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Planning, Design and Access Statement

Part Demolition of an Existing Outbuilding and Erection of an Ancillary Granny Annexe

62 Buckingham Road,
Brighton,
BN43 5UD

September 2017

Document Reference: 1786/CMCH/
Adur District Council

AMENDMENT

ADUR & WORTHING PLANNING SERVICES	
PLAN	AWDM/ 0945/17
DATE ~~VALID~~	Rec: 07/09/17

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Introduction

1. This Planning Statement has been produced to support a planning application seeking The part demolition of an existing outbuilding and the erection of a prefabricated timber granny annexe for ancillary residential use to the rear of 62 Buckingham Road, Brighton, BN43 5UD.

2. A supporting **Granny Annexe Commentary** document has been submitted alongside this statement which provides the regulatory background, as well as an overview of the national policy position, relevant case law and appeal precedents which support the development of such annexes.

3. The proposed granny annexe will be for the applicant's mother, who due to her existing medical conditions requires continual support from her close family now and in the future. The annexe will provide a living space which provides a balance between independence and support. **(please see submitted Personal Statement for further Information).**

4. The use of the annexe will be ancillary to the main dwelling with strong functional links between them. It is intended that the occupants will be regularly preparing and eating meals in the main dwelling, watching television/relaxing, and all laundry will be undertaken using existing household facilities.

5. There will be no separate;

    - Address,
    - Post Box,
    - Utility meters,
    - Garden area; or
    - Access.

Site Context and Designations

Proposal Site

6. The application site is located within the established curtilage of 62 Buckingham Road. The host property is a semi-detached residential dwelling, benefiting from off street parking to the front, a large garage and outbuilding along the northern elevation and a sizeable rear garden to the rear. Please see Figure 1.

7. The property is located within the settlement of Shoreham-by-Sea, with neighbouring residential properties also benefiting from large established plots. As a result, there is a good level of separation between neighbours.

8. The boundaries of the property are well defined through a combination of domestic fencing and mature vegetation. This provides an effective screen, ensuring a high level of privacy is maintained.

9. A review of the wider immediate context of the proposal site confirms that many neighbouring dwellings have undertaken larger rear extensions or have erected larger outbuildings of a similar nature to the proposed development.

Flooding

10. The Environment Agency's flood maps indicate that the site is within Flood Zone 1 **(low risk).**

Site Designations

11. According to the Adur Planning Proposals Map, the property falls within a defined settlement boundary. There are no further planning policy designations. Please see Figure 2.

Planning History

12. According to the planning history database, there have been no recent planning applications at the property.

Figure 1: *Site Context*



Figure 2: *Planning Proposals Map Extract*



Proposal

Principle of Development

13. The proposal is for a residential annexe in the rear garden of an existing residential property. The proposed extension will provide much needed additional accommodation for the applicant's mother **(please see personal statement provided).** Being an ancillary form of accommodation for a close family member, the building will remain under the control and use of the occupants within the host dwelling.

14. Whilst the proposed annexe would be physically independent from the main house, functionally the annexe is dependant to the main house. There will be no separate;

    - Access
    - Address
    - Utility Meters
    - Curtilage
    - Laundry Facilities

15. Circular 11/95, appendix A, provides a model condition for Granny Annexes, please see paragraphs 33-38 of this report for an example. This model condition was retained following the release of the NPPG, therefore clearly demonstrating that the condition is appropriate and enforceable.

16. Planning decisions should be made on balance and take into consideration up-to-date national and local planning guidance and policies. The proposal is clearly in compliance with the current government agenda.

Amoun, Scale and Layout

17. The proposed single storey annexe would have the following dimensions;

    - Height: 3.08 metres;
    - Length: 9.5 metres;
    - Width: 3.57 metres.

18. The annexe would seek to continue the building line of the established garage and outbuilding along the northern elevation of the host property. The principal doors and windows would also look out onto the curtilage of the application site in order to avoid overlooking.

19. The proposed layout and siting of the proposed annexe seeks to take advantage of the existing boundary treatment to ensure neighbouring privacy and amenity is respected.

Appearance

20. The appearance of the annexe seeks to assimilate with the existing garage and outbuilding to visually continue the building line along the northern boundary. A great deal of consideration was given to the design proposed to ensure it remains subordinate to the main dwelling and reflect the local character.

21. The following materials will be used for the construction of the proposed extension;

FOUNDATIONS - pressure-treated timber on screw pile foundations;

ROOF CONSTRUCTION - Mono-pitched roof with concrete pantile red tiles finished with black plastic rainwater guttering;

JOINERY - All fenestration will be constructed from a high grade uPVC. All glazing will be double glazed, this will aid in the retention of heat and reduce noise;

EXTERNAL CLADDING - The annexes external finish will consist of white render with brick slips 850mm to the bottom. This product has been considered, as it will ensure the proposed structure assimilates with the garden context and its surroundings.

22. Whilst design is to a degree, subjective we believe that the design proposed is entirely appropriate and will provide a high quality rear extension which enhances the local area.

Relevant Planning Policies

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

24. The relevant policies against which to assess this proposal are contained within

Adur District Council Local Plan (1991)

- Policy AG1 - Location of Development;
- Policy AH7 - Householder Proposals;
- Policy AH8 - Accommodation for Dependant Relatives.

Development Control Standards - Extensions and alterations to dwellings

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Policy AG1

25. The proposal site lies within the settlement boundary of Shoreham on Sea. Policy AG1 supports in principle development within such locations, subject to further considerations, such as; design, layout, siting and impact. Nonetheless, the proposal complies with the requirements of policy AG1.

Policy AH7

26. Policy AH7 (Householder Proposals) states that all new development will be expected to be designed so that;

    A. proposals would not result in an unacceptable degree of overlooking, loss of natural light or overbearing effect on neighbouring dwellings;

    B. design and materials are sympathetic to both the original dwelling and the area in general;

    C. the proportion of the garden area taken by the proposal would not be excessive having regard to the character of the area;

    D. access and car parking provision is acceptable under Policy AT12, and

    E. it accords with the standards adopted by the District Planning Authority.

27. To ensure compliance with these policies, we have outlined in the table below the following responses in regard to the above requirements;

Requirement	Proposal	Compliant?
A	The proposed annexe would have all principal windows facing inwards towards the host properties garden. Taking into consideration the size of neighbouring gardens and the existing boundary treatment, we do not believe that the proposal will negatively impact neighbouring privacy and result in the loss of light. There are no neighbouring windows directly overlooking the proposed extension. The proposal would not be visible from any public vantage points.	YES
B	The immediate area has a variety of different architectural styles and extensions which have been undertaken throughout recent years. The materials and the design of the proposed annexe seeks to assimilate with the existing garage and outbuilding, thereby ensuring the immediate contact of the local area is respected and maintained.	YES

C	The proposed annexe would have a footprint of 36sqm. The existing rear garden was a footprint of approximately 330 sqm. Consequently, ample amenity space would be retained for the residence at the host property.	YES
D	The proposed development would not alter existing access or car parking provision at the property. As a result the proposal would comply with policy AT12.	YES

Policy AH8

28. Policy AH8 supports the development of additional living space to support dependant relatives. The proposed annexe would be for the applicant's mother (please see personal statement provided).

29. The policy sets out two requirements to ensure compliance;

    A. the proposed extension complies with Policy AH7; and

    B. the extension is designed as an integral part of the existing dwelling and will be capable of being converted to become part of the main dwelling once occupation by the dependant has ceased.

30. We believe the proposal fully complies with the requirements of policy AH7, as outlined above. In regard to requirement (b), the proposed annexe would be an extension to the host property and would be fully dependant on the shared;

    - Address,
    - Post Box,
    - Utility meters,
    - Garden area; or
    - Access.

31. Once the proposed use would cease, the applicant and the wider family would be able to use the annexe as a continued form of ancillary accommodation for another family member or for a required incidental use.

32. As a result, we believe the proposal fully complies with policy AH8.

Appropriate Condition

33. Government advice on granny annexe accommodation is contained in Circular 11/95 on Planning Conditions.

34. Whilst the Government's Planning Practice Guidance was published on 6 March 2014 and Circular 11/95 was cancelled, Appendix A of the Circular is currently retained. Therefore, such a condition continues to be promoted by the Government.

35. The circular states;

    "It is possible that a 'granny annexe' which provides independent living accommodation, could subsequently be let or sold off separately from the main dwelling. Where there are sound planning reasons why the creation of an additional dwelling would be unacceptable it may be appropriate, to impose a planning condition to the effect that the building permitted shall be used solely as accommodation ancillary to the main dwelling house."

36. The Circular goes on to note that:

    "The same is true for separate buildings...intended for use as 'granny annexes'. In these cases it is even more likely that a separate unit of accommodation will be created"

37. The applicant is happy to accept the below condition, taken from model condition 47 from Circular 11/95:

    The proposed building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling.

38. Furthermore, the NPPF, paragraph 203 clearly states; Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Material Considerations

39. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. Please see the supporting Granny Annexe Commentary for relevant appeal precedents.

40. There is a strong personal need for the annexe which is highlighted in the supporting documents. Lord Scarman in Westminster City Council v Great Portland Estates plc [1985] JPL108; AC661 commented that:

    "Personal circumstances of the occupier [and] personal hardship...are not to be ignored in the administration of planning control. It would be inhuman pedantry to exclude from the control of our environment the human factor"

41. This is discussed further in the Encyclopaedia of Planning Law and Practice, Volume 2, Part 2B - Statutes: Town and Country Planning Act 1990, Part III - Control Over Development:

42. Personal circumstances or "the human factor", are always present in the background to the consideration of the character of land use, but may sometimes be given direct effect in development control as an exceptional or special circumstance (Great Portland Estates plc v Westminster City Council [1985] A.C. 661.)

43. It is considered the personal circumstances of the applicant's mother are strong material consideration which should be given due weight. We respectfully urge the council to take into consideration the need for the annexe, this has been highlighted within the personal statement.

Conclusion

44. The development of an extension at the application site conforms to both national and local planning policy.

45. Access to the annexe will be through the main dwelling, there will be no independent access. This reinforces that the annexe remains ancillary to the main dwelling and cannot be used for independent use.

46. The proposed scheme has ensured that it meets the needs of the applicant's mother, but is also of a scale and design that ensures a clear subordinate relationship with the existing dwelling and neighbouring properties.

47. The proposed scheme is of a high standard of design that takes an appropriate approach to the following key design elements:

    - The use of the annexe will be ancillary to the main dwelling;
    - The appearance and scale of the granny annexe would appear subordinate to the main dwelling;
    - The design, appearance and use of materials is appropriate within its setting;
    - There is no loss of privacy by overlooking neighbouring properties;
    - There is no overbearing impact upon neighbouring dwellings.

48. We trust you have all the information you need to make a prompt and positive determination. Should you require any additional details please do not hesitate to contact us.