Development Management - Delegated Officer Report

Application Number: AWDM/0055/25 Recommendation – Approve

Site: 212 Manor Hall Road, Southwick

Proposal: Erection of one detached two storey house

Date of site visit: 13 February 2025

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application relates to the land making up part of the garden of 212 Manor Hall Road, south of the existing semi-detached dwelling. The existing property fronts a private access road which also serves as the main access to the units making up the Chalex Industrial Estate.

The proposal is to demolish the existing detached garage which serves No.212 and erect a detached two-bedroom house. The application is a resubmission of previous approval AWDM/2056/21 for the same development which has expired.

Relevant Planning History

ADC/0019/07 - Detached three-bedroom house on south side with 2 parking spaces. Refused for the reasons:

The size and shape of the plot and its relationship to the existing properties and surrounding industrial area would not permit development of a standard compatible with existing development in the area and in consequence the proposal would constitute overdevelopment that would be out of keeping with and detrimental to the environmental character and residential amenities of the locality, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

The loss of off-street parking at no. 212 Manor Hall Road would generate additional parking on the adjacent private access road to the east, which would be detrimental to the visibility of vehicles emerging from the access to the proposed dwelling and the safety of road users, contrary to the policies of the West Sussex Structure Plan (DEV4-5) and the Adur District Local Plan (AT12).

ADC/0431/07 - New detached three bedroom house on south side with 2 parking spaces. Refused for the reason:

The size and shape of the plot and its relationship to the existing properties and surrounding industrial area would not permit development of a standard compatible with existing development in the area and in consequence the proposal would constitute overdevelopment that would be out of keeping with

and detrimental to the environmental character and residential amenities of the locality, contrary to the policies of the West Sussex Structure Plan (CH1, DEV1) and the Adur District Local Plan (AG1, AH2).

Subsequent appeal was dismissed on grounds that the living conditions for future occupiers would be substandard due to noise from the industrial estate and the inadequate amenity space.

AWDM/2056/21 - Erection of a detached two storey 2 bedroom house with 2no. car parking spaces – approved. The number of bedrooms was reduced to two and a fully hipped roof was added. There were no objections from the Environmental Health Officer on noise grounds and the current need for housing in the District was considered to justify an approval.

Consultations

West Sussex County Council: The Highways Authority has no objection. The site is located on an unnamed private road, consequently these comments are for your advice only. Part of the private road is maintained as Public Footpath no. 13So.1.

The LHA previously provided consultation advice for this site for application AWDM/2056/21, raising no highway safety concerns. This Local Planning Authority (LPA) permitted the application.

Access

The new dwelling will use the existing access onto a private road which adjoins the public highway at Manor Hall Road, a C-classified road subject to a speed restriction of 30 mph in this location. There are no apparent visibility concerns with the existing access.

Parking

A single-bay garage will be lost as part of the proposals. However, it should be noted that the existing garage does not meet the minimum internal specifications for single-bay garages of 3m x 6m as outlined in Manual for Streets. Therefore, the LHA would not consider the existing garage for parking provision, as it is likely too small to accommodate modern sized cars. It is not unreasonable for the LHA to assume the existing garage may be being used for other purposes, such as storage.

The applicant proposes two car parking spaces for the new dwelling. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size in this location would require at least three car parking spaces. The existing dwelling will retain two car parking spaces,

Therefore, any overspill parking, including any parking demand associated with the existing dwelling, would have to be accommodated on-street. The LHA does not anticipate that this would give rise to a highway safety concern or parking capacity issue, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view.

From inspection of the plans, the parking areas are suitably sized. However, on-site turning does not appear achievable, so cars may have to exit the site in reverse gear. The applicant has demonstrated a cycle store to the side of the new dwelling, which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

The site is situated within walking/cycle distance of local services and amenities within Southwick. Cycling is a viable option in the area. The site is also well connected by public transport, with regular buses available from Old Worthing Road, and Fishergate Railway Station is within walking distance.

Conclusion

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 116), and that there are no transport grounds to resist the proposal.

Recommend conditions to secure car and cycle parking.

Adur and Worthing Councils: Public Health: Noise I called the acoustician to ask about the electrical substation but he says he did not pick up any significant low frequency noise from it, so based on the findings of the report there are no EH objections to this application

Land Contamination This development site is situated in close proximity to land which has been identified as potentially contaminated. Recommend condition.

Dust and working hours conditions are also recommended.

Drainage: No objection on surface water grounds subject to appropriate conditions.

Southern Water: Our investigations indicate that Southern Water can facilitate foul sewerage and surface water run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

Brighton and Hove City Council: No comment

Representations

None received

Relevant Planning Policies

Adur Local Plan 2017 Policies 15, 18, 19, 22, 28, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (December 2024)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Principle

In December 2024, the Government published an updated National Planning Policy Framework (NPPF 2024). This reintroduced requirements for local planning authorities to demonstrate a five-year housing land supply, regardless of the age of the adopted plan.

The Adur Local Plan was adopted on 14th December 2017. Policy 3: Housing Provision makes provision for a minimum of 3,718 net additional homes in the period 2011 to 2032, equivalent to 177 dwellings per annum. As Adur District adopted its Local Plan more than 5 years ago the Five Year Housing Land Supply Position Statement uses a housing requirement based on the local housing need that is calculated by the standard methodology set out in the PPG. Updated data on national affordability ratio was published on 24th March 2025 which has subsequently resulted in a revised local housing need (LHN) figure based on the standard method calculation. The LHN figure has been amended to 547 (previously it was 558) dwellings per annum for Adur.

In 2018, the Housing Delivery Test was introduced against which housing delivery is measured. If housing delivery is below 85% of the housing requirement over the previous three years, a 20% buffer must be applied. The Housing Delivery Test 2023 (covering the monitoring periods 2020/21, 2021/22 and 2022/23), published December 2024, indicates that Adur delivered 81% of its requirement. As a consequence, the presumption in favour of sustainable development no longer applies; an Action Plan will be prepared (to be published by the end of June 2025), and in calculating the five-year housing land supply, a 20% buffer must be added. It must be noted that the HDT position has improved with the previous test result (December 2023) being 72%.

The revised 5 Year Housing Land Supply (5YRHLS) (2024-2029) position for Adur as at 01/04/2024 demonstrates that a total of 2,139 homes are deliverable within this period, equating to 3.3 years of housing land supply against the housing requirement figure (as set by the Standard Methodology figure) of 547 dwellings per annum plus a 20% buffer = 656 dwellings per annum.

Given that the Council cannot demonstrate a 5 Year Housing Land Supply of deliverable housing sites, this means that for decision taking, paragraph 11 d) of the NPPF applies which states:

‘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:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.’

The site lies within the built up area where a new dwelling is acceptable in principle subject to the effects on the amenities of neighbouring occupiers and the effect on the character and appearance of the area. The standard of residential amenity to be provided for the future occupiers of the new dwelling is also a material consideration here.

The provision of a new dwelling would also make a small contribution to the Council’s delivery of housing which is currently not at the level required by the Government.

Visual amenity

The proposed dwelling would not be out of keeping with the mixed character of its residential and industrial surroundings. It has a fully hipped roof and it includes a projecting bay at the front, similar to that at 212.

Residential amenity - proposed occupiers

The main concern with previous applications has been with regard to the standard of living environment to be provided for the proposed occupiers. The proximity of the industrial estate has led to noise concerns while the amount of amenity space associated with the dwelling has been below the Council’s standard.

The industrial estate is not subject to any restriction on hours of working and occupiers of the proposed dwelling, being in such close proximity to the industrial estate and its access, may suffer some noise and disturbance.

A noise assessment has been submitted in support of the application which has found that the only significant source of noise associated with the industrial estate opposite the site is vehicles entering and leaving via the access road. Noise levels inside the proposed dwelling will meet the target levels, and in most instances these criteria will be achieved with windows open. Mechanical ventilation is not necessary on this occasion..

Noise levels in the garden also fall within the desirable range and there is no significant noise associated with the electricity substation.

The Council's Environmental Health Officer has no objection on this basis.

The plans show that there are 2 bedrooms. At 79m2 it meets the National standard for a 2 bed 4 person house.

The amenity space to be provided measures approximately 55m2 which is less than the 85m2 required in DM Standard No.1. This shortfall has previously been a reason to refuse the application but it should be noted that there are comparably small gardens elsewhere, including at 210 Manor Hall Road (which comprises 2 flats) and 56 Shelldale Road. It should also be noted that the garden standard for a 2 bed terraced dwelling is 50m2, whereas this is a 2 bed detached dwelling.

While there is a shortfall, it is not considered that this would be sufficient reason alone to refuse the application as a satisfactory standard of accommodation would be provided overall.

Residential amenity - existing occupiers

The proposed dwelling would reduce the amount of garden space for the existing dwelling too, leaving that property with a rear garden area of around 50m2. For the reasons stated above, this is considered to be acceptable.

The proposed dwelling would be to the south of 212 and would impact on light to some extent on a number of windows within the southern elevation of 212. However, this has been previously assessed by the Inspector at the 2007 appeal and he concluded that:

"it would not be so close that it would block all sunlight and it seems to me that the windows in the side elevation either do not serve habitable rooms or are not such rooms' only source of light. Consequently, I consider the effect on sunlight would be acceptable."

Consequently, there are no strong concerns at the impact of this development on the amenities of 212.

The position of the proposed house means that it would not overlook the houses to the west and is sufficiently distant from the houses to the east to not adversely affect their amenities.

Parking and access

The plans show 2 parking spaces for both the existing and proposed dwellings. This is considered to be adequate in view of the sustainable location (being only 100m from Fishersgate Railway station). Cycle storage is also shown as being provided. There are no highway concerns. On street parking is available on Manor Hall Road if necessary without causing a significant loss of amenity.

Drainage

The applicants have confirmed that surface water is to be drained via a soakaway. Full details can be secured by condition.

BNG

The development falls below the threshold as it will take place on land already covered by hard surfacing. However, the existing tree in the SW corner of the site will remain and the applicant has advised that they will erect suitable bat/bird boxes within the tree to enhance the site's biodiversity.

Recommendation

APPROVE

Subject to Conditions:-

1. Approved Plans
2. Standard 3 year time limit
3. The development shall be completed in full accordance with the recommendations in section 7 of the Noise Assessment Ref. EV2506-01-B from Evolved Acoustics dated 04/04/25. Following completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise
4. Contaminated land
5. CMP
6. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times. Monday - Friday 08:00 - 18:00 Hours Saturday 09:00 - 13:00 Hours Sundays and Bank Holidays no work permitted Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.
7. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall always thereafter be kept for their designated purpose
8. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
9. Materials
10. Removal of PD
11. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 100% AEP (1 in 1 year), 3.33% AEP (1 in 30 year), 3.33% AEP (1 in 30 year) plus climate change, the 1% AEP (1 in 100

year) and the 1% AEP (1 in 100) plus climate change critical storms. The design should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations, and the recommendations of the SuDS Manual produced by CIRIA. Winter groundwater monitoring and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed

12. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
    I. a timetable for its implementation.
    II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
    III. a management and maintenance plan for the lifetime of the development which shall include details of design life and the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.
13. Details of biodiversity enhancements to be submitted and approved

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

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.

Case Officer: Peter Barnett Date: 1 May 2025

Authorised by: Jo Morin Date: 01.05.2025