Expiry Date – 1/9, ppa 7/9

Development Control – Delegated Officer Report

Application Number: AWDM/0974/20 Recommendation – Grant

Site: 46 Downsway, Southwick

Proposal: **Replacement of existing detached garage with a single storey detached garden studio to be used as a cake making business and make up artist studio**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 20/8

Site and Surroundings

This application relates to a detached bungalow on the east side of Downsway. The property shares a driveway with the house to the south, No. 44. Downsway slopes up from south to north and the gardens are also on higher ground than the houses behind in Greenways.

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

Proposal

The property's garage has been removed with only the concrete slab remaining. It is proposed to erect a new garden building to be used by the homeowners' 2 daughters for business purposes, cake making and make up.

The structure measures 2.5 metres in height, 5.14 metres in length and is 2.7 metres wide. It is to be positioned 500mm off the rear boundary and 250mm off the boundary with No. 44's garage.

Glazing and doors are proposed on the garden side and a kitchen extractor fan is shown on the south side.

Relevant Planning History

None.

Consultations

Environmental Health: *No objection, hours of construction condition recommended.*

Highways:

'Summary
This proposal is for the replacement of an existing garage with a single storey studio for use as make-up artist studio and cake making business. The site is located on Downsway, an unclassified residential 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.

Content
There are no apparent visibility issues at the existing access onto the maintained highway. An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

Whilst the applicant has not provided details of expected trip generation for this application, the LHA does not anticipate that this proposal would give rise to a material intensification of movements that could be considered "severe". One car parking space will be lost as part of this development. However, the site benefits from a large driveway and unrestricted on-street parking available for use by staff and visitors.

The site is sustainably located, with options for alternative sustainable modes of transport (e.g bus, train) within walking distance from the site.

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 109), and that there are no transport grounds to resist the proposal.'

Representations

Two neighbours in Greenways have raised objections as follows:

No. 33 Greenways is on higher ground and intervisibility will occur. We have attached 2 photos of the view from our lounge showing our concerns.
Even though we were concerned with the height of the proposed construction above the level of the 2 new fence panels, after having spoken to Mr Morris we have been assured that he will do everything in his power to stop the light pollution and our privacy issues once the new construction is in place. Therefore, to answer your question, we feel happier than we did before that our concerns have been addressed so we have no further objection.

No. 31 – '*The structure could be reduced in height by 150mm and then the height of extra fencing would not need to increase by as much. A gap to the rear boundary needs to be sufficient to allow maintenance of their boundary fence.*

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

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.

Character

The structure is set well back from the road and will sit alongside the garage at No. 44. From the street it will appear little different to a garage. At the rear the structure will largely sit behind the parapet of the garage at 31 Greenways. It is domestic in scale.

Neighbour amenity

The garage is 2.5 metres in height and does not occupy more than half the garden. The structure itself would be permitted development. It is only the intended use that requires permission.

The rear boundary fence has in part been increased in height to 2 metres from the applicant's side. A pergola recently installed in the garden is higher and also forms a partial screen to No. 33's garden. The combined effect is that the glazing in the new building will not be visible from the bungalows and gardens of the houses at 31 and 33 Greenways and therefore overlooking will not occur.

The structure is for business use by the homeowners' two daughters, half for cake baking and half for make up purposes. The activity associated with these two uses will not be so significant that harm to neighbours will occur.

The supporting statement sets out the expected daily activity as follows:

"Cake Making Business

The outbuilding will be fitted with a kitchen for the purpose of baking cakes. These products will be decorated in the kitchen to customer requirements and will be available for collection by appointment only. The building will have a wall fitted extractor fan for ventilation over the oven and also has a full-length tilt opening window and air conditioning. The number of appointments per day on average will initially be less than one and is unlikely to ever exceed 4 due to the number of cakes it is possible for one person to bake and decorate in a single day. Appointments are of less than 5 minutes duration as they are simply cake collections.

Make-Up Artist Studio

Fifty percent of the outbuilding floor space will be used by a make-up to apply cosmetics to clients. This business will run by appointment only with a maximum of one customer at any time. As the business is yet to be established visitors will initially be very low until a client base can be established."

As the driveway is shared and the garden is relatively short, conditions are recommended to ensure activity levels remain at a level not to cause a nuisance.

Recommendation APPROVE subject to the following conditions:

1. *Approved Plans*
2. *3 years*
3. *Restricted business use*
4. *Hours of use 8am to 6pm Monday to Friday, 9am to 1pm Saturdays and not on Sundays and Bank Holidays*
5. *Fencing retained at 2m height*
6. *One client at any time*

Informative

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.

Is recommendation contrary to any representations? Yes.

Case Officer signed:	MOK	Date: 4/9/20
Authorised and signed by:	Peter Barnett	Date: 4 September 2020