Expiry Date - 13/08/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0781/24 Recommendation – APPROVE

Site: 12 Rackham Close Worthing West Sussex BN13 1LN

Proposal: Demolition of existing garage and construction of new garage and annexe for dependant relative.

Date of site visit: 19.07.2024

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a semi-detached bungalow occupying a wedge-shaped plot located on the west side of Rackham Close, a modest-sized cul-de-sac within a residential suburb of the town. The plot is relatively narrow towards the front (East) where it adjoins the head of the cul-de-sac, with access to the driveway and existing detached garage building from a single vehicle access shared with the neighbouring property, No.10. The plot widens considerably to the rear (West) providing a larger than average rear garden.

The existing bungalow has been enlarged by a single-storey rear extension. The existing detached garage building is sited at an angle to the bungalow adjoining and parallel to the south side boundary. A greenhouse adjoins to the rear.

No.10 is sited at an angle to No.12 to the South and East within its own large, wedge-shaped plot. A detached garage building is sited alongside that existing at No.12.

No.14 is attached to the north and has been enlarged by a single-storey side extension.

The site is not Listed or locally listed or within a conservation area. There are no TPO trees on the site.

Proposal

Permission is sought to demolish the existing garage building and erect a replacement garage building with small workshop, and attached residential annexe to the rear. The proposed building would be wedge-shaped, narrower at the front (3.85m) and wider at the rear (8.25m). Its maximum length, alongside the southern site boundary with No.10 would be 15.7m. The north side of the proposed building would be parallel to the flank wall of the existing

bungalow with a separation gap of 1.25m. The proposed building would have a flat roof 3m high with a tiled 'false-pitch' to the front.

The front component of the building would comprise the garage and associated small workshop/storage area. The rear component would comprise a residential annexe consisting of an entrance hall, leading to a lounge/kitchen/dining area with built-in storage cupboard. A bedroom with walk-in wardrobe would be located off the lounge/kitchen/dining area. A bathroom would be located off the entrance hall. The main aspect of the proposed lounge/kitchen/dining area would face north with a large glazed door opening onto the existing patio area to the rear of the bungalow. The bedroom would have a large glazed door opening facing West down the garden.

The application is supported by a statement as follows:-

"*The annexe is for the sole use of my daughter and her partner to enable them to have some more living space rather than just a bedroom and this will enable us to continue to live as a nuclear family.*

We will continue to share the main kitchen and dining area for a our daily family meals as we currently do with a small kitchenette for them within the lounge area of the annex to enable my daughter to make her cakes in peace and quiet as she very much enjoys baking as a hobby, tea and coffee etc.

There are no facilities for washing or drying, that will still be within the main house and shared and all power to the annex will still come from the main house.

The garden will be landscaped with a joint patio area outside the new patio doors and main house garden doors.

This will give us the perfect living environment to all stay together as my husband and I are not many years off retirement and in living in this bungalow we have the perfect home for our old age and when in the future they have children, we can swap round to give them the extra bedroom for my grandchildren whilst we would move into the annex."

Relevant Planning History: None

Consultations:

WSCC: The Local Highway Authority (LHA) has no objection, commenting:-

"This proposal is for the demolition of existing garage and construction of a new garage and annexe for a dependent relative. The site is located on Rackham Close, an un-classified road subject to a speed restriction of 30 mph.

No alterations are proposed t the existing access arrangement. The proposed development is not anticipated to give rise to a material intensification of use of the existing access point.

From inspection of the plans, the proposed replacement garage is larger than existing meeting the Manual for Street (MfS) internal specifications for a single-bay garage and being of suitable size to accommodate one car parking space.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal."

Southern Water

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

WSP: No objection, subject to the following condition.

No phase of the development shall commence, other than works of site survey and investigation, until full details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. Supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, 1% AEP (1 in 100 year), and the 1% AEP (1 in 100 year) plus climate change critical storms will be required to support the viability of drainage scheme. No part of the building shall be occupied until the complete surface water drainage system serving the property has been implemented in accordance with the agreed details and the details so agreed shall be maintained in good working order in perpetuity

Reason
To ensure flood risk is adequately addressed and not increased in accordance with National Planning Policy Framework and the policies of the Worthing Local Plan.

Officer Comment: The application is a householder application for a replacement garage building and attached annexe that would be ancillary to the host dwelling. The site is not located within an EA Flood Zone. A very small area of the site entrance drive is with an area identified as susceptible to surface water flooding (less). As the proposal would not result in the creation of a separate dwelling house it is considered the recommended condition is not proportionate to the flood risk, or risk of increased flooding, and

consequently the matter of surface water drainage can reasonably be addressed under the Building Regulations.

Adur and Worthing Councils

Private Sector Housing team: No Objection but recommend that a condition such as the following is attached to any approval granted to ensure that the unit of accommodation granted remains as it was applied for: *"The accommodation hereby permitted shall only be occupied by a dependant relative and solely for purposes ancillary to the occupation and enjoyment of the property as a whole (as it exists at the date of this permission) as a single dwellinghouse and shall not be used as a separate dwelling."*

The **EHO (Public Health & Regulation)** recommends the following condition:-

Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours; Saturday 09:00 - 13:00 Hours; Sundays and Bank Holidays no work permitted. Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area.

Officer Comment: The application is a householder application for replacement garage with attached annexe that would be ancillary to the host dwelling. It is not the Council's normal practice to impose conditions on hours of construction for domestic extensions. It considered the recommended condition is not proportionate to the potential risk of harm from noise and disturbance during construction works.

Representations: A representation has been received from a neighbour commenting that it is rather sad to lose another beautiful tree. Appropriate conditions should be applied with regard to the occupation and use of the annexe accommodation.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM19
National Planning Policy Framework (MCHLG 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Planning Assessment

Principle of Annexe Accommodation

LP Policy DM5 states that all new development (including extensions, residential annexes, alterations and ancillary development) should (amongst other things) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area; enhance the local environment by way of its appearance and character with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and layout of the development; make a positive contribution to the sense of place, local character and distinctiveness of an area; be well built, accessible, fit for purpose, and adaptable to changing lifestyles; include a layout and design which take account of potential users of the site; and not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, or an unacceptable increase in noise.

It states specifically in relation to residential annexes, that they must be designed as ancillary to the main dwelling and be capable of satisfactory conversion for use in association with the main dwelling when it is no longer required by a relative or dependant

The preamble to policy DM5 states at paragraph 5.68:

“Residential annexes can provide a suitable solution for accommodating a relative or dependent within the curtilage of the main dwelling house. Where a totally independent dwelling is not acceptable, (for example where there is a lack of separate curtilage, inadequate parking or a general unacceptable intensity of use), permission may be granted for an annexe subject to conditions or planning agreements limiting occupation to a relative or dependent, and requiring conversion of the accommodation to a use in association with the main dwelling, when it is no longer required for the relative or dependent. Such annexes should be ancillary to the main dwelling both in scale and range of accommodation and facilities, and must not assume a detached or independent identity by design or sub-division of the curtilage of the main dwelling.”

The proposed annexe is described as ‘ancillary’ to the main dwelling, to be occupied by a family member (and partner). Located behind the garage, it would be accessed from the passageway separating the proposed building and the main bungalow, via a gate leading from the driveway. The passageway would continue to provide a separate means of access to the shared rear garden, and to bring bins out for collection etc.

The main habitable lounge/kitchen/dining area would have its sole aspect facing north overlooking the shared patio to the rear of the main bungalow, maintaining an intimate relationship with the host dwelling. Although the submitted drawing indicates a full range of facilities would be provided, the supporting statement explains that this is intended to provide the occupiers with some independence, whilst in practical terms there would still be a reliance on the main bungalow in meeting day-to-day living requirements,

including laundry. That said, at 50sqm the proposed internal floor area would meet that required for a self-contained 1-bedroom 2-person dwelling house.

Visual Amenity

The proposed building would be set slightly further back (West) into the site than the existing detached garage building, with the neighbour's garage sited approximately 1.4m forward of it. Owing to the shape of the plot, the large footprint of the building would not be apparent in views from the street. Nor would the existence of the annexe accommodation, accessed from the side passage, be apparent in public view. The simple flat roof form of the building, with false pitched roof detail at the front, whilst not overly attractive, would maintain an ancillary visual relationship to the host dwelling.

Construction of the building would involve the removal of a medium/large sized silver birch tree growing in the garden. The Council's Tree & Landscape Officer has confirmed that, given its location in a rear garden, it is not of sufficient interest or significance to warrant a TPO. There are numerous other trees in the rear portion of this good-sized garden, but the Applicant has agreed to plant a replacement in accordance with policy DM19.

Residential Amenity

The most-affected properties are those on either side, Nos.10 and 14 Rackham Close.

The proposal would result in the creation of an unusually long wall sited 0.3m from the common boundary with No.10. Part of this will be sited alongside the existing garage at No.10, but a wall some 9m long and 3m high will be visible to the rear of the garage. This will have an enclosing effect on that part of the garden closest to the boundary which consists of a patio area with outdoor seating. However, relatively limited weight can be attached to the impact on garden amenity space. The bungalow at No.10 is sited at an angle to this boundary. Windows in the north-west flank wall face onto its own garage building, although the taller roof of the proposed building would be visible above this. The nearest corner of the bungalow is sited over 7m from the common boundary. Thus, taking account of the orientation and separation distance of No.10 from the proposed building, together with its own very generous rear garden size, it is considered the impact of the proposed building would not be unacceptably dominant or overbearing on the amenities of No.10, or result in an unacceptable loss of sunlight or daylight.

To the north, vegetation within the garden of No.14 adjoins the common site boundary. Views of the rear part of the proposed building comprising the annexe would be visible if the planting were to be cut back, but at a separation distance of over 9 metres the proposed building and annexe accommodation would not give rise to any adverse impact on the amenities of No.14, including from overlooking from the proposed bi-fold doors in the north elevation.

The proposed use of the annexe accommodation would not be anticipated to give rise to any significant increase in activity at the property or associated noise or disturbance since it is understood the intended occupiers already reside in the main bungalow.

Conclusion

The proposed annexe accommodation can easily be accommodated on this generously proportioned plot without appearing ‘cramped’ or otherwise compromising the appearance of the existing bungalow as a single dwelling. Despite its good-sized internal floor area and range of facilities provided, the siting and layout of the proposed annexe accommodation would maintain an intimate and functional relationship to the host dwelling, which can be secured by condition.

Recommendation APPROVE subject to the following conditions:-

1. Approved plans
2. Time limit
3. Matching materials
4. No windows/openings south side of building
5. Occupation of annexe to be ancillary to main dwelling.
6. Garage/workshop to be retained as incidental to main dwelling.
7. Remove pd rights to enlarge garage/annexe building
8. Remove pd rights for fences/wall/means of enclosure to rear garden
9. Plant replacement silver birch tree as shown on approved plan in first planting season following completion or first occupation whichever is sooner.

Informative

Pro-active Amendment.

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

Case Officer: Jo Morin Date: 06.08.2024

Authorised by: Louise Prew Date: 06/08/2024