Expiry Date – 2/5

Development Control – Delegated Officer Report

Application Number: AWDM/0351/19 Recommendation – Grant

Site: Trotters, Hillbarn Avenue, Sompting

Proposal: Retrospective planning application for converted detached garage for annexe use to be used solely for a dependent relative only

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 5/4

Site and Surroundings

This application relates to a detached former garage in the south west corner of the rear garden on the boundary with Lora, to the west and 83 Hillrise Avenue to the south. The garage has been converted into a one bedroom annexe with its own bathroom and kitchen/living room. The works have involved the installation of a door and window on the east side, facing into the site garden. 3 rooflights have also been added to the flat roof. It does not appear that the roof itself has changed otherwise. The garage door is still in place such that from Hillbarn Avenue it still appears as a garage.

Proposal

Permission is sought to retain this annexe conversion. It was unoccupied at the time of the site visit. According to the applicant it is used intermittently by visiting family members. It is not rented out.

Relevant Planning History

AWDM/1406/16- Rooms in roof with dormers to front (north) elevation. Granted 25.10.16

Consultations

Southern Water:

'Southern Water has no objection for the above proposal.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link https://beta.southernwater.co.uk/infrastructurecharges

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order:
a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".'

Private Sector Housing:

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. 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 has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

Summary
This proposal is for the conversion of a detached garage for annexe use to be used solely for a dependent relative. This is a retrospective planning application, with the works having finished on 27/12/2016.

Access and visibility
The site is located on Hillbarn Avenue, an unclassified road subject to a 30 mph speed limit. Access to the property has not changed. Visibility at this junction is sufficient, and an inspection of data supplied to WSCC by Sussex Police over a period of the last five years reveals that there have been no recorded injury accidents resulting from road layout within the vicinity of the site.

Therefore there is no evidence to suggest the access is operating unsafely, or that the change of use has exacerbated an existing concern.

Parking and turning
The change of use of the garage to annexe has resulted in the loss of 1 car parking space. Using the WSCC Car Parking Demand Calculator, a property of this size in this location would create a demand of 2 car parking spaces. The property's driveway appears long enough to allow 2 cars to park on it, meeting its demand. Any overspill parking would have to be accommodated on street, and the Local Highway Authority (LHA) would not consider this to be detrimental to highway safety. However, the LPA may wish to consider the amenity impacts.

Conclusion
The LHA does not consider that the proposal would have 'severe' impact 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.'

Representations

One objection from 3 Hillbarn Avenue:

1. Overdevelopment
2. Light and noise.
3. More cars to park, more visitors, more noise.

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 Flats', Development Management Standard No. 2, 'Extensions and Alterations to Dwellings'.

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, the impacts of the development on neighbour amenity and parking/the highway network.

Character

From the street the garage still appears as a garage as it retains its garage door. The garage is set 15 metres back from the road frontages and the upstanding rooflights in the flat roof cannot be obviously seen from the road. The garage has otherwise not been enlarged and so the proposal is not an overdevelopment of the site. The character of this residential street is not harmed by this development.

Neighbour amenity

The garage building has not been altered other than the introduction of a door and window on the inside flank wall, east facing, onto the site's own garden. The rooflights project only slightly above the flat roof and are inconspicuous from the street. Neighbours who share a boundary with the site did not complain about the works or use prior to the application being submitted. They have not responded to the neighbour letter either. It would appear it is not affecting direct neighbours.

The applicant explained on site that a family member stays in the annexe on a part time basis when in the area. It is not rented out privately and there is no intention to do so. Subject to a condition that it can only be occupied for purposes ancillary to the main dwelling it is considered that this small annexe will not cause serious harm to neighbour amenity. A condition preventing sub division of the plot to further prevent self containment is also recommended. The prevention of additional windows being added in the flank walls, without planning permission, is also recommended as a condition to prevent intrusion into neighbour's properties.

Highways

The property has at least three off street parking spaces. The Highway Authority has not objected to the proposal and does not consider it is causing serious harm to the free flow of traffic. Any overspill, though not expected, can safely be accommodated nearby on street.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. Ancillary to Trotters
3. No sub division of the plot
4. No additional windows without planning permission

Informatives

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. A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
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3. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers, it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".'

4. 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. 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.

Is recommendation contrary to any representations? Yes.

Case Officer signed:	MOK	Date: 1.5.19
Authorised and signed by:	Peter Barnett	Date: 1 May 2019