Expiry Date – 18/2, ppa to 4/3

Development Control – Delegated Officer Report

Application Number: AWDM/2140/20 Recommendation – Grant

Site: 39 Kingston Lane, Southwick

Proposal: Detached self-contained annex in rear garden for relative

Neighbours checked: Y

Additional neighbour notifications: Y, re-consultation on revisions, 14 days.

Date of Site Visit: photos

Site and Surroundings

This application relates to the rear garden of a detached bungalow on the east side of Kingston Lane. The property sits between and opposite two storey dwellings. The property has a garage on the south side boundary and rear garden access on the north side.

It has a deep rear garden measuring 37 metres in length by nearly 12 metres in width. There are a couple of typical garden buildings in the rear half of the garden.

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

Proposal

Planning permission is sought to add a modular annexe building in the rear garden. The building is shown positioned 1 metre off the north boundary, 4 metres of the east (rear) boundary and 3.8 metres off the southern boundary. It is 28 metres from the rear wall of the parent building.

The annexe itself is 7 metres wide, a maximum of 5.3 metres in depth and 2.5 metres in height. The floorplan shows an en-suite bedroom and a living room/kitchenette.

The application has been revised since first submitted to rotate it 90 degrees so that it faces the rear of the parent building.

Relevant Planning History

None.

Consultations

Health*: 'This is a long way from the main house for an elderly relative. Although the applicant states that the annex will be ancillary to the main house and that the occupant will use said main house for cleaning and cooking, the new structure is fully self*

contained and situated about 20mfrom the house. The new dwelling only measures 30 sq.m and so falls below the national technical space standards of 37 sq.m for a one-bed unit of accommodation. It is also noted that the bedroom is an inner room and that the bedroom window would therefore need to comply with fire escape window requirements. Should the Council be minded to approve the application then robust conditions would need to be in place to ensure that it can only be used by direct family member ,ancillary to the house and cannot be occupied or rented out to third parties as a separate dwelling.'

Highways: *No objection.*

Technical Services:

Flood risk- The application is within flood zone 1, the site is shown to not be at risk from surface water flooding. We therefore have no objections to the proposals from a flood risk perspective. Surface water drainage- the application includes only small changes to impermeable area, we therefore have no conditions to request. Surface water drainage must be designed and constructed in accordance with building regulations, and must follow the hierarchy for sustainable drainage.

Representations

One letter of objection from No. 41 to the revised proposal:

The WC window is close to our boundary. This may be problematic especially in summer. How will waste be disposed of?

To the original application the same objector made the following points:

Overdevelopment
Overlooking
Out of character
Lighting the path to it will look like a runway
The annex will look straight at our garden where we sit in the evenings. We will be subjected to noise from TV, kitchen appliances plus light nuisance.
How will this drain? Surface water sits and drains slowly on this very hard ground.
Devalue of properties either side.
What happens when the occupiers move?
Loss of view
Loss of wildlife.

Owner of 4 Phoenix Way (behind) does not object but queries the proximity of it to a walnut tree which has caused problems on the common boundary.

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'.
WSCC Guidance on Parking at New Developments (Sept 2020).

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, the effect on the character and appearance of the dwelling and its surroundings and the living conditions of the future occupier.

Visual amenity

The property has a large rear garden, 37 metres in depth and 12 metres in width. Outbuildings are common in the area and the scale of this building is no different to many garden outbuildings and would be permitted development if not intended for primary living purposes. It will be visible from adjoining houses and gardens but its scale contextually is typically domestic.

Residential amenity

It will be positioned 28 metres from the rear of the parent building and the adjoining Kingston Lane houses. The applicant's photos show both neighbours have garden outbuildings at the bottom of their gardens. The proposal will be 1 metre off the northern boundary. The revised scheme reorientates the building to face down the garden to the main dwelling. It includes a secondary side window on the north side with a cill level 1.7 metres off ground level. It will not cause significant loss of privacy.

It will be at least 3.5 metres off the southern boundary with No. 41. This boundary is defined by a typical panel fence with trellis on top to a height of approximately 1.8 metres. With the reorientation only a bathroom window is shown in the southern elevation. This has a cill level 1.7 metres off ground level. No overlooking or other loss of amenity at this distance will occur. Drainage is a matter for Building Control.

Some noise can be expected from the annex but as it is intended to be for a relative it is not anticipated that it would be excessive. Activities in the existing gardens have the potential to be more intrusive. Light from the annex will be greater perhaps than another domestic outbuilding but in the location proposed not unduly intrusive. Boundary planting could be increased if desired.

The fencing on the rear boundary, 4 metres from the annex, is more substantial. There are no windows in the rear elevation.

Living conditions of future occupiers

The proposal is fully self contained but is small at 30sqm. This level of floor space is only acceptable as this is an annex for a relative who will also have access to the main dwelling. A condition restricting the use to ancillary occupation only is recommended.
.

Recommendation APPROVE subject to the following conditions:

1. Approved Plans
2. 3 years
3. Ancillary use only
4. Side windows, 1.7m off floor level, bathroom window also obscurely glazed
5. No new windows

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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? Yes.

Case Officer signed: MOK Date: 2.3.2021

Authorised and signed by: Peter Barnett Date: 2 March 2021