Expiry Date – 21/6

Development Control – Delegated Officer Report

Application Number: AWDM/0526/19 Recommendation – Refuse

Site: 35 Rosslyn Road, Shoreham

Proposal: Single storey side extension (north) and use of garage basement as annexe (part retrospective).

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 11/6

Site and Surroundings

This application relates to a detached garage, with basement, in the back garden of a detached house on the north side of Rosslyn Road. Access to the basement is from the east side though a door and down an internal stair or on the north side via an external stair. The annexe has been kitted out with a bathroom and kitchen and is otherwise a single room.

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

Proposal

Permission is sought to use the basement accommodation as an annexe.

Relevant Planning History

ADC/0060/09 - Alterations to detached garage at rear to convert its basement to a one bedroom residential annexe with the addition of stairwell on north side. Withdrawn 12.3.09

SU/97/01 – Detached ridge roofed garage at rear with underground store beneath. Granted 14.6.01

Consultations

Private Sector Housing -

'The basement is not suitable as habitable accommodation as it is deficient in terms of natural light, ventilation, facilities and means of escape in the case of fire.

We therefore object on the grounds that this department would be required to take action under the Housing Act 2004 to prohibit its use.

Please could the above informative therefore be placed on any planning permission that may be granted.'

Representations

No responses received.

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. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of annexe development can be supported where there is not unacceptable impact on neighbour amenity or local character. The quality of accommodation to be provided should ensure an attractive and safe place to live for future occupiers.

Policy 15 of the Adur Local Plan states that:

'Development should:

- Include a layout and design which take account of the potential users of the site.'

In Development Management Standard No. 2 para 3.24 states:

'Where an extension is proposed for a "granny annex" it will be required to have an inter-connecting door with the main house. In other respects it will be assessed on the same basis as any other extension. '

In The National Planning Policy Framework 2019 para 127 states:

'Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Para 130 states*:*

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it

functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'

The proposed annexe has been created without the benefit of planning permission. It has not been occupied. The original 2001 permission for a garage and basement store included a condition that the building be used as a garage only and for no other purpose. The north side access is also without the benefit of planning permission. The kitchen and bathroom have no direct light or ventilation. The 'living room' is accessed via the external staircase on the north side. This is to be enclosed by the proposed conservatory addition. Access otherwise is from an internal stair on the south side which is shared with the ground floor garage.

It is considered that the quality of accommodation provided is substandard in that it is poorly lit and ventilated and does not provide any outlook. It will provide a future occupier or occupiers with an inferior standard of accommodation. It will not function well, is not visually attractive in terms of its layout and its occupation will not promote health and well-being. It's design and layout and does not take adequate account of users of the annexe, contrary to policy 15.

The conservatory addition in itself will not be harmful to neighbour amenity or the streetscene.

Recommendation: REFUSE for the following reason:

The layout and design of the annexe would provide a substandard living environment for future occupiers by virtue of poor outlook, light and ventilation. The proposal is therefore contrary to policy 15 of the Adur Local Plan and the National Planning Policy Framework 2019.

Informative

1. 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.

2. Private Sector Housing advises that the basement is not suitable as habitable accommodation as it is deficient in terms of natural light, ventilation, facilities and means of escape in the case of fire. They therefore object on the grounds Private Sector Housing would be required to take action under the Housing Act 2004 to prohibit its use.

Is recommendation contrary to any representations? No.

Case Officer signed: MOK Date: 9.7.19

Authorised and signed by: Peter Barnett Date: 9 July 2019