Expiry Date – 6/12, subject to legal agreement

Development Control – Delegated Officer Report

Application Number: AWDM/1524/19 Recommendation – Grant

Site: **35 Rosslyn Road, Shoreham**

Proposal: **Single storey side extension (north) and use of garage basement as annexe (part retrospective). (Resubmission of AWDM/0526/19).**

Neighbours checked: Y

Additional neighbour notifications: N

Date of Site Visit: 11/6/19

Site and Surroundings

This application relates to a detached garage, with basement, in the back garden of a detached house on the north side of Rosslyn Road. Currently access to the basement is from the east side though a door and down an internal stair or on the north side via an external stair. The annexe has been kitted out with a bathroom and kitchen and is otherwise a single room. The ground floor is a garage.

The property is not in a conservation area and is not a listed building.

Proposal

Permission is sought to use the basement accommodation as an annexe for 'occasional habitable use.' A conservatory on the north side is also proposed.

The application differs from the previous refusal in respect of the comments received from the Private Sector Housing Team in support of the application this time.

Relevant Planning History

AWDM/0526/19 - Single storey side extension (north) and use of garage basement as annexe (part retrospective). Refused 11.7.19

ADC/0060/09 - Alterations to detached garage at rear to convert its basement to a one bedroom residential annexe with the addition of stairwell on north side. Withdrawn 12.3.09

SU/97/01 – Detached ridge roofed garage at rear with underground store beneath. Granted 14.6.01

Consultations

Private Sector Housing – '*Following a site visit, I have no objections on PSH grounds.'*

Representations

No responses received.

Relevant Planning Policies and Guidance

The National Planning Policy Framework 2019
Adur Local Plan 2017 Policies 1, 2 and 15 including 'Development Management Standard No. 2 Extensions and Alterations to Dwellings'.

Planning Assessment

Principle

The principle of annexe development can be supported where there is not unacceptable impact on neighbour amenity or local character. The quality of accommodation to be provided should ensure an attractive and safe place to live for future occupiers.

Policy 15 of the Adur Local Plan states that:

'Development should:

- Include a layout and design which take account of the potential users of the site.'

In Development Management Standard No. 2 para 3.24 states:

'Where an extension is proposed for a "granny annex" it will be required to have an inter-connecting door with the main house. In other respects it will be assessed on the same basis as any other extension. '

In The National Planning Policy Framework 2019 para 127 states:

'Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Para 130 states*:*

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it

functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'

The proposed annexe has been created without the benefit of planning permission. It has not been occupied. The original 2001 permission for a garage and basement store included a condition that the building be used as a garage only and for no other purpose. The north side access is also without the benefit of planning permission. The kitchen and bathroom have no direct light or ventilation. Light to the kitchen is borrowed form a window to the staircase on the southern side of the building.

The 'living room' is accessed via the external staircase on the north side. This is to be enclosed by the proposed conservatory addition. Alternatively, access is from an internal stair on the south side which is shared with the ground floor garage.

Following a site visit from a Senior Health Officer he is now satisfied that the quality of living accommodation in terms of light and ventilation for this occasional use annexe is now acceptable.

The conservatory addition in itself will not be harmful to neighbour amenity. At 2 metres high it will only marginally exceed the height of the boundary wall and shrubbery of the rear garden of 14 The Finches. From the streetscene it sits 900mm behind the front wall of the garage and will be little glimpsed from Rosslyn Court.

Recommendation: APPROVE subject to a Unilateral Undertaking and the following conditions:

1. Approved Plans
2. 3 years
3. The basement accommodation hereby approved shall be for occasional annexe use only, as described in the application, for purposes ancillary to the residential use of the dwelling known as 35 Rosslyn Road only.

   Reason: To enable the Local Planning Authority to maintain strict control over the use of the land in the interest of local character and neighbour amenity and to prevent the creation of a small and under resourced unit of accommodation having regard to saved Local Plan policies 15 and 20, Development Management Standard No. 1 Space Around Dwellings and the National Planning Policy Framework.

4. Notwithstanding the provisions of the General Permitted Development Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification) the garden shall not be divided in any way to create separate and self contained garden accommodation for the annex building hereby approved.

   Reason: To ensure the annex remains in ancillary use and sufficient garden is retained to the overall site in the interest of occupiers living conditions and local character having regard to Local Plan policies 15 and 20, Development Management Standard No. 1 'Space Around Dwellings' and the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), this outbuilding shall not be extended and no additional garden buildings shall be erected without express planning permission first.

   Reason: In the interests of amenity and the environment and to comply with policies 15 and 20 of the Local Plan and Development Management Standard No. '1 Space Around Dwellings.'

Informative

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.

Is recommendation contrary to any representations? No.

Case Officer signed:	MOK	Date: 5/12/19
Authorised and signed by:	Peter Barnett	Date: 18 June 2020