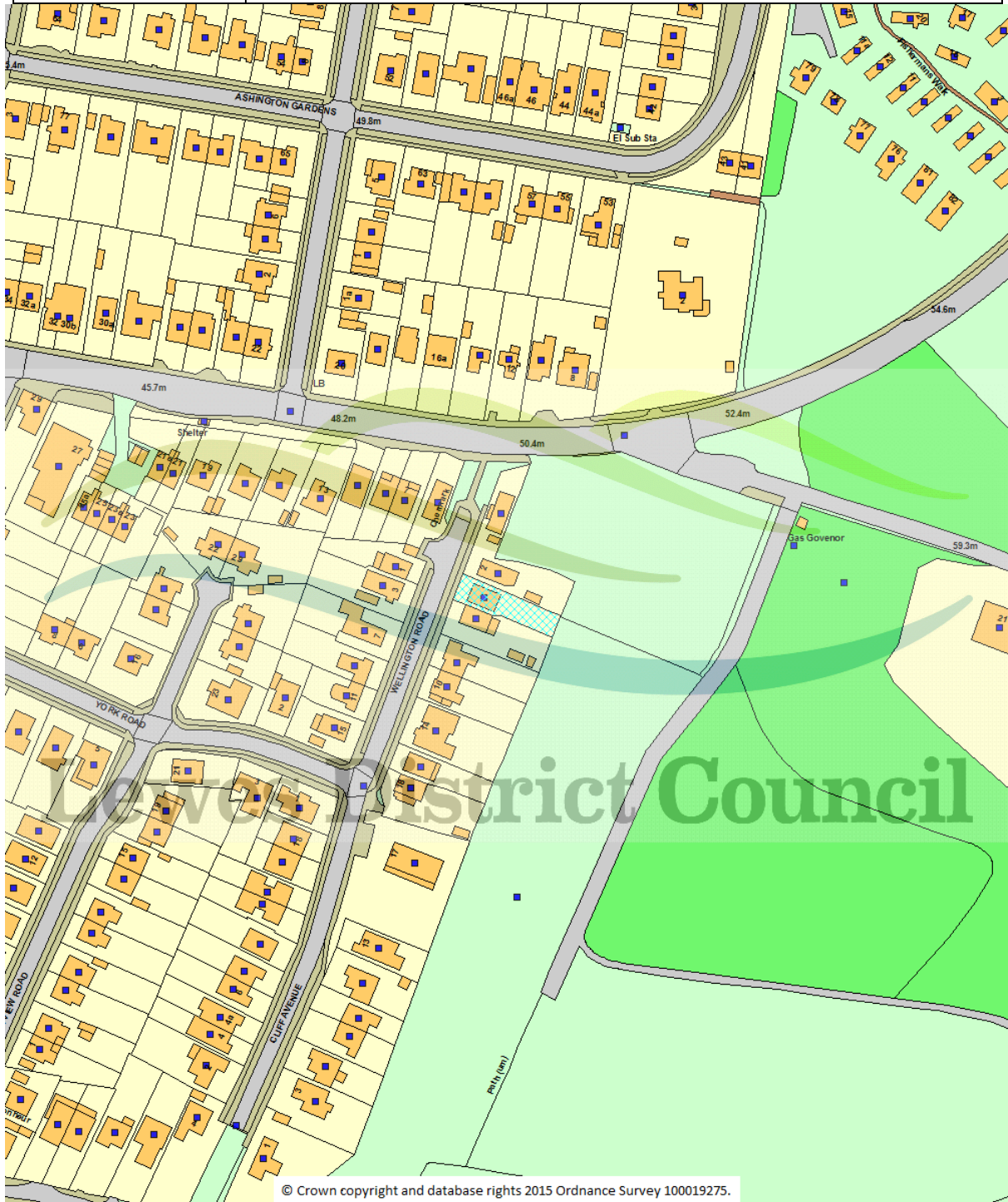


APPLICATION NUMBER:	LW/16/0802	ITEM NUMBER:	7
APPLICANTS NAME(S):	Mr J Robison & Ms S Teng	PARISH / WARD:	Peacehaven / Peacehaven East
PROPOSAL:	Planning Application for Conversion of existing garage to form an annexe, erection of a 1.3m side extension		
SITE ADDRESS:	4 Wellington Road Peacehaven East Sussex BN10 8QJ		
GRID REF:	TQ 42 00		



1. SITE DESCRIPTION / PROPOSAL

1.1 Planning permission is sought for an extension to the side of the existing garage and its conversion to an annexe. The property is a detached bungalow with converted loft, located within the planning boundary within the outer edge of Peacehaven. The rear garden within which the garage is located backs on to open grassland. A small area of this land directly adjoining the rear boundary of the site is used by the applicants as a vegetable garden.

1.2 The existing garage building is located in the rear garden, positioned adjacent to the north side boundary and extends the full length of the rear garden. The garage measures approximately 3.1m wide x 11.7m long, with a narrower section of 2.7m wide to the rear. The application proposes to extend the garage to the south side by about 1.3m wide x 5.7m long and to infill the north side to the boundary so it is the same width as the front section. The existing greenhouse to the side of the front garage section would be retained. The existing pitched roof would be extended down to eaves level to form the roof of the infill extension. The side extension would have a flat roof, level with the eaves to this side. The main roof form and solar panels would be retained as existing.

1.3 Internally the garage would be converted to an annexe including a bedroom, bathroom and kitchen/living room. Windows would be added to the front, rear and side facing onto the garden. Access would be through a door at the side between the green house and the extension, accessed from the garden.

1.4 The proposed annexe is primarily for the use of a full time carer/or family member. Both applicants have conditions which are likely to worsen and need more care than can be provided with the current living arrangements.

2. RELEVANT POLICIES

LDLP: – ST03 – Design, Form and Setting of Development

LDLP: – RES18 – Garages and other Buildings

LDLP: – CP11 – Built and Historic Environment & Design

3. PLANNING HISTORY

LW/10/0732 - Extend rear hip roof to gable and insertion of dormer windows to south side elevation - **Approved**

LW/09/0753 - Section 73A Retrospective application for the continued use of land as a vegetable plot - **Approved**

LW/07/1097 - Single storey rear conservatory extension - **Approved**

LW/99/1896 - Porch and conservatory extension, also conversion of loft including dormers - **Approved**

4. REPRESENTATIONS FROM STANDARD CONSULTEES

Peacehaven Town Council – Refusal Recommended due to:-

- The proposal is for a separate dwelling and not an annexe
- Would set a precedent for similar developments
- Back garden development
- Inadequate local infrastructure - including A259, surgeries, school
- Effect on local character - surrounding area included
- Density of layout & over development - too large for plot
- Absence of car parking facilities
- Increase of traffic & congestion
- Exacerbate existing parking problems

Officer response: The proposal is for an annexe, not a separate dwelling and can be conditioned as such. Use as an annexe is very unlikely to set a precedent for the area. The back garden is already developed. Additional infrastructure is not required for an increase of 1 person. There would be minimal impact on the local area due to the small scale of the extensions. The existing garage and extensions would be less than 50% of the curtilage land and could be carried out under PD. The potential for one additional car would not have any significant impact on parking or traffic safety in the area. The objections raised are therefore considered unsustainable in relation to the development proposed.

ESCC Archaeologist – Although this application is situated within an Archaeological Notification Area, I do not believe that any significant below ground archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

Southern Gas Networks – Standard gas safety advice

Environmental Health – The proposal is for the conversion of existing garage to form an annexe, erection of a 1.3m side extension.

The property in question is located approximately 200m south west of the former South Coast Road landfill site and more pertinently, 70m north east of a historic Environment Agency recorded landfill site known as "13 or 15 Wellington Road". EA data for this site indicates it accepted unknown waste between 1940 and 1950. Due to the age and distance from the landfill, the ground gas risk is not anticipated to be significant for the property.

However, due to the age of the existing dwelling there is limited potential for materials that may be harmful to human health, such as fuel used for heating or asbestos containing materials, to be present in the soils.

We therefore recommend that the following conditions are attached to any planning permission:

Unsuspected contamination

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, sections 120 and 121].

5. REPRESENTATIONS FROM LOCAL RESIDENTS

5.1 Five letters of objection concerning, over development, garage covers most of the garden which is why they had to extend their garden in to the field behind and destroy open land, conservatory and green houses on site, over 50% of original land, garage is already massive and unsightly, smaller structure refused at other property with more land, unacceptable visual impact compared to other gardens in street, out of character and scale, would set a precedent for others having a negative effect, overbearing, built without planning permission, without the knowledge of LDC, they have shown no regard for planning regulations, separate dwelling not an annexe, full amenities in annexe could be easily let out as a separate dwelling, over population of a small area, reduce the garden to a minimal size, there is not enough space for the current garage let alone an extension, continued use of land to rear which applicants do not own, inadequate access being at the end of a shared drive, limited parking spaces on street, loss of parking in garage will increase parking congestion, creating more need for parking, larger vehicles struggle to navigate up the road, garage too close for dwelling purposes being on boundary line, noise and disturbance from occupation of garage as an annexe will have an adverse impact on residential amenity, sufficient level space on the ground floor for the applicant, no need for an annexe for the applicant, no access to off road parking at front.

6. PLANNING CONSIDERATIONS

6.1 The main consideration for this application is the impact of the intensified use of the property as an annexe, on neighbour's amenity.

Existing structure

6.2 It is noted that neighbour objections to this proposal refer to the existing garage not having the required planning permission in place. The garage as constructed complies with the criteria for permitted development and the total area of ground covered by buildings within the curtilage of the house does not exceed 50% of the total ground area. Therefore planning permission was not required. The extensions can also be carried out under permitted development and without any further planning permission. The garage as existing and including the proposed extensions is considered lawful and no further consideration should be given to this matter.

Use

6.3 The proposed use of the garage, as extended, requires planning permission as it would be capable of self-contained living. However, the access and position of the annexe within the garden of the main property would not easily accommodate use as a separate dwelling. The annexe is primarily required to provide accommodation on site for a full time carer for the occupants of the house, in relation to their declining health. The building is not intended as a separate dwelling. Conditions can be attached to the grant of consent to prevent use of the building as a separate dwelling and to ensure the use remains ancillary to the main dwelling.

6.4 The close proximity of the house and the annexe would limit the occupation of the building to a carer or family member. The shared use of the garden and access would

prohibit use of the building as a separate dwelling and this is not the intention of the application. It is noted that the main house could accommodate additional people but this would not provide the independent living that a carer would require.

Noise and disturbance

6.5 The intended use of the annexe for a carer would result in an intensification of use, including an increase in comings and goings and potential noise and disturbance associated with use of the building as an annexe. The additional noise, disturbance and movements generated by one additional person are not however considered to be significant, or to increase these factors to an unacceptable level. The use of the external space as a garden would continue as existing and noise and disturbance associated with this existing use would not be greater than that associated with the current use.

6.6 The building is positioned adjacent to the garage of the neighbouring property to the north and any additional noise generated from use of the building as an annexe would be very unlikely to travel to the occupants of the house or have any increased impact on the residential amenities of the adjacent occupiers. Suitable noise insulation could be incorporated into the building to mitigate any increase in noise levels.

Visual impact

6.7 The building is in close proximity to its neighbours, forming the side boundary with the neighbour's garden to the north and positioned about 2.8m from the boundary with the neighbour's garden to the south. Other than for the small infill extension to the rear, adjacent to the north boundary, the building would remain as existing. The very small scale of the infill extension and change from garage door to windows at the front would be the only visible aspects from the neighbour's property to the north and these changes are not considered to have any adverse impact on the visual amenities of the occupants. There would be no overlooking, loss of privacy or sense of enclosure resulting from this development.

6.8 The boundary to the south side is formed by a wooden fence. There would be three additional openings to the south elevation comprising of full height windows. These windows would not however, result in overlooking or loss of privacy as they are at ground floor level and would be screened by the existing boundary fence. The side extension to the building would be visible from the upper floor windows of the neighbour's property. However, given the very small scale of the extension proposed and its low height and flat roof, it is not considered to have any adverse impact on the visual or residential amenities of the adjacent occupiers.

Wider public views

6.9 An area of land to the rear of the application site is used as a vegetable garden. Consent for this was granted under LW/09/0753. The land beyond this is grass/scrub land which rises gradually to the east. There is a public footpath to the rear. Views of the building as extended would be possible from this footpath. However, due to the very small scale of the development proposed, in relation to the existing structure on site, these views are not considered to be detrimental to the wider visual amenities of the area or the character of its surroundings.

Parking

6.10 The only covered off road parking currently provided by this site is in the garage that is proposed for removal. However, it is evident that the garage is not used for this

purpose at present. The loss of the parking space and addition of an annexe could potentially increase demand for parking in the road, but this would be such a minimal increase in comparison to the existing situation and is unlikely to have any significant adverse impact on parking in the area. There is sufficient space for a vehicle to park immediately in front of the annexe, and this is considered sufficient for the site.

Precedent

6.11 The garage is located to the rear of the building and is not readily visible from the road to the front. The only visible change from this view point would be the change from garage doors to windows. There is no restriction on permitted development in the locality. Therefore neighbours could reasonably erect similar structures in their gardens without requiring consent. Where planning permission is not required, no further control over such development can be applied. It is unlikely that neighbours would re-create similar development in their garden for use as an annexe, as this use relates to the specific needs of the applicants and not a general need in the area. It is therefore considered that the development would not set a precedent for the area.

Conclusion

6.12 The existing building is lawful and does not require retrospective consent. The proposed extensions would be within permitted development and could be carried out without planning permission. The impact of the intensification of use on neighbour's amenity, resulting from use of the building as an annexe is considered to be limited and would not adversely affect the enjoyment of their homes and gardens.

The proposal is therefore acceptable.

7. RECOMMENDATION

That planning permission is granted.

The application is subject to the following conditions:

1. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 4 Wellington Road.

Reason: To prevent the creation of an additional dwelling having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

2. The development hereby approved shall be finished in external materials to match those used in the existing building.

Reason: To ensure a satisfactory development in keeping with the locality having regard to Policy ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

INFORMATIVE(S)

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.

2. This development may be CIL liable and correspondence on this matter will be sent separately, we strongly advise you not to commence on site until you have fulfilled your obligations under the CIL Regulations 2010 (as Amended). For more information please visit <http://www.lewes.gov.uk/planning/22287.asp>

This decision is based on the following submitted plans/documents:

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	19 September 2016	LP01
Proposed Block Plan	19 September 2016	LP01
Proposed Layout Plan	19 September 2016	PL01
Proposed Roof Plan	19 September 2016	PL02
Proposed Elevation(s)	19 September 2016	PL03
Proposed Section(s)	19 September 2016	PL03
Existing Floor Plan(s)	19 September 2016	S01
Existing Roof Plan	19 September 2016	S02
Existing Elevation(s)	19 September 2016	S03