Expiry Date - 22/08/2025

# Development Management – Delegated Officer Report

**Application Number: AWDM/0819/25** **Recommendation – APPROVE**

**Site:** **8 Cherry Gardens Worthing West Sussex BN13 3QU**

**Proposal:** **Two-storey front extension and single-storey side and rear extensions plus fenestration changes. Installation of Solar PV Panels to south elevation roof slope**

**Date of site visit:** 07.08.2025

**Neighbours checked:** Y

**Additional neighbour notifications**: N

**Site and Surroundings**

The application relates to a detached 2-storey house occupying a corner plot at the junction of Cherry Gardens and Cherry Walk in High Salvington. It comprises 1 of 8 similar dwellings within a cul-de-sac (Cherry Gardens) developed in the late 1980s, located off the north side of Cherry Walk. The dwellings are quite tightly spaced facing inward onto the private access drive with their rear gardens to the outer edges of the cul-de-sac. There are a large number of trees within the gardens and lining the entrance into the cul-de-sac, many covered by a TPO (originally No.2 of 1986 updated by No.92 of 2001). The combination of mature trees, the narrow width of the access drive and relatively compact layout of the houses creates a distinctive sense of enclosure.

No.8 faces north with the main garden to the rear (south) and wrapping around the east side of the dwelling. A group of trees on the west side of the garden adjoining the access drive are including within the above TPO, including a large holm oak in the far southwest corner of the garden and a thin Lawson's cypress close to the rear southwest of the house.

The house originally had 2no integral garages but one has since been converted into a habitable room with a window replacing the garage door.

Other recent alterations have included enlarging 2no first-floor rear (south) window openings to insert (inward-opening) French doors and Juliet balconies (apparently undertaken as 'permitted development').

**Proposal**

Permission is sought for: -

- 2-storey front extension: 1.5m deep by 2.85m wide with a dual-pitched and gabled roof 6.6m high. The extension would be clad in dark-stained horizontal timber cladding. It would provide an open-fronted porch at GF and an enlarged bathroom at FF.
- Single-storey rear extension infilling the rear south-west and south-east corners of the dwelling (either side of the existing rear projection) replacing an existing conservatory. It would be finished in render with a flat roof 2.9m high. The roof would over-sail the external walls by 0.8m. It would provide an enlarged kitchen/family room and snug/sunroom. Two sets of bi-fold doors are shown opening into the rear garden.
- Single-storey extension to east side to create a cinema room. It would have an irregular-shaped footprint infilling the area between the side of the dwelling and the eastern site boundary. It would be set back 2.5m from the front of thew dwelling and extend as far as the rear wall of the original dwelling. It would be 2.8m high and finished in vertical cladding with no external openings other than a rooflight.
- Enlarging the remaining first-floor rear (south) bedroom window opening to insert an inward-opening French door and Juliet balcony.
- 3no set of solar panels on the rear (south) main roof slope (either side of the gabled rear protection) and on the rear (south) of the lower single-storey component.

**Relevant Planning History:** None relevant.

Permitted development rights for extensions and alterations were not removed by the original outline permission WB/996/06 or the subsequent reserved matters WB/15/87.

**Consultations:**

**Adur and Worthing Councils**

The ***Tree and Landscape Officer*** has raised no objection in principle, commenting:-

*"The Cypress tree is part of G4 of TPO 92 of 2001, and has been part of several applications. From looking at the plans and photo it would appear that the building would be no closer to the tree, with the curved wall being used. There would need to be hand digging of the closest foundations, and a contingency if any major or anchoring roots should be found."*

**Representations:** 2 objections have been received from nearby neighbours, raising the following concerns: -

- Fenestration changes: We object to the fenestration changes, which appear to already have been completed, with full length Juliet glass patio doors replacing the previous much smaller bedroom windows at the rear of the property. Is this proposal for your consideration as it would appear to have already been completed? Additionally, the removal of a two-pane window for a larger three pane window in the

front elevation are quite unwarranted as the larger window will be 5ft closer to our property and impacting further upon our privacy.

- North facing front elevation: The proposed design shows that there will be a gabled roof over the bathroom and this is not in keeping with the other 4-bedroom houses in Cherry Gardens and will therefore be in stark contrast to the original aesthetical design that has developed by the remaining residents over the past forty years. In addition to this parking space will inevitably be lost due to the front extension encroaching on their driveway by a distance of 5ft in length and 9ft in width - which is probably the overall size of a car. At the moment there is only parking space for 3 cars.
- Loss of privacy: We live at number 4 Cherry Gardens which is almost directly opposite number 8 Cherry Gardens. At the front of the property the proposal is to extend out approximately 5 feet in length and 9 feet across with an enclosed porch and upstairs bathroom extension. The existing small bathroom window measuring 46" is to be replaced by a much larger window measuring 68". This means that this will be almost directly in line with our main bedroom window thus enabling the occupants to look straight into our bedroom with resulting in complete loss of our privacy.
- Highway safety, parking: I would also like to point out that Cherry Gardens is a private, quite narrow road approximately 12 ft in width for which the owner/occupiers of the eight properties are responsible, and we all have to contribute towards payment for any repairs to the road. The surface of the road is tarmac and when it was originally laid nearly forty years ago it was built to carry domestic cars and was not laid with such a strong surface as the ordinary highway and will be easily damaged by a lot of heavy traffic such as lorries and other much heavier vehicles carrying building materials. In addition, there is no room to vehicles to pass each other. The driveway in front of our house is only 20 ft in length and there is only enough space to park 2 or at the most 3 cars. On several occasions when the owners of number 8 have had deliveries, in order not to block the road the van/lorry drivers have clearly thought that it is order for them to park on our driveway. In addition to this when the lorries are parked on the road in front of our property, we are unable to get to appointments on time as the drivers are sometimes quite abusive when asked to move, especially when unloading materials, and that inevitably results in us being late by the time we manage to leave home.
- History of Cherry Gardens: The roads along Cherry Gardens and Cherry Walk are both privately owned by a company called Legendearly and this also includes the verge at the rear of number 7 and 8 Cherry Gardens. This company is made up with the eight houses in Cherry Gardens with each owner holding one share. This can be found on Companies House website for confirmation. More importantly, as a Director of Legendearly I strongly object to the planning proposals. In my opinion it will lower the tone of our beautiful Cherry Gardens as all the remaining houses are of charming similar construction that enhance the aesthetic appearance of Cherry Gardens and I believe

that the proposed changes will lower the beautiful settings of this privately owned road.

- The property 8 Cherry Gardens is situated approx 30 yards North of our property so higher up " Salvington Downs " therefore looking down on our property. Given this scenario we object to the fenestration changes, which appear to already have been completed, with patio doors and windows replacing the previous much smaller bedroom windows. This allows for a direct line of sight straight into our front bedroom windows, with serious impacts on our privacy. Accordingly, we also strongly object to any further rear extension further shortening the distance for the line of sight into our property.

**Relevant Planning Policies**

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM19
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

**Planning Assessment**

There is no objection in principle to extensions and alterations to residential dwellings within the built-up area. The key considerations are the effects on the visual and residential amenities of the locality.

***Visual Amenity***

The proposed 2-storey front extension is modest in depth. Its form and massing has been designed to reflect the scale and proportions of the host dwelling. The proposed external materials have been amended to consist of horizontal dark-stained timber cladding. Although this would not match the existing brick elevations of the house, it is a traditional material that would attractively articulate this feature on the front elevation. The dark-staining would match the dark-coloured window frames and garage door. [It would also match the dark-stained cladding recently applied to nearby No.5 Cherry Gardens.]

The side extension would be positioned behind the existing fence enclosing the east side/rear garden. Despite its flat-roofed in form, its single-storey scale and 'set-back' from the front elevation would ensure a subsidiary appearance in relation to the host dwelling. The proposed vertical timber cladding to the exterior will lend it a more modern aesthetic but owing to its siting at an angle in relation to the access road, and mature planting within the front gardens of Nos 7 and 8 it will largely be screened it from public view.

The proposed rear extension is modest in depth at 2.3m and subsidiary in scale. The curved footprint to its southwest corner means that any adverse impact to the nearby protected Cypress tree should be avoided. The proposed rendered exterior will not match the brick elevations of host dwelling.

However, the extension will be entirely screened from view by the extensive mature tree and shrub planting that encloses the rear garden.

The Council's Tree Officer has raised no objection subject to conditions requiring a hand-dug excavations and a contingency (for the foundations) if any anchor roots are found.

The proposed solar PVs will be visible on the roof from upper floors of properties (located on lower ground) on the south side of Cherry Walk. However, they will not visually dominate the entire roofscape. Based on the submitted information they would appear to constitute permitted development under Part 14, Class A of the GPDO.

The proposed French door and Juliet balcony on the first-floor rear elevation will match those already undertaken. These openings are for the most screened from public view by the mature tree and shrub planting that fully encloses the rear garden but would in any event constitute permitted development under Class A, Part 1 of the GPDO.

***Residential Amenity***

A number of concerns have been raised by third parties, which are addressed as follows: -

As part of the original layout of the cul-de-sac the individual dwellings have been sited at an angle and off-set to each other to avoid a direct overlooking relationship despite their relatively compact layout. There is a distance of approximately 18m between the front of No.8 and the front of No.5, and approximately 20m to the front of No.4 The proposed front extension will shorten these separation distances by 1.5m. However, the proposed first-floor window will serve a bathroom and fitted with obscured-glass, which can be secured by condition. In view of the remaining separation distance, siting and orientation of the front elevations in relation to each other, it is not considered there would be unacceptable degree of overlooking of Nos 4 or 5 nor sufficient justification to warrant the windows being fixed shut.

At ground-floor the proposed front extension will project only 0.5m forward of the existing adjacent single-storey front component. Although the frontage area is constrained there will still be space to accommodate 2 vehicles within the site (plus the remaining integral garage). The access road leading into Cherry Gardens is rather narrow with limited space for vehicle-turning within the cul-de-sac. The logistics of undertaking deliveries during build-out of the proposed extensions will need to be undertaken with sensitivity to neighbours to avoid blocking driveways etc. but is not in itself a reason to withhold planning permission.

The proposed side extension will adjoin the common boundary with No.7 to the east. The latter is sited at an oblique angle to No.8 with the main rear elevation facing south-east. At is closest, the proposed side extension would be 3.3m from the side wall of No.7 comprising the integral garage which

incorporates no openings on this side. It is considered there would be no adverse impact on the amenities of No.7

The proposed rear extension is well separated from neighbouring properties.

There is over 35m between the main rear (south) elevation of the dwelling and the front elevation of the nearest dwelling ‘The Gables’ on the south side of Cherry Walk. It is not considered the proposed first-floor French doors give rise to an unacceptable degree of overlooking at this separation distance. [Also see above re. ‘permitted development.]

**Recommendation**

**APPROVE** subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Materials of front extension to comprise dark-stained horizontal timber boarding
4. Materials of side and rear extensions as stipulated on submitted forms
5. First-floor front window of 2-storey extension to be obscure-glazed.
6. No openings to east side of east extension
7. Foundation trenches of southwest component of rear extension to be hand dug. Works shall cease if anchor roots or major roots over 25mm in diameter are found and an alternative plan for foundations submitted for approved in writing by the LPA. Works shall not continue until details have been agreed.

**Informative**

Pro-active Amendment

**Is recommendation contrary to letter(s) of representation? Y**

Case Officer: Jo Morin Date: 26.08.2025

Authorised by: Peter Barnett Date: 26 August 2025