Expiry Date - 06/10/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1106/23 **Recommendation – APPROVE**

Site: **24 Woodside Road Worthing West Sussex BN14 7HQ**

Proposal: **Removal of existing garage and construction of new attached annexe for family member.**

Date of site visit: 27/09/23

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the east side of Woodside Road within a residential area of Worthing. The property comprises of a semi-detached dwelling with brick and render elevations with feature beams and a hipped roof. The property is set back from the road behind a low wall, paved driveway and front garden. To the rear there is a garden and garage to the north house.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Planning permission is sought for the removal of the existing garage and erection of a garden annexe for a dependent relative.

The annexe is positioned to the north of the existing dwelling and set back from the frontage by approximately 4.5m and connects to the rear of the existing dwelling. 1m is proposed to be retained to the boundary for the full length of the proposal.

The annexe measures 3.5m wide by 11m deep with a flat roof of 2.5m high. The elevations are finished in grey Composite Cladding with a grey single ply membrane - flat roof and UPVC windows and doors which will be conditioned to match that of the existing dwellinghouse. The existing gates to the front of the annex are to be retained providing screening to 1.8m. The western (front elevation will host a single window to the front and serve a bathroom. To the south the annex will host a window and a pair of double doors that will open onto the host's garden. On the northern elevation there will be a door that provides access to the annex. Finally, there will be one window to the east which will allow for light to the main bedroom of the annex ensuring all habitable rooms will receive natural light.

Internally the annexe is divided in to a bedroom, bathroom and kitchen/living/dining space. A small kitchenette would be provided within the living space and would include a small oven, fridge and sink.

Relevant Planning History: None

Consultations:

Environmental Health – Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.
Monday -Friday 08:00 -18:00 Hours
Saturday 09:00 -13:00 Hours
Sundays and Bank Holidays no work permitted
Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.
Reason: To safeguard the residential amenity of the area

Private Sector Housing - The proposed development has a GIA of only 30sq.m, which is less than the 37 sqm set out in the national technical space standards. If the officer is minded to approve the development robust conditions must be in place to ensure that the annex is only used by family member's ancillary to the main use of the building and is not to be separately occupied or rented out

WSCC Highways - This application is for the removal of existing garage and erection of a new attached annexe for a family member. The site is located on Woodside Road, an unclassified road subject to a speed restriction of 30 mph. An existing single-bay garage will be lost as part of the proposals. However, it is noted that the garage does not meet the minimum internal specifications for a single-bay garage as outlined in Manual for Streets (MfS). Given the existing garage's size, the garage would not be considered for parking provision, as it is not unreasonable for the LHA to assume the garage may be being used for other purposes, such as storage. Therefore, no concerns are raised regarding potential loss of parking.
Notwithstanding the above, the site exhibits suitable space for two or three off-street parking spaces within the existing driveway, which is considered sufficient for a residential dwelling of this size and location.
In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

Southern Water - Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.
- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:
www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: www.southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Response to consultations:

Due to the scale of development and Householder nature of the application it is not considered necessary to include a condition on the hours of work as advised by environmental health. As such a condition has not been included.

It is also understood that the application is for a room smaller than that of the national space standards however due to the nature of the proposal being in connection to an ancillary annex it is considered that the space standards do not apply in this instance.

Representations: None received

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment

Policy context for Residential Annexes

The preamble to policy DM5 of the adopted Worthing Local Plan indicates at paragraph 5.68:

Residential annexes can provide a suitable solution for accommodating a relative or dependent within the curtilage of the main dwelling house. Where a totally independent dwelling is not acceptable, (for example where there is a lack of separate curtilage, inadequate parking or a general unacceptable intensity of use), permission may be granted for an annexe subject to conditions or planning agreements limiting occupation to a relative or dependent, and requiring conversion of the accommodation to a use in association with the main dwelling, when it is no longer required for the relative or dependent. Such annexes should be ancillary to the main dwelling both in scale and range of accommodation and facilities, and must not assume a detached or independent identity by design or sub-division of the curtilage of the main dwelling.

Policy DM5 states (specifically in relation to Residential Annexes):

Residential Annexes
b) Residential annexes must be designed as ancillary to the main dwelling and be capable of satisfactory conversion for use in association with the main dwelling when it is no longer required by a relative or dependant.

Use of the annexe

The proposed annexe would be used by the applicant's dependant mother in law providing a bedroom, bathroom and living space incorporating a small kitchen area with oven, fridge and sink. Further justification has been provided by the applicant in relation to the intended use of the annexe and the requirement for an oven. In summary the justification is as follows;

The application for an annexe to my property, 24 Woodside Road is to provide a more comfortable living arrangement for my mother-in-law. She has recently lost her partner of many years and both my wife and myself are concerned for her welfare, both financially and emotionally. The desire is for her to reside alongside us so we can manage her day to day needs but also for her to feel she is keeping a degree of her independence.

The justification provided above is considered to comply with the key requirements for a residential annexe as set out in Policy DM5 of the Worthing Local Plan. Dependency on the main dwelling has been clearly demonstrated, access to the annexe is only possible via the garden of the main dwelling and the annexe could not form a separate dwelling with separate curtilage. The building is capable of conversion to a use in association with the main dwelling when no longer required as an annexe and the scale and range of facilities are satisfactory for ancillary annexe use. Appropriate conditions to ensure that the curtilage is not divided and the accommodation remains ancillary would be appropriate in this case and in accordance with the policy.

It is also not considered that for an application of this scale it would be appropriate to condition the hours of working. As such the condition recommended by environmental health will not be included within the decision notice.

Visual Amenity

The proposed annexe is located at the rear of the property within the rear garden screened by some 1.8m gates and is not greatly visible from the road or in any public views.

The proposed annexe is reasonably large in scale but is positioned to the rear on with sufficient separation from the neighbouring property and standard height fencing all around

The existing trees to the front of the annexe have been retained and the building is finished in composite cladding helping the building blend in with its environment. The building has a high quality finish and ancillary appearance. Sufficient garden space is retained for the main dwelling and the annexe does not compete with or detract from the main house.

There is no adverse impact on the visual amenities of the locality as a result of this application.

Residential Amenity

The proposed annexe is located in the rear garden and set in 1m from the side and boundary. The fencing, trees and hedging to the boundaries has been retained providing good screening of the building. Due to its low height the building does not appear overbearing or oppressive to neighbours or result in overshadowing of their gardens. Two windows are to be located in the rear wall serving a bathroom and kitchenette however these windows look directly on to the boundary fence and trees and would not result in overlooking or loss of privacy to neighbours.

The use of the building as an annexe would not significantly increase noise or disturbance over and above that typically associated with the residential use of the site. The building is well insulated and would not result in noise transference to adjacent gardens. To ensure that there is no unacceptable impact on 37 Bulkington Avenue it is proposed to erect a small amount of trellis fencing above the existing boundary fence opposite the proposed entrance door to avoid overlooking the neighbouring garden.

There would be no significant detrimental impact on the residential amenities of adjacent occupiers as a result of this application.

CIL

As an ancillary annexe under 100sqm the proposal would not be CIL liable***.***

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Materials as specified
4. Ancillary use
5. No external alterations
6. Erect cross weave trellis fencing on top of boundary fence opposite entrance door prior to first occupation

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The bedroom within the annexe is an inner room and therefore the window to this room must comply with the relevant fire escape window requirements. It is the applicant's responsibility to ensure that the development complies with all relevant legislation in this respect. The applicant is advised to contact Building Control at building.control@adur-worthing.gov.uk for further advice on this matter.

Is recommendation contrary to letter(s) of representation? N

Case Officer: Finlay Gardner Date: 21/11/23

Authorised by: Jo Morin Date: 21.11.2023