Expiry Date – 8/12

Development Control – Delegated Officer Report

Application Number: AWDM/1586/21 Recommendation – Refuse

Site: 2 First Avenue, Lancing

Proposal: Single-storey annex in rear garden for family member

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 7/2/20

Site and Surroundings

This application relates to an end of terrace dwelling on the west side of First Avenue and corner of Second Avenue. It has a detached flat roofed garage/store building at the bottom of its rear garden which adjoins an access road. This access road serves single storey garages/stores in the rear gardens of other First Avenue properties and those in Grand Avenue, to the west.

The house is rented out. No. 4 is in the same ownership and is also rented out.

The property is not in a conservation area and is not listed.

Proposal

Planning permission is sought to demolish the existing store/garage and to build a single storey annex. This application follows a refusal earlier this year for chalet bungalow annex. In this latest proposal the annex has a single bedroom, a separate kitchen and a lounge/diner with a separate bathroom.

It has a flat roof with a maximum height of 2.8 metres. The floor area is larger than the two structures to be removed and would provide 50sqm of floorspace.

It immediately abuts the back edge of the pavement and the access road. The living room/diner would have their light and outlook onto the access road and the bedroom and kitchen would look towards the back of the parent building. The bathroom window is onto the pavement (south wall).

A new vehicle access crossing a grass verge on the pavement is shown off of Second Avenue with a parking area and small private garden fenced off the main dwelling. The main dwelling is extended at side and rear ground floor level.

Relevant Planning History

AWDM/2124/20 - Construction of pitched roof detached building with dormer to rear (east) to replace existing garage and store for use as two-storey annexe for relatives. Refused 16.2.21

L/174/03 - Single-Storey Rear Infill Extension. Granted

L/124/85 - Single-Storey Extension To Side And Rear. Granted

L/89/85 - Single-Storey Extension To Side & Rear; Re-Siting Of Detached Double Garage Previously Permitted; & New Boundary Wall On South Boundary. Refused

L/61/84 - Single-Storey Extension And Detached Double Garage With Boundary Wall To South And West Boundaries. Granted

L/65/81 - Erection Of Garage For Three Vehicles. Refused

Consultations

Lancing Parish Council: No comment.

Private Sector Housing - Environmental Health:
No objection. Conditions controlling working hours and dust suppression should be applied.

Highways:

'Summary and Context
This proposal is for the conversion of an existing garage/store to annex for use by family member. The site is located on First Avenue, a C-classified road subject to a speed restriction of 30 mph. WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

The LHA previously provided consultation advice for this site for application AWDM/2124/20, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

Content
The proposed annex will be served by a new dropped kerb access off Second Avenue. The proposed access works will be subject to a licence obtained through the local area office and constructed to a specification agreed with the local area engineer. The LHA does not anticipate that the proposals will give rise to a material intensification of movements to or from the site.

The proposed conversion will result in the loss of an existing double-bay garage. However, the applicant does propose one parking bay to the side of the proposed annex. From inspection of the plans, the proposed parking bay is suitably sized. On-site

turning does not appear achievable, so cars may have to exit the site in a reverse gear; however, this is no anticipated to result in a highway safety concern.

Any vehicular parking resulting from the loss of existing parking provision would have to be accommodated on-street. Whilst the LHA does not anticipate that this would result in a highway safety concern or parking capacity issue, the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

Conclusion
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 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition and informative should be applied:

Condition
Car parking space (details approved)
No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Informative
Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted.
Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/

Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-f or-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Technical Services

'Flood risk- The application is within flood zone 1, and the site is not shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds.

Surface water drainage-Surface water must not discharge to the foul sewer. Due to the scale and location of development we have no conditions to request. Surface water drainage must be designed and constructed in accordance with building regulations.'

Southern Water:

'The attached plan shows that the existing development lies over a public foul sewer. Approval should be sought from Southern Water where an extension to a building or underpinning work would be over a public apparatus.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for any new connection to the public foul sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

Our initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.
gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h'

Representations

7 objections summarized as follows:

1. This is not an annex as it is entirely separate from the main dwelling. Why does an annex need a separate garden, parking and bin store area?
2. The owner rents out Nos. 2 and 4 and will rent this out separately too.
3. Overly large for an outbuilding/out of character
4. Loss of privacy to 6 Grand Avenue
5. Inadequate parking. Loss of parking to existing house and kerbside parking. On street parking already very heavy.
6. Overdevelopment, loss of garden for existing house, inadequate garden size for annex and parent building
7. Sub division of plot an unacceptable precedent
8. Eyesore
9. Current tenant of the house uses the existing garage as an extension to her home for her children to play in and for storage etc.
10. Opening windows onto the track, as shown, could block the access for other users.
11. Loss of shrubs and climber plants planted at tenant's expense.
12. Sewer system cannot cope with more dwellings.

13. The site plan does not include the drop kerb access over the highway and no notice has been served on the council.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2, 3, 15, 20, 28, 29, 31, 34 and 35 including Development Management Standard No.1 'Space Around New Dwellings and Flats'; No.2 'Extensions and Alterations to Dwellings'
WSCC Guidance on Parking at New Developments (Sept 2020).
National Space Standards 2015 (DCLG)
Technical Housing Standards – nationally described space standard (DCLG 2015)
Sustainable Energy SPD (August 2019)

Planning Assessment

Principle

The principle of development can be supported as it upgrades a dwelling within the built up area boundary. For consideration is the impact of the proposals on the character and appearance of the area and the impacts of the development on neighbour amenity, the parent building, future occupiers living conditions and the highway network.

Character

This is a prominent corner site. Typically outbuildings are single storey and used for purposes incidental to the parent building. No other annex exists off this access road. The building is large and will reduce the space between the back of the house and the access road even more than presently. Such a large building would be out of character. A separate annex building in this position would also be out of character.

Neighbour amenity

The annex is formally separated from the parent building by a fence. It will reduce the amount of garden space available to the parent building to approximately 50 square metres. This is below the minimum size for a 3 bedroom terraced house as set out in adopted DM Standard No. 1 Space Around Dwellings. By separating the annex from the parent building by a fence this further reduces the space available to the existing larger dwelling and provides the annex with an inadequate outdoor space.

Future Occupiers Living Conditions

The annex is separated from the parent building by a 1.5 metre high fence with no direct access or garden access. It is fully self contained with its own street access, parking and garden area. It will function as a separate dwelling and not as an annex as there is no physical or functional link.

It abuts the pavement edge and the access road with windows onto both. This will be a poor living environment for occupiers due to a lack of privacy and as a result of noise and disturbance from passing cars and pedestrians.

The garden area provided is tiny, under 10sqm, woefully short for a bungalow. The unit itself provides 50sqm of floorspace which is the minimum set out in DCLG's National Space Standards 2015 for a 1 bed, 2person, single storey dwelling..

Highways

The existing house will lose the potential for off street parking. The proposed 'annex' is provided with a parking space which the Highway Authority is satisfied is of the right size and can operate safely. On street parking is heavy in the area. This overdevelopment will increase on street parking.

Conclusion

This proposal is an overdevelopment of this modest plot and results in a cramped development which would provide a poor living environment for future occupiers. The scale of the building proposed would be out of character in the streetscene and would be harmful to neighbours living conditions by virtue of a loss of light, overbearing impact and loss of privacy. The proposal removes potential parking to the existing family house in an area where on street parking is heavy causing further harm to neighbour amenity. It would set a harmful precedent.

REFUSE for the following reasons:

1. The proposal represents an overdevelopment of the site that would result in a cramped overdevelopment of the plot, harmful to visual amenity, reduced amenity space to the parent building, harm to occupiers' living conditions and poor living environment for future occupiers by virtue of noise and disturbance and poor outlook. The proposal is therefore contrary to policy 15 of the Adur Local Plan, adopted Development Management Standard No.1 'Space Around New Dwellings and Flats'; DM Standard No.2 'Extensions and Alterations to Dwellings' and the National Planning Policy Framework.

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(s) 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 meet with the Applicant 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.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 9/11/21
Authorised and signed by:	Peter Barnett	Date: 9 November 2021