Development Management – Delegated Officer Report

Application Number: AWDM/1752/15 **Recommendation: APPROVE**

Site: **42 St Julians Lane, Shoreham-By-Sea**

Proposal: **Remove existing garage and garden shed and construct granny annexe in rear garden**

Date of Site Visit: February 2015 in connection with original pre-application enquiry, December 2015 to display site notice, 18 January to neighbouring property

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks full permission to remove an existing garage and garden shed and to construct a granny annexe in the rear garden. The application has been amended during its consideration as an office was also proposed which has been deleted following feedback from the case officer. The application also seeks permission for demolition of an unlisted building within the Conservation Area.

The application site is to the north western part of the Conservation Area which includes Shoreham College and St Julians Church. This property is the easternmost of a pair of dwellings which have much larger plots than those in the immediate vicinity. To the east and west are groups of terraced dwellings – those to the east being in Querneby Close, the road to which runs partly along the eastern boundary of the application site. To the rear (north) of the application site are the flats of Cheyne Court which are outside of the Conservation Area.

Planning History:

None recent of relevance but in the 1980s, 3 separate applications were refused for the erection of a detached bungalow at the site.

Consultations:

Environmental Health: No objection

West Sussex Highways: After inspection of the documents provided I would not anticipate the proposed development to give rise to a material intensification of use of at the site. I would ask that should the LPA be minded to grant planning consent that the proposed is used for the enjoyment of 42 St. Julians Lane and not used as independent office space or as an independent dwelling, theses would require further highways considerations.

Adur District Conservation Advisory Group: Unanimously approve the application

Arboricultural Officer: I do not consider that there are any significant trees within the boundary of 42 St Julian's Lane. There are a small number of individual trees in the rear

grounds of Cheyne Court and the adjacent 10 Querneby Close. It is unlikely that these trees will be affected by the proposed works as a substantial brick wall divides the properties.

Representations:

1 letter of objection has been received on the following grounds:

Original plans:

- Previous applications for a bungalow at the site were refused and there have been no changes to the relevant rules and regulations
- Noise from opening doors of the building
- Proposed building is too large and out of keeping with the main house
- Solar panels would be unsightly
- Proposed materials are not in keeping
- Will be overlooked by neighbouring property

Amended Plans:

- Objection regarding design, noise, overlooking and solar panels still apply
- The building is not an annexe but a separate bungalow
- Main property has been extended already and living accommodation could be provided within

Relevant Planning Policies:

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7, AB23 & AB25 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings'

National Planning Policy Framework (CLG 2012)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The main issue in the determination of the application is the impact of the proposal upon the character of the surrounding area and the amenities of neighbouring properties.

At present, the north eastern corner of the rear garden contains a garden building and garage, neither of which contributes positively to the character of the area as they have become somewhat dilapidated. Their replacement is acceptable in principle, therefore, and the garden plot is sufficient to incorporate a larger building although it is considered that the office originally proposed in addition to the proposed annex would have been an excessively large increase.

The amended scheme broadly matches the length of the existing garage (it comes slightly further forward but is set off the rear wall unlike the garage. The existing garden building does not run the full length of the garage and so there is an increase in footprint as a result of the new building but again as the existing building is also

set against the side wall and that proposed is slightly offset, in effect the proposal represents a squaring off, as amended.

It is noted that previously a bungalow in the rear garden was considered unacceptable although it is felt that the main objection to this would be the necessity to create a separate curtilage and access. This is not required in this instance as a granny annexe and provided a condition is imposed preventing both occupation and withdrawing permitted development, the objection is overcome.

The impact upon the neighbouring property has been carefully considered but it is felt difficult to justify refusal on such basis now that the plans have been amended to ensure that the building is an equivalent position to those existing on site. This means that the new building is around 15 metres distant from the nearest part of the neighbouring property and about 20 metres from its main part. While it is appreciated that the use of a self contained annex is likely to alter the type of activity in the garden, which is relatively quiet despite its close proximity to neighbouring dwellings, it would be quite feasible to use the garden more intensively without the need for planning permission if, for example, an outbuilding was constructed within permitted development tolerances. There is some screening around the boundaries of the site, but this could be improved towards the neighbouring property by way of condition.

The building will have limited impact from public viewpoints because of the curve of the driveway and existing landscaping at the front of the site and at the rear, the site backs onto the amenity space serving Cheyne Court. In design terms, the property would be rendered to match the main house and it is proposed to use reclaimed slate and non reflective solar panels which can be which can be controlled by condition.

While the original scheme was considered excessive, it is considered that, on balance, the amended scheme is acceptable.

Recommendation

APPROVE subject to the following conditions:

01 Full Permission
02 Approved Plans
03 No independent access
04 No division of garden
05 The annex accommodation hereby permitted shall only be occupied by the parents of the applicants or for purposes solely incidental to the occupation of 42 St Julians Lane as a dwelling and at no time shall be occupied as an independent planning unit of residential accommodation
06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the annexe hereby permitted shall not be further extended or altered in any way except by way of a planning application to the Local Planning Authority
07 Materials
08 Landscaping

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

Case Officer: Gary Peck Date: 7 March 2016

Authorised by: Date: 8th March 2016