Expiry: 28/3

Development Management - Delegated Officer Report

Application Number: AWDM/0127/24 Recommendation – Refuse

Site: 29 Albert Road, Southwick

Proposal: Annexe in rear garden for family member

Date of site visit: 8/3

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to a two storey end of terrace cottage on the north side of Albert Road. Albert Road is in the Southwick conservation area and the site backs onto the graveyard attached to the Grade II* listed St Michael and All Angels church.

The property has a small front garden behind a low wall and has been extended into the roof with rooflights. There is a narrow passage way on the west side which gives access to a rear garden gate.

It is proposed to build a 1 bedroom 'annexe' in the garden for occupation by the owner's daughter and boyfriend.

The annexe is 'L' shaped with maximum dimensions of 4.5 metres by 7 metres and a maximum height of 2.5 metres. Plans do not show any kind of additional base. It includes a kitchen/diner/living room with separate bedroom and shower room with windows in 3 elevations, north, south and west.

It is positioned as close as 150mm to the back boundary with the graveyard and 423mm off the boundary with No. 28. The rear boundary is defined by a low wall with additional trellising and ivy. The boundary with No. 28 consists of a 1.8 metre high close boarded fence. There is a typical domestic shed in the north east corner of the garden.

Relevant Planning History

None.

Consultations

West Sussex County Council: The **Highways Authority** does not object as it does not consider a severe impact on the highway network would result.

Southern Water: Foul and surface water drainage connection applications required.

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Council's Drainage Consultant's WSP: No objection. SUDs should be considered for drainage scheme.

Adur District Conservation Advisory Group

'Members are unanimous in their agreement with the points & recommendations raised by the fellow consultee (EH Private Sector Housing Officer) that a firm condition be imposed thereby preventing an alternative use of the dwelling other than that tied to the existing house, 29 Albert Road & its "family member" for whom this proposed annexe is being erected. Such a condition will prevent any other usage should the said family member cease to reside in the said annexe, no other usage would be accepted.

Finally, members agree that the application for an "annexe for a family member" as described, be APPROVED.'

Adur and Worthing Councils:

Private Housing Health:

'The annexe is clearly designed to be occupied as a fully self contained dwelling with access to its own path and is completely separate from the main dwelling.

The annexe only measures 23sqm and so is far below the national technical space standard of 37sqm for a single person of 50sqm for two persons.

If minded to approve there needs to be robust planning conditions to ensure that the use of the annexe remains tied to the main dwelling and that it is neither sold nor let out as a separate unit of accommodation.'

Representations

Neighbour at No. 30 Albert Road objects as follows:

Loss of privacy
Noise.
No precedent for such development in the road.
The gardens are small and the annexe would be out of character in the area.

Relevant Planning Policies

Adur Local Plan 2017 Policies 2, 15, 16, 17, 20, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
Southwick Conservation Area Appraisal
National Planning Policy Framework (December 2023)
WSCC Guidance on Parking at New Developments (Sept 2020).

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Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings. Including the conservation and listed church.

Visual amenity

The gardens of these cottages are narrow. The proposed annexe will replace a typical domestic shed and will extend almost the full width of the plot and 7 metres down the east side boundary with No. 28, half the garden depth.

The proposal represents cramped overdevelopment of the rear garden which would not reflect the pattern of development locally. It would not respect nor enhance the character of the site or the prevailing local character. It would not make a positive contribution to local distinctiveness. It would be contrary to policy 15 of the local plan.

Heritage

It would be very visible from the graveyard given its proximity to the shared boundary and the necessary removal of vegetation. But it is not considered harm to the setting of the Grade II* listed church would occur.

In terms of the Southwick conservation area the scale of the proposal would not respect its cottage back garden context and would as a consequence result in less than substantial harm without wider public benefit and contrary to policy 17 of the local plan.

Residential amenity

Development Management Standard No.2 ‘Extensions and Alterations to Dwellings’’ generally seeks for annexes to be linked extensions to the parent building to ensure greater connectivity and even some shared facilities.

In this case the annexe is completely detached, generously proportioned and fully self sufficient. There is separate access through a rear garden gate if preferred. It does not rely on the parent building for anything. Whilst a condition could be added to prevent use as a separate dwelling we could not prevent the side access being used as the primary access to the annexe.

If this situation occurred and more regular use of the shared side passage resulted a potential reduction in privacy and noise and disturbance to occupiers of No. 30 would occur.

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Recommendation

REFUSE

1. The proposal represents a cramped overdevelopment of this cottage garden in the Southwick conservation area which would not respect the pattern of development locally nor its context, causing harm to visual amenity. In addition its scale, fully self contained nature and alternative independent access also has the potential to cause harm to neighbour amenity by virtue of a loss of privacy and noise and disturbance. It would conflict with policies 15 and 17 of the Adur Local Plan and the National Planning Policy Framework.

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

INFORMATIVE

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Case Officer:	MOK	Date: 14/3/24
Authorised by:	Peter Barnett	Date: 14 March 2024