Development Management – Delegated Officer Report

Application Number: AWDM/0331/24 Recommendation: APPROVE

Site: 59 Warren Road, Worthing

Proposal: Single storey outbuilding for use as five shed/home offices with store (retrospective)

Date of Site Visit: In connection with previously refused Lawful Development Certificate application

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This application seeks retrospective permission for a group of single storey outbuildings at the southern end of gardens serving a group of 5 dwellings granted permission in 2018. The dwellings are completed and occupied. Although permitted rights were not removed for outbuildings, because of their nature of construction as a single block accessed via a gate from the main gardens, it is not considered they comprise permitted development, hence the requirement for this application.

The nearest residential properties are in Offington Drive to the rear, there is intervening screening between the boundaries.

Planning History:

AWDM/0326/18 - Outline planning permission with some matters reserved (landscaping) for 5no. part two and part three-storey houses with widened vehicular access and 7no. car parking spaces following demolition of existing dwelling - Approved

AWDM/1042/18 - Application for Approval of Reserved Matters following Outline planning permission (AWDM/0326/18 with some matters reserved (landscaping) for 5no. part two and part three-storey houses with widened vehicular access and 7no. car parking spaces following demolition of existing dwelling) for landscaping

AWDM/0315/20 - Variation of condition 1 (approved plans) of approved AWDM/0326/18: repositioning of approved gables and updated site access plan

AWDM/1688/23 - Application for a Lawful Development Certificate for single storey outbuildings to be used for ancillary residential purposes to numbers 51-59 Warren Road inclusive - refused as the sheds had been built as a continuous block not within the curtilage of any property.

Consultations:

UK Power Networks - no objection

Southern Water - no objection

WSP (drainage consultant)

Initially commented that there was insufficient information regarding impermeable drainage and whether the soakaways had sufficient capacity. A suggested solution was to attenuate the runoff from the sheds/offices prior to infiltration in the soakaway

The applicant has responded that a larger tank could be placed to serve the units and that as the sheds are owned by his company, responsibility for maintenance would fall upon them rather than the individual users of the sheds.

Representations:

1 letter has been received commenting that no businesses should be run from the sheds with visiting customers which would add additional pressure on parking at the site.

Relevant Planning Policies:

Worthing Local Plan (2023): SP1, DM5

National Planning Policy Framework (December 2023)

Planning Practice Guidance

Planning Assessment

In terms of height, the land slightly slopes and at the highest point but at the highest point of the adjacent ground level, the height of the building is 2.35 metres (this has been measured separately by the Enforcement Officer and the case officer) and is below the normal height level for permitted development and accordingly can be considered as relatively unobtrusive buildings which do not affect neighbouring properties. As they are behind the houses from the public viewpoint, there is no wider visual impact.

However, the outbuildings have been erected as a continuous block and it is understood that the area was fenced off from the residential gardens at the time of their construction. This resulted in a rather unusual situation that they were physically separate from the curtilages they were intended to serve. While connecting gates have been incorporated into the rear fences of the gardens to serve the outbuildings, nonetheless the nature of the continuous block means it does not in physical terms solely relate to each individual curtilage. It would in theory be possible for any of the owners of the respective properties to access any of the individual units within the outbuilding rather than the outbuilding being physically within each garden. A condition shall therefore need to be imposed ensuring that the buildings are used for ancillary purposes to the respective residential dwellings only.

The Council's drainage consultant required details of attenuation for surface water run off. A solution has now been found and can also be the subject of a condition.

Subject to conditions, the application can be considered as acceptable.

Recommendation

01 Approved Plans
02 Ancillary Use to residential buildings only
03 Details to be submitted regarding the attenuation of runoff from the sheds/offices prior to infiltration in the soakaways within 3 months of the date of the permission

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

Case Officer: Gary Peck Date: 1 August 2024

Authorised by: James Appleton Date: 1 August 2024