Development Management - Delegated Officer Report

Application Number: AWDM/0088/18 Recommendation – Approve

Site: 27 Mile Oak Road, Southwick

Proposal: Office in rear garden

Date of site visit: 26 January 2018

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to a mid terrace house on the south side of Mile Oak Road. The property has a long rear garden with a shed at the bottom of it. It is proposed to replace the shed with an office building for home working. It will measure 7m deep, 5.4m wide and 2.8m high with a parapet flat roof. It will be constructed in blockwork with white render finish. A 'green' roof finish is proposed.

The building will comprise an office space with WC, shower and store. It will have bifold doors across the front and a rear door to enable pedestrian access from a narrow access path which runs along the rear gardens of the terrace.

Relevant site history

None relevant

Consultations

Adur and Worthing Councils: The ***Tree Officer*** has advised that although moving the location of the building would be the preferred choice he agrees that it would be better to have some control over construction / root protection areas, rather than none (as would be the case if a smaller building was built as permitted development).

Representations

1 letter received from the occupier of 25 Mile Oak Road supporting the application:

- There is a preserved tree within his garden but the tree survey submitted with the application states that it is in poor health.
- He is happy for the tree to be felled if the Council give consent

Relevant Planning Policies

Adur Local Plan 2017 Policy 15, 30

Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework (March 2012)

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 building will be positioned at the end of the garden and will not be unduly intrusive. It will be visible from Mile Oak Crescent to the west but it will be seen in the context of other outbuildings in this domestic setting and will not be visually harmful.

Residential amenity

The position of the building means that it will be about 30m from the rear of the houses in the terrace and is therefore unlikely to cause a loss of amenity. To the south, it will abut the access path with a garage and car port beyond screening the proposal from 16 Mile Oak Crescent.

Impact on Trees

There is a preserved Silver Birch tree in the adjacent garden (No.25). The applicants have submitted a Tree Report which identifies the preserved Silver Birch, plus another Silver Birch and two Hollies which will be affected by this proposal. The report advises that the preserved tree is "badly infected with at least two conditions that seriously threaten its structural stability." It concludes that as it is diseased, the impact from the proposed building would not be significant.

However, there are other trees within the garden which are healthy and which would be affected by the construction. The position of the building could be relocated closer to the house, outside of the root protection areas of the trees, but it should be noted that permission is required for this building only because it is 2.8m high (0.3m lower and it would be permitted development). The applicant is also reluctant to move the building as it would leave an awkward area at the rear of the garden with the building sitting in the middle of the garden. Taking the permitted development fallback into account, it is considered that the building can remain at the rear of the garden as proposed but a condition should be imposed requiring the use of piled foundations whereby piles are inserted vertically through the roots so that only minimal damage to a small proportion of such roots may occur. Such a condition would not be possible if the building was built as permitted development.

The occupier of No.25 may apply for consent to fell the tree but, as no application has been submitted to date, the application has been determined taking into account the presence of the preserved tree.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. Materials as specified
4. Piled foundations only
5. To be used ancillary and not as primary accommodation

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

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.

Case Officer: Peter Barnett Date: 11 May 2018

Authorised by: Gary Peck Date: 15 May 2018