

ADDENDUM TO WORTHING PLANNING COMMITTEE AGENDA

MEETING DATE - 9th March 2016

Application Number: AWDM/0063/16

Recommendation – APPROVE

**Site: Recreation Ground Goring Fernhurst Drive Worthing West
Sussex**

**Proposal: 5 no. 10 metre high steel posts 10 metres apart; de-mountable
netting between posts**

Applicant: Mr Justin Tay
Case Officer: Eve Hearsey

Ward: Goring

Applicant response to letter of objection within Committee Report

It is confirmed that Adur and Worthing Councils Parks team will be responsible for the operation of the nets.

The posts/nets will be owned by the Council, and as such the Council will be accountable for their safe use.

Maintenance of the nets will be carried out by Adur & Worthing Councils Parks team as required. The site will be inspected regularly by Parks staff.

Further information from Applicant

The following observations have been received from the manufacturer of the system applied for:-

1. The nets will start at 1.8m off the ground which will hopefully deter individuals from climbing on them. Outside this then general signs advising that climbing is prohibited could be another option.
2. It is not possible to prevent anything getting tangled in the nets. If this were to happen then the nets can always be dropped down allowing the object to be removed.
3. The only way to prevent nets drooping too low would be to encase them with bungee cords. These cords can be tied to the bottom of the nets and then when dropped they can be looped over the nets and tied off again, securing the nets in place. As the nets are 1.8m above the ground, this is a feasible option for an adult to carry out.
4. A winch could be purchased and installed on the posts with a removable handle. When the nets are either raised or lowered the handle is taken away from the winch system which will prevent any further use of the system and will stop unauthorised individuals from using them.
5. The winch will prevent nets from being lowered and stolen.

6. Once the nets are lowered, it might be possible for someone to physically detach the nets and remove. This would be a time consuming exercise for very little reward as the netting is not seen as a high value product. The netting also weighs a total of 28 kg which would need more than one individual to detach, roll up and then physically remove the nets from the site.

Application Number: AWDM/1848/15

Recommendation – REFUSE

Site: Ground Floor Flat 130 Rowlands Road, Worthing

Proposal: Single storey rear extension

Applicant: Mrs Elizabeth Wade

Ward: Heene

Case Officer: Rebekah Smith

The applicant has submitted a representation in support of the application (previously circulated) an addendum to that submission, and measurements which are attached to this report.

Elizabeth Joan Wade
130 Rowlands Road
Ground Floor Flat
Worthing, BN11 3LE

22 February 2016

WRITTEN SUBMISSION TO ADUR & WORTHING COUNCIL PLANNING COMMITTEE TO CONSIDER A DOMESTIC SMALL-SCALE REAR EXTENSION

REF: AWDM/0167/16 PLANNING APPLICATION FOR SINGLE STOREY REAR EXTENSION, 130 ROWLANDS ROAD, GROUND FLOOR FLAT, BN11 3LE

BACKGROUND INFORMATION ON PREVIOUS PLANNING APPLICATIONS:

Refused 2008 Planning Application

Last year I read the file on this application that was refused: ***“Planning Permission for the conversion dated 05/09/2008 Ref: 08/0747/Full***

Planning refusal for the conversion of the ground floor flat into two separate ground floor flats. Rebekah.smith@adur-worthing.gov.uk”

In that case I believe the neighbours were right to object and the council’s decision was also right to refuse permission to build two separate flats on the ground floor intended for rental/commercial purposes. Not surprising for such an extraordinary planning application. My planning application, for private residential use, cannot be compared to that of 2008.

Approved 1962 Planning Application

Notes I made on 3 February 2016 during a visit to Adur & Worthing Planning offices to view on a microfiche reader an approved 1962 planning application submitted on 6 July 1962 and passed on 24 July 1962 (ref: wb53962) to convert a large Edwardian semi detached house into two separate ground floor and first floor flats:

It showed that Messrs AJ and HS Thruscutt of 14 Offington Drive, Worthing submitted the planning application. The architect was F Trower Esq LRIBA, 43 Teville Road, Worthing. The Thruscutt family had owned the property for over 50 years as a buy-to-let.

commercial landlord, renting out both flats to tenants, and sold the ground floor flat to me in December 2014.

ORIGINAL ARCHITECT'S DRAWING/PLAN OF THE HOUSE:

The architect's drawing of the original/existing layout of the house shows the ground floor had the following rooms: porch, hall area 5' 8", front lounge 13' 0", dining room irregular shape with corner fireplace and large window space 12' x 6", kitchen 12' 0", walk-in larder and back scullery 12' 0", with a back door opening onto a covered lobe with access to an outside coal bunker and WC. The architect's drawing of the original/existing layout of the upstairs shows three large bedrooms and one small at the front, with separate bathroom and separate WC.

SEPARATE GROUND FLOOR FLAT: The architect's drawing for a separate ground floor flat shows the following rooms: front lounge, **one bedroom** (previously dining room with a blocked up corner fireplace), dining room (now utility space), kitchen/scullery (no kitchen/breakfast room), a back lobby with a side bathroom of irregular shape that replaced the old outside coal bunker and WC.

SEPARATE FIRST FLOOR FLAT: The architect's drawing for a separate first floor flat shows the following rooms: front lounge, front small bedroom, second bedroom, separate WC, separate bathroom and rear kitchen/dining room.

After seeing the 1962 planning application and the architect's drawing of the layout and measurements of the original house before it was converted into two flats this gave me a much clearer idea of the original layout and use of rooms in relation to the space that is here now. I noted the 1962 planning application allowed for a one bedroom flat on the ground floor and a two bedroom flat on the first floor. But when I viewed the GFF the tenants were using it as a supposed two bedroom flat and that is what I was sold by the estate agent. After moving in I couldn't understand why the flat was so cramped and difficult to move around until I saw these plans that explained the problem.

MY RESPONSE TO TWO OBJECTION NOTICES SENT TO ADUR & WORTHING PLANNING DEPARTMENT

On **3 February 2016** Rebekah Smith/Senior Planning Officer made a second visit to my home to carry out further observations at this property regarding my proposed

current planning application, and to visit my next door neighbour Patrick and Sarah Palmer at No.128, who live in the adjoining large semi detached house.

The owner of house No.132 that directly overlooks my property has not objected but there were two objection notices from two other neighbours namely:

GARETH BLOWER joint owner of the First Floor Flat, 130 Rowlands Road, Worthing BN11 3LE

Gareth Blower is joint owner of the FFF, above my property since 30 January 2015, with his wife Jenny Blower, an Adur & Worthing Council Planning Enforcement Officer. They have a buy-to-let mortgage and the flat is let to Mark Blower (Gareth Blower's brother) and Sophie Rudge. Mrs Blower is a work colleague/friend of Rebekah Smith/Senior Planning and Case Officer. Because the Objection notice submitted by Mr Blower omitted his wife's name, and described himself as "*a member of the public*" and home address in Broadwater, I felt the information provided was misleading. I became concerned and sought legal advice when I was advised to write a letter directly to James Appleton, Head of Planning, Regeneration and Wellbeing Planning and Building Control, Adur & Worthing Councils, dated 9 February 2016 (and updated on 12 February 2016), to raise the issue and ask what the Council's policy is when an employee in the Planning department is personally involved in the case and could have possible undue influence in the decision making process. I was later informed in a letter dated 12 February 2016 from Gary Peck, Planning Services Manager, Adur & Worthing Councils, that a case like this will need to go to the Planning Committee to decide, and not by a Planning/Case Officer.

Mr Blower's objection is on the grounds of "*Loss of General Amenity and Over development... We have no objection in principle to this rear extension. It appears excessive in relation to the current footprint of the 2 bedroom flat...*" This is a one bedroom flat.

"We also have concerns about the loss of garden amenity space for future occupiers."

"Kingsley Smith Solicitors LLP Registering Planning Objections:

Don't include speculation on future events.

- The local authority will ignore speculation on further future development of the site.
- Only details relating to the current proposed development will be considered.

- Should a future development prove to be problematic, you will have the opportunity to object at that stage.”

My proposed low-level one storey building would not affect the FFF tenants in any way. The view from the one upper back bedroom window will not change and/or be blocked by the proposed building. The window looks down onto my back patio below and directly down to the end of the garden. Photo evidence has been submitted to Planning.

SARAH AND PATRICK PALMER 128 Rowlands Road, Worthing BN11 3LE

“We are objecting to this application”. For Mr & Mrs Palmer to object to the rebuilding of my existing very small bath/shower room is unreasonable considering they themselves have a large bath/shower room built directly next to mine. It has an exceptionally high brick wall and exceeds the length of my bath/shower room, which needs to be demolished and rebuilt due to damp caused by an old flat roof in disrepair, and because of its odd irregular shape with an outside drain that will need repositioning. Paul Robards/Council Building Control Officer has said the old drain that was plumbed into the original outside WC when the house was first built can be moved without any problem. I have sent photo evidence of the existing bathroom and drain to Planning. Mr & Mrs Palmer object to any room extension because of the inconvenience and disruption caused. Before the block paving was done last year Sarah Palmer told me it must not be done while she was working/studying at home. Unfortunately home improvements are necessary from time to time causing inconvenience and disruption to everyone concerned. This job would take about a month to complete and the builder will do everything possible to lessen the impact on any neighbour who may be affected.

“...the new build will have a significant impact on the amount of light in our garden and will be an overbearing structure ...will have a direct impact on the amount of light in our kitchen/diner... Ms Wade has tried to persuade us that the shade was being cast by a buddleia in her garden... As the gardens on this side face north we are reliant on the west-facing aspect to deliver light, and the proposed extension will block this”. My proposed one storey low-level building would make no difference to the light in my neighbour’s garden. The reason for the lack of light is because both gardens face north without any sunlight for most of the day. The photo evidence I have provided show the very high brick wall and shed next door and my building is below that height. I can’t see anything in my neighbour’s garden and their ground floor kitchen/diner does not overlook my garden either. A photo of my estate agent’s sales literature sent to Planning clearly shows a very shaded garden caused and exacerbated by an extremely high out of control buddleia tree on my neighbour’s

boundary side, that was in the back garden at the time when I viewed the property, which I subsequently removed. It has made a significant difference and no longer blocks the sunlight on either side. I didn't try to "persuade" anyone: it is a material fact. There is a particularly high apple tree in Mr & Mrs Palmer's garden that could possibly be causing additional shade in their garden.

"We currently have a shallow shed (a temporary structure) on that boundary..." I've seen my neighbour's shed from their side and it appeared to be a substantially solid structure. I'm unclear what is meant by a "shallow shed" and why a temporary structure would make any difference. It is exceptionally high and my low-level extension room would be below the height of the shed. I like it as it provides privacy in both gardens and doesn't block light on either side.

"...question about the ventilation brick in our outbuilding (their bath/shower room)." I have sent a letter to Paul Robards/Council Building Control Officer to ask about next door's bathroom air extractor/ventilation brick to which I have not yet received a reply but my design consultant has assured me that it would not need to be moved: **"Height of extension: on the plans from DPC (your internal floor height) to top roof it is 2782mm. I always like to apply for as high as possible in a planning application so the builder has room for changes site if necessary. When I prepare the building regulation plans I detail on the drawing that the ceiling height is to match the existing. As I can see from the photos you provided of the air vent, if the roof was the same height as the flat roof on your bathroom, it would not affect the vent."** But if it does need moving I understand I am responsible for the cost of moving it.

"...anxious about our apple tree, lilac and fig tree(s?)..." It is doubtful any of these trees would be affected by the building work but if the ground next door does need excavating to determine that is the case then it will be done.

"...over development of the site... The size and scale of the extension is also out of keeping with extensions in the rest of the area, which are much smaller and have far less impact on neighbouring properties... the proposed extension would be excessive when looking at the area's character." The proposed one storey low level extension in my back garden would not be seen from the road and would not impact on the light or view of any close neighbour. Mr & Mrs Palmer and the FFF tenants living in this property have no upper back bedroom windows that directly overlook my garden or the proposed extension building. The photo evidence I have provided shows clearly the blank brick walls belonging to No.128 and No.130/FFF Rowlands Road. I have also provided an estate agent's photograph of a recently renovated house very close by in St Valerie Road, where a rear extension has been built in the

same design and materials that I have planned, and can be clearly seen from the road, unlike my proposed building.

“Could the plans not be altered so that the new extension utilises, in part, the unused area between the existing bedroom and kitchen which is going to be paved over anyway, rather than being reliant on running alongside out boundary wall and blocking so much light from our property?” Such a scheme is not feasible. I need to consider my neighbour at No.134 too whose property directly faces mine at the side. If at any time in the future No.128 wanted a similar garden room extension built (Mrs Palmer said they wanted an extension at the time their kitchen/dining room was renovated but couldn't afford it), it would never occur to me to suggest to them they build on the other side in front of their very large window that looks directly down their garden, which was originally used as a dining room (that I currently use as a bedroom).

FURTHER NOTES:

When I was obtaining quotes for the block paving last year a builder wanted to remove all of the beautifully planted original trees/shrubs on the back patio as shown in the photos I have sent to Planning. But I chose another builder who was keen to do what I wanted and helped me with the design and choice of colours. The trees/shrubs act as a necessary screen between my neighbour next door at No.132 that directly faces/overlooks my property at the side. I note the owner isn't objecting to this proposed rear extension as was the case in 2008.

In spite of a newly refurbished utility/kitchen/breakfast room the flat is still very cramped and cluttered posing a hazard. I am unable to use the bathroom as I need a special walk-in bath to meet my particular health needs that is very frustrating/stressful for me: [The Luxor Walk in Bath with Built in Lift | Specialist Bath](#). There is still an unanswered question about the overall measurement for the proposed rear extension. I have sent a letter to Planning to clarify the position regarding the bathroom that is currently included in the overall length allowed for the extension. The length of the present bathroom is 2.5m (8' 6") and this measurement will remain unaltered. The bathroom is to be rebuilt extending to the side not in length. The existing bathroom structure is part of the original house; the old scullery back door opened onto a covered lobby to access an outside coal house/bunker and a plumbed WC with a drain. This area is not part of the garden and does not take up any garden space. The length allowed past the bathroom for the proposed bed/sun room is (4m = 13'), the same measurement as the width, and would be square in shape. On the copy of the drawing/plan attached to the lease I sent to Planning it clearly shows the exceptionally long back garden. The 4m (13') allowed for the extension is unrealistic. This modern design plan I have submitted is important in a garden that faces north and is shaded for most of the day. The bedroom part is at

the back with no built in furniture. The two westerly aspect full-length glass side panels and French doors at the front are deliberately designed to lighten the room, allowing sun to enter late afternoon with a sitting area to enjoy the garden, a modern concept/idea to 'bring the garden inside the home'. To build a garden room to use as a bedroom only is pointless. The prospect of having a small square shape dark bedroom only with a standard/conventional small side window is an extremely depressing thought. The two side glass panels will face the garden of No.132 but be screened from view with the already existing planted tall trees/shrubs that are in my garden.

I am very conscious of wanting to retain the Edwardian style as much as possible, particularly the front part of the house, but I believe the old style can be mixed with the new as long as it's done carefully and sensitively. As this is not a conservation area sadly some front renovations to properties in the neighbourhood have spoilt the character of the area notably cladding/windows/doors/flint walls. I hope to replace my front window to match the original Edwardian style the same as No.128.

REFERENCES:

Material consideration: "A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of light or overshadowing
- Parking
- Highway safety
- Traffic
- Noise
- Effect on listed building and conservation area
- Layout and density of building
- Design, appearance and materials
- Government policy
- Disabled persons' access
- Proposals in the Development Plan
- Previous planning decisions (including appeal decisions)
- Nature conservation

Issues such as loss of view, or negative effect on the value of properties are not material considerations."

[Microsoft Word - 08-09-04 RIBA KP response final draft v3.doc - kp_response.pdf](#)

Pages 13, 14, 15

The government announced a change of approach in June 2010 involving 'garden grabbing'. But this was directed more at big developers/landlords building blocks of flats in back gardens of very large properties not privately owned domestic small-scale building developments. An example of this is Lomas House in Wordsworth Road, Worthing, where a tall modern block of flats was built in the back garden directly behind the original old house that was converted into flats.

Richmond.gov.uk What is a valid objection to a planning application.

Worthing Borough Councils Supplementary Planning Guidance extending or altering your home.

Kingsley Smith Solicitors LLP Registering Planning Objections.

ENDS

Elizabeth Joan Wade
130 Rowlands Road
Worthing, BN113LE
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1 March 2016

ADDENDUM TO MY WRITTEN SUBMISSION DATED 22 FEBRUARY 2016 FOR PLANNING COMMITTEE

**REF: AWDM/0167/16 PLANNING APPLICATION FOR SINGLE STOREY REAR
EXTENSION, 130 ROWLANDS ROAD, GROUND FLOOR FLAT, BN11 3LE TO
CONVERT A ONE BEDROOM FLAT INTO A TWO BEDROOM FLAT**

Two points updated:

Paul Robards/Building Control Officer visited today and confirmed that the air vent/brick in the brick wall of the bathroom next door No.128 Rowlands Road will not be affected with no need to move it. This supports the view of June Grinstead/Design Consultant: *“Height of extension: on the plans from DPC (your internal floor height) to top roof it is 2782mm. I always like to apply for as high as possible in a planning application, so the builder has room for changes site, if necessary. When I prepare the building regulation plans I detail on the drawing that the ceiling height is to match the existing. As I can see from the photos you provided of the air vent, if the roof was the same height as the flat roof on your bathroom, it would not affect the vent.”*

Rebekah Smith, Senior Planning Case Officer, has stated that the *“extension would be excessively large and an over development of the site.”* This opinion was made before it was known that the 1962 planning application to convert the house into two flats was for a one bedroom flat only on the ground floor but later misused, and recently sold, as a two bedroom flat. I am applying now to convert a 1 bedroom flat into a 2 bedroom flat. The length of the garden from the outside back brick wall of the original house to the foot of the garden, including length of the existing bathroom, is 15.8496m (52’). The plan/drawing for the bed/sun room submitted is 5.152m (16’ 902887”). (But I question why the bathroom length of 2.500m (8’ 6”) is included at all in the overall length of the garden? If it were excluded, that would allow the rear extension to be 6.4008 (21’), the same length already allowed by Planning.)

PLANNING APPLICATION FOR:

130 ROWLANDS ROAD, GROUND FLOOR FLAT, WORTHING BN11 3LE

REF: AWDM/0167/16: SINGLE STOREY REAR EXTENSION TO CONVERT 1 BEDROOM FLAT INTO 2 BEDROOM FLAT TO INCLUDE SITTING AREA

MEASUREMENTS FOR REAR EXTENSION:

LENGTH OF GARDEN (From the outside back brick wall of original house to the foot of the garden including existing length of bathroom.)

TOTAL LENGTH: 15.8496m (52')

LENGTH ALLOWED BY PLANNING OFFICER FOR DOMESTIC SMALL-SCALE REAR EXTENSION

BATHROOM: 2.500m (8' 6")

BED/SUN ROOM: 4m (13')

TOTAL LENGTH: 6.5m (21' 3.905512")

LENGTH OF REAR EXTENSION SUBMITTED TO PLANNING

BATHROOM: 2.500m (8' 6")

BED/SUN ROOM: 5.152m (16' 9.02887")

TOTAL LENGTH: 7.652m (25' 10.4987")

HEIGHT OF LOW LEVEL BUILDING WITH FLAT ROOF:

Internal floor height to roof: 2.782m (9' 127297")

Information updated 1 March 2016