Development Control – Delegated Officer Report

Application Number: AWDM/0721/24 Recommendation: Approve

Site: 33 Christchurch Road, Worthing

Proposal: Proposed single storey rear extension

Date of site visit: 09.07.2024

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site relates to a detached two-storey building located on the west side of Christchurch Road in use as a day nursery. Surrounding properties are in residential use. The site is not a listed building and is not within a conservation area. The site is within a controlled parking zone which restricts parking between 10-11am and 2-3pm to residents only.

Proposal

Permission is sought for a single storey extension to the rear of the building to provide a utility/storage room with wc for the nursery. The extension would measure approximately 3.3 metres in depth and 2.5 metres in width, infilling on the north west corner of the building to link to the north side of an existing rear lean-to. The extension would have a lean-to roof up to 3.8 metres in height which would be continued over to the south to replace the adjacent lean-to roof and with alterations to the fenestration on the existing lean-to also indicated. Matching materials are proposed.

Relevant Planning History:

00/00059/FULL - Variation of conditions 1 and 2 of Planning Consent WB/140/86 (as amended by Planning Consent WB/92/0200) to allow an extension of business hours (to between 8am and 6pm) and increase the number of children from 24 to 26 (20 children and 6 babies)
STATUS: CCN 14th March 2000.

00/00303/FULL - Erection of railings above wall fronting Christchurch Road and provision of storage bunkers at side
STATUS: CCN 8th May 2000.

01/00853/FULL - Change of use of first floor to nursery for 16 baby spaces
STATUS: REF 3rd October 2001.

02/00084/FULL - Variation of condition 2 of planning consent WB/140/86 to increase the number of children by 8 from 26 to 34 (25 children and 9 babies).

STATUS: REF 13th March 2002.

02/00576/FULL - Variation of condition 2 of planning consent WB/140/86 to increase the number of children by 10 from 26 to 36 (26 children and 10 babies) together with formation of an additional vehicular access to provide an in-out driveway.
STATUS: CCN 25th July 2002.

03/01326/FULL - The deletion of Condition 3 of Planning Permission WB/140/86 (added by virtue of application WB/02/00576) to allow the permanent use of the Nursery to accommodate an additional 10 babies with the addition of 'in' and 'out' driveway, total of 36 children on a permanent basis.
STATUS: CON 18th December 2003.

92/05152/FULL - APPLICATION TO AMEND CONDITION 1 OF PLANNING CONSENT WB/140/86 DATED 18.3.86 TO ALLOW SCHOOL TO OPERATE UNTIL 4.30PM
STATUS: CCN 27th May 1992.

05/0527/FULL - The deletion of condition 3 of Planning Permission WB/140/86 (added by virtue of WB/03/01326/FULL) to allow the permanent use of the ground and upper floors of the nursery for 36 children, including 10 babies, with "in" and "out" driveway.
STATUS: CCN 29th June 2005.

Consultations:

None relevant

Representations:

Two representations have been received from the occupiers of No.35 to the north, objecting to the application on the following grounds;

- Window would face directly into the garden of No.35
- Removal of boundary wall - concerns over loss of Victorian brick wall, affecting design, appearance, materials and character
- Party wall concerns
- Loss of privacy and light

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM5 (Quality of the Built Environment)
DM8 (Planning for Sustainable Communities/Community Facilities)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)

National Planning Policy Framework (MHCLG 2023)
National Planning Practice Guidance

Planning Assessment

Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

The proposals would support the continued use as a day nursery and would not represent any significant intensification of use or pose any significant threat to residential amenity or raise any parking or highways issues on those grounds.

Given the scale and position of the proposed extension, the main impact on residential amenity would be to the occupiers of No.35 to the north site. Other surrounding dwellings would be sufficiently remote from the proposed extension to avoid any significant impact.

The neighbouring dwelling at No. 35 has its side garden area immediate adjacent to the application site and includes a covered arbour seating area sited behind the garage of No.33 and immediately adjacent to the side wall of No.33. There is a separation distance of approximately 4 metres between main side walls of No.33 and No.35 and there are no main windows to habitable rooms within the south side wall of No.35.

As originally submitted, the extension was proposed to align with the existing north side wall of the building, infilling up to the boundary and involving removing part of the boundary wall with the neighbouring land. This was to include a side window which would face directly onto the neighbours' garden. The applicant has provided revised plans to address concerns over this close relationship with issues of overlooking and noise disturbance from the side window, and the revised plans also set the extension within the existing boundary wall allowing this to be retained.

As revised the proposed extension would not cause any significant harm to the amenities of neighbouring occupiers given its size, positioning and relationship with the neighbouring dwelling. As revised no side windows are proposed and a condition is recommended to prevent any further windows being installed on the north side wall in the interests of protecting privacy.

The extension and alterations would be at the rear of the building where it would not be readily visible in the streetscene and its scale and design would be in keeping with the recipient building. Subject to the use of matching materials there would be no significant harm to the visual amenities of the site or surrounding area.

In relation to drainage, there would be no increase to any impermeable area in this instance.

The NPPF requires planning decisions to contribute to and enhance the natural and local environments by minimising impact on and providing net gains for biodiversity. Local Plan policy DM18 requires the protection, conservation and enhancement of biodiversity. The proposal is for a modest extension and would be positioned on the site of an existing hardstanding within the rear garden area where it would not cause any significant harm to biodiversity.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Hours of construction
4. Matching materials
5. No further windows/openings etc (north side elevation)

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: Rebekah Hincke Date: 29.07.2024

Authorised by: Louise Prew Date: 29/07/2024