Development Control – Delegated Officer Report

Application Number: AWDM/1395/13 Recommendation – REFUSE

Site: 3 Sandown Road Southwick Brighton West Sussex

Proposal: Extension to existing outbuilding in rear garden and change of use to self-contained annex.

Date of site visit: 13 November 2013

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the outbuilding located in the rear garden of a detached two-storey house on the north side of the road. The area is residential in character and the homes on this road have relatively small gardens. The rear boundary is defined by a wall and the host property land is set approximately 2m lower than the land on the north side of this. The east side rear boundary is defined by a wall and vegetation although standing eye level visibility between the neighbouring properties is possible.

This application is for an extension to the outbuilding to provide self-contained accommodation for a family member. The addition would measure 4m x 4.85m and would be subservient to and sited to tie in with the roof of the outbuilding at 90º. A door and three-panel window would be inserted in the south facing new elevation.

Relevant site history

SW/40/05/TP/21963 Demolition Of Existing Dwelling And Erection Of Four-Bedroom House With Integral Garage. Permitted

Consultations

Representations

One letter of objection has been received from neighbouring occupiers at 1 Sandown Road citing smallness of the plot for two dwellings, loss of light, loss of privacy, harm to trees, reduction in property value and noise disturbance.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AH5 and Appendix 11 ‘Supplementary Planning Guidance’ comprising:-
Development Control Standard No.2 ‘Space Around New Dwellings and Flats’
‘Good Practice Guidance Note: Internal Space Standards for New Homes’ (ADC 2010)

National Planning Policy Framework (CLG 2012)

Planning Assessment

Principle

The site is located within a residential part of the built-up area of Southwick and, is not identified or allocated for any particular use or development in the Local Plan. Whilst the proposed development may not be a separate dwelling it would be a de facto dwelling, by reason of being an individual self-contained unit of accommodation, albeit associated with the host property and used by family members only. The applicants have stated that they are willing to enter into an undertaking that this use shall be restricted in this manner. As the resultant build would be tantamount to an additional home, it is considered appropriate to assess the proposal as one.

Local Plan housing policies AH2 and AH5 have been 'saved' and encourage redevelopment to help meet the demand for dwellinghouses suitable for small families, single persons, the elderly, and to make best use of urban land. AH2 relates to new residential development (by way of infilling and redevelopment) and states that new dwellings should be designed so that their appearance, character and scale create a pleasant place in which to live and are in keeping with and enhance the existing local environment with particular attention being paid to architectural form, height, materials, density, layout of buildings and hardsurfaced areas; they do not have an unneighbourly effect due to loss of privacy; daylight/sunlight; outlook or open space, incorporating adequate standards of residential amenity for the new dwellings in terms of amenity space, daylight, outlook and privacy; access and parking provision meets the adopted standards; and they accord with the Council's DC Standard No.2 'Space around New Dwellings and Flats'. Also of note is the Council's 'Good Practice Guidance Note: Internal Space Standard for New Homes'.

The National Planning Policy Framework also states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. A high quality design and a good standard of amenity for all existing and future occupants of land and buildings is one of the core principles.

Visual amenity

The enlarged and self-contained outbuilding in the rear garden of this house is considered to be out of character with the general form and layout of development in the area. Whilst set in the back garden and away from the road with no separate vehicular access, and out of general public view, from the point of view of the properties at 1 Sandown Road, a bungalow, to the immediate east which is separated by wall and trees and the higher set flats at 33 Phoenix Way to the north, the building would be an unwelcome intrusion in the rear garden of the existing bungalow, which is already restricted in size through the presence of the current outbuilding. The resultant plot would appear unduly cramped as a result.

The garden area (including private front garden and patio) is currently below the 85sqm recommended in the Council's DC Standard for small detached dwellings. However, the proposal would further reduce this area and for what effectively would be two units of accommodation, be significantly below the required area.

The proposed development is therefore considered to be out of character with the lower density nature of existing development in Sandown Road.

Residential amenity

To the north, and on higher ground, are the side elevations of the flats at 33 Phoenix Way. Whilst the proposed build by lying south and having no new north facing windows, would cause no serious loss of light or privacy for the purposes of these dwellings, the increased activity likely to stem from the nature of its occupation and related movements would cause some disturbance above and beyond that currently caused by the house and its outbuilding. The occupiers of the property to the east at 1 Sandown Road, however, are likely to experience greater disturbance as their back garden runs parallel to the application site rear garden and the south facing window of the accommodation would lead to the risk of materially greater intrusion into garden and rear facing windows notwithstanding the boundary walling and vegetation

To the immediate west, where there is a further bungalow, boundary enclosures and the bulk and position of existing outbuilding already serve to minimise risk of overlooking. It is considered however, that noise and raised activity levels associated with the proposed accommodation would again present an unacceptable risk to the peaceful enjoyment of this neighbouring dwelling.

It is not considered that there are any further material considerations.

Recommendation

REFUSE for the reason:-

The proposal represents a cramped and unacceptable form of development within a residential garden and which is out of character in scale, density and layout with the surrounding area and which results in a smaller garden size than that currently enjoyed by the host dwelling and neighbouring dwellings in Sandown Road and will result in a significant risk to the amenities of the neighbouring property at 1 Sandown Road by reason of loss of privacy and undue disturbance. The proposal is therefore contrary to saved policy AH2 of the Adur District Local Plan.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. The Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reason for refusal.

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

Case Officer: Lawrence Simmons Date: 5 December 2013

Authorised by: Jo Morin Date: 9 Dec 2013