Expiry Date - 04/04/2025
Extension of time – 26/09/2025

Development Management – Delegated Officer Report

Application Number: AWDM/0148/25 Recommendation – APPROVE

Site: 93 Grand Avenue Worthing West Sussex BN11 5BD

Proposal: Construction of an outbuilding/garden annexe for family use.

Date of site visit: 06/03/25

Neighbours checked: Y

Additional neighbour notifications: Neighbours re-consulted on amendments

Site and Surroundings

The site is located to the west side of Grand Avenue and close to the junction with Rugby Road to the north of the site, in a residential area of Worthing. The property comprises a semi-detached, two storey house with brick, render and pebbledash elevations and a hipped roof. There is a two storey bay and a monopitch roof porch to the front and a conservatory to the rear. The property is set back from the road behind a flint/stone and brick wall, front garden and driveway accommodating parking for several cars. There is a large overgrown garden to the rear and a TPO tree within the north-west corner of the garden. The boundaries of the site consist of walls and fencing with some mature trees, shrubs and hedging.

The property is not within a conservation area and is not a listed building.

Proposal

Planning permission is sought for an annexe within the rear garden, for family use.

The annexe would be positioned close to the south boundary of the site and approximately 21.5m from the rear wall of the house and 15m from the rear boundary of the site. The proposed annexe would measure 6m deep x 4.35m wide with a shallow monopitch roof of 2.4m high to the rear (west) and 2.5m high to the front (east). The building would be finished in treated pine Thermowood cladding with an EDPM rubber roof and anthracite grey uPVC windows and doors consisting of a small window serving the kitchenette to the north side, French doors and sidelights to the east front elevation and two windows serving the kitchenette and shower room to the west rear elevation.

Internally the layout would comprise an open plan lounge/kitchenette/bedroom and a separate shower room/WC with an internal GIA of under 26m2. The annexe is required to accommodate a relative (parent) of the occupants of the

house. The annexe would only be accessible from the rear garden of the main dwelling and would share services with the host property.

The application has been amended; first - to reposition the annexe away from the north boundary so that vegetation could be retained, moving it 2m to the east and specifying cladding to all elevations, second - to relocate the annexe from the north to the south side of the garden and third - to reposition openings.

Relevant Planning History:

AWDM/1255/14 - Application for consent under Worthing Tree Preservation Order No.3 of 1990 to reduce radial spread of crown by up to 1 metre and crown lift up to 4 metres, one Lime tree T1.
STATUS: Application Permitted 29th October 2014.

AWDM/1424/24 - Application for a Lawful Development Certificate for proposed rooms in roof consisting of hip to gable with side window, roof lights to east and west elevations. Second floor side window and altered window at first floor and chimney removed.
STATUS: Application Permitted 9th December 2024.

Consultations:

Tree and Landscape Officer - I have no concerns regarding trees for this proposal. I do not consider that a TPO would be appropriate for other trees, as the trees are in the rear garden close to the neighbouring property with limited public views, and are not of a particularly important species. However, I do see that these trees provide valuable screening. Therefore I suggest that a condition is made to maintain a screen along the Northern side of the garden. This would allow the trees to remain, or be replaced if required.

Representations:

Original plans: One objection and one representation received in relation to the original plans, as summarised below:

- Discrepancies on application form in relation to trees, there are numerous trees, hedges, shrubs and plants along the boundary on the planned construction area. How can the outbuilding be constructed against the boundary, without removing some of the many trees, hedges and shrubs which line this boundary.
- Potential for noise and disturbance from the annexe is significant positioned only 10m from the rear of the flats at Rugby Road. Disturbance from human traffic to and from the outbuilding and activities from the occupant, family and guests or parties. Outbuilding is closer to the flats than it is to the main house.
- The garden has been left untouched for years and clearing the area and building an outbuilding would not 'positively complement the area'.
- The summerhouse should be placed at the end of the garden, not close to neighbours.

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Amendment to move the annexe further away from the north boundary and 2m further east: Three objections, (one neighbour submitting multiple emails):

- Strongly object on grounds of noise and disturbance.
- The intention is to cut down several large, mature trees, home to birds, squirrels, and perhaps even bats. I strongly object to the removal of these trees, the council has a responsibility to safeguard them and the wildlife which lives in them.
- Grand Avenue is a tree-lined road, and trees are very much part of this area of West Worthing. Removing these trees would be completely out of character with the existing and long-established look and feel of the neighbourhood. The 6 metres of 'planting' along the edge of the outbuilding which appear as a concession in the amended plans are no substitute at all for these trees.
- An inhabited outbuilding would be out of character with the area. Various outbuildings in the vicinity, but none are inhabited and no support for this from nearby residents.
- A residential outbuilding less than 10 meters from my window will impinge on my living situation. Its close proximity is intrusive, and the potential for noise disturbance is significant.
- If permitted the outbuilding should be moved closer to the main residence without cutting down any trees.
- The proposal will not positively complement the area.
- Removal of the trees only a few metres from neighbour's gardens will impact privacy, peace and quiet.
- More information required in relation to the toilet and effect on air quality, unpleasant odours

Amendment to move annexe adjacent to south boundary: Two representations received in relation to the amended plans and one objection:

Object (multiple emails from same neighbour):

- It would be more beneficial for all concerned if the summerhouse were to be placed further down towards the large lime tree with the TP Order on it as this would give them much more privacy. Photo included of suggested position.
- Summerhouse will interfere with everyone's privacy, it is far too close to neighbours gardens, and no matter where it is positioned it is a great intrusion.
- Do not like position of main doors facing my property or windows as it will greatly affect my privacy.
- Noise and disturbance day and night
- Neighbours at No.33 Rugby Road will be disturbed by its construction
- I now reject the idea of it altogether. It is not a neighbourly thing to do to keep on repositioning it
- Further suggestion to move the summerhouse further to the west (plan included)

- Loss of privacy and increased noise levels for everyone
- Sheer size and design too large for overall size of garden out of character with its black rubber roof, it would be an eye sore, no aesthetic appeal

Representations:

- The updated plans look much better with trees being retained and building erected on other side further away from the boundary of our garden. Zero antisocial behaviour please.

- Do not object to principle but raise concerns in relation to:
    - The two windows to the south side which would directly overlook our garden and compromise privacy – request these windows are moved to the north or west.
    - Proximity of structure to boundary risks disturbance to established trees and shrubbery that are integral to local environment and enhance visual character of our garden and vital habitat for wildlife. Encroachment or root disturbance from construction, or from connecting drainage and soil pipes to existing infrastructure, could jeopardise the health and longevity of these plantings, with subsequent adverse effects on the local ecosystem. Consider modest repositioning away from boundary line to safeguard natural screening and biodiversity and improving access for maintenance.

Officer response: The plans were amended to address these concerns and the annexe moved away from the boundary to retain the hedge and planting to the south and to reposition the south facing windows to the north and west elevations.

Final amendment to reposition windows and move annexe in from boundary to retain trees: No further representations received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
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.

Policy Context for Residential Annexes

The preamble to policy DM5 of the Worthing Local Plan indicates at paragraph 5.68:

Residential annexes can provide a suitable solution for accommodating a relative or dependent within the curtilage of the main dwelling house. Where a totally independent dwelling is not acceptable, (for example where there is a lack of separate curtilage, inadequate parking or a general unacceptable intensity of use), permission may be granted for an annexe subject to conditions or planning agreements limiting occupation to a relative or dependent, and requiring conversion of the accommodation to a use in association with the main dwelling, when it is no longer required for the relative or dependent. Such annexes should be ancillary to the main dwelling both in scale and range of accommodation and facilities, and must not assume a detached or independent identity by design or sub-division of the curtilage of the main dwelling.

Policy DM5 states (specifically in relation to Residential Annexes):

Residential Annexes
b) Residential annexes must be designed as ancillary to the main dwelling and be capable of satisfactory conversion for use in association with the main dwelling when it is no longer required by a relative or dependant.

Use of the Annexe

The annexe is to be used for purposes ancillary to the occupation of the main dwelling, to accommodate a dependant relative (a parent of the occupants). The only access into the annexe would be via the rear garden of the main house which is only accessible from the front of the site, through the house or via the path to the side of the house. No separate access to the annexe could be formed. The garden would be retained by the main house and shared with the occupants of the annexe.

The floor space provided by the annexe is limited with a GIA of under 26m^2. This space would accommodate a shower room and toilet and open plan kitchenette/living/bedroom. The annexe would not be fitted with a full kitchen or laundry facilities and only a small kitchenette is proposed to provide basic facilities. The limited cooking facilities and lack of laundry facilities would ensure that a functional dependency on the main house is maintained for the occupant.

The proposal demonstrates a functional reliance on the main dwelling for day to day living requirements and would be occupied by a dependant relative and is therefore considered to meet the requirements of an ancillary annexe as set out in Policy DM5 of the Worthing Local Plan.

The scale of accommodation and range of facilities are satisfactory for ancillary annexe use and the building would not assume the identity of a separate dwelling or have a separate curtilage. Appropriate conditions to ensure that the accommodation can only be used for ancillary purposes and at no time as a separate unit of accommodation, would be applied to ensure compliance with policy DM5.

Visual Amenity

The proposed annexe is positioned in the rear garden and close to the south boundary of the site and would not be visible from the road or in the surrounding area.

The proposed building is of a scale that is appropriate for ancillary development and would be subordinate in relation to the large garden. The structure is low in height at a maximum of 2.5m high and would not dominate the main dwelling.

The design of the building with timber cladding to all elevations is fairly typical of similar development in the locality and for a garden outbuilding and would not detract from the character of the property or assume the identity of a new dwelling.

Trees and shrubs to the boundaries would be largely retained contributing to the green character of the site.

There would be no adverse impact on the visual amenities of the locality as a result of this application.

Residential Amenity

The most affected neighbours are those to the sides at No.91 and 95 Grand Avenue and 33 Rugby Road and to the rear at 35 Rugby Road.

No.91 is located to the south side of the application site with the rear garden extending to the same depth. The boundary is formed by a high fence with hedges and trees further along the boundary to the rear. The proposed annexe has been repositioned adjacent to the south boundary, approximately 21.5m from the rear wall of the houses and set in about 0.5m from the boundary. The position of the building has been altered to ensure retention of the trees, hedge and shrubs along the boundary, thereby preserving the level of screening that currently exists to the boundary. The plans have also been amended to reposition all openings from the south, to the north and west elevations to prevent overlooking and loss of privacy to the neighbours. The proposed building is low in height and to the north of the neighbour's property and would not result in overshadowing or loss of light to the neighbour's garden. The building would not appear overbearing or oppressive to the neighbours.

No.95 Grand Avenue and the flats to No.33 Rugby Road are located to the north side of the application site. The rear garden to No.95 does not extend the full depth of the application garden and the flats at No.33 are directly opposite, north of the location of the outbuilding. There is a wall and fence to the boundary and a variety of trees and shrubs that offer good screening of the development site particularly for the occupants of No.33. The building was originally positioned adjacent to the north boundary however due to the narrow depth of the rear garden to No.33 (approximately 7.5m) and the resulting close proximity of the proposed building to these flats, this position was considered

unacceptable and after several revisions the building was relocated to the south boundary, increasing the distance to about 14m. Further revisions were sought to the plans to ensure that the trees to the north boundary and opposite the proposed outbuilding would be retained, thereby protecting the screening between the properties, provided by this vegetation. A building of the size and location proposed would not appear overbearing or oppressive to the neighbours to the north or diminish light to their properties. The only opening to the north side elevation of the building is a small window to the kitchenette which looks out on to the applicant's own garden and would not result in overlooking or loss of privacy. The openings to the front (east) of the outbuilding look on to the main house and would not enable views into No.95 due to the boundary wall and fence and oblique angle.

The side boundary of the rear garden to No.35 Rugby Road adjoins the rear boundary of the application site. The proposed outbuilding is set in approximately 15m from this boundary and would have no adverse impact on the amenities of these neighbours.

The outbuilding would be insulated to the required standard to provide habitable accommodation as an annexe which would help to minimise external noise from the annexe. The erection of an outbuilding for use as an annexe by an elderly relative would not lead to a significant intensification of use of the site and due to its relatively small size and limited facilities, would be reliant on the main house for day to day living, remaining ancillary to the main dwelling. Conditions would be imposed to prevent the annexe being used as a separate dwelling or the plot being subdivided. There would be no significant increase in noise and disturbance, as a result of the proposed annexe, over and above levels typically associated with the existing use of the site, as a residential dwelling.

Following the amendments to the application there would be no significant detrimental impact on the residential amenities of adjacent occupiers as a result of this application.

Trees

The annexe will be positioned close to the south boundary and outside of the root protection area (RPA) for the TPO lime tree in the north-western corner of the garden. Helical screws will be used as opposed to solid concrete for foundations. There would be no harm to the TPO tree as a result of this application.

Due to the very overgrown nature of the garden, several trees and shrubs have been removed from the garden. None of these trees were subject to a TPO and when consulted on the potential for further TPOs on the site, the Council's Tree Officer confirmed that due to the limited public views of the trees and the fact that they are not a particularly important species, no further TPOs could be imposed. The importance of these trees, particularly to the boundaries were recognised as providing valuable screening and a condition to maintain a screen along the Northern side of the garden was advised allowing the trees to remain, or be replaced if required. Following relocation of the annexe to the

south side, the same protection is required for retention of vegetation to the south side boundary.

CIL

The proposal is exempt from CIL as a residential annexe.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Materials as specified
4. No openings to south of outbuilding
5. No add. openings to north of outbuilding
6. Trees retained
7. Ancillary annexe only
8. No subdivision of plot

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 letter(s) of representation? Y

Case Officer: Amanda Haslett Date: 25/09/25

Authorised by: Jo Morin Date: 25.09.2025