Expiry Date – 26/11, ppa sought to 30/11

Development Control – Delegated Officer Report

Application Number: AWDM/1460/18 Recommendation – Grant

Site: 6 Cokeham Road, Sompting

Proposal: Proposed annexe in rear garden for occasional use for family and friends.

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 27/11

Site and Surroundings

This application relates to a detached chalet bungalow on the north side of Cokeham Road close to the mini roundabout on Boundstone Lane. The property, originally a bungalow has been extended into the roof with front and rear dormers and a single storey rear extension. No. 8, to the west, has similarly been extended, No. 4 has first floor accommodation lit via rooflights. No. 4 also has a large garden building parallel with the boundary with No. 2 which runs almost the entire length of the garden.

There is a 2 metre high fence between the gardens of 4 and 6 and a 7' deep hedge on the boundary with No. 8. The gardens are at least 28 metres deep. They back on to the overflow car park of the Sir Robert Woodard Academy or Boundstone Nursery, separated by a 2 metre high fence.

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

Proposal

Planning permission is sought for a detached single storey annexe building at the back of the rear garden. The structure is 5.5 metres deep, 8 metres wide and between 2.5 metres and 2.8 metres high. It sits off the side boundaries by 1 metre and a minimum 1 metre off the rear boundary.

The annexe shows a kitchen/diner, separate bedroom, separate study and separate bathroom. It is to be built in anticipation of a future use by the applicant's parent/s. In the meantime it will be used to provide occasional overnight accommodation or storage space.

Relevant Planning History

AWDM/0453/14 – APPLICATION FOR NON-MATERIAL AMENDMENT TO APPLICATION AWDM/1430/12. AMENDMENT: INCREASING DEPTH OF EXTENSION BY 500MM. GRANTED 19.5.14

AWDM/1430/13 - REAR EXTENSION AND ROOMS IN ROOF INVOLVING INCREASE IN HEIGHT OF ROOF AND FRONT AND REAR DORMERS. GRANTED.

Consultations

Sompting Parish Council:

The Council objects on the grounds that it may set a precedent for others to build a separate dwelling within their rear garden. It considers the proposal to be out of scale and out of character to the existing property and it also considers the proposed development to be out of scale and character with neighbouring properties.

Highways:

'This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

This proposal is for the erection of annexe accommodation in the rear garden. The site is located on Cokeham Road, a residential road subject to a speed limit of 30mph.

No alterations to the existing access and parking arrangements are proposed. There appears to be sufficient space on the site frontage to accommodate additional parking as result of the proposal. An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury accidents within the vicinity of the site and therefore there is no evidence to suggest that the annexe accommodation would exacerbate an existing safety concern. The proposal is not anticipated to result in a material increase in vehicle movements to and from the site.

In conclusion, the LHA does not consider that this proposal would have 'severe' impact 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.'

Health

The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Representations

None received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2018
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 1 ' Space Around New Dwellings' and No. 2 'Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The main issues for consideration with this application are the appropriateness of a detached annex building in this private rear garden in terms of the character of the area and what impact the building and its use will have on neighbour amenity.

The National Planning Policy Framework sets out the presumption in favour of sustainable development and lists the three dimensions of sustainability as economic, social and environmental. The applicant states that in the long term the annexe may accommodate a parent but in the short term it is required to provide occasional accommodation or for his children when they have sleepovers. It includes a study for general family use.

Neighbour amenity

The building proposed would provide fully independent living accommodation for a dependent relative or visitor. It is designed to be an annex with access to it through the parent building. As a consequence it is possible to mitigate potential for harm by imposing conditions which prevent a separate and self-contained unit of accommodation being formed. A condition which prevents direct access to the annex being created from the rear car park is recommended as is a condition preventing the subdivision of the curtilage to self contain access from the street or separate garden area.

As the proposal is an annex and the intended occupier will have free access to the parent building the floorspace provided is not relevant in this case though at 44 square metres it does not meet the minimum standard for a two bedroom flat as identified in the Technical Housing Standards. It would meet the 1 bed, 1 person standard.

It will be at least 18 metres from the rear of the parent building or neighbouring properties so activity associated with it should not cause any significant harm to neighbour amenity.

Character

Such a large outbuilding is untypical of these gardens though No. 4 has a longer outbuilding parallel with the boundary of No. 4 and other gardens have more than one domestic scaled shed. However, permitted development does exist for large garden outbuildings to a maximum height of 2.5 metres this close to a boundary, though not to provide primary accommodation. In terms of scale it is close to being a building allowed under permitted development.

The building would be reasonably well screened from the car park at the rear as it is set between 1 metre and 2.9 metres off this angled boundary. It is also lower at the rear at 2.5 metres and the boundary is made up of a robust 2 metre high panel fence. It would be apparent from the neighbouring gardens but the hedge between 6 and 8 is more than 2 metres in height and the fence between 4 and 6 is at least 1.8 metres high. These gardens are long and wide and it would sit at least 18 metres from the main rear wall of neighbouring houses. It would be difficult to argue that it is harmful to local character or outlook.

The Council's adopted SPD No. 1 'Space Around New Dwellings' is intended to refer to new dwellings and not annex buildings though some of the harm this SPD is designed to mitigate against can be applied to garden annex buildings. The garden itself is not hugely significant in terms of the contribution it makes to green infrastructure though it will be making a biodiversity contribution at present. The garden is typical of the neighbouring houses and as such contributes to local character as well as providing outdoor play space for the occupiers of No. 6. The SPD states that the minimum rear garden depth for two-storey houses is derived from the minimum distance required between the rears of dwellings of 22m. The minimum garden depth is, therefore usually 11m. SPD No. 2 states that the Council will wish to ensure that any proposal does not result in an over-development of the site. An adequate amount of garden should therefore be retained both for the use of the occupiers of the property and to prevent a cramped appearance. A rear garden of 11m depth should normally be retained where possible. The existing garden is at least 28 metres in length. The outbuilding proposed would leave at least a 23 metre deep rear garden of 250 sqaure metres. This is more than adequate for a dwelling of this size.

The building is to be rendered and painted with upvc windows and doors and a GRP roof. These materials are acceptable in this rear garden position.

In conclusion, if the proposal were an independent new dwelling it would be contrary to Council policy and adopted DMS's. However, as an ancillary annex and with the limitations imposed by conditions it is considered to be acceptable.

Recommendation

Approve subject to the following conditions:

1. Approved Plans
2. 3 years
3. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 6 Cokeham Road.
4. No independent access from the street or car park to be formed

5. No subdivision of the garden.
6. PD rights for further outbuildings (in excess of 10sqm) removed.

Informatives

1. 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.

2. The Private Sector Housing team of Adur & Worthing Councils have identified that some aspects of the development may result in hazards that require action under the Housing Act 2004. Typical hazards can include 'inner' rooms (where the only means of escape in the case of fire is through another risk room i.e. bedroom, living room, kitchen, etc.) or where there are inadequate windows or outlook from habitable rooms. Compliance with Building Regulations will not necessarily address the hazards identified and you should contact the Private Sector Housing team to confirm that the layout of the property is acceptable prior to commencing the development in order to avoid the need for any formal intervention or the requirement of retrospective works.

Is recommendation contrary to any representations? Yes.

Case Officer signed:	MOK	Date: 28.11.18
Authorised and signed by:	Peter Barnett	Date: 29 November 2018