Development Management - Delegated Officer Report

Application Number: AWDM/1453/21 Recommendation – REFUSE

Site: 6 Falcon Close, Shoreham-By-Sea

Proposal: Log cabin in rear garden to be used as a holiday let.

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application site is a semi detached chalet bungalow within a cul de sac of both houses and bungalows. It is in a corner position with the plot increasing in width from the front to the rear with a large rear garden.

Consent is sought to erect a detached cabin to the rear of the bungalow in the north east corner of the site. The plans show a two bedroom unit with kitchen/living room and W/C shower room. A pitched roof is proposed with the building being finished with timber and black felt shingles on the roof. The building is proposed at 7.7 metres by 4.5 metres with a maximum height of 3.9 metres. The cabin is to be used for holiday lets, a supporting statement accompanies the application and states that there is a lack of holiday accommodation on Shoreham Beach. It would appeal to families and the accommodation would sleep 4 to 6. The area is accessible from the outside. Parking is available for 4 or 5 cars. The area would be landscaped with its own area and pathways which it is hope to be used all year round.

Consultations

Southern Water: - Southern Water requires a formal connection to the public sewer to be made by the applicant or developer. No public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. 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.

West Sussex County Council: The Highways Authority -

As the holiday let has two bedrooms, the LHA would anticipate a parking demand for at least two cars. The site benefits from an existing driveway with provision for 3-4 car parking spaces.

Therefore, the LHA is satisfied that the existing parking provision will be sufficient for the proposed use.

On-site turning does not appear achievable, so vehicles parked at the site may have to exit the site in a reverse gear. However, this is the existing arrangement which is not anticipated to result in a highway safety concern.

The LHA advises the applicant to consider the inclusion of secure and covered cycle parking provision as part of the proposals, to promote the use of sustainable transport methods to and from the site.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Bus stops on Old Fort Road provide seven bus services per day through Shoreham, but more regular services are available from Shoreham High Street. Shoreham-By-Sea Train Station is situated 2.2km northwest of the site.

In 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.

Adur and Worthing Councils: Environmental Health: - There are no adverse comments in this case.

Private Sector Housing: -

Although presented as a holiday let, the application shows a 2-bed self-contained unit of accommodation and must be considered as if it could become available for open-let.

The log cabin has two bedrooms that can only be accessed through the high-risk kitchen/living area and so they would be inner rooms. This risk could be mitigated by ensuring that the bedroom windows meet fire escape window requirements.

In addition the floor space of the cabin is only 32 sq.m. A 2b/3p unit would need at least 61sq.m to meet national technical space standards and the property would certainly not be suitable for 5-6 people.

We would object to the development unless a suitably robust condition can be imposed ensuring that the cabin cannot be used for prolonged periods for private let or ownership

Technical Services: - The application is within Flood Zone 1 and the site has small area shown to be at risk from surface water flooding. We therefore have no objections on flood risk grounds.

Surface Water Drainage: - The application includes a minor increase in impermeable area. 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.

Representations

2 Objections received from the owner/occupier of no. 169 Old Fort Road, 7 Harbour Way and 242 Harbour Way: -

- The residential nature of the area would be compromised by having a commercial operation with non local families living, short term indoors and out, in a small cabin in a garden that borders the gardens of eleven other local residential properties.
- Excessive noise, due to the limited area, a lot of time will be spent outside with no worry of relationship with neighbours.
- Issue with foxes in the area could be encouraged by feeding and leaving food around.
- The proposed structure is visible from the rear of at least 12 gardens.
- The vicinity is currently quiet at night with occasional weekend family parties.
- If consent is granted a noise curfew should be set.
- If local noise complaints are received the consent should be rescinded.
- Loss of outlook, overshadowing and loss of light with harmful impact upon amenity space.
- The space provided is sub standard for the accommodation.
- Building regulation approval will be required.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, Policy 26
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

Principle

Tourism facilities are generally supported in principle in the built up area as it is recognised that tourism brings economic benefits to the local area.
The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the area and the surrounding environment.

Visual amenity and character

The proposed building is set back from the highway within the rear garden, it is therefore not clearly visible within the street scene. It is positioned within a large rear garden. It will be visible from neighbouring residential properties however an outbuilding within the rear garden in this case would not be significantly harmful as ancillary buildings and other sheds and garages are common within this built environment. However, the nature of the use in this case would be out of character within this residential environment.

Residential amenity

The main consideration in the determination of this application is the impact that such a use will have upon the residential amenities of the neighbouring occupiers.

The proposal is for the accommodation to be provided for holiday lets all year round for up to 6 people within a two bedroom self contained unit of accommodation. The space is limited and therefore the use of the outside amenity space is likely to be utilised resulting in activity within the new building and within the outside area both to the front and rear of the dwelling house. This activity would be in addition to the residential, household activity which is currently the case at this dwelling. This existing activity gives rise to noise and coming and goings that are generally suitable within a residential location such as this where neighbouring properties border the site to the side, front and rear. This is in line with the established residential character of this locality.

The use of the building for holidays lets will result in increased activity beyond that which is residential in nature. The commercial nature of the proposed use would intensify the current use bringing an additional household to the site with its use being self contained in addition to the existing household. Separate activity, movements and occupation will occur. There is the potential for an intensive use of the building all year round. Even if just limited to the summer months this would result in use of the building and garden which is likely to cause increased noise and disturbance to adjacent neighbours, particularly in the summer months, in this quiet suburban residential area.

It is proposed that occupiers will park in the front of the house in the existing driveway and then access the rear cabin along the north side of the house adjacent to the boundary with no 7 Falcon Close. This will result in increased activity in close proximity to the neighbouring property at various times of the day and night. The building itself is also in close proximity to this neighbour therefore noise and activity created by this commercial venture will be unneighbourly and detrimental in this case. The occupation of the new building by holiday makers would result in a significantly more intensive use of both the access and rear garden area as the building has the potential to effectively become a short-term residence introducing a second family onto the site.

This proposal will introduce new activity at a level which is considered to be at odds with the quiet nature of the locality. The intensification of use during peak season is likely to equate to that experienced if it were a permanent dwelling and such development is considered to be inappropriate and unacceptable in this location.

The applicant has noted that there are other similar cabins and out buildings being let for holiday accommodation within the Shoreham Beach Area. Although no specific addresses are given these are shown on Air B and B websites as being on Shoreham Beach. The Local Planning Authority are not aware of any of these having been granted consent and therefore no precedent has been set here. Having said this each case is judged on its own merits however it would be difficult for the Council to resist similar proposals in the future were this application to be approved.

Recommendation

REFUSE

1. The proposed development would result in an intensification of activity in this back garden location with an associated increase in noise and disturbance to the detriment of the residential amenities of neighbouring dwellings. The introduction of self contained holiday accommodation in this location would therefore be inappropriate and out of character with the locality and contrary to Policies 15, 22 and 26 of the Adur Local Plan and the NPPF.

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

1. Refusal Proactive

Case Officer: Hannah Barker Date: 1st November 2021

Authorised by: Peter Barnett Date: 1 November 2021