Development Management - Delegated Officer Report

Application Number: AWDM/0143/19 Recommendation – Refuse

Site: 91 Grinstead Lane, Lancing

Proposal: Proposed self-contained detached annexe for dependant relative.

Date of site visit:

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a detached bungalow on the east side of Grinstead Lane. It is proposed to construct a detached building in the rear garden for use as an independent annexe for a relative. The floor plan shows the building having 2 bedrooms (1 for a carer), plus bathroom, utility room and living area/kitchen/diner. The building will be T-shaped and measure 11.8m long, 8.54m wide and 4.45m high.

It is to be occupied by the applicant's elderly mother (aged 95) and it is to be designed to be fully accessible with a path linking the annexe to the original house. The applicant's grand-daughter is wheelchair bound and the building will also benefit her when she comes to stay.

Relevant Planning History

ADC/0137/10 - Erection of detached 2/3 bedroom bungalow at rear of 91 Grinstead Lane (with access from access road off Shadwells Court) – refused and appeal dismissed

Consultations

West Sussex County Council: The **Highways** Officer has no objection. The site currently benefits from an existing vehicle crossover and no alterations to this arrangement are proposed. Visibility at the existing access appears sufficient for the anticipated road speeds. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there has been one recorded injury accident within the vicinity of the site; however this was not result of the road layout. Therefore there is no evidence to suggest that the existing access is operating unsafely or that the addition of an annexe would exacerbate an existing safety concern. This proposal is not anticipated to result in a material intensification of use of the access.

The site benefits from an off-street parking area providing parking for a number of vehicles. No alterations to the existing parking provision are proposed and it is anticipated that the parking provision is sufficient for the host dwelling and annexe.

Adur and Worthing Councils: The **Engineer** objects as no flood risk assessment was submitted. The site is partially in flood zone 3 and wholly within flood zone 2.

Lancing Parish Council: No comment

Representations

Objection received on behalf of the residents of Shadwells Court:

- Access from Shadwells Court could be requested in future. It is a vital through way for residents, visitors, GPs, ambulances, etc and needs to be kept clear.
- Many elderly residents live in Shadwells Court and the proposed construction work could take a long period of time and cause stress and anxiety

Relevant Planning Policies

Adur Local Plan 2017 Policies 15, 30, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (2019)

Planning Assessment

Principle

The proposal comprises upgrading the existing housing stock located within the built up area and can be supported in principle. The relevant issues are the effects on the amenities of neighbouring residential occupiers and the effect on the character and appearance of the dwelling and its surroundings.

Visual amenity

The application property is a detached bungalow and there are bungalows on either side which all enjoy long rear gardens. The proposed annexe building would not be seen from Grinstead Lane and its character would therefore be retained.

The site of the proposed annexe contains a number of trees, although many have been felled or lopped since the time of the previous application. Nevertheless, those that remain contribute to the character of the area. No tree survey has been submitted with the application to identify those trees that are to be felled and those which are to be retained. However, it is clear that several trees would need to be felled to accommodate the annexe and this is likely to have an adverse impact on the visual amenities of the locality.

At the rear of the site is Shadwells Court, a 2 storey flatted development. The proposal would replace the existing vegetation with a prominent and incongruous building, spanning much of the width of the garden. It would be larger than an outbuilding which could be constructed as permitted

development and would cause localised harm to the character and appearance of the immediate area.

Its distance from the main bungalow could give rise to future pressure for separate access from Shadwells Court (as previously proposed), leading to the creation of a separate dwelling should the applicant's elderly mother no longer reside in the annexe. At the time of the previous application, which was dismissed on appeal, the Inspector stated:

"*The building would be a permanent feature of the area and would be likely to exist long after its occupation by the appellant's family members. If permitted, there would be nothing to preclude the occupation of the bungalow by others or its sale. Accordingly, I give limited weight to these personal circumstances. The personal justification for this development does not set aside my concern about pressure for future development and its consequences*."

Concern was also raised about the potential cumulative impact arising from similar developments in adjoining rear gardens, should the appeal at that time be allowed. The same concerns still apply today.

Residential amenity

The annexe has the potential to cause an intensification of activity in the rear garden but, provided it is occupied for purposes ancillary to the main bungalow, no serious harm to residential amenity would be expected.

Flood Risk

The site is partially in flood zone 3 and wholly within flood zone 2. No Flood Risk Assessment has been submitted, contrary to the requirements of Policy 36 of the Adur Local Plan. Consequently it has not been demonstrated that the development is appropriately flood resilient, includes safe access and escape routes, will be safe for the lifetime of its user and will not increase flood risk.

Recommendation

REFUSE, for the following reasons:

1. The proposed building, by reason of its size, siting and loss of existing vegetation required in order to accommodate the building, would be out of keeping with and harmful to the character and appearance of the locality and, if permitted, would make it difficult for the Local Planning Authority to prevent similar development, the cumulative effect of which would detract seriously from the character of the area. The proposal is therefore contrary to policies 15 and 30 of the Adur Local Plan and the relevant paragraphs of the National Planning Policy Framework.

2. The site lies within a flood zone and no flood risk assessment has been submitted with the application to demonstrate that the development is appropriately flood resilient, includes safe access and escape routes, will be safe for the lifetime of its user and will not increase flood risk. The application is therefore contrary to policy 36 of the Adur Local Plan

and the relevant paragraphs of the National Planning Policy Framework.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Case Officer: Peter Barnett Date: 27 February 2019

Authorised by: Gary Peck Date: 27 February 2019