Expiry Date - 06/03/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0043/24 Recommendation – APPROVE

Site: 78 Clarendon Road Worthing West Sussex BN14 8QQ

Proposal: Single storey garden room in rear garden

Date of site visit: 27/02/2024

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the southern side of Clarendon Road. The property comprises of a semi-detached, chalet style bungalow with brick elevations and a converted roof. The property is set back from the road with a steep topography. There is an existing rear extension and good size garden to the rear. The property has undergone a large amount of alteration including the roof conversion and a single storey rear extension.

The boundary of the garden comprises close board fencing. To the rear of the property there are a line of mature trees which provide screening from the GSK site to the south. The property is not within a conservation area and is not a listed building.

Proposal

Planning permission is sought for a detached outbuilding in the garden which is to be located at the rear. The outbuilding is proposed to measure 7m in depth with a width of 6m. The building will measure 2.75m at the highest point to the front of the outbuilding, to the rear there is a proposed height of 2.62m at the rear. The roof will slope from the front to the rear.

There is proposed to be one high level window within the eastern elevation, a further two high level windows on the western elevation. The northern elevation would have the access to the outbuilding which comes in the form of a composite door and a set of bi folding doors.

The outbuilding is also proposed to host a toilet room which is to be connected to the host dwellings sewerage system.

Relevant Planning History:

None relevant

Consultations:

None required

Representations:

1 objection received to the application:

I am writing to formally express my objection to the planning application for a single-storey garden room at 78 Clarendon Road. My concerns are as follows:

Business Use and Increased Activity: Mrs. Rouse's social media posts indicate a potential business use for the garden room, specifically for yoga classes. (A Apple a day yoga states she is looking in getting a garden room to do pregnancy yoga classes). This raises concerns about increased footfall, noise, and parking in the area, which would disrupt our household's shift work and impact our sleep patterns.
Privacy Concerns: The proposed structure, with bi-fold doors, will expose the interior to view from our property, especially my child's bedroom. This privacy intrusion leaves my child vulnerable to potential accusations, and I strongly object to this invasion of our privacy. My son is able to see into a neighbour's garden room at No. 76 so will definitely be able to see inside what is to be next door.
Distraction from Lights: The side windows and lights of the garden room will create a distraction, especially during evening hours. This issue compounds existing light invasion concerns from another nearby structure at No.76, further infringing on our privacy.
Noise Disturbance: The anticipated increase in noise, exacerbated when windows and doors are open, will prevent us from enjoying our garden and further disrupt our peaceful environment.
Restrictive Covenant: The property has a restrictive covenant with Sompting Manor Estates Second schedule No.3, specifying limitations on garden structures. The proposed garden room exceeds these limits and raises questions about its appropriateness. It also states no building is to be used for business use.
Discrepancy in Purpose: If the planning documents state that the garden room is intended for office use, the size appears disproportionately large, resembling a yoga studio. This raises concerns about the accuracy and appropriateness of the proposed use.
I request careful consideration of these points during the evaluation of the planning application. Your attention to these concerns is greatly appreciated. Unfortunately I was unable to upload photographic evidence to support my objection.

The issue of restrictive covenants as mentioned in representations would be a separate private legal matter for the applicant to investigate.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5,
National Planning Policy Framework (HCLG 2021)

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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 outbuilding is located to the rear of the property in the rear garden. Beyond the rear boundary is screening in the form of a mature set of trees that screen the proposal from the car park to the rear. The topography of the site with a gentle sloping garden to the rear boundary further screens the proposal from the visual amenity of the street scene.

The scale of the outbuilding is considered acceptable as an outbuilding within a plot of this size. Under permitted development an outbuilding of a similar scale could be built. The footprint of the outbuilding is considerably smaller than that of the extended host dwelling assisting with making the proposed a subservient outbuilding. The neighbour to the west has an outbuilding of their own.

On the outbuilding there is proposed to be an introduction of new materials in the form of burnt timber to the north and on the other three elevations there will be coated steel. Whilst these will be new materials to the locality, due to the location to the rear and the scale of the outbuilding the materials would not be to the detriment of the visual amenity of the locality.

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

Residential Amenity

The most effected neighbours will be those to the east and west. Due to the nature of the site to the south and the use of the land as a car park there is not considered to be any unacceptable impact on the neighbour to the south.

Nos. 80 and 76 are those most affected by the proposed development with the side elevation running parallel with the boundary. The height of the proposed outbuilding is at 2.75m at its maximum sloping towards the rear boundary where the roof height is at 2.65m. With the separation between the proposed outbuilding and the neighbouring property there is not considered to be any overbearing impact on the neighbours.

There is a small separation distance to the boundary which will assist in ensuring that there is not an unacceptable level of overshadowing from the outbuilding. The trees to the south of the site provide a high level of overshadowing, and due to the south facing nature of the application site the

outbuilding is not considered to overshadow the neighbour. The length of the gardens is noted and it is noted that only a small amount of overshadowing will be to the rear of the gardens only.

With windows incorporated within the side elevations of the outbuilding there will be the potential for some overlooking, this is due to the high level windows on both side elevations. With the close board fencing on the site this will mitigate a large amount of the potential for overlooking with screening to 2m. The fences should also block the majority of light spill from these windows.

To the front of the proposed outbuilding is a set of bi folding doors as well as the main access door. There is some potential for overlooking out of these doors, however the single storey nature of the building largely restricts views to within the subject site. The views that would be available within the outbuilding are no different than those which are already available from within the host garden.

The use of the outbuilding will also be restricted to ensure that there is not an unacceptable impact in terms of overlooking. With the use restricted to one ancillary to the main dwelling it is not considered that there would be an unacceptable level of intensification that would result in further overlooking.

There are concerns over the use of the outbuilding being inappropriate in the residential setting. To ensure that there is not an intensification in the use that would result in an unneighbourly impact there is a condition added to the permission that will restrict its use to one that it incidental to the main dwellinghouse only. This will allow for the outbuilding not to increase the levels of light, noise and use that would be to the detriment of the surrounding properties.

The scale of the outbuilding is not considered to be one that is unacceptable within a plot of this size. Under permitted development the application site could introduce an outbuilding of a similar footprint.

It is therefore not considered that the proposed outbuilding would result in an unacceptable loss of amenity to neighbouring residents.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard Time Limit
3. Incidental use only
4. No further openings to side or rear elevations of outbuilding

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: Finlay Gardner Date: 18/03/2024

Authorised by: Louise Prew Date: 20/03/2024