Expiry Date - 27/11/2025

Development Management – Delegated Officer Report

Application Number: AWDM/1176/25 **Recommendation – REFUSE**

Site: **41 Rogate Road Worthing West Sussex BN13 2DY**

Proposal: **Proposed First Floor Extension to create a two storey dwelling house**

Date of site visit: 19.11.2025

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached, 1960s-style, brick-built, pitched-roof bungalow occupying a corner plot on the east side of the junction of Rogate Road with Cuckfield Crescent.

The main gabled, dual-pitch roof runs east-west with a lower front-projecting gabled component on the east side of the north elevation fronting Rogate Road. The bungalow has been extended on the east side of the rear (south) elevation by a flat-roofed extension. A detached flat-roofed garage building adjoins the east side boundary with a driveway and dropped kerb onto Rogate Road. The front of the garage sits further forward (north) of the above-mentioned front projection of the bungalow. A garden wraps around the north and west roadside elevations of the bungalow enclosed by a low brick wall. Shrubs interspersed around the perimeter provide some screening to the garden, but the corner is predominantly ‘open’ in character accentuated by the adjoining wide grassed margin adjoining the sweeping entrance into Cuckfield Crescent.

The application property is adjoined on the east by a semi-detached pair of gable-ended bungalows (Nos 37-39) fronting Rogate Road. This pair are sited slightly forward (north) of the garage building at No.41. To the south the site is adjoined by a detached, gabled-fronted bungalow, 1 Cuckfield Crescent. The front of this bungalow is stepped behind (east) of the main gabled roof of No.41. The stepped building line on this side of the entrance to Cuckfield Crescent reflects the sweeping alignment of the road and the tapering shape of the above-mentioned grassed margin.

The ridge heights of the adjoining bungalows at Nos 37-39 and 1 Cuckfield Crescent are taller than that of the application property, which is more diminutive in scale.

The surrounding context comprising Rogate Road, Cuckfield Crescent and Lingfield Close to the north, is characterised by similar styles of detached and semi-detached bungalow, with built forms and layouts often repeated throughout this area.

However, there is a notable change in built form and character to the east part of Rogate Road, east of its junction with Ashacre Way. The east side of Ashacre Way is made up of distinctive 2-storey flat-roofed terraced houses with open-plan frontages. This housing type continues eastward on the north side of Rogate Road and into Vineries Close, a cul-de-sac. Opposite, on the south side of Rogate Road, is Vinery Court, a wide 3-storey flat building with two front-projecting 'wings', set within open, landscaped grounds. Garage compounds at either end separate the flat complex from neighbouring buildings on this side of Rogate Road. There is an access road between the western garage compound and 37 Rogate Road leading to Durrington Receation Ground, a large expanse of public open space which lies to the south of Vinery Court and east of properties in Cuckfield Crescent.

Proposal

A householder application has been submitted for the addition of a first-floor extension to provide a 2-storey house. The upward extension would be above the existing pitched roof components of the bungalow (i.e. not above the existing flat roof rear addition).

The roof configuration would remain as existing, with the taller, gabled roof component running east-west, and a slightly lower front (north) projecting gable. The main roof ridge would be raised from 4.45m high to a maximum 6.4m high. [This is based on the Proposed East Elevation drawing – measurements of the ridge height differ on the other elevations drawings.] The ridge of the front-projection component would be raised from 4.15m to 5.97m (East Elevation drawing). The eaves height would be raised from 2.36m to 4.02m throughout. The new roof would have a 35º angle of pitch, as existing The construction materials would consist of brick and tile to match the existing. First-floor windows are proposed in the front, rear and west side elevations, plus a roof light in the rear roof slope. The existing flat-roof rear extension would be retained.

The proposals would result in the creation of a 4/5-bedroom house.

It is noted that the proposed east and west side elevation drawings are inconsistent with the proposed roof plan. The latter omits the rear (south) roof gable feature shown on the elevation drawings. Whilst the East elevation drawing omits the roof gable shown on the Roof Plan. This matter has not been addressed as part of the current application owing to other concerns outlined in the assessment below.

Relevant Planning History: None

Consultations: None undertaken.

Representations: One representation has been received from the occupier of 1 Cuckfield Crescent raising the following concerns: -

- Severe harm to the residential amenities of a disabled resident with extreme sensory sensitivity to noise, vibration and unexpected activity that would result from sustained construction noise and disruption close to the boundary.
- Associated harm to the mental and physical wellbeing of resident family member carers.
- This harm would be contrary to the NPPF and Worthing Local Plan policy and represent a safeguarding issue in respect of the disabled resident;
- The harm would be severe, prolonged and incapable of mitigation;
- No construction management plan (CMP) or noise assessment has been provided demonstrating how harmful impacts would be controlled or assessed;
- If approved, a noise impact assessment should be carried out prior to approval addressing the specific harm to the neighbour, and a CMP limiting working hours, prohibiting noisy works during early mornings, evening, weekends and school holidays and specifying measures for noise and vibration; advance notice to be given of particularly disruptive works and activity and contact details for complaint resolution.
- Statements in support of the above can be provided from medical and social care professionals.
- Substantial weight to be given under the Equality Act 2010 to the need to avoid discrimination and protect the wellbeing of disabled residents when exercising its public functions.

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.

[It is worth pointing out that Paragraph 125(e)) of the NPPF which supports the use of airspace above existing residential and commercial premises relates specifically to the creation of new homes, which is not the case here.]

Visual Amenity

The NPPF (paragraph 135) states that planning decisions should (amongst other things) ensure that developments will function well and add to the

overall quality of an area; are visual attractive as a result of good architecture, layout and appropriate landscaping; are sympathetic to local character including the surrounding built environment and establish or maintain a strong sense of place.

LP Policy DM5 states that all new development (including extensions) should (amongst other things) be of high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area, including consideration of proportion, form, design, context, height, scale, materials and detail design; enhance the local environment by way of its appearance and character, with particular attention being paid to architectural form, height, materials , density scale and impact on street scene; make a positive contribution to the sense of place, local character and distinctiveness of an area.

The proposed first-floor extension would appear reasonably well-proportioned, maintaining an integrity of architectural composition and appearance. Although, that said, in the absence of section drawings the height of the windows in relation to floor level and amount of usable floor area within the first-floor rooms is unclear.

The key concern here relates to the height, scale and massing of the resulting dwelling which would be notably larger and taller than surrounding properties. It would, as a result, appear unduly assertive on this exposed corner, and stridently out of keeping with the scale of surrounding development. Although there are other types and character of dwellings in the vicinity nearby, these do not form the immediate context of the application property, which is distinctively cohesive and uniform in its bungalow character.

Residential Amenity

The most affected properties are those adjoining to the south and east.

To the south, No.1 has been enlarged at the rear by a substantial single-storey rear extension (approximately 6m deep) with a crown roof. The main bungalow and rear extension sit approximately 1 metre off the common boundary with No.41.

The proposed first-floor extension some 10.2m wide, would be set off the common boundary by approximately 3 metres. Having regard to its orientation to the north of No.1, the scale and bulk of the proposed first-floor extension would have limited material impact on the receipt of daylight to windows in the north side of No.1. Planning records show that these serve a bedroom, en-suite shower room and utility room. The receipt of light to and outlook from the bedroom window is affected by its close proximity to and position opposite the rear wall of the single-storey extension to the rear of No.41. The proposed development would not significantly worsen this impact.

A first-floor bedroom window proposed in the south elevation of the first-floor extension would be positioned roughly opposite the bedroom window at No.1.

However, the height and siting of the existing rear extension at No.41 combined with the tight angle of downward view would effectively curtail opportunities for overlooking resulting in a loss of privacy. Views from the first-floor window in question would largely be toward the main pitched roof of the original bungalow at No.1 and the large expanse of roof to the rear extension. Views toward the rear garden of No.1 would be at acute angle and not direct.

Strong concerns have been raised by the occupier of No.1 concerning the potentially serious harmful impacts of noise, vibration and activity associated with construction works on the amenity, health and wellbeing of the occupiers of the property, including a disabled person.

In addition to the normal considerations of amenity set out in LP policy DM5, S149 of the Equality Act places a duty on public authorities in carrying out their functions to (amongst other things) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not. Disability is a relevant protected characteristic. The public sector equality duty (PSED) involves having due regard to the need to take steps minimise disadvantages suffered by persons who share a relevant protected characteristic, or to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. Compliance may involve treating some persons more favourably than others Thus, had the proposed development been acceptable, it would have been reasonable and appropriate in this case to impose restrictions on hours of construction work, and to require the submission and approval of a Construction Management Plan aimed at minimising the harmful effects of noise, vibration and activity associated with construction work on the amenities of person(s) with a protected characteristic.

The bungalow at No.39 lies to the north and east of the bungalow at No.41. The main outlook is to the front (north) and rear (south) elevations. The main ‘bulk’ of the proposed first-floor extension would be sited adjacent to the west side of the rear garden of this property at a separation distance of approximately 4.7m from the site boundary. Based on the Proposed East Elevation drawing, the additional height, ‘bulk’ and depth (some 9.5m long) of the proposed first-floor extension and pitched/gabled roof would be conspicuously visible from the rear windows of No.39 and result in an increased sense of enclosure, and additional over-shadowing of the rear windows and garden in the afternoons. However, having regard to the separation distance, the south-facing orientation and the relatively low eaves height of the proposed first-floor extension at 4.02m, it is considered the impact would not be so intrusive or oppressively overbearing, or result in such severe loss of light, as to warrant refusal on this ground.

Other Relevant Considerations

The provisions set out under Class AA, Part 1, Schedule 2 of the Town and County Planning (General Permitted Development) Order 2015 (as amended) allow for the enlargement of a dwelling house by construction of an additional

storey as ‘permitted development’, subject to the limitations set out in AA.1 and the conditions set out in AA.2.

In this case. It is unclear if all the limitations would be met (specifically AA.1(h)). Condition AA.2(2)(b) is not met since the proposals include the provision of a window in the side elevation of the dwelling.

It may be possible to achieve the construction of an additional storey as permitted development for an alternative development proposal that meets all the necessary limitations and conditions for permitted development, and providing the appropriate procedure for prior approval is followed.

As it stands, the current development proposal does not meet the criteria for permitted development and falls to be considered solely in relation to the relevant policies of the NPPF and the adopted Worthing Local Plan.

Recommendation

REFUSE for the reason: -

1. By reason of its height, scale and massing the proposed first-floor extension would constitute an unduly assertive and visually discordant form of development that would be out of keeping within the street scene and harmfully detrimental to the distinctive, cohesive character of existing surrounding development. The development is therefore contrary to policy DM5 of the Worthing Local Plan and the relevant policies of the NPPF.

Informative

Pro-active – no discussion.

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

Case Officer: Jo Morin Date: 05.12.2025

Authorised by: Louise Prew Date: 08/12/2025