Development Management – Delegated Officer Report

Application Number: AWDM/1211/23 Recommendation: APPROVE subject to completion of legal agreement

Site: 10A Saffron Close, Shoreham-by-Sea

Proposal: Retrospective application for part change of use of outhouse to granny annexe

Date of Site Visit: September 2023

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks retrospective permission for part change of use of an outbuilding to an annexe.

The site comprises a dwelling (10a) that was originally an extension to the neighbouring attached dwelling (number 10). A garage was then erected which joined onto an outbuilding and now forms the annex which is the subject of the application.

The frontage of the application site is at the end of a small group of houses accessed via a pathway. Parking areas are to the south, or to the east within a garage compound to which the annex backs on to.

Planning History:

AWDM/1309/14: Conversion of existing two-storey extension to two-bedroom dwelling - approved, following previous refusal under AWDM/0368/14.

AWDM/1785/16: Removal of existing car port and erection of detached garage - approved

Consultations:

West Sussex County Council Highways

The Local Highways Authority (LHA) has been consulted on the above application to retrospectively change the use of an existing outhouse to a granny annexe at 10a Saffron Road, Shoreham by Sea. Saffron Close is a residential D classified cul-de-sac and therefore is anticipated to be subject to low speed and low traffic movements.

The application outlines that no existing parking arrangements are to be changed through this proposal, there appears no parking designated for the property although

there is a garage compound nearby which may serve the dwelling. On street parking is an existing practice and is thought to be how the host dwelling is served. It is considered that this practice would be in place for the users of the granny annexe also.

The existing number of rooms/ habitable space within the dwelling is unknown, the proposal would not raise the habitable living space within the property curtilage as the rooms used were already considered habitable rooms. Therefore the parking demand wouldn't be anticipated to change drastically as a result of the proposal. The LHA are unaware of any issues with the use of on street parking in this location and whether there are any existing pressures within the area and refer to the LPA to consider this when making their planning decision.

The LHA does not consider that the proposal would have a ‘severe’ impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 111), and there are no known transport grounds to resist the proposal.

Environmental Health

Please could the following informative be placed on any planning permission that may be granted:

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 layout of the property is convoluted and the subsequent outlook from the windows of the habitable rooms is poor. Aerial photos show a fence very close to the proposed dwelling suggesting usage not as an annexe for a relation but a separate dwelling. The building incorporates part of a garage block and so will not meet building regulation standards. The site will be cramped with effectively 3 dwellings on a plot for one (original house, extension and now 'annexe') 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.

Southern Water

The attached plan shows that the existing building lies close to an existing public foul sewer. If the works to be carried out will alter the existing foundation line or depth or the structural load applied on the sewer it will be necessary for the applicant to contact Southern Water.

Representations:

None received

Relevant Planning Policies:

Adur Local Plan - policies 15 and 17

National Planning Policy Framework (December 2023)

Planning Practice Guidance

Planning Assessment

The main issues in the determination of the application are the effect of the proposal upon the character of the area and whether the annex is an acceptable standard of accommodation.

The application site is relatively well hidden in the street scene given the dwelling is a former extension to the property that sat in the north eastern corner of this small enclave of dwellings set back from the road. The line of dwellings that are located to the south of the building effectively hide it from wider view. The garage compound to the rear is set back from the public viewpoint via a relatively narrow access and therefore in visual terms, the proposal has little visual impact.

As noted by the Environmental Health Officer, the layout is unusual, effectively being caused by the conversion and reuse of existing buildings which means it is a somewhat straggly arrangement joining an outbuilding and converted garage. In theory, the annex could be used independently from the main house given it is effectively an long outbuilding in the garden, but the narrowness of the entrance, already limited as the result of the addition of the dwelling known as 10A to the existing dwelling would appear to mitigate against the practicality of such an arrangement.

There is still sufficient amenity space within the curtilage of the dwelling but it is considered that a condition should be imposed withdrawing permitted development rights for any future additions.

Nonetheless, because of the slight physical separation of the annex from the main dwelling and that the layout is quite unusual, it certainly would not be acceptable for the annex to be used separately in the future, nor should such protection be secured by a condition. As a result the applicant was requested to enter into a legal agreement with the Council to ensure that the annex is not disposed of separately from the main house and that the building is not occupied by any person other than a dependent relative (at the time of the site visit, the annex was about to be occupied by a dependent relative). The legal agreement has now been completed and signed and with this legally binding restriction upon the use of the annex, it is considered that the application is acceptable.

Recommendation

GRANT permission with the completed Section 106 agreement ensuring that the annex cannot be disposed of separately from the main house and shall be occupied by a dependent relative

01 Approved Plans
02 Withdrawal of permitted development rights

Informative as per the comments of the Environmental Health Officer.

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

Case Officer: Gary Peck Date: 10 July 2024

Authorised by: James Appleton Date: 10th July 2024