Therefore, I am not persuaded that the materials proposed would mitigate the harm identified above.</p> <p>The velux roof windows approved as part of the original consent¹ would lie flush with the pitched roof and would be similar in appearance to others in the roofslope. The proposed development would result in an increase in size, height and depth at first floor level which, for the reasons set out above, would be more harmful to the character and appearance of the area than the approved scheme. I am not presented with any substantive evidence which suggests that a two storey element to the front porch is likely to lead to this property being better maintained than the dwelling without it.</p> <p>Therefore, for the reasons above, the proposed development would be harmful to the character and appearance of the area and, in this respect, would be contrary to Policies D DM1 (Aspects of form and design quality) and D DM4 (Extensions and alterations to existing buildings (residential and non-residential)) of the Arun Local Plan 2011-2031 Adopted July 2018. For the reasons above, this appeal should be dismissed.</p>
FP/45/18/T Japonica 9 Lionel Avenue	Fell 1No. Silver Birch and 1No. Ash Tree.	R-R-D	<p style="text-align: center;">WR</p> <p>The main issues are: the impact of the proposed felling of the tree on the character and appearance of the area; and whether sufficient justification has been demonstrated for its proposed felling.</p> <p>With any application to fell a protected tree, a balancing exercise needs to be undertaken. The essential need for the works applied for must be weighed against the resultant loss to the amenity of the area. In this case, the proposed felling of the tree would result in considerable harm to the character and appearance of the area and, in my judgement, insufficient justification has been demonstrated for its proposed felling.</p>
BE/74/18/PL 1 Finch Gardens	Erection of 1 No. attached dwelling	A (Officer)-R (Committee) -ALC	<p style="text-align: center;">WR</p> <p>The main issues were the effect of the development on the character and appearance of the area and highway safety.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>Design of the property follows the fenestration and detailing of host property and the height and form is comparable to terraced properties in the area. The built form would not be located closer to the road than the garage and would align with 27 Finch Gardens. The visual impact would not be harmful to the spaciousness or layout of the estate. The proposal would not be overdevelopment and accord with D DM1 and S SP1 AND Bersted Neighbourhood Plan ES1, HDQ2 and HDQ5.</p> <p>The scheme accords with WSCC parking calculator and complies with BNDP policy HDQ8 which requires a minimum of 2 spaces per dwelling. No evidence to suggest the proposal would exacerbate any parking issues. The proposal provides safe access and promotes sustainable transport and complies with T SP1 and there is no conflict with para 108 of the NPPF.</p>
FG/191/18/PL Land R/O 21 Ocean Drive	Erection of 2 No. 3 bed chalet style dwellings with associated parking, landscaping & bin store.	R-R-D	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the development on: the character and appearance of the area; and the living conditions of existing and future residents, with particular regard to the provision of outdoor amenity space and noise and disturbance.</p> <p>Despite finding that the proposal provides satisfactory outdoor amenity space for future residents, including the reduced plot for No 21, it was concluded that the development would fail to minimise the impacts on the neighbouring properties contrary to Arun Local Plan policy D DM1 (3). The level of activity along the drive will inevitably increase serving three dwellings, and in my view would result in an unacceptable level of noise and disturbance having an adverse impact on the privacy and quiet enjoyment of these adjoining properties and gardens. The development would also result in some overlooking of the rear garden of 11 Ocean Drive. Whilst an element of mutual overlooking is expected in residential areas the irregular plot shape and layout of the development would introduce additional angles of views between properties Located to the east of the appeal site is 2 Chalet Close, an extended bungalow which occupies a modest plot. Both proposed properties would be sited in close proximity to its boundary and whilst the upper floor windows are to serve bathrooms the relationship would result in the development having an enclosing and overbearing impact on this property. Additionally, as the proposed properties would be located to the southwest of 2 Chalet Close there would also be a level of overshadowing..</p>
BR/52/18/PL Bradlaw House 5	Change of use from mixed use	R-R-D	<p style="text-align: center;">WR</p> <p>The main issues were the effect of the proposal on the character and appearance</p>

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Sudley Road	development consisting of Dental Surgery (D1 Non-Residential Institutions), night club (Sui Generis) & part residential (2 No. units existing) (C3 Dwellinghouse) to conversion to 8 No. flats with associated services (6 No. new units).	Costs against ADC Dismissed	<p>of the area and adequate living conditions for future occupiers.</p> <p>Appeal property is prominent in street scene and is a building designated as local character.</p> <p>The proposal includes a mansard roof and loss of chimneys resulting in loss of symmetry in windows in front elevation of the roof which appears imbalanced and cluttered compared to existing building on floors below. The use of the mansard roof would appear oppressive and incongruous resulting in harm to the character of the building and general character of area and conflict with D DM1 and D DM4 of the Local Plan. Weight was given to the harm to the non-designated heritage asset and the proposal conflicted with HER DM2. The additional accommodation proposed did not outweigh the considerable harm caused. The proposal was also contrary to Policies 1 and 2 of the Bognor Regis Neighbourhood Plan.</p> <p>5 of the flats fail to meet national space standards. The number of units proposed would not provide suitable living conditions with regards to habitable floorspace. The location of waste facilities would result in disturbance to occupants of a unit. Two of the units (basement) would not have an acceptable outlook as would the accommodation in the roof. The proposal would conflict with D DM1 and D DM2.</p> <p>The benefit of bringing the building back in to use would not outweigh harm.</p> <p>An application for costs was submitted by the appellant. The Inspector concluded the Council behaved reasonably.</p>
EP/160/18/PL - 11 Beechlands Close	Variation of condition No.3 imposed under planning reference no: EP/45/17/HH relating to the proposed materials	R-R-D Costs Refused	<p style="text-align: center;">WR</p> <p>The main issue is the effect that varying the condition to allow the retention of the tiles fixed to the roof would have on the visual amenities of the area and its character and appearance.</p> <p>However, the tiles actually used are in marked contrast to those previously on the building and the latter or very similar tiles in the form of a pale red / buff colour are also used for the nearby and adjoining properties on the same side of the Close. The 'dark grey, smooth shine finish' tiles stand out from any of the surrounding roofs and instead of helping to blend the substantially different roof within its immediate setting (the objective of the condition in the permission), they serve only to harmfully exacerbate its larger size and different form.</p>

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			<p>The result is that this combination of the scale and design of the roof to No. 11 and the choice of this particular tile results in it drawing the eye from whichever vantagepoint it is observed. These not only include views from the public realm in Beechlands Close but also in private views from the gardens of Nos. 15, 17 and 19 Vermont Way, with No. 17 particularly affected. I see no reason in this case to exclude these private views from <i>'the interests of amenity'</i> mentioned in the reason for the condition. And from my own observations on my visit, I share the assessment of the Council and local residents that the contrast in the roof covering with that of nearby dwellings has a significantly harmful effect on the visual amenities of the area and thereby its character and appearance.</p> <p>No unreasonable behaviour on the part of the Council was found and as a result the application for cost by the appellant was refused.</p>
EP/185/18/PL Land R/O Beechlands Cottages	Demolition of existing buildings & erection of 3 No. dwellings with associated parking, alterations to existing access & relocation of staircase to flats (resubmission following EP/7/18/PL).	R-R-D	<p style="text-align: center;">WR</p> <p>The main issues are the effects of the proposed development on i) the character and appearance of the area and ii) the living conditions of the occupiers of neighbouring properties, with particular regard to the outlook and privacy of the occupiers of 125 North Lane (No 125).</p> <p>Whilst the plot widths of the proposed dwellings would be comparable with those of Beechlands Cottages, the plot depths would be shorter, and substantially smaller than those of the dwellings on Beechlands Close and North Lane. The overall plot sizes of the proposed development would therefore be smaller than the prevailing plot sizes around three sides of the site. Furthermore, the rear garden depths of the proposed development would not reflect those of the neighbouring dwellings and the overall pattern of development in the area, which is important to its character and appearance. When these factors are taken together, the proposed development would be unduly cramped. the proposed development would be detrimental to the character and appearance of the surrounding area and thus conflict with Policy DDM1 of the Arun Local Plan 2011-2031 (2018) (ALP) in this regard and with Policy 1 of the East Preston Neighbourhood Plan (EPNP), which safeguard character and appearance. The proposed development would also not accord with the National Planning Policy Framework (the Framework) in so far as it seeks to achieve well-designed places. the proposed development would result in unacceptable harm to the living conditions of the occupiers of No. 125 by way of outlook and privacy. It would therefore conflict with Policy QESP1 and with Policy DDM1 of the ALP in this regard, which safeguard the living conditions of occupiers of nearby properties.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
BR/215/18/PL 75 Highfield Road	Conversion & extension of dwelling comprising two existing flats to form 6 No. flats (4 No. new) with associated ancillary services.	R-R-D	<p style="text-align: right;">WR</p> <p>The main issue was the effect of the proposed development on the living conditions of future occupiers and existing residents, with particular reference to on-street parking.</p> <p>The Inspector stated that at the time of his site visit, there was no evidence of pressure for on-street parking spaces in Highfield Road in the vicinity of the appeal site. However, that given the time of day (lunchtime) this is unremarkable as many residents may have been away from their homes either at work or going about their daily business.</p> <p>However, the Inspector noted that Highfield Road has double yellow lines in parts and that because of the predominantly terraced housing there is a general lack of off-street parking between the railway bridge and the small parade of shops at the junction with Highfield Gardens. The Inspector also acknowledged the presence nearby of a takeaway and convenience store which will also contribute to parking demand, particularly in the early evening.</p> <p>The Inspector acknowledged the appellants parking survey but noted that the available spaces in the vicinity of the site would be relatively low such that residents would need to park further away. This then supports the objections of residents and is in line with the view of Highways that parking is currently at a premium along Highfield Road and on-street parking spaces are limited.</p> <p>The Inspector did not consider that it would be reasonable for existing residents in the vicinity of the appeal site to have to routinely park further away from their homes in the evening and overnight than they do now. Also stated that despite sustainable nature of the site, there is no guarantee that future occupiers of the flats would not own a vehicle.</p>
A/46/18/RES Land West of Brook Lane	Approval of reserved matters following outline consent A/169/17/OUT for access. This application also lies within the parishes of Littlehampton & Rustington.	R (officer) - R (Committee) - ALC	<p style="text-align: right;">WR</p> <p>The access arrangements for the proposal would operate within capacity for predicted traffic flows within the area. The proposed access arrangements would allow vehicles to enter and exit the roundabout from all directions and would avoid vehicles waiting to enter the site from the A259. Provided the visibility splays were retained in compliance with Stage 1 Road Safety Audit – Road Safety Audit Response Report, the access and egress of vehicles would not have an adverse impact on the safe functioning of the highway network.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>The Stage 1 Road Safety Audit, Road Safety Audit Response Report and Plan show a proposed linkage to the adjacent site. This reflects the plan submitted with the application (SPRUST (BROOK LANE) .1/10 Rev B) however plan (SPRUST (BROOK LANE) .1/10 Rev D more accurately identifies the roundabout and the specific link to the adjacent site. In this respect it provides a greater degree of certainty but does not materially change the scheme. The proposed vehicular access for the scheme would serve the residential development and would provide access to the mixed-use retail scheme on the adjacent site through the incorporation of the mini-roundabout. As such I am satisfied that the proposed access would not preclude the adjacent site from being developed, should such development be found to be appropriate.</p>
BE/102/18/PL 312 Chichester Road	Erection of 1 no. dwelling.	R-R-D	<p style="text-align: right;">WR</p> <p>No character issues.</p> <p>However, harm to amenity of residents:</p> <p>Vehicles entering and leaving the parking area of the new dwelling would do so in extremely close proximity to the retained rear garden of the host property, and to its side wall, which contains clear-glazed ground and first floor under staircase and landing windows and an obscure-glazed ground floor bathroom window.</p> <p>The anticipated amount of traffic associated with a three-bedroom, family sized dwelling, including visitor and delivery vehicles, would lead to unacceptable levels of noise and disturbance (the latter from vehicle lights) close to the host dwelling thereby causing significant harm to the living conditions of the occupiers of this dwelling.</p> <p>The use of a non-loose surface material would not mitigate the identified noise and disturbance impacts associated with vehicle engines. And there is no evidence of sufficient space to provide adequate buffer planting and even if that were to be the case, it would take some time to reach maturity.</p> <p>Not satisfied that there is room to provide planting and/or acoustic fencing alongside No 312 which would adequately mitigate the harmful impact of engine noise and car lights on that property.</p> <p>“In the absence of precise details to control noise and disturbance impacts alongside the new dwelling access drive, it has not been satisfactorily</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			demonstrated that material harm would not be caused to the living conditions of the occupiers of 310 and 312 Chichester Road. For this reason, I cannot conclude that the proposal would accord with LP Policies D DM1 and QE SP1 which, amongst other things, aim to protect residential amenity.”
LU/7/19/PD Unit 4 Hawthorn Road	Proposed Change of Use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3) to provide 30 self-contained flats (14 studios & 16 one-bed flats)	Objection(O)-O-ALC	<p style="text-align: center;">WR</p> <p>The main issue is the effect of the proposal on the living conditions of future occupiers with particular regard to noise.</p> <p>Whilst windows may have to be closed for a significant proportion of the time, much of this would be during specific events, such as use of the compacting unit to the west and deliveries to the supermarket to the east. The fact that sufficient ventilation would be maintained mechanically, but that windows could be opened to allow future occupiers to respond to the environment, would allow residents choice. From the evidence provided, these events are likely to be at regular times and for finite periods, so in such circumstances some flexibility for the residentials would be to their benefit.</p> <p>I recognise that allowing the windows to open may increase the likelihood of complaints from future occupiers due to noise, as it can then be heard within the dwellings. However, having the opportunity to open the windows does give the occupiers more flexibility and ability to close to reduce the noise to appropriate levels.</p>
BN/38/18/L Parsonage Farm House Lake Lane	Listed building consent for an annexe extension ancillary to the main dwelling.	R-R-ALC	<p style="text-align: center;">WR</p> <p>There would, contrary to the view expressed in representation and the Council’s Statement, be some removal of historic fabric, to accommodate the door between the existing building and the addition, but this would be within a rubble wall at the location of the existing garage lobby and stair, and evidence of the same would remain untouched to the far side. As a result, it is concluded that the proposal would be acceptable in its effect on the listed building and its setting.</p>
R/182/18/PL 55 Milton Ave	Demolition of garage & construction of 1 No. 2-storey dwelling.	R-R-D	<p style="text-align: center;">WR</p> <p>The main issue is character and appearance, with particular regard to the streetscene.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>I acknowledge that the appellant considers that the development would not be unduly apparent in public views so as to cause any overriding demonstrable harm to the street scene. However, the proposed development would still be visible and I consider that the development would appear as unusually cramped and at odds / out of character with the surrounding streetscene in general. As such, the proposed development would be contrary to Policies D SP1 and DDM1 of the ALP and paragraph 127 of the National Planning Policy Framework, which seeks among other criteria to ensure that development is: sympathetic to local character and history, including the surrounding built environment and landscape setting; and maintains a strong sense of place.</p>
M/17/19/PL 14 Baldwin Close	1 No. 1-bedroom dwelling & rear extension on existing dwelling (resubmission following M/99/18/PL).	R-R-D	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the proposal upon (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of No 11 Baldwin Close in respect of outlook.</p> <p>Notwithstanding that the proposed dwelling would extend across the full width of the site at the frontage, taking into account its position relative to other buildings, it would not upset the feeling of space around buildings in Baldwin Close or result in an unduly cramped form of development. Moreover, it would not have an adverse influence on the street scene or disrupt the general open layout of development.</p> <p>The separation distance between the south elevation of the proposed dwelling and the north elevation of No 11 would be about 10.0 metres. Taking into account the scale, position and height of the proposed two-storey dwelling, which would be approximately 7.0 metres high at the ridge, it would be dominant and overbearing upon the outlook from the windows on the north elevation of No 11.</p>
FG/220/18/PL Land adjacent to Elm Lodge Tamarisk Way	Erection 1 No. dwelling with integral garage.	R-R-D	<p style="text-align: center;">WR</p> <p>Harmful overbearing impact on the occupiers of the host property</p> <p>Harmful loss of privacy to the occupiers of Magalia, Tamarisk Way.</p> <p>Contrary to Para. 127 of the NPPF 'developments will function well and promote a high standard of amenity, health and well-being for existing and future users'.</p>
BN/11/19/HH The Lillies, Yapton Road	Single garage	R-R-D	<p style="text-align: center;">WR</p> <p>By virtue of its forward positioning within the open frontage of the dwelling, would result in a significant dominating structure within the open frontage of the existing two-storey dwelling.</p>

Site	Proposal	Recommendation/ Decision/Appeal Decision	Procedure/Issues Raised By Inspector
			<p>As such the proposal would be at odds with the pattern of development of the surrounding area.</p> <p>The proposal would not comply with the Framework's clear emphasis on good design.</p>
BR/155/19/PL The Mews, 1-6 Mead Lane, Bognor Regis	Replace 27 No. rotten wooden windows with PVCu double glazed windows on north, south, east & west elevations.	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issue is the effect of the proposal on the character and appearance of the Upper Bognor Road and Mead Lane Conservation Area (the Conservation Area).</p> <p>Whilst the proposal would involve a significant number of windows, the coordination of colour and the provision of windows in the same style as the existing, would preserve the authenticity of the building. I have very limited evidence before me to suggest that the windows would be of a subservient quality or that they would not be maintained.</p> <p>The property is within the vicinity of a number of listed buildings which are experienced within the setting of a collection of buildings demonstrating the evolution of the area as a seaside location. Views of the windows would be limited as there are minimal vantage points that allow public views of the property. This, in conjunction with the proposed colour and design, would ensure that the building continued to sit comfortably as part of the conservation area and would not result in harm to the setting of the nearby listed buildings.</p>
FG/219/18/PL 11 Ocean Drive Ferring	Demolition & erection of 1 No. dwelling with associated parking & turning.	R-R-ALC	<p style="text-align: center;">WR</p> <p>The proposal would have a ridge height in excess of the neighbouring properties however, the use of a shallow hipped roof and retained building line would reduce the visual appearance of the dwelling in the street-scene. Furthermore, the undulating height pattern in the surrounding built environment would not make it incongruous with the character and appearance of the area.</p>
BN/6/18/RES The Lillies Yapton Road	Approval of reserved matters following outline consent BN/32/15/OUT relating to appearance,	R-R-ALC Costs Refused	<p style="text-align: center;">WR</p> <p>The main issue is the effect of the proposal on the character and appearance of the area having particular regard to the public open space.</p> <p>The apartment block would be located at the rear of the site, and the public open space would be provided just over half way down the site. By locating the public</p>

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	landscaping, layout & scale for erection of 38 No. dwellings including open space, landscaping & new access		<p>open space in front of the apartment block it would have a greater visual presence, be easily accessible for all residents of the proposal, and assist in breaking up the built form. In addition, a further drainage space would be provided to the rear of the apartment block, which would enhance the general level of openness of the site in its entirety. The open space between the Lillies and the adjacent Angels Nursery site could be linked by the proposed footpath.</p> <p>The proposed layout would provide a visually dominant and strategically sited open space, which would provide a pleasant respite in the built form. The location of the apartment block to the rear of the site, adjacent to the parking spaces and set back from the footpath would create a suitable buffer between the public realm and the private space of future residents. The proposal would provide a logical grain of development that would retain a level of openness and secure the optimum use of the open space.</p>
EG/108/17/OUT 10 Downview Road	Outline application with all matters reserved for a 3 bedroom chalet style bungalow. Resubmission of EG/89/17/OUT	R-R-D	<p style="text-align: center;">WR</p> <p>The main issue is the effect of the proposal upon the character an appearance of the area.</p> <p>The proposal would be to the rear of a property fronting Downview Road but would be visible in the street scene by reason of the wider visual gap created by the driveway. The severance of the plot and an additional dwelling in the back garden would appear incongruous in the locality and be a uncharacteristic and discordant. The piecemeal nature of the proposal would fail to maintain the areas character. The development could set a precedent – the cumulative effect of piecemeal developments would lead to more serious harm to the character of the area.</p> <p>The proposal would conflict with D DM1 and D SP1 of the Local Plan and ES6 of the Neighbourhood Plan and paras 122 and 127 of the NPPF.</p>
BN/28/17/RES Land R/O The Lillies	Approval of reserved matters following outline consent BN/32/15/OUT relating to appearance, landscaping, layout & scale	R-R-D Costs Refused	<p style="text-align: center;">WR</p> <p>The main issues are the effect of the proposal on the character and appearance of the area having particular regard to the public open space; and whether the proposal would provide adequate living conditions for future occupiers with particular regard to privacy.</p> <p>The public open space would be orientated to sit behind the apartment block. The public open space would largely be hidden from view and blocked by the development of the flats, it would not contribute to the openness of the site, and</p>

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			<p>those visiting the site would essentially be met by a blanket of built form at this part of the scheme. The open space would visually appear as linked to the apartment block, and wider use of the space would functionally be discouraged due to the siting of the apartment block.</p> <p>The location of the public open space to the rear of the site would result in an overly intensive grouping of development. The dwelling houses would be punctuated by the apartments functioning as a visual and physical wall, and the overall appearance of the site when considered in its entirety would have a distinct lack of space.</p> <p>Whilst the front of the apartment block has a natural boundary due to the footpath, the rear would be largely exposed to the open space. The footpath would run alongside the apartment block, and whilst soft landscaping may provide a limited level of privacy, without full details of the type and nature of landscaping the inspector was not satisfied on the evidence that it would be effective enough to ensure a defensible boundary that would secure an adequate level of privacy for future occupiers of the scheme.</p> <p>The proposal would result in a perception of mass of built form covering a large part of the site, with no apparent respite. The open space at the rear of the site would be largely shielded from public view which would not only be detrimental to the spacious character that could be achieved but would also physically deter any public use of the space. The location and orientation of the apartment block would create an unsatisfactory relationship between those using the open space and the future occupiers of the apartment block. The inspector was not satisfied that soft landscaping could, in this context, be secured that would safeguard the privacy of the occupants of the apartment block without compromising the level of public open space.</p>
BR/267/18/T 4 Pinewood Gardens	Fell 1No. Liquid Amber tree	R-R-D	<p style="text-align: right;">WR</p> <p>The main issues are the impact of the felling on the character of the area and if sufficient justification has been provided.</p> <p>The tree is a large mature specimen visible from numerous vantage points. It displays a good level of visual amenity and makes a positive contribution to the character of the area. The loss of the tree would erode the mature and verdant landscape of the locality and harm the character. Insufficient justification has been provided to justify the felling.</p>
LU/133/19/PL Site	Application for full	Non determination-	WR

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of Inglecroft Barn Close	planning permission for the demolition of the existing vacant dwelling and workshop and the erection of 10 detached dwellings (9 dwellings net).	D Cost application dismissed	<p>The main issue was whether the imposition of pre-commencement conditions would meet the requirements of Paragraph 55 of the National Planning Policy Framework (the Framework) as supported by the national Planning Practice Guidance.</p> <p>The Inspector found that a pre-commencement condition in respect of the provision of a Surface Water Management Plan is necessary in this case. The imposition would inform the final layout if needed, and is reasonable to ensure it complies with the Development Plan. As such it will reduce the risk of flooding in the locality, and the associated effects this can have on human safety and property. The imposition of such a pre-commencement condition in this case is therefore clearly justified as per the requirements of Paragraph 55 of the Framework</p> <p>The Council have suggested a pre-commencement condition in respect of a Construction Management Plan in order to manage the impact on the neighbouring occupants. Given that the appeal site is located within a residential area with dwellings on all sides such a condition would be necessary in this case in order to protect the living conditions of neighbouring occupiers. there is a clear justification for the imposition of such a pre-commencement condition as per Paragraph 55 of the Framework.</p> <p>A pre-commencement condition related to potential contamination on the site.</p> <p>The appeal site was previously a horticultural nursery. It is unclear whether the appeal site, and its former use, was subject to the application of pollutants or not.. In the absence of such information, it is not possible to fully assess whether the site contains any contamination and what works, were such contamination to be found, would be required. This is not dissimilar to the advice provided by the Council's Environmental Health Team, who suggested the use of a pre-commencement condition.</p> <p>Paragraphs 178 and 179 of the Framework indicate that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination. Given the previous use of the site, it would be reasonable to seek the provision of such information prior to works starting on site. Such a pre-commencement condition is clearly justified and would be reasonable and necessary in this instance as per Paragraph 55 of the Framework.</p>
AB/36/18/PL	Demolition of existing	R-R-D	INQUIRY

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Blastreat	buildings & erection of a block of 46 No. sheltered apartments for the elderly (comprising 22 x one bedroom apartments & 24 x two bedroom apartments age restricted to 60 years and over), with associated access electric buggy/cycle stores & refuse bin store & 32 No. parking spaces. Resubmission of AB/77/17/PL. This application affects the character and appearance of Arundel Conservation Area		<p>The main issues were:</p> <p>The effect of the proposed development on the character and appearance of the street-scene and the surrounding area.</p> <p>The effect of the proposed development on the setting of designated and non-designated heritage asset.</p> <p>Whether it would be viable to redevelop the appeal site in the way sought by ANP2 Policy AR5.</p> <p>Whether the type and mix of housing proposed would be acceptable. Whether the submitted planning obligation would satisfactorily address the impact of the proposed development.</p> <p>Whether the proposal would amount to sustainable development as set out in the Framework.</p> <p>As the Council accepts that it is currently unable to demonstrate a 5 year supply of deliverable housing land, this proposal has to be considered under the tilted balance set out in paragraph 11(d)(ii) of the Framework. This indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.</p> <p>In this case there would clearly be some significant benefits arising from the provision of 46 much-needed units of accommodation for elderly persons, along with the economic and social benefits which would flow from the provision of these new dwellings, as detailed above. These dwellings would assist in addressing the shortfall of some 333 dwellings arising from the fact that the Council can, at present, only identify a 4.7 year HLS.</p> <p>However, these benefits would come at a cost – not least the fact that the appeal proposal would not satisfy the environmental objective of sustainable development, and therefore cannot be considered to represent sustainable development. This is because the proposed development would have an adverse impact on the character and appearance of the street-scene and the surrounding area and would fail to retain the non-designated heritage asset on the appeal site. This places the appeal proposal at odds with relevant Local Plan policies referred to above, which carry weight regardless of the Council's lack of a 5 year HLS. Moreover, by failing to clearly show that the quantum and/or form of development sought through ANP2 Policy AR3 would not be viable, the proposal would also be in conflict with ANP2 Policies AR3 and AR5.</p>

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			<p>The Inspector considered that the massing and the eastern elevation of the proposed building would sit reasonably comfortably in this part of the street-scene, especially with the increased set-back proposed from the edge of the carriageway. He accepted that the design has tried to reflect a brewery style of building and would not be unacceptably out of keeping with its surroundings.</p> <p>However, the proposal to the north of the appeal site. would present an uncharacteristically tall and largely unbroken length of frontage. The building would appear unacceptably dominant and out of keeping with the character of the surrounding area, especially that opposite the appeal site on the northern side of Fitzalan Road. Because of the depth of the proposed buildings the single-storey link would be unable to prevent the appearance of terracing from most viewpoints. Moreover, although the submitted plans show small areas of planting at the proposed access and along the site frontage, with some small trees, this would not result in any meaningful 'greening' of this part of Fitzalan Road, or any real softening of the tall and largely unbroken frontage. This would clearly be at odds with the character to the north and west of the site, where significant trees and planted garden areas are common. The siting of the proposed buildings very close to the road would be appreciably at odds with the general positioning of buildings to the north and west of the appeal site.</p> <p>The appellant has not paid sufficient heed to the community view expressed first in Policy 5 of ANP1 and more recently in Policy AR3 of ANP2, that approximately 24 dwellings is seen as the appropriate capacity of this site. the Council's view that buildings of the size, form and massing proposed would contrast starkly and unfavourably with the pattern of development.</p> <p>immediately to the north of the site, from where its main elevation would be viewed, and to the west. As such, and notwithstanding my favourable findings with regards to the proposed eastern elevation, on balance the appeal proposal would have an unacceptable impact on the character and appearance of the street-scene and the surrounding area. Accordingly it would be in conflict with Local Plan Policies D SP1, D DM1 and SD SP1a, along with Policies AR3 and AR5 of the ANP2,</p> <p>The proposed development would not have an unacceptable impact on the significance of any of the designated heritage assets identified. There was no requirement in ANP1 to seek to retain the former brewery building on the appeal</p>

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			<p>site in any redevelopment proposals, pursuant to Policy 5. However, now that ANP2 has been approved at referendum it is necessary to have full regard to Policy AR5 which does seek to retain and incorporate this building into any redevelopment scheme, subject to viability considerations. The appellant's position is that retention of this building would not be viable, and that in this regard the demolition of the building would not place the appeal proposal in conflict with Policy AR5.</p> <p>On the basis of the best, detailed evidence available to the inquiry it has been shown to not be viable to pursue either of the 2 options tested. However, it is also the case that there are some unanswered questions and queries regarding the work which under-pins the appellant's conclusions in this regard, and neither of these options would reflect the amount and/or type of development favoured by the local community through ANP2. As a result, I do not feel able to come to a definite conclusion as to whether or not it would be viable to develop the appeal site in the way sought by ANP2 Policy AR5.</p> <p>It is concluded that the type and mix of housing proposed through this scheme would not be an acceptable development option for this site.</p> <p>A contribution, via a legal agreement, of £1,134 was requested by West Sussex County Fire and Rescue Services, with the SoCG stating that this would be used towards the supply and installation of additional fire safety equipment to vulnerable persons' homes in the West Sussex County Fire and Rescue Services area. It is not considered that this very general request for a contribution could be shown to be directly related to the proposed development. The appellant should not be required to make such a contribution in this case.</p>
BR/229/17/PL Land to rear of 41-47 Pevensey Road	Erection of 3 No. dwellings, 1 No. detached garage, parking & alterations to existing access & driveway (resubmission following BR/200/16/PL).	R-R-ALC	<p style="text-align: center;">WR</p> <p>The main issues are 1) would development be at risk of surface water flooding increase or increase flood risk elsewhere and 2) the effect of the proposal in relation to sites of international importance for nature conservation. Based on a flood risk assessment submitted on 4th June 2019 the concerns previously raised by the Council have been mitigated subject to appropriate conditions.</p> <p>The s106 agreement would mitigate any likely effect on Pagham Harbour.</p> <p>It should be noted that whilst the appeal was allowed the appellant submitted the</p>

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			flood risk assessment during the appeal process which satisfied the Council's drainage engineers. As this addressed the only reason for refusal if that information had been available at the time of the original decision the scheme would have been approved and there would have been no need to appeal.
BE/107/18/PL 42 Westfied	1 No. attached dwelling.	R-R-D	<p style="text-align: center;">WR</p> <p>The main issue is the effect of development on the character and appearance of the area.</p> <p>The two storey development would be on a corner plot and set back to allow a dwelling. As a result of the staggered layout the rear elevation would be closer to no.44 significantly reducing the separation distance adversely impacting the spaciousness between the two properties which contributes to the character of the area. The side elevation with only a window at first floor level would appear incongruous in the street scene. Due to the siting, scale and massing the development gives the site is not capable of accommodating the scale of development proposed. It would appear cramped which would have a detrimental effect on the surrounding area.</p> <p>The proposal would be contrary to policies D DM1 and D SP1 of the Local Plan, ES1 and HDQ2 of the Neighbourhood Plan and paras 122 and 127 of the NPPF (2019). The lack of a 5 year housing land supply did not outweigh the harm.</p>
A/51/18/PL Pound Place	Demolition of existing dwelling & erection of a 64 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane. This application is a Departure from the Development Plan.	R (Officer) – R (Committee) - ALC Costs against ADC Dismissed	<p style="text-align: center;">HEARING</p> <p>Character and appearance The site is located within an area where the prevailing character is one of residential development. The form and layout of the dwellings varies along Roundstone Lane. There are dwellings surrounding the site in Lambert Way, Brougham Grove and on the opposing side of Roundstone Lane. There is an area of open space along Alexander Avenue which the site would be adjacent to. The Council accept that there is no policy conflict in terms of formal provision of public open space for the scheme. The area of concern relates to the footprint of the building, its position and the amount of space around the building and resulting localised harm.</p> <p>It would be possible to secure the detail of the boundary treatments and when viewed from Alexander Avenue the existing open areas would continue to provide setting to the appeal site. The plans demonstrate that the height and design of the building would provide a height and appearance that would complement the</p>

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			<p>existing housing. As such I consider that the garden area within the site and the areas in Alexander Avenue taken together would be sufficient to provide setting and relief to the building. The height and design of the building would provide a height and appearance that would complement the existing housing. The garden area within the site and the areas in Alexander Avenue taken together would be sufficient to provide setting and relief to the building.</p> <p>The combination of the set back from the road, scale and design of the building, retained trees and the new landscaping proposed would ensure that the provision of the new building would not be overly prominent or appear out of place within the street scene, from both close and long views. Indeed, the plans demonstrate that the elevation that may be glimpsed from the elevated position on the pavement opposite would have the appearance of a large dwelling. As such it would not appear out of character.</p> <p>There is no dispute that the appeal scheme would not reflect the illustrative layout shown in the Masterplan3 document. Nevertheless, the masterplan itself is clear that the illustrative layout is one possible way that development could be laid out, it is no binding. Therefore, given my overall findings on character and appearance, I do not consider that a scheme that departs from the illustrative layout can be resisted solely on that point.</p> <p>The appellants outlined that it would be possible to provide a footpath across the site frontage. There would not be any other linkages between the site and the wider area. However, a footpath across the frontage would sit outside of the red line site. In addition, it would not connect to another footpath to the north of the site. As such whilst it would be desirable, I do not consider that this requirement is necessary for this scheme to go ahead. It has been demonstrated the scheme would accord with the aim to provide landscaping that would complement the existing area and provide an attractive neighbourhood for residents.</p> <p>It is concluded that the proposal would not have a harmful effect on the character and appearance of the area. It would not be in conflict with LP policies D SP1, D DM1, T DM1, T SP1 and NP policies HD5, HD6, HD7 and TM1 which amongst other things seek to secure high quality new development that reflects the characteristics of the site and local area.</p>