Expiry Date – 1/3

Development Control – Delegated Officer Report

Application Number: AWDM/2124/20 Recommendation – Refuse

Site: 2 First Avenue, Lancing

Proposal: **Construction of pitched roof detached building with dormer to rear (east) to replace existing garage and store for use as two-storey annexe for relatives.**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 7/2

Site and Surroundings

This application relates to an end of terrace dwelling on the west side of First Avenue and corner of Second Avenue. It has a detached flat roofed garage/store building at the bottom of its rear garden which adjoins an access road. This access road serves single storey garages/stores in the rear gardens of other First Avenue properties and those in Grand Avenue, to the west.

The house is rented out. No. 4 is in the same ownership.

The property is not in a conservation area and is not listed.

Proposal

Planning permission is sought to demolish the existing store/garage and to build a chalet bungalow 'annex'. The annex has two bedrooms, one at first floor, a kitchen/diner with separate living room and separate bathroom.

It has a part hipped roof and a dormer window facing east down towards the back of the parent building. The floor area is larger than the two structures to be removed. It measures 9.4m x 6.3m and has an eaves height of 2.4 metres and a ridge height of 4.9 metres.

It immediately abuts the back edge of the pavement and the access road. There are two 'escape' windows in the access road wall (west) to a bedroom and to a living room. The bathroom window is onto the pavement (south wall).

The property's front door is in the east wall. A new vehicle access and parking space is shown off of Second Avenue. This area and a small garden area are shown fenced off from the main dwelling.

Relevant Planning History

L/174/03 - Single-Storey Rear Infill Extension. Granted

L/124/85 - Single-Storey Extension To Side And Rear. Granted

L/89/85 - Single-Storey Extension To Side & Rear; Re-Siting Of Detached Double Garage Previously Permitted; & New Boundary Wall On South Boundary. Refused

L/61/84 - Single-Storey Extension And Detached Double Garage With Boundary Wall To South And West Boundaries. Granted

L/65/81 - Erection Of Garage For Three Vehicles. Refused

Consultations

Lancing Parish Council: Objection. Overdevelopment, poor precedent.

Private Sector Housing - Environmental Health:
'The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. In this case, the first floor bedroom can only be accessed through the kitchen/dining area and so it is an inner room.
The windows to the kitchen and the ground floor bedroom open directly onto a common access alleyway, which raises security and privacy issues
The application is for an annexe for relatives but the Design and Access statement refers to a unit for a family to live in - there appears to be a clear intent that this will be a separate dwelling or unit of accommodation. The overall size of the dwelling appears too small to be family accommodation compared to the nationally described space standards
Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Highways: `*This proposal is for construction of pitched roof detached building with dormer to rear (east) to replace existing garage and store for use as two-storey annexe for relatives. The site is located on the corner plot between First Avenue (C-class road) and Second Avenue (unclassified road) both subject to 30mph speed restrictions.*

The proposed block plan indicates that a new access onto Second Avenue is to be constructed to serve the proposed parking space. The proposed access works must be implemented under a licence obtained by WSCC Highways to a specification agreed with them.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the

site. Therefore, there is no evidence to suggest that the proposal would exacerbate an existing safety concern. Given the small scale nature of proposal, the addition of one dwelling is not anticipated to result in a material intensification of use onto Second Avenue or the wider road network.

The proposed parking space serving the annexe complies with the minimum requirements of 2.4 x 4.8m per single bay as outlined in Manual for Streets (MfS). The WSCC Car Parking Demand Calculator would expect 2 parking spaces to be provided for dwelling of this size and location. The LHA does not considers that such a small shortfall would be detrimental to the highway safety, however the LPA may wish to consider the potential impacts on - street parking from an amenity perspective.

Conclusion
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 109), and that there are no transport grounds to resist the proposal.
If the LPA are minded to approve this application, the following condition and informative are advised.

Condition
Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use
Informative
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.

Representations

13 objections summarized as follows:

1. Separate 2/s dwelling, not an annex. To be separated from the main dwelling.
2. Overly large for an outbuilding/out of character
3. Overshadow/overlook neighbours
4. Inadequate parking
5. Air pollution
6. Overdevelopment, loss of garden for existing house, inadequate for both
7. Sub division of plot an unacceptable precedent
8. Eyesore
9. Current tenant of the house uses the existing garage as an extension to her home for her children etc.
10. Loss of shrubs and climber plants planted at tenant's expense.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 1 Space Around Dwellings and No. 2 Extensions and Alterations to Dwellings'.
WSCC Guidance on Parking at New Developments (Sept 2020).
National Space Standards 2015 (DCLG)

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity, the parent building, future occupiers living conditions and the highway network.

Character

This is a prominent corner site. Typically outbuildings are single storey and low rise.

The scale of this chalet annex will be completely out of character with the typical ancillary buildings in the area and on this prominent corner will be harmful to the streetscape.

Neighbour amenity

The 'annex' will overlook the parent house and its garden as well as the garden and house to the north, No. 4. It will overshadow both these gardens too. It will be intimidatingly overbearing to the parent house and garden as well as for those at No. 4.

The annex is formally separated from the parent building by a fence. It will reduce the amount of garden space available to the parent building to approximately 50 square metres. This is below the minimum size for a 3 bedroom terraced house as set out in adopted DM Standard No. 1 Space Around Dwellings.

Future Occupiers Living Conditions

The annex is separated from the parent building by a 1.5 metre high fence with no direct access or garden access. It is fully self contained with its own street access, parking and garden area. It will function as a separate dwelling and not as an annex as there is no physical or functional link.

It abuts the pavement edge and the access road with windows onto both. This will be a poor living environment for occupiers due to a lack of privacy and as a result of noise and disturbance.

The garden area provided is tiny, under 10sqm, woefully short for a 2 bedroom unit. The unit itself falls well short of the expected 70sqm floorspace set out in DCLG's National Space Standards 2015 for a 2 bed, 3 person, two storey dwelling.

Highways

The existing house will lose the potential for off street parking. The proposed 'annex' is provided with a parking space which the Highway Authority is satisfied is of the right size and can operate safely. Onn street parking is heavy in the area. This overdevelopment will increase on street parking.

Conclusion

This proposal is an overdevelopment of this modest plot and results in a cramped development which would provide a poor living environment for future occupiers. The scale of the building proposed would be out of character in the streetscene and would be harmful to neighbours living conditions by virtue of a loss of light, overbearing impact and loss of privacy. The proposal removes potential parking to the existing family house in an area where on street parking is heavy causing further harm to neighbour amenity. It would set a harmful precedent.

REFUSE for the following reasons:

1. The proposal represents an overdevelopment of the site that would result in a cramped development harmful to future occupiers living conditions. The proposal is therefore contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 1 'Space Around Dwellings' and No. 2 'Alterations and Extensions', the National Planning Policy Framework and the DCLG's National Space Standards of 2015.
2. The scale and position of this building would be harmful to neighbours' living conditions by virtue of a loss of privacy, loss of light, overbearing impact and loss of garden. It is therefore contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 1 'Space Around Dwellings' and Development Management Standard No. 2 'Alterations and Extensions' and the National Planning Policy Framework.
3. The scale of the building proposed would be out of character in the streetscene harmful to visual amenity and would set an unacceptable precedent locally. It is therefore contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No. 2 'Alterations and Extensions' and the National Planning Policy Framework.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also

willing to provide pre-application advice in respect of any future application for a revised development.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 12/2/2021
Authorised and signed by:	Peter Barnett	Date: 12 February 2021