Development Control – Delegated Officer Report

Application Number: ADC/0419/10 Recommendation – APPROVE

Site: Land rear of 96/98 Cross Road, Southwick BN42 4HJ

Proposal: 2 pairs of double garages (of revised design to ADC/0731/07) (retrospective)

The Application

This irregularly-shaped backland plot is 17.5m at its deepest and 11m at its widest. It was previously part of the rear gardens of No's 96 & 98 on the frontage. They were converted into flats in 1968. It is accessed by a concrete driveway running between No's 98 and 100 which also serves another 8 garages to the rear of houses in Old Shoreham Road.

In January 2008, following earlier refusals, permission ADC/0731/07 was granted for 2 pairs of detached prefabricated double garages with brick-effect walls and shallow pitched roofs. The northwesternmost was shown 5.25m wide, 5m deep and 2.7m high to the ridge of its roof. The southeasternmost was shown 5.3m wide and 5.8m deep, with the same 2.7m ridge height.

The Hanson garages that have been erected do not accord with the pre-fabricated garages shown on the plans approved under ADC/0731/07. They are of different size, one being 5.1m wide by 5m deep, the other 5.1m wide by 12.3m deep. Also, they have pebble-dashed walls and almost flat roofs sloping slightly from front to back with a height of 2.4m. The southeastern garages also have garage doors in their rear wall (not shown on the plan) to access the land behind that is covered in shingle (with no apparent signs of any usage).

The garages that have been erected are materially different from what was approved and not covered by the permission that was granted and are consequently unauthorised and in breach of planning control. If they had been covered by the permission, there are breaches of conditions 02, 04, 05 and 06 because no details were submitted (or approved) under these conditions.

Consultations and Representations

West Sussex County Council: Previously stated no objection subject to a condition restricting the use of the garages for domestic purposes only and suggested speed humps and fencing.

Adur District Council: The EHO previously stated no objection (ADC/536/07) provided the garages are not utilised for commercial / industrial purposes.

Third Parties: The resident of No.100 Cross Road, who previously objected to these garages, queries what the application is for and states he would

strongly object to any increase in the number of garages, or to their use for storage of small building plant and materials, on grounds of noise, disturbance, danger to users and loss of privacy. He states the access drive is partly owned by himself and that certificates A and B cannot be issued by the applicant.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1
PPS1 'Delivering Sustainable Development'

Planning Assessment

Policies

The site is located within the built-up area where there is a presumption in favour of development subject to it not detracting from the existing local urban environment (AG1).

The design differences between the garages as built as compared to those shown on the approved plans has very little consequence for the environment of this 'backland' site or the outlook from neighbouring properties. Their appearance is satisfactory.

The main concern is to ensure the garages are used only for private parking purposes and not for any commercial storage use in order to protect the residential amenities of the neighbouring flats and houses from noise disturbance and other detriment to their environment. As before, a planning condition should be imposed to restrict the use of the garages to purely parking of cars incidental to dwellings.

The 3m wide access driveway is located approximately 70m away from the junction with Kingston Lane on a straight piece of road with adequate visibility. WSCC previously suggested traffic calming measures (speed humps) and a condition was imposed accordingly. However, the letter from a neighbour states that the accessway is owned partly be himself and other people who do not agree to installing speed humps.

Recommendation

APPROVE for reason that:-

1PPii – amended.
Subject to restriction of their use, the garages do not detract from the existing local urban environment, from the residential amenities of neighbouring dwellings or from highway safety. They consequently do not conflict with the relevant policy AG1 of the Adur District Local Plan.

1. C8Fii – amended

The garages shall be used only as private domestic garages for parking vehicles and bicycles incidental to the use of residential dwellings and for no other purposes. There shall be no use of the vacant open area behind the south-easternmost pair of garages for parking or storage of vehicles or other items.
Reason: *In the interests of residential amenity having regard to policy AG1 of the ADLP.*

2. This permission relates to the following plans received on 25 October 2010:-
OS Sitemap showing the site outlined in red;
Plan A - Location Plan and Block Plan showing the siting of the garages;
Photographs of the garages;
and to the following plan received on 2 November 2010:-
Garage layout.
Reason: *For the avoidance of doubt and in the interests of proper planning.*

Case Officer: Keith Morgan Date: 16 November 2010