Expiry Date - 18/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1362/24 **Recommendation – APPROVE**

Site: **24 Ethelwulf Road Worthing West Sussex BN14 7NF**

Proposal: **Application to Vary Condition 14 of Approved AWDM/1110/23, to secure 10% BNG in accordance with policy DM18 of the Worthing Local Plan**

Date of site visit: Previous application 30/08/2023

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north side of Ethelwulf Road within a predominantly residential area of West Worthing. The application site is directly to the west of the existing dwelling at 24 Ethelwulf Road and forms part of the garden curtilage for this property. The existing dwelling on site (to be retained) comprises a two storey, detached house with brick to the lower elevations and white render to the upper elevations, with a two storey front bay and pitched roof porch to the front. The property sits within a double width plot, of approximately 21m deep x 20m wide with an overall area of 420m2. There is a single detached garage and garden area to the west side and a large garden space to the rear. The site is enclosed by a low brick wall to the front boundary and dropped kerb providing access to the garage. The site is not within a conservation area, is not a listed building and there are no protected trees on site.

Proposal

Planning permission was granted under application AWDM/1110/23 for proposed development consisting of one new dwelling at Land Adjacent to 24 Ethelwulf Road and relocation of dropped kerb access for 2no. new parking bays on site of existing property.

A Variation of Condition is sought to vary condition 14 of AWDM/1110/23:

Condition 14 (Existing)
The development may not be begun unless a 'Biodiversity gain plan' (https://www.gov.uk/government/publications/biodiversity-gain-plan) has been submitted to the local planning authority and the planning authority has approved the plan.

Reason: To secure 10% BNG in accordance with policy DM18 of the Worthing Local Plan.

The variation proposes to remove the specific target of 10% BNG within the condition reason and alter this to:

Condition 14 (Proposed)
The development may not be begun until a Biodiversity gain plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide BNG in accordance with policy DM18 of the Worthing Local Plan.

Relevant Planning History:

AWDM/1110/23 - Proposed development consisting of one new dwelling at Land Adjacent to 24 Ethelwulf Road and relocation of dropped kerb access for 2no. new parking bays on site of existing property – Approved 04/04/24

Consultations:

WSP - Following a review of the submitted information, we have noted no change to drainage or flood risk and therefore would recommend the approval of the application.

WSCC Highways - This application seeks to vary Condition 14 of approved application AWDM/1110/23, to secure 10% BNG in accordance with policy DM18 of the Worthing Local Plan. WSCC in its role as Local Highway Authority (LHA) provided consultation advice for application AWDM/1110/23, raising no highway safety concerns.

For the current submission, the proposals only relate to Biodiversity Net Gain, and do not appear to impact highway safety. As such, no concerns are raised to the Variation of Condition 14.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Environmental Health – No comments

UK Power Networks - Please note there are underground cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

Southern Water - No further comments

Representations:

None received

Relevant Planning Policies

Worthing Local Plan 2020-2036:
SP1 Presumption in Favour of Sustainable Development
SP2 Climate Change
SP3 Healthy Communities
SS1 Spatial Strategy
DM1 Housing Mix
DM2 Density
DM5 Quality of the Built Environment
DM15 Sustainable Transport & Active Travel
DM16 Sustainable Design
DM17 Energy
DM18 Biodiversity
DM19 Green Infrastructure
DM20 Flood Risk and Sustainable Drainage
DM21 Sustainable Water Use & Quality
DM22 Pollution

Technical Housing Standards – Nationally Described Space Standard (DCLG 2015)
Supplementary Planning Document 'A Guide to Residential Development (WBC 2013)
Revised National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance (CLG)

Planning Assessment

The principle of development has been agreed and approved by the previous planning application AWDM/1110/23. Consideration of this application is limited to the condition being varied, as specified above, and the resulting impact of varying this condition.

The proposed increase in BNG to be provided on site equates to 9.79% to be achieved mainly through the provision of native hedgerows. The shortfall of 0.21% was intended to be provided off-site however the costs relating to off-site provision have risen prohibitively since approval of the application.

The original quote the applicant received for off-site provision was approximately £5000 per unit however this has increased to £25,000 per unit. Two units are required to achieve the full 10% gain, totalling £50,000. This steep increase in costs would make the development unviable.

The reworded condition takes out the specific 10% target and allows the Council to consider a more informal BNG plan for on-site provision that would avoid the need to purchase off-site BNG units. Whilst it is recognised that this would fall short of the 10% BNG target detailed in policy DM18, variation of the condition in this way is considered to provide a more balanced approach towards fulfilling the objectives of the Council's Local Plan policy DM18 whilst

also seeking to maintain and encourage the delivery of new dwellings on suitable small sites. It is also recognised that the more formal requirements of the Government's mandatory BNG requirements were not in place at the time this application was decided.

Biodiversity on site will also be increased above that currently existing through the proposed ecology enhancements and tree planting which are secured by Conditions 11 (Ecology) and 13 (Tree Planting) of the existing consent (as detailed below) and together with the reworded reason for Condition 14 (BNG) these conditions are considered sufficient to ensure BNG on site is increased which accords with the objectives of policy DM18 of the Worthing Local Plan.

Condition 11
The 'Recommendations' and 'Enhancements' as set out in the Ecological Assessment Summary reference: JK/23/94, including planting a range of native trees, shrubs and wildflowers and provision of bat, bird and insect boxes shall be implemented in accordance with the above assessment, prior to first occupation of the dwelling hereby approved and shall at all times be retained for this purpose.

Reason: To provide an overall gain in the biodiversity value of the site in accordance with policy DM18 of the Worthing Local Plan.

Condition13
No development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping, which shall include indications of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection in the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The approved details of hard landscaping shall be completed prior to occupation of the building.

Reason: In the interests of visual amenity and the environment and to comply with policy DM5, DM18 and DM19 of the Worthing Local Plan.

Condition 14 (as varied)
The development may not be begun until a Biodiversity gain plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide BNG in accordance with policy DM18 of the Worthing Local Plan.

Variation of condition 14 is therefore considered acceptable and would not result in harm to amenity or undermine the original basis for consent.

Recommendation

APPROVE subject to Conditions:-

1. Approved Plans (as for AWDM/1110/23 –no change)
2. Standard Time Limit (as per previous application AWDM/1110/23)
3. Materials to match host dwelling No.24
4. Car parking spaces provided
5. Cycle parking provided
6. Construction management plan to be submitted
7. Hours of construction
8. Surface Water Drainage Scheme to be submitted
9. Works carried out in accordance with approved Surface Water Drainage Scheme
10. Details of new boundary treatments
11. Recommendations of Ecological Assessment to be implemented.
12. Nesting bird protection
13. Tree planting and landscaping scheme
14. *The development may not be begun until a Biodiversity gain plan has been submitted to and approved in writing by the Local Planning Authority.*
    Reason: To provide BNG in accordance with policy DM18 of the Worthing Local Plan.

Informatives

1. Application approved without amendment
2. Vehicle crossover licence
3. Stopping up existing access
4. Southern Water Sewer connection
5. New address
6. CIL liable

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? N

Case Officer: Amanda Haslett Date: 18/12/24

Authorised by: Jo Morin Date: 19.12.2024