Development Management – Delegated Officer Report

Application Number: AWDM/2032/22 Recommendation: Approve, subject to s106

Site: 24 Halewick Lane, Sompting

Proposal: Retention of Granny Annexe in rear garden (retrospective application)

Date of Site Visit: 23 January 2023

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks retrospective permission to retain a self-contained annexe at the end of the rear garden of 24 Halewick Lane. The property is a semi-detached bungalow on the east side of the road. It has an unadopted access road running along its southern boundary which is shared with a number of other properties. The road has recently been resurfaced by the applicant.

The annexe contains 1 bedroom, a bathroom and a living/dining/kitchen area. It has an internal floor area of 47sqm. A parking space has been provided to the east of the building, accessed from the unadopted road. At the time of the site visit a fence separated the annexe from the rest of the property but this has since been removed. Should permission be granted, the applicant has agreed to enter into a legal agreement to ensure that the annexe is occupied by a family member only and is not sold separately.

Planning History:

None

Consultations:

West Sussex County Council: The Highways Authority has no objection.

Adur and Worthing Councils: Private Sector Housing: The bedroom is an inner room and so needs a fire escape window. Floor area meets requirements for a single person. Suggest standard condition about being only for ancillary use.

Sompting Parish Council: No objection but there should be a condition to prevent occupation as a separate dwelling

Southern Water: It appears that the developer has built over a public sewer without consent, accordingly they are required to submit a retrospective Buildover application with a CCTV survey, which can be arranged by Southern Water and will include the sonde location. Southern Water will then review the original plans and as-built plans whilst also checking the structural condition of the public sewer which has been built over, to confirm that the sewer is of a suitable material to support the build over (i.e. not plastic) and in good structural condition, and that the minimum stand-off distance from the new foundations has been achieved. Southern Water will require evidence the new foundations extend to a depth of at least 150mm below the invert level of the adjacent public sewer to ensure no additional loading is placed on the sewer. Depending on the findings, Southern Water may be able to progress the application to a Conditional Approval, however, should the build over not satisfy our conditions then we will not be able to progress it to an approval stage without additional works at the applicant's expense. Accordingly, we advise that any works to build over a public sewer should not be progressed on site until a Conditional Approval response letter has been provided by Southern Water to avoid the possibility of additional expensive repair costs to rectify the situation.
In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers

Representations

3 letters of objection received from the occupiers of 38, 42 and 44 Meadowview Road:

- Annexe already built and concerned that drains, foundations, etc have not been checked properly
- Building can be seen from public highway
- There is no parking other than on shared access road
- Should not block access road
- Form is inaccurate
- Not good design
- Fence has been erected between house and annexe (since removed)
- Very likely to be a separate dwelling - legal agreement required to prevent separate occupation/sale
- Built over sewer

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 22, 29
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area.

Visual amenity

The annexe is finished in black cladding and can be glimpsed from Halewick Lane and from the access road. However, at 2.7m high it is largely screened by the closeboard boundary fence and is not considered to be intrusive. An outbuilding at the rear of 41 Hillrise Avenue sits immediately behind the annexe. That building has a taller roof and the annexe is therefore not considered to be out of character as outbuildings at the rear of gardens are commonplace.

Residential amenity

The building meets the national standards for a 1 person 1 bed dwelling. Being at the end of the garden it is not considered to have an adverse impact on the amenities of neighbouring occupiers. The additional activity associated with the building is not considered to be likely to be excessive or to an extent as to cause harm. The use of the access road to park one vehicle is also not considered to be likely to cause significant disturbance.

Other matter

Southern Water has advised that the development has been built over a public sewer without consent. They have not, however, objected to the application and have asked for a condition to be imposed to ensure that the sewer is protected in the long term.

Recommendation

Subject to completion of a legal agreement to ensure that the annexe is not sold separately, **APPROVE**

Subject to Conditions:-

1. Approved Plans
2. Ancillary only
3. Within 6 months, measures to protect the public sewerage infrastructure that is laid within the site boundary should be implemented in full accordance with details to be submitted to and approved by the Local Planning Authority, in consultation with Southern Water. The details shall include, but not be exclusive to, the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via either a diversion or formal agreement to build over the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or build over agreement has been agreed with the relevant statutory undertaker and that the approved works have been undertaken.

Is recommendation contrary to letter(s) of representation Y

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 19 July 2023

Authorised by: Jo Morin Date: 19.07.2023