

Application Number:	AWDM/1740/23	Recommendation: i) REFUSE and, ii) Delegate the decision to take enforcement action to restore 11 Saffron Close to a single dwelling
Site:	11/11a Saffron Close, Shoreham-by-Sea	
Proposal:	Retrospective planning application to change existing annex into a separate domestic dwelling	
Applicant:	Mr Ariful Haque	Ward: Buckingham
Agent:	Mr Darryl Shear	
Case Officer:	Gary Peck	

The Planning Services Manager presented the application explaining that there had been no updates to the report. He clarified for Members that the part of the property now known as 11a, was measured at 55 square metres and so did not conform to the national space standards of 70 square metres. Because of this, it was unsuitable to be a separate dwelling and this had been made clear on the 2018 planning permission decision notice issued to the applicant. He stated that the Land Registry process is an entirely separate procedure from obtaining planning permission and that the onus is on the applicant to check the legality of his application.

There was one registered speaker who gave a representation in objection to the application on grounds of overdevelopment, lack of available parking, concerns that the extension had been built over a main sewer and the erection of a fence which was in contravention of the covenant of the deeds.

There was one registered speaker who gave a representation in support of the application. He clarified for Members that he had been unaware he needed new planning permission to make the annex a separate dwelling and had no recollection of this being stated in his original decision notice of 2018. He had used an independent building inspector who had not drawn this to his attention. He stated he was under the impression that he had followed the correct procedures to register the dwelling as two separate properties.

During debate the Members acknowledged that they had to consider only the planning issues of this application and as the size of the annexe did not comply with national space standards they were unable to grant planning permission. It was deemed to be important not to set a precedent by approving an undersized property.

A proposal to reject the application was forwarded, seconded and voted on unanimously.

Decision - REFUSE planning permission for the following reason:

1. The separate dwelling hereby created fails to comply with National Space standards and would not provide a satisfactory living environment for future occupiers by its limited internal floorspace, relationship with adjoining dwellings and limited external amenity space. The proposal therefore fails to comply with policies DM5 and DM20 of the Adur Local Plan, National Space Standards and guidance contained within the National Planning Policy Framework.
2. It is further recommended that the Committee authorises taking enforcement action to ensure that the property is returned to a single dwelling house with the final decision to serve the notice to be delegated to the Head of Planning and Development in consultation with the Head of Legal and Democratic Services.