Development Management – Delegated Officer Report

Application Number: AWDM/0291/25 Recommendation – Approve Approve

Site: 169 Upper Brighton Road Worthing West Sussex BN14 9JS

Proposal: Two storey side extension, front boundary wall with railings and gate

Date of site visit: Various

Neighbours checked: y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north side of Upper Brighton Road within a residential area.

The property comprises of a detached two storey brick house with a gable front with tiling to the frontage. The property has a single storey attached garage to the east which is set slightly forward with a flat roof.

The building is set back from the road with a driveway to the eastern side and a garden to the front at a slightly higher level to the road. There is a low retaining wall.

No 169 is part of 70s style small estate of detached houses comprising part of Upper Brighton Road and The Templars which also comprises similar styles of housing.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

The application which has been amended since originally submitted proposes the demolition of the garage (other than part of the eastern flank wall) and the erection of a two storey side extension.

The extension would be set back slightly at ground floor and approx. 3m set back from the front elevation at first floor with matching eaves and a ridge which is set down and forms a hipped roof to the east elevation. The proposed extension would be set approx. 0.9m to the side boundary which forms the rear of 1 The Templars.

The proposed extension would comprise a bedroom and kitchen at ground floor and a bedroom with en-suite at first floor. Windows are proposed to the front and rear with door at ground floor on the side (east) elevation.

The application also includes reducing the existing former garage wall at the eastern boundary to 2.1m to join with existing walling to the rear and construction of further walling to the eastern side dropping down to 1.35m on the frontage. The walling and fencing would continue to the front and western boundary to enclose the property to the front. Gates are proposed to the drive.

The tile hanging is proposed to be removed as part of the proposal and will comprise render and brickwork to the front elevation and just render to the side and rear elevations. Matching roof tiles.

Relevant Planning History:

None

Consultations:

WSCC Highways

Summary

The proposal seeks to demolish the existing garage at 169 Upper Brighton Road Worthing and construct a two-storey side extension.
The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the existing access with the public highway, onto Upper Brighton Road. There is no evidence to suggest that the access is operating unsafely, or that the proposed would exacerbate an existing safety concern.

Access and Parking

The existing garage in its current format is substandard in size compared with WSCC parking standards which outline that a garage of 3m x 6m is sufficient to serve an average sized vehicle. Therefore, this existing garage space does not count toward the overall parking provision. Currently there appears frontage parking at the property for 1 vehicle and this same provision is proposed to be retained to serve the dwelling and garage conversion. The Proposed site plan appears to show the frontage is clear of planting which may mean that additional parking space is to be available within the frontage- however this has not been clearly demonstrated at this time and therefore the application has been assessed on the information as given within the application form which states there will be no change to the parking provision. The proposed additional floor space provides an additional bedroom for the property. This raises the number of bedrooms within the dwelling to 4 from 3. The LHA has consulted the WSCC Parking Demand Calculator and can advise that the total parking provision for this property would raise from 2 to 3

spaces. Although the additional bedroom proposed would not be anticipated to generate a material intensification in vehicular movements, the proposal would generate an overall possible shortfall of 2 parking spaces. There is the possibility for on street parking to accommodate for any overspill generated by the proposal. The Local Planning Authority may wish to consider this from an amenity perspective.

The footway fronting the property is of sufficient width to allow pedestrians travelling along Upper Brighton Road to anticipate a manoeuvring vehicle at this point.

Gates

The plans show that a gate will be erected at the site access. The applicant is advised that all gates are required to open inward of the site and not outward onto the footway/publicly maintained highway.The applicant should also ensure that there is sufficient space for the gate mechanism to open and close effectively, whilst a vehicle is positioned on the associated hardstanding. It is unclear whether the gates are proposed to be automated or manually operated, though there is a benefit to automatically operated gates, there are opportunities for vehicles to pull aside to allow the free flow of traffic along Upper Brighton Road, should a manual gate be erected. Any mechanisms for an automatic gate will also need to be positioned internally of the site.

Sustainability

Bus services operate along Upper Brighton Road, allowing sustainable options for travelling to Salvington, Tarring, Lancing and South Lancing. The nearest railway station to the site is East Worthing, this is situated an 8minute bicycle ride to the south of the property and offers linked routes to Portsmouth, Brighton, Southampton and London.

The Local Planning Authority may wish to consider whether a condition securing a cycle parking provision would be a reasonable request to serve this property. This may be justified given the loss of potential storage within the associated garage and is a viable option as an alternative to a car for several shorter journeys.

Conclusion

The Local Highway Authority does not consider that the proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

If the Local Planning Authority is minded to grant planning consent the following condition(s) and informative note(s) would be advised:

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Representations:

1 The Templars

Multiple letters of objection have been received from this property to earlier plans but not to the amended plans of November 2025, (which reduce the depth of the proposed first floor).

Previous objections were on the grounds of overlooking, overbearing, loss of privacy and light, design materials and appearance.

Adjoining garage is a party wall as part of the original development Covenants regarding the boundary wall. The materials are out of character with the brick and tile

Please confirm what you propose to do regarding the existing boundary wall, which currently is tied into our garden wall, that was installed by the original estate builders. By taking down the garage wall, this will remove the structural integrity of the garden wall that is tied into it, making this unsafe. I am also unable to see any response regarding the overlooking windows into our property, as a minimum I would expect that these must be frosted and fixed closed as this will have an effect on our privacy. This will also have a resounding effect on our right to light and I would appreciate a site visit to see and discuss these matters. I look forward to hearing how these will be addressed as soon as possible.

Following careful consideration and based on recent, uncommunicated site activity, I hereby formally object to the proposed two-storey extension at the property known as 169 Upper Brighton Road on the following grounds:
Grounds for Planning Objection

1. Overlooking and Loss of Privacy: The proposed two-storey design will result in significant overlooking into private areas of my property, leading to an unacceptable loss of privacy.

2. Loss of Amenity and Light: The height and proximity of the extension will cause a substantial loss of light to habitable rooms and amenity spaces within my property.

3. Impact on Vegetation: The scale of the development will adversely affect the health and viability of trees and plants currently located within my garden, a factor that should be considered against local environmental policy.

4. Breach of Covenants: The proposed development appears to be in noncompliance with existing restrictive covenants governing properties within this estate.

Structural and Boundary Concerns
A related, and critical, issue involves recent activity on the shared boundary. The garage, which was constructed onto the shared boundary wall, has recently been demolished and removed. This work proceeded without prior communication or consent. This unilateral action has potentially compromised the structural integrity of the boundary wall. The lack of dialogue regarding this removal calls into serious question the current status and safety of the shared structure.

Proposed Resolution Given these issues, particularly the unmitigated disturbance of the shared boundary, we request that the planning committee considers the following:
• A reduced scale: The proposed extension should be limited to a single storey design to mitigate the effects of overlooking and loss of light.
• Boundary Indemnity: An indemnity agreement must be mandated and secured to legally protect against future liability and costs associated with the now-disturbed boundary wall.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (2023)
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 property is situated on the Upper Brighton Road on a small estate of housing of similar styles and materials, primarily brick and render. The application property is situated opposite Allington Road which comprises primarily semi-detached housing primarily in render. There are a range of house types in the vicinity and Upper Brighton Road links through from the A27 to Sompting.

In terms of the small estate that the property is part, it is a small enclave of development and with the two properties immediately to the west being a different style of house and the property to the east turning the corner and fronting The Templars, the application property is not therefore part of continuous form of development that the character needs to maintain.

The proposed extension would be to the east side and set back from the main elevation to a gable fronted property; it is proposed to change the materials, with a brick and render on the front elevation and render only to the side and rear.

The proposed two storey side extension is in character and scale with the existing dwelling and would not be unduly prominent in the street scene, it is not considered that render would be inappropriate taking into consideration the style of the dwelling and surrounding development where many older houses to the south are predominantly rendered. The extension would be in proportion and subservient in character with the existing dwelling.

Design guidance set out in the Council's SPG – Extending or altering your home requires that any extension to the side of a building at first floor level should be positioned at least 1m in from the boundary.

Although the proposed extension does not achieve the required set in from the boundary, it is 0.9m and it is noted that the relationship with 1 The Templars is such that a terracing effect would not be created. There is a separation to No 1 The Templars which has its rear garden closest to the boundary.

The application involves enclosing the front garden with a low wall and gates to approx. 1.35m in height. The estate has been designed with open plan gardens although most of the properties have a low wall to the front approx. 0.5-07m many have landscaping to the front some exceeding 1.8m. 1 The Templars has hedge screen to approx. 2m, so although there has been an intention for an open plan gardens to the front many of the properties have enclosed their sites with hedging.

Although the proposed wall and gates will change the character of the property, in view of the individual nature of the property in this part of the street scene and existing hedging and walls it is not considered that it would be detrimental such as to refuse the application.

The design and form of the extensions are therefore considered acceptable and would not detract from the character of the existing building.

The proposed extension and walling/gates would not appear dominant or incongruous in the street scene, there would be no significant harm to the visual amenities of the area resulting from this proposal.

Residential Amenity

The most affected properties are the neighbours to the east and west.

In terms of 1 The Templars, the residents have raised a number of comments to the earlier plans. A site visit was carried out to this property.

1 The Templars is a corner plot with its rear garden bounding No 169 and the rear of the property facing the proposed side extension. No 1 has a conservatory to the rear. It has a rear (west facing) garden depth of approx. 8m excluding the conservatory. Part of the boundary currently/last involved the garage to a height of approx. 2.3m and fencing which is slightly over 2m in height and hedging to the southern end.

The proposed two storey extension would be approx. 0.9m to the boundary with the rear of No 1, providing a separation distance between the rear of No 1 and the proposed side extension of approx. 9m. The extension would be west. The existing garage wall has been reduced to 2.1m to meet with existing walling to the rear of No 169. The width of the proposed extension is approx. 3.3m bringing the first-floor elevation approx. 3.3m closer to No 1.

The application has been amended since originally submitted. The ground floor is set back 0.5m from the main front wall of the house and the first floor is set back a further 2.5m (3m in total)

No 1 comprises a corner property with a wrap around garden to the south and west. Although the rear of No 1 faces the side of 169 and the extension at first floor will be closer, in view of the changes to the application to set the extension back at first floor by approx. 3m and the open aspect that No 1 enjoys to the south and largely to the south west it is considered on balance that the amended extension is not considered to be unduly overbearing.

Although the first floor extension would be west to north west of No 1 in view of the existing dwelling and amendments to size of the proposed first floor and its the roof, which is now a hipped roof, it is not considered that the extension would cause detrimental additional overshadowing.

The recent amendments have also removed the en-suite window at first floor in the east elevation which, although obscure glazed, due to its proximity had the potential for perceived overlooking at No.1. A planning condition to restrict the insertion of further side windows in the extension, would be reasonable here.

Proposed upper facing to the front and rear, whilst closer to the neighbouring boundary than existing upper windows, are at right angles to it, facing the applicant's front and rear gardens. It is not considered that the scope for oblique overlooking at No.1 is significantly increased here by comparison with existing windows. It is noted from other neighbouring properties in the Templars to the north have upper windows which are visible from the neighbour's garden – the neighbour has constructed an extensive pergola to along the northern end of their garden, which also assists with their privacy.

The residents of No 1 have raised concerns that the garage wall which will now be partially removed is tied into their garden walling and will remove the structural integrity of the garden wall it is tied into. This was raised with the applicants who have confirmed that the existing garage wall will only partly be removed (i.e retaining 2.1m height) and that it has been structurally surveyed

and will be structurally sound and therefore will enable any walls on No 1 The Templars side to remain in place with the surveyed wall. An annotation is included in the amended drawing (101 I).

The applicant has advised that the garage wall is not a boundary wall and within their ownership. Whilst the physical condition of the wall is not a planning matter planning, a planning decision can include an informative ensure that the applicants are aware of Party Wall Act responsibilities. Any covenants on the estate and properties are a separate legal matter not for planning consideration.

In terms of the impact on No 167 Upper Brighton Road, this property lies to the west side of No 169 and would not be impacted by the proposed side extension. The proposed walling to the frontage at approx. 1.35m in height would not impact on this property in terms of loss of light or visual impact.

The proposed side extension would have windows at first floor looking to the rear towards 3 and 5 The Templars. There are existing windows at first floor and the additional window is not considered to result in an undue amount of additional overlooking.

There would be no significant harm to residential amenity resulting from this proposal.

Access and parking

The application involves the loss of a garage which is substandard and does not count towards the overall parking provision. Currently there appears frontage parking at the property for 1 vehicle and this same provision is proposed to be retained to serve the dwelling. The proposal raises the number of bedrooms within the dwelling to 4 from 3. The LHA advises that the total parking provision for this property would raise from 2 to 3 spaces. Although the additional bedroom proposed would not be anticipated to generate a material intensification in vehicular movements, the proposal would generate an overall possible shortfall of 2 parking spaces. There is the possibility for on street parking to accommodate for any overspill generated by the proposal.

The plans show that a gate will be erected at the site access. The LHA advises that all gates are required to open inward of the site and not outward onto the footway/publicly maintained highway and mechanism for an automatic gate will need to be positioned internally of the site, this is annotated on the amended plans (101/I). A planning condition would be included to reflect this.

The property is in a sustainable location and the LHA has requested a condition to secure cycle parking provision. However, given the property is a single house it is considered the applicants could install cycle parking within their garden if it is required.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Matching materials as shown on the plans
4. No additional openings
5. Gates to open inwards

Informatives

1) 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.

2) Party Wall Act 1996

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

Case Officer: Jackie Fox Date:10.12.25

Authorised by: Stephen Cantwell Date: 16th Dec 2025