Expiry Date - 29/04/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0302/24 **Recommendation – APPROVE**

Site: **9 Newling Way Worthing West Sussex BN13 3DG**

Proposal: **Demolition of an existing garage/store and erection of a detached annex building in the rear garden for a family member**

Date of site visit: 11/04/24

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north side of Newling Way within a residential area in High Salvington, Worthing. The property comprises a detached bungalow with brick elevations and a tiled hipped roof with dormers to the front and rear. The property is set back from the road behind a brick wall and front garden with driveway leading to the double garage at the rear of the site. There is a good size mature garden to the rear which slopes up to the rear boundary and is enclosed by high walls and fencing. The garden for the property to the rear is at a higher ground level than the application site.

The property is not within a conservation area and is not a listed building. There is a protected tree located outside of the site but close to the rear boundary.

Proposal

Planning permission is sought for the demolition of the existing garage and replacement with a detached annexe building in the rear garden.

The proposed annexe would measure 7.6m wide x 5m deep with a monopitch roof of 2.895m high to the front and 2.5m high to the rear. The annexe would have a door and two windows to the front and two high level windows to the rear and would be finished in cement board cladding with grey aluminium doors and windows.

The building would be positioned 2.15m from the rear boundary (at its closest point) 2.455m from the west side boundary and 2.225m from the east side boundary. A gap of approximately 13m would be retained between the main house and the annexe. The garden would be shared and access to the annexe would be via the garden.

Internally the accommodation would provide a bedroom, shower room and sitting/dining/kitchenette area with a GIA of 32sq m. The annexe would be used by a dependant relative of the occupants of the main house.

The application has been amended to reduce the size of the annexe from a GIA of 51sq m down to 32sq m and moved further away from the boundaries. The internal layout has also been amended to include a kitchenette within the sitting room rather than a separate kitchen.

Relevant Planning History:

93/05515/FULL - DORMER ROOF EXTENSIONS TO NORTH AND SOUTH ELEVATIONS – Approved

Consultations:

Environmental Health - *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

Private Sector Housing - *There are no formal objections from the Private Sector Housing Team, subject to the inclusion of the condition which the applicant has offered to ensure that the accommodation can only be used in association with the main dwelling.*

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.

WSCC Highways *- This application seeks the demolition of existing garage/store building and erection of detached annex building for family member. The site is located on Newling Way, an unclassified road subject to a speed restriction of 30 mph.*

No alterations are proposed to the existing vehicular access arrangement. The proposed development is not anticipated to give rise to a material intensification of use of the existing access point. Suitable off-street parking provision can be accommodated on the existing driveway.

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.

***WSP** - The applicant is applying for the demolition of an existing garage/store and erection of a detached annex building in the rear garden for a family member.*

Following a review of the submitted information, we have no objection on surface water grounds. Due to the site, size, location, and type of development we would recommend the approval of the application with the following informative attached:

Informative 1: The applicant should consider the use of SuDS such as rain buts, where possible, within their drainage strategy to provide runoff betterment.

***UK Power Networks -** Please be advised that my Company has no objections to the proposed work. However, please note that this property has a Service cable to the front of the property. Should you require accurate records, please obtain these from UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.*

***Southern Water** - Foul and Surface Water Drainage*
Southern Water requires a formal application for a connection to the public 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: www.southernwater.co.uk/developing-building/connection-charging-arrangements

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.
- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer
Guidance on Building Regulations is here:
www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: www.southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

***Tree & Landscape Officer** - I have no concerns regarding the trees for this application.*

Representations:

None received

Relevant Planning Policies

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

Planning Assessment

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

Policy Context for Residential Annexes

The preamble to policy DM5 of the Worthing Local Plan indicates 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.

Policy DM5 states (specifically in relation to Residential Annexes):

Residential Annexes

b) Residential annexes 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.

Use of the annexe

The annexe would be used by a dependant relative (mother) to the occupants of the main house. The internal layout of the annexe has been amended to reduce the scale of accommodation and to include a kitchenette within the sitting room instead of a separate kitchen. The annexe will have a functional dependency on the main dwelling for the provision of main meals and laundry facilities. The garden would be shared between the annexe and main house and access to the annexe would be via the garden.

The use of the annexe is considered to comply with the key requirements for a residential annexe as set out in Policy DM5 of the Worthing Local Plan. Dependency on the main dwelling would be provided through shared meals and laundry facilities, access to the annexe would be via the garden of the main dwelling and the annexe would not form a separate dwelling within a separate curtilage. The building has the appearance of a garden building and is capable of conversion to an ancillary use in association with the main dwelling when no longer required as an annexe. The scale of accommodation and range of facilities are satisfactory for ancillary annexe use. Appropriate conditions to ensure that the curtilage is not subdivided, and that the accommodation can only be used for ancillary purposes would be applied to ensure compliance with policy DM5.

Visual Amenity

The proposed annexe would be located at the rear of the site and within the rear garden and would replace a double garage in a similar position. Views of the existing garage are possible from the road down the side of the house however the annexe would be moved further to the east and obscured by the main dwelling and at over 37m from the road this would not appear dominant or intrusive in the street scene.

The existing garage measures approximately 5.5m wide x 5.5m deep with a pitched roof. The proposed annexe would be approximately 7.75sq m larger in terms of floorspace but would be lower in height with a monopitch roof design. The scale of the proposed annexe would be in proportion with the size of the garden and would not be considered to overwhelm or compete with the main dwelling. The annexe would appear as an ancillary garden building and not as a separate dwelling. The low roof design and clad elevations would be similar in form and appearance to other garden buildings in the wider area.

There would be no adverse impact on the visual amenities of the locality as a result of this application.

Residential Amenity

The most affected neighbours are those to the sides at No.7 and 11 Newling Way and to the rear at No.7 Highlands Close.

The proposed annexe is located within the rear garden and set in a minimum of 2.15m from the side and rear boundaries. The existing fencing and walls to the boundaries would be retained, providing screening of the building. Trees and hedging to neighbouring properties increase screening of the site.

No.11 to the east side is set back further in its plot than No.9 and would be in similar alignment with the proposed annexe. Land slopes up towards the rear north-east corner of the garden however the annexe would be built at the same level as the garage which is slightly lower and on level ground. The annexe would also be lower than the apex of the existing garage and would retain a large gap to the boundary. The proposal would not appear overbearing or oppressive to the neighbours or result in any overlooking or loss of privacy.

The garden of No.7 Highlands Close, to the rear is at higher ground level than the application site and a building of the height and scale proposed would not have any adverse impact on these neighbours. Two high level windows are proposed to the rear elevation serving the bathroom and kitchenette, both non-habitable rooms. These windows would look onto the boundary fence and would not result in overlooking or loss of privacy to the neighbour's property.

The boundary with No.7, to the west side is heavily screened by mature trees and hedges within the neighbour's garden which obscure all views of the applicant's garden. There would be no adverse impact on this neighbour.

Due to its low height and position away from the boundaries, the building does not appear overbearing or oppressive to neighbours or result in overshadowing of their gardens.

The use of the building as an annexe would not significantly increase noise or disturbance over and above that typically associated with the residential use of the site.

There would be no significant detrimental impact on the residential amenities of adjacent occupiers as a result of this application.

Parking

Although the application would result in the loss of a garage space, sufficient parking would be retained for the property provided by the existing driveway.

Trees

The Tree & Landscape Officer has been consulted on the proposals and has raised no concerns in relation to the protected tree adjacent to the site.

CIL

As an ancillary annexe under 100sqm the proposal would not be CIL liable.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Materials as specified
4. Ancillary use only
5. No sub-division of plot
6. No additional openings to side or rear
7. Hours of construction works

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. The applicant should consider the use of SuDS such as rain buts, where possible, within their drainage strategy to provide runoff betterment.

3. A formal application for connection to the public sewerage system is required in order to service this development. The applicant is advised to contact Southern Water Developer Services, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel 0330 303 0119) or www.southernwater.co.uk or email developerservices@southernwater.co.uk

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

Case Officer: Amanda Haslett Date: 26/04/24

Authorised by: Jo Morin Date: 26.04.2024