Development Management - Delegated Officer Report

Application Number: AWDM/1400/16 Recommendation – Approve

Site: 117 Grinstead Lane, Lancing

Proposal: Erection of outbuilding in rear garden for commercial use (3D pregnancy scanning).

Date of site visit: 14 October 2016

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a semi-detached dwelling on Grinstead Lane. It is proposed to erect an outbuilding in the rear garden to be used in connection with the applicant's business of 3D pregnancy scanning. The building will measure 10m long, 3.5m wide and 2.75m high with a flat roof. It is to be timber clad with a felt roof.

It will contain three rooms, comprising two consulting rooms and a waiting area plus WC. The building will be sited along the southern and eastern boundaries. The application form states that space exists at the front of the property for 4 parking spaces, with access to the building via a gated pathway along the south west side of the building. Two people will work in the building and business hours are stated as being 0830 – 2100 Mondays to Fridays and 0830 to 1800 on Saturdays.

Relevant site history

L/148/02 – Two storey side extension – approved

Consultations

West Sussex County Council: The **Highway** Officer has no objections. Given the scale of the development no highways concerns would be raised to the vehicular trip generation of the proposal and its impact on the maintained highway network. From inspection of the plans, there appears to be no apparent visibility issue at the existing point of access onto Grinstead Lane, A2025.

It is noted that the site is served with 4 existing off street car parking spaces, which would be shared with the existing residential use on site. It is likely this would be sufficient to accommodate both the residential and commercial use. Unrestricted on street car parking is available in neighbouring roads. The proposal may introduce a small quantity of on street transient car parking pressure, however it would be difficult to substantiate that a small increase in on street car parking pressure in these locations would cause a highway safety issue. The site is sustainably located and clients of the service would

have the opportunity to use other travel means than the private car to access the site.

On balance no anticipated highway safety or capacity concerns would be raised to the proposal. If the LPA are minded to grant planning consent I would ask the use of the outbuilding for the proposed purpose is linked with 117 Grinstead Lane. Independent use of the outbuilding would require further highways considerations.

Adur & Worthing Councils: The **Environmental Health** Officer has no adverse comments but recommends that hours of use are restricted to 9am to 6pm Mon -Fri and 9am to 1pm Saturday.

Lancing Parish Council: No objections provided that all relevant operating business licenses are in place.

Representations

3 letters of objection received from the occupiers of 1 Abbots Way, 4 Monks Avenue and 119 Grinstead Lane:

- Building takes up majority of length of the garden, is too tall and will overshadow gardens
- Proximity to boundary could harm trees in neighbouring gardens
- Business use should not take place in back garden as it will introduce noise
- Out of keeping
- Noise from equipment and customers will affect enjoyment of garden
- Increased traffic and parking concerns

Relevant Planning Policies

Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 ‘Supplementary Planning Guidance’ comprising: Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’ National Planning Policy Framework (March 2012)

Planning Assessment

Visual amenity

The proposed building will be located within the rear garden and will not be prominent in the street scene. At 2.7m high it is a modest height and while it is quite long at 10m, it is not considered to be excessive or harmful to the setting of the dwelling. The attached dwelling to the north, No. 115, has an outbuilding which takes up much of its southern boundary and this proposal will be similar, albeit with a larger footprint.

Residential amenity

The proposed building is not considered to cause harm to the light or outlook of neighbouring occupiers. While it will be higher than the boundary fences to the east and south, the building will be located at the rear of the garden,

furthest from the neighbouring dwellings. It will be to the north of No.119, partly adjacent to an existing shed in that property's garden, and it is not considered that any loss of light will occur. Its relatively low height and position in relation to the dwellings to the east and north east also ensures that the impact on those neighbouring gardens will be minimal.

Concern has been raised at the introduction of a commercial use in the rear garden of a private dwelling. However, it is common for outbuildings to be used for commercial purposes as more people are now working from home. The main consideration is whether the nature and level of activity is likely to cause disturbance.

In this case the building is to be used for scanning pregnant women and utilises quiet machinery which is not expected to cause noise disturbance. Comings and goings from customers may cause some disturbance but there are to be no openings other than facing into the applicant's garden and noise is not expected to be significant. The Environmental Health Officer has recommended that hours of working is restricted to 6pm on weekdays and 1pm on Saturdays in the interest of protecting residential amenity, rather than the later hours sought by the applicant.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Hours of use restricted to 9am to 6pm Mon -Fri and 9am to 1pm Saturday.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Peter Barnett Date: 1 November 2016

Authorised by: Gary Peck Date: 1 November 2016