Expiry Date - 07/11/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1334/23 Recommendation – APPROVE

Site: 33 Ellis Avenue Worthing West Sussex BN13 3DY

Proposal: Householder application for permitted development for prior approval for single storey extension to rear of property measuring 5.67m from rear wall of the original house, maximum height 3.15m and height of eaves of the extension 3m

Date of site visit: 01.11.2023

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached house occupying a wedge-shaped plot sited close to the bend on the north side of Ellis Avenue, a residential road within an outer residential suburb of the town.

The dwelling has the appearance of a chalet from the road with a modest dormer window on the front roof slope, but is full 2-storey at the rear. There is a link-attached, pitched roof garage on the east side. The building layout reflects the wedge shape of the plot with the front of the garage angled inward and forward of the front wall of the dwelling. The flank wall of the garage sits parallel to the eastern site boundary at a distance of roughly 1 metre.

Ground levels within the site and surrounding land slope gently up to the north and east.

Adjoining the site to the east is a 2-storey detached house, No.35. The dwelling is different in style and appearance to the application property and is sited substantially forward (south) in its plot compared to No.33. The dwelling has been enlarged at the rear on the eastern half by a single storey extension with a lean-to roof.

Adjoining the site to the west is a detached, hipped roof bungalow, No.31. There is a detached garage building to the north-east side adjoining the site boundary with No.33.

Proposal

Prior Approval is sought for the addition of a single storey rear extension. The extension would be sited to the rear of the attached garage and link

component, aligning with the eastern flank wall of the garage and sited at an oblique angle to the main rear elevation of the dwelling. Owing to its angled configuration it would have a depth of 4.95m to the rear of the existing garage alongside the site boundary, but an overall depth of 5.67m where it attaches to the rear of the link component. It would have a parapet flat roof having a maximum height of 3.15m and 3m high to eaves. The parapet would be omitted on the east side.

The proposed development is linked to the conversion of the existing garage to habitable living accommodation and appears to provide annexe accommodation internally linked to the main dwelling.

Relevant Planning History:

None for No.33.

35 Ellis Avenue

AWDM/1598/22 First floor rear extension over existing ground floor extension and proposed single-storey ground floor rear extension. Permitted – not implemented.

Consultations: N/A

Representations: An objection has been received from the occupiers of No.35 commenting:-

Proximity and size of planned extension
Worthing supplementary planning guidance on extending or altering your home, states "in order to ensure your extension relates well to your house, it's design should be consistent with your existing property style and shape". We believe the planned flat roof extension, does not meet the guidance, and more can be done to make the extension aesthetically pleasing and in similar style to the existing property, and lessen the impact on our property given the proposed proximity to the boundary. Due to the angle of the existing boundary and therefore the angle of the planned extension, it will be partially visible from the street. Worthing planning guidance document states "if your extension is visible from the street, it is important to ensure that the roof form is similar to that of the existing house". We don't believe the planned flat roof extension conforms to this guidance and is viewable from the street and front of the property. We are also aware of a restrictive covenant on the properties of Ellis Avenue stating that all dwellings should have a pitched roof of tile or slate, which all existing properties currently conform to (from street view). However, as the proposed extension would be visible from the street, it would not conform to the covenant or the existing style/general aesthetic of the existing houses nor Worthing planning guidance.

Secondly, whilst the existing garage of 33 Ellis Avenue is less than 1 metre from the existing boundary with our property, this is a non-residential space, and we are concerned that the scale and size of the additional planned

extension and its proximity to the boundary beyond the existing garage building and the existing main house are overbearing. Worthing planning guidance states "a carefully designed extension is important in order to reduce its potential impact on neighbours. Such considerations should avoid any excessive loss of light and privacy and will reduce any overbearing effect of the extension". We believe given the proximity and size of the extension, it is incredibly overbearing but also, little care has be taken to design a building that limits impact on privacy and no effort has been made to reduce the overbearing effect on us. We also believe this is not in keeping with the rest of the area and proximity of buildings to each other, and the extension could be designed to minimise the proximity to the existing boundary and minimise the impact of such a building on us as neighbours.

Loss of privacy
Planning guidance states "in order to respect your neighbours privacy, avoid positioning windows on the side wall of any rear extension, which would be on or close to the boundary with your neighbours", the planned extension is less than 1m from the existing property boundary and includes a side window which is positioned above the existing boundary fence / wall and looks directly into our property and patio area. Currently there are no existing windows on the ground floor that overlook our property and we feel this significantly impacts on our privacy and ability/right to enjoy our garden. Furthermore, we believe there are alternatives that should be considered, including obscured sky lights or light tunnels, enabling light into the extension that will have less of an impact on our privacy.

Drainage
From the plans and proximity to the boundary with our property, we are concerned that no additional drainage or inspection chamber is included despite the addition of a new bathroom and toilet. We would ask that this is included so any investigations can be conducted within their own boundary.

We believe that the proposed extension has been designed without thought or consideration to the impact on us as the neighbours of Number 33. Both in terms of aesthetic and loss of our privacy. Furthermore, we are very concerned about not only, the impact of our day to day living/ use of our garden but also, the future value and saleability of our property.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPG ‘Extending or Altering Your Home’ (WBC)

Planning Assessment

The receipt of the above mentioned objection has triggered the requirement for prior approval as to the impact of the proposed development on the amenity of any adjoining premises as set out in Condition A.4(7) of Class A,

Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

An assessment is required of the impact of the development on the amenities of all adjoining premises, but not the effect of the development on the appearance of the host dwelling or the wider street scene (i.e. visual amenity).

The position of drainage runs and their capacity to cope with additional bathroom facilities will be dealt with under the building regulations.

Residential Amenity

The only affected property is 35 Ellis Avenue.

As set out above, the proposed extension would extend for a depth of 5.03m behind the existing garage at No.33, at a height of 3m. The extension would be set in from the common boundary by roughly 1m. The boundary adjoining the existing garage is marked by a brick wall with a shallow section of trellis fencing on top, and 1.75m high close-boarded fencing to the rear (north) of that. There is a shed/outbuilding in the garden of No.35 sited adjacent to the common site boundary, approximately 5m north of the rear elevation.

The existing garage at No.33 extends some 4.5m beyond the rear wall of No.35. The nearest window in the rear wall of No.35 serves a stair landing, a non-habitable room. Further to the east on the rear elevation are 2 small ground-floor windows serving a study, and a first-floor window serving a bathroom. The existing garage building at No.33, with its hipped roof form and low eaves height, has no adverse impact on the amenity of No.35.

The roof of the proposed extension would be some 1m taller than the eaves of the existing garage building and at 4.95m on the boundary would undoubtedly be more prominently visible in views from the rear of the house and garden although partially screened by the existing outbuilding close to the boundary. Nevertheless, set in from the site boundary, and sufficiently well-spaced from the rear windows of No.35, it would not have an adverse overbearing or overshadowing effect on the rear rooms of No.35. There would be some additional over shadowing impacts on the nearest part of the garden, but not to a degree that would be unacceptable.

The proposals include a high-level window in the east side wall of the proposed extension serving a shower room. This would be visible above the fence line. Although unlikely to give rise to actual overlooking in view of its high level position, it would nevertheless result in a perception of being overlooked that could be considered unneighbourly. This could be resolved by requiring the window to be obscure-glazed.

It is also proposed to insert a window in the side wall of the existing garage. Although not part of the proposed extension, the conversion of the existing garage to habitable accommodation is directly related to the proposed development and the works are likely to be undertaken together as a single

building operation. The top of the window, shown to serve a bedroom, would be visible through the open trellis above the boundary wall. Although there is shrubbery growing within the adjacent border this would not currently provide an effective screen, with the potential for views into the garden of No.35. It is suggested that this window is obscure-glazed to safeguard the amenities of No.35 from overlooking.

The planning permission AWDM/1598/22 granted at No.35 is a material consideration. The above-mentioned bedroom window would face toward the blank, flank wall of the single-storey rear component at a distance of approximately 4.5m. A condition of that permission removes 'permitted development' rights for the insertion of windows in the side walls. Nevertheless as there is no guarantee that this permission will be implemented, the suggested requirement for obscure-glazing remains relevant.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. The windows in the east side of the proposed extension and converted garage building to be fitted with obscure glazing and retained.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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: Jo Morin Date: 02.11.2023

Authorised by: Gary Peck Date: 2 November 2023