Expiry Date - 05/04/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0183/24 **Recommendation – REFUSE**

Site: **Forest Barn Forest Lane Worthing West Sussex**

Proposal: **Extension to existing dwelling (Forest Barn) and the subdivision of existing residential curtilage and erection of 1no. 3-bedroom chalet bungalow, retention of existing access, provision of landscaping.**

Date of site visit: 20.02.2024

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to the dwelling curtilage of a vacant, flint-built, 2-storey former agricultural building converted into a dwelling in the 1980s, and additional land adjoining to the south, located at the southern end of Forest Lane. The latter comprises an unmade private lane running roughly north-south linking to the A27 via Castle Goring Way at its northern end.

The red line of the application site includes the entire length of Forest Lane and a gated open area in front (North) of Forest Barn which provides access and overspill parking to a small complex of modern, 1½-storey, rustic-style dwellings built around a courtyard, 1-6 Forest Barn Mews, adjoining the site to the west.

A stream borders the site to the east, running north-south. Hedgerow trees (Hawthorn, Elder, Elm, Alder) line the west side of the stream. Beyond the stream to the east are new dwellings within Gladiolus Grove, part of the West Durrington Urban Extension. New hedgerow planting has been undertaken within the informal open space lining the east side of the stream, but is not yet fully established. The current application is not accompanied by a topographical survey and it is unclear whether the application site extends up to the western edge or midpoint of the stream.

Up until recently the private sewage treatment plant serving Forest Barn Mews was located on the land immediately to the south of Forest Barn. It is understood that a new underground sewage treatment plant serving Forest Barn Mews has been installed within the gated area to the north of Forest Barn, but no details have been provided. To the south of the sewage treatment plant the land was enclosed by a well-established hedge-line and embankment marking the edge of an adjoining area of informal open space with footpath access to Hibiscus Close and houses within Zinnia Row, forming

part of the above-mentioned West Durrington development. This previously undeveloped land (part of the above-mentioned informal open space) is included within the red line of the current application site. The hedgerow and part of the associated earth bund has recently been removed (and the subject of an enforcement investigation under AWEN/0022/24).

The site gently slopes down from north to south (but in the absence of a topographical survey there are no precise details).

The site lies within the built-up area boundary. Fields immediately to the west of Forest Barn Mews and Forest Lane as well as dwellings within Castle Goring Way are within the South Downs National Park and the designated Castle Goring Conservation Area.

Forest Lane is a Public Right of Way (3127/2) which links into a network of public footpaths within the West Durrington Urban Extension extending north, east and south to the West Durrington District Shopping Centre.

Proposal

This full application proposes the extension and alteration of the existing dwelling, Forest Barn, together with subdivision of the existing dwelling plot and development of the adjoining land to erect a new 3-bedroom dwelling occupying a ‘tandem’ position to the south of Forest Barn.

Both dwellings would be accessed from the north via Forest Lane and the gated area north of the curtilage of Forest Barn. A shared car parking/turning area would be created on the existing frontage area of Forest Barn with a paved access path (2.6m wide) formed on the west side of the extended Forest Barn continuing southward alongside the western site boundary to the front/side of the proposed new dwelling.

Forest Barn would be extended at the front (North) by a 2-storey extension 5m deep and 5.9m wide, and by a single-storey porch extension (1.7m x 1.8m). The 2-storey component would have a gabled roof with an 8m long x 7.4m high ridge, positioned just below the height of the main roof ridge. It would have an eaves height of approximately 4m high, aligning with the existing eaves of Forest Barn with a pitched-roof dormer (1.7m wide) on the east-facing roof slope. The elevations of the extension would be clad in horizontal timber boarding under a tiled roof. The porch would have a tiled pitched roof, clad in horizontal boarding on its west side. Forest barn would be extended at the rear (South) by a flat roofed, single-storey rear extension (5m wide by 2m deep) clad on all sides by horizontal timber boarding.

The proposed new would be sited 17m directly to the south of Forest Barn involving the removal of the remainder of the above-mentioned earth embankment and hedgerow. It would have an L-shaped footprint (maximum 11.8m wide x 12m deep) with the front orientated to the north (facing the rear of Forest Barn). It would have the same eastern and western alignment as Forest Barn. The dwelling would have a pitched roof with an L-shaped ridge

7.7m high. The roof would be hipped to the rear and east side, with a gable to the west side. The dwelling would have an eaves height of 4.2m throughout with pitched roof dormers sitting just above the eaves on the north, south, east and west roof slopes. All elevations would be clad in horizontal timber boarding under a tiled roof. A private garden would be provided to the front and rear. The dwelling would be accessed from the north/west solely via the paved access path.

The Proposed Site Plan shows a ‘retained green area’ along the eastern site margin adjoining the stream. [In the absence of an Arboricultural Report or tree survey it is unclear whether the trees shown within the green margin on the Proposed Site Plan represent indicative planting, or reflect the accurate plotting of the existing trees.]

Relevant Planning History:

AWDM/1471/22 Demolition of existing house. Erection of terrace of 4no. Two-storey dwellings, gardens and parking. Refused 24.02.2023 on the grounds:-

1. The proposals and supporting Preliminary Ecological Appraisal and Bat Roost Assessment fail to satisfactorily demonstrate the proposed development would not be unacceptably harmful to ecology and the local environment, or that it would result in biodiversity net gain, and is therefore contrary to Policy 13 of the Worthing Core Strategy, Policy DM18 of the Submission Draft Worthing Local Plan (as Modified) the relevant policies of the NPPF and current nature conservation legislation.
2. The proposals would result in the loss, without justification, of a non-designated heritage asset. Moreover, the siting, layout, form, massing, detailed design and materials of the proposed development would fail to satisfactorily respect or respond to the clear identity and sense of place of existing development. The proposed development would therefore be harmful to existing local character and distinctiveness and the setting of the South Downs National Park, and would fail to enhance or preserve the setting of the Castle Goring Conservation Area contrary to Policy 16 of the Worthing Core Strategy, Policies DM5 and DM24 of the Submission Draft Worthing Local Plan (as Modified), the Council's SPD 'A Guide to Residential Development' and the relevant policies of the NPPF.
3. By reason of its siting, layout, scale, massing and detailed design, the proposed development would have an unneighbourly impact on the amenities of 1 Forest Barn Mews resulting in loss of daylight/sunlight, overbearing effect and loss of privacy, together with unacceptable noise and disturbance arising from the siting and proximity of the access path to the front of the proposed dwellings. The proposed development is therefore contrary to saved policy H18 of the Worthing Local Plan (2003), Policy DM5 of the Submission Draft Worthing Local Plan (as Modified) and the relevant policies of the NPPF.
4. Owing the lack of satisfactory details provided combined with the constraints of this small site, its location and proximity to existing foul

drainage infrastructure, the Council is not satisfied that the proposed layout as shown can be satisfactorily accommodated on the site without harm to the amenities of future occupiers, or that the development can be provided with satisfactory foul and surface water drainage. The proposed development is therefore contrary to contrary to policies 15 of the Core Strategy, policies DM5 and DM20 of the Submission Draft Worthing Local Plan (as Modified) and the NPPF.

5. The development fails to make provision for cycle parking to serve the new dwellings and owing to the shortfall in on-site car parking provision compared to the calculated demand, unmet car parking demand generated by the proposed development is likely to lead to pressure for off-site parking within the adjoining private parking area of Forest Barn Mews, and/or within the adjacent West Durrington residential development, to the detriment of the amenities of local residents and the environment. The development is therefore contrary to saved Policy TR9 of the Worthing Local Plan (2003) and Policy DM15 of the Submission Draft Worthing Local Plan (as Modified) and the NPPF.

WB//05/0713/FULL Erection of size dwellings arranged around a courtyard with garaging and car parking, improvements to vehicle access and retention of exiting farmhouse (resubmission of WB/04/01306/FUL). Approved 19.08.2005.

WB/1246/80 FULL Conversion of derelict barn to a single detached two storey residence (house). Permitted February 1981.

Consultations:

National Highways

No objections on transport and highway safety grounds commenting:-

“We are satisfied that the development will not materially affect the safety, reliability and/or operation of the strategic road network.”

WSCC: The Local Highway Authority (LHA) has not raised any objection in principle, commenting:-

“The LHA previously provided consultation advice for this site for application AWDM/1471/22 raising no highway safety concerns. The LPA refused the application on grounds unrelated to highways.

Access and Visibility
There are no proposed alterations to the existing access onto Forest Lane, which is a private road. Forest Lane adjoins a private road Castle Goring Way, which then joins the A27 (Arundel Road) maintained by National Highways. The LPA may wish to consult National Highways for comment on this aspect of the application. Given the small-scale nature of the proposal, it is not anticipated the proposal would result in a material intensification of use of the existing access point onto the A27 Arundel Road.

Parking and Turning
The applicant proposes four car parking spaces for this development. The WSCC Car Parking Demand Calculator indicates that a development of this size in this location would require at least five car parking spaces. Therefore, any overspill parking would have to be accommodated on-street and the LPA may wish to consider the potential amenity impact of this additional parking requirement on available street parking.

From inspection of the plans, the proposed parking bays are suitably sized and on-site turning has been demonstrated. Regarding cycle parking, the applicant has demonstrated covered cycle stores which will provide secure cycle parking provision in accordance with WSCC Parking Standards.

Sustainability
The site is situated on the edge of the urban area within walking/cycle distance of local services and amenities. Cycling is a viable option in the area. The site is also well-connected by public transport, with the nearest regular buses available from Humber Avenue approximately 750m East of the site. Goring-by-Sea train station is situated 2.5kmm South of the site.

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

South Downs National Park Authority (summarised) as follows:-

The red line site boundary on plan TA 1496/03B includes land along the access that falls within the SDNP. For this reason, the application will need to submit an additional application to the SDNPA.

The SDNPA makes no comment on the principle of the development. The proposed development for the extension of an existing dwelling and a new dwelling would be located in an area where there is pre-existing residential development, and as such the development would like result in minor impacts on the setting of the National Park.

Southern Water

Foul and Surface Water Drainage
The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works which disposes of effluent to sub-soil irrigation.

The supporting documents make reference to drainage using SuDS. Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer

system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Design and Construction Guidance (Appendix C) and CIRIA guidance.

Where SuDS rely on facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system which may result in the inundation of the foul sewerage system. Thus, where a SuDS scheme is to be implemented the drainage details submitted to the LPA should:-

- Specify the responsibilities of each party for the implementation of the SuDS scheme;
- Specify a timetable for implementation;
- Provide a management and maintenance plan for the lifetime of the development.

This should include arrangements for the adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's BCOs or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Ecology Specialist Advisor (Hankinson Duckett)

Review of submission documents:

- Planning, Design and Heritage Statement: Forest Barns (ECE Planning, February 2024)
- Proposed Site Plan: Forest Barn, Forest Barn Lane, Goring, West Sussex, BN12 3FD (Turner Associates, 2023)
- Site Location Plan: Forest Barn, Forest Barn Lane, Goring, West Sussex, BN12 3FD (Turner Associates, 2023)
- Preliminary Ecological Appraisal and Bat Roost Assessment: Forest Barn, Worthing (JWK Wildlife Surveys, 7th January 2024)
- Great Crested Newt and Bat Survey Report: Forest Barn, Worthing (JWK Wildlife Surveys, 18th January 2024)
- Forest Barn, Worthing: Biodiversity Net Gain Assessment (JWK Wildlife Surveys, 30th January 2024)

- The Statutory Biodiversity Metric -Technical Annex 1: Condition Assessment Sheets and Methodology (JWK Wildlife Surveys, 30th January 2024)

Ecological submission documents associated with a previous application for the site were also considered in this review:-

AWDM/1471/22

- Preliminary Ecological Appraisal and Bat Roost Assessment: Forest Barn, Worthing (JWK Wildlife Surveys, 13 October 2022)

Habitats

No Habitats of Principal Importance are present within the development area and the area subject to survey is predominantly comprised of tall herb vegetation, mixed scrub and two disused buildings. These are habitats of limited value in their own right and their loss to the proposed development is not likely to be significant in a local context.

The *Proposed Site Plan* shows a ditch/seasonal stream on the eastern site boundary and it is not clear from the proposals whether this will ultimately lie within private residential gardens or outside of these areas. There is no detailed description or assessment of the potential value of this feature in its own right, or the potential for effects of development on the habitat integrity or connectivity provided by this feature. We would expect the ecological assessment to provide an assessment of the current value of the seasonal stream and consider if there would be any effects from the proposals, during both construction and operation, on this feature, together with any measures required for its protection.

In accordance with the request as part of the previous planning application (AWDM/1471/22), a BNG assessment has been undertaken. However in order to review this BNG assessment the following is required:-

- The Biodiversity Impact Assessment Calculator in excel format.
- A plan showing baseline habitats and condition scores for the site.
- A plan showing proposed/retained habitats for the site and associated condition scores. The proposals need to be based on landscape proposals submitted with the planning application to give reassurance that these landscape proposals will be delivered and can subsequently be monitored.
- Completed habitat condition assessment forms for the proposed habitats, including full justification for how habitat type and condition scores have been reached for proposed habitats. For example, if a habitat is proposed for enhancement which condition scores will be enhanced to achieve this condition and how. In addition, confidence is needed that these areas won’t be damaged/lost as a result of the construction works e.g. access/site compounds/storage have been taken into consideration.
- The inclusion of watercourse habitats within the Biodiversity Impact Assessment calculator. To include:

- Justification is required as to why the ditch/stream (it is referred to as both in the application) has been classed in the calculation as a ditch rather than a seasonal stream in the Biodiversity Impact Assessment calculator, in particular as it is apparent from historical maps that it has been a feature of the landscape for a considerable number of years (its clearly shown on the 1875 OS Map for the area).
- A plan showing watercourse habitats and condition scores for both the baseline and proposed habitats within the site.
- Completed habitat condition assessment forms for the watercourse proposed habitats (or screen shots of the River Condition Assessment for baseline and proposed habitats to show how the 10% net gain in watercourses will be achieved).

Protected and Notable Species

Bats

The updated Preliminary Ecological Appraisal and Bat Roost Assessment identifies that between the building inspection undertaken on the 26th September 2022 (during which evidence of roosting bats was recorded in the main house (Building 1)) and the building inspection undertaken on the 29th June 2023, structural works have been carried out on the buildings within the site including:

Main house (Building 1)

- removal of the chimney including the removal of the raised lead flashing around the chimney base identified as a potential bat roosting feature;
- removal of all windows on the southern dormers resulting in the loss of gaps below the dormer window roof overhangs identified as potential bat roosting features; and
- removal of the roof section connecting Building 1 to Building 2.

Outhouse (Building 2)

- Removal of remaining roof sections
- Removal of the majority of the timber plank walls and timber framed windows on the western elevation and
- Removal of timber barge boards on the upper sections of the western wall.

Phase 2 roost surveys have subsequently been undertaken which have identified an individual Common Pipistrelle roosting within the Main House (Building 1).

The findings of the previous and updated survey work confirm that a bat roost is present in association with the roof of the Main House (Building 1). In view of the works undertaken and the current application:

- It appears that the works undertaken to the roof of the Main House (between September 2022 and June 2023) would have required a derogation licence from Natural England for disturbance/damage to the roost site. It is requested that a copy of the Natural England derogation

licence under which the works were undertaken be provided to ensure that the proposed development is compatible with the legally binding requirements of the licence.

- The Phase 2 roost surveys have identified an individual Common Pipistrelle roost within the Main House and as such an EPS licence will similarly be required for the current application. The level of detail provided to date is insufficient to demonstrate that the favourable conservation status of bats at the site will be maintained in order for the planning authority to meet its legal obligations in this regard. This should include information on timing of works, approach to works and replacement roost provision (as a minimum).

The *Great Crested Newt and Bat Survey Report* identified an individual Common Pipistrelle roosting within the Main House and as such an EPS licence will be required for works to the building. An outline bat mitigation strategy has been included however it is extremely brief. To ensure the favourable conservation status can be maintained, a detailed bat mitigation strategy is required to inform an assessment of the impact and detailed mitigation, compensation and enhancement measures. This can either be provided as a revision to the *Great Crested Newt and Bat Survey Report* or as a stand-alone Detailed Bat Mitigation Strategy and must be made available prior to determination.

Hazel Dormouse

Although it is unlikely that Hazel Dormice would be encountered at the site, the applicant's ecology submissions identify that the application site has limited potential to support this species, and records of the species have been made locally. The precautionary measures to protect Hazel Dormice through the course of site clearance outlined within the *Preliminary Ecological Appraisal and Bat Roost Assessment* should be reflected within an Ecological Protection and Mitigation Plan.

Badgers

No signs of Badger have been recorded at the site however habitats at the site provide potential sett-building and foraging habitat for this species. Badgers are very mobile animals and occasionally setts may be abandoned and new setts created elsewhere. In the event that more than 12 months elapses between the date of the *Preliminary Ecological Appraisal and Bat Roost Assessment* and the commencement of works it is recommended that the site is re-surveyed prior to commencement of development to ensure that the status of Badgers has not changed.

Birds

Although the site is highly unlikely to support a significant assemblage of birds, there is potential for nesting birds to be present within the March-September bird breeding season. Measures to protect nesting birds through the course of construction should be detailed within an Ecological Protection and Mitigation Plan.

Reptiles

Although a significant population of reptiles at the site is highly unlikely, the applicant's ecology submissions identify that the application site has potential to support small numbers of common and widespread reptile species. Measures to protect reptiles through the course of construction should be detailed within an Ecological Protection and Mitigation Plan.

Great Crested Newts

The West Durrington application carried out Great Crested Newt surveys on the ponds in proximity to Forest Barn and recorded a medium meta-population of Great Crested Newts in association with P6, P7 and P3 (the dotted line on the image below is the 50m buffer from these ponds), with Great Crested Newt surveys most recently carried out in 2020:

In view of the:

(i) known presence of a moderate meta-population of Great Crested Newts in 3 ponds in close proximity to the Forest Barn land (between 40-60m from the site);
(ii) only one of these ponds previously recorded as supporting Great Crested Newts was accessed to carry out an Great Crested Newt eDNA survey in 2023;
(iii) the acknowledged connectivity along the eastern and southern boundaries of the site with habitats in the surrounding area; and the presence of suitable terrestrial
(iv) the presence of suitable terrestrial habitat within the site including scrub and tall ruderal vegetation;

it is considered that the mitigation strategy proposed in the *Great Crested Newt and Bat Survey Report* would not maintain the favourable conservation status of this species. We consider there is a moderate risk of Great Crested Newts being present within the site, and this is backed up by the Rapid Risk Assessment provided within Natural England's Great Crested Newt Method Statement for EPS Licence Application which indicates that loss or damage of 001-0.1ha of land within 100m of breeding ponds would comprise a likely offence. As such we would suggest that an appropriate EPS licence is required before works commence.

Further to this it is understood that works have recently been undertaken (removal of vegetation and an earth embankment) and therefore it is likely that the legislation in relation to Great Crested Newt has been breached as terrestrial habitat likely associated with the Great Crested Newt population has been destroyed. No further clearance should be undertaken until an appropriate EPS licence is in place for these works.

Advice:

Prior to determination of the application the following documents should be provided:

- Consideration of the effects of the proposals on the stream during both the construction and operational phases of the proposed development.

- A copy of the Natural England bat licence under which the works to the main house (Building 1) have been undertaken, including details of mitigation commitments.
- Impact assessment and detailed mitigation, compensation and enhancement measures for the bat roost identified.
- Appropriate level of survey, impact assessment and detailed mitigation, compensation and enhancement measures for the known Great Crested Newt population in the vicinity of the site.
- A revised Biodiversity Impact Assessment calculation to demonstrate that the proposed development will achieve a net gain for biodiversity.

This information must be made available prior to determination of the planning application.

Prior to construction commencing at the site, the following documents should be provided:

- An Ecological Protection and Mitigation Plan to demonstrate how sensitive on-site and off-site habitats and species, including the stream and retained vegetation, bats, Dormice, Badgers, reptiles, Great Crested Newts and nesting birds, will be protected throughout development and how spread of invasive species will be controlled. The Ecological Protection and Mitigation Plan should also include details of establishment and long-term maintenance of new habitats and ecological features (including provision of bat and bird boxes, reptile hibernacula, wildlife kerbs, off-set gulley pots or gully pot ladders, insect boxes and Hedgehog holes) proposed as part of the development.
- A Wildlife Friendly Lighting Scheme following standard guidelines should be provided which identifies the environmentally sensitive zones within the site and demonstrates how light spillage into these zones will be avoided by the proposed lighting scheme.
- A Landscape and Ecological Management Plan (LEMP) detailing measures for the implementation, establishment and management of habitats, together with monitoring to ensure the predicated BNG is achieved.

Provision of this information could be subject of a condition of planning consent.

Summary

In summary, review of the proposals and ecological submissions in support of the application has identified several areas where baseline information and assessment is insufficient to demonstrate compliance with Policies DM18 and DM19 of the Worthing Borough Council Local Plan 2020-2036, the 2023 NPPF and nature conservation legislation. We recommend that where appropriate the further information identified above is provided prior to determination of the application to fully assess the ecological impacts of the proposed development and, in the case of bats and Great Crested Newts, comply with nature conservation legislation.

Please note that the above fundamental observations are based on an initial review of the documents provided and require response prior to a more detailed review, which may identify additional areas of concern.

In the event that planning consent is granted following the above matters being properly addressed, where identified above further information should also be provided prior to construction commencing on site in order to allow full assessment of the likely ecological effects of the proposed development. These elements could be secured via condition(s) of any planning consent granted.

Environment Agency: No comments received.

WSP: The Council's Drainage Consultant has raised an objection noting that the site is impacted by a significant surface water flood risk and that a Flood Risk Assessment and Drainage Strategy should be submitted to address flooding from all sources, provides mitigation measures and proof of safe access and egress.

Reason: to prevent flooding in accordance with NPPF paragraphs 165-175 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SUDS proposed operates as designed for the lifetime of the development.

Adur and Worthing Councils:

Design and Conservation Architect:

Please note, the absence of any particular heritage asset from the local list does not necessarily mean that it has no heritage value, simply that it has yet to be formally identified:

In some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications - PPG Guidance on Historic Environment.

Forest Barn, a former farm building, is faced in flint with brick detailing. There is some evidence of blocked openings within the flint work. An arched multi-casement window in the west elevation may be an earlier opening. To the south there was until recently a long late-C19 single-storey range constructed of flint, brick and timber; almost the entire roof over this range had been lost for some time. There was also an attached flint boundary wall to the north of the property, which has now unfortunately been removed.

The former farm building, currently known as Forest Barn, stands within a site which was formerly part of the Castle Goring Estate. Castle Goring (Grade I-listed, National Heritage List for England entry 1025839) was designed for Sir Bysshe Shelley, grandfather of the poet Percy Bysshe Shelley in the 1790s. The Forest Barn farm building was constructed around the late C18 to early

C19 and by the late 1830s, it had come to form the south-west corner a group of farm buildings arranged around a central yard, referred to on historic maps alternatively as Forest Barn and Forest Farm. By the late C19, a further long range had been attached to the south of the south-west corner farm building. It has been suggested the farm building may have functioned as a granary or stabling, with labourer accommodation on an upper floor, as suggested by the arched west-end window. By the 1970s most of the buildings around the farmyard had been demolished, including the associated cottage. The south-west corner farm building was the only part of the group to be retained, along with the attached south range. In the 1980s the farm building, described at the time as a derelict barn, was granted permission for conversion to a two-storey detached dwelling. In 2005 a grouping of six dwellings (Castle Goring Mews) were built on the land to the west.

Architectural interest:
The simple architectural form, with traditional flintwork and brick quoining, dating from the early nineteenth century.

Historic interest:
This building was originally part of a larger group of farm buildings, built on the Castle Goring estate. Continued in agricultural use until residential conversion in the 1980s.

Group value:
The historic association with Castle Goring estate adds to significance in a local context to raise its level of architectural and historic interest. Forest Barn was identified as a non-designated heritage asset as part of the previously refused planning permission process. ECE are clearly aware of the Council's decision. Castle Goring Mews was designed in the form of a courtyard surrounded by a series of barn type buildings set adjacent to Forest Barn. At the time Castle Goring Conservation Area formed a tight area set around Castle Goring and the original estate buildings close by. In 2016 the conservation area was reviewed by the South Downs National Park and extended to include landscape areas to the south. The boundary was set adjacent to Castle Goring Mews, but didn't include this development or Forest Barn as they were outside the boundary of the National Park. The SDNP Castle Goring Conservation appraisal describes the historic significance of the area:

Castle Goring was a working and farmed estate and this is reflected in the presence of a number of working buildings, mostly now converted to residential use, including the walled garden (Grade II listed), stables, granary, a sawmill, and brickyard and, along with the landscape around, the whole forms a historic assemblage which is greater than the sum of its parts.

Despite not residing in the National Park and being located outside the Castle Goring Conservation Area, Forest Barn has been identified as another of the estate working buildings converted to residential use.

The retention of Forest Barn helps maintain the setting of the Castle Goring Conservation Area, although the proposed extensions will harm the original form of Forest Barn whilst rebuilding of the single storey 19th century range would be a more sympathetic approach to gaining additional accommodation.

Environmental Health (Public Health):

The EHO has no objection in principle but recommends a conditions on hours of work during construction.

Private Sector Housing: No objection on PSH grounds.

The Worthing Society objects to the application, commenting:-

Location
The development site is located in a sensitive position adjoining the Castle Goring Conservation Area (CA) and the designated South Downs Nation park (SDNP). Forest Barn contributes positively to the significance of these heritage assets. There are also considerable wildlife and landscape concerns.

Forest Barn
The Worthing Society has established through research with the Enquiries Team at WSCC Library Service that Forest Barn was originally part of the historic Castle Goring Estate and appears on the earliest Goring Tithe Map. The building dates from circa 1790 and is built of flint and brick in the Sussex vernacular style. Forest barn adds character and distinctiveness to the local heritage environment. Although not included on the Statutory list this building is an undesignated heritage asset which contributes positively to the 'setting' of both the Castle Goring CA and the SDNP. The Worthing Society has submitted an application to the Council for inclusion on the Council's 'Local Interest List' commensurate with the previous application. At the time of writing this application is under consideration and we look forward to receiving notification of the decision.

It is regrettable that the historic flint cowsheds and flint walls to the rear of the building have, apparently, been allowed to decay and collapse. However, this facilitates the space for extension at the rear of the main building. It would be desirable for any flint materials to be preserved and incorporated into future works or boundaries for the important landscaping.

We consider, therefore, that any restoration of the building needs to acknowledge the vernacular character or Forest Barn and the importance of the location.

The Plans
We welcome the retention of this unique building and note that demolition was refused in the application AWDM/1471/22. Whilst we appreciate some changes will be necessary to restore this late Georgian building and return it to viable use, we consider an extension to the front elevation of Forest Barn is out of character. This would be a significant alteration and will diminish its

value to the group setting of the CA and the SDNP. In our view this would not be consistent with the Planning (Listed Buildings and Conservation Areas) Act 1990.

New Building
The available site is a rectangular linear plot and comprises a rather compact area. In our view a three-bedroom chalet-style property represents overdevelopment of the available site and we have noted the concerns of near residents. A more modest two-bedroom dwelling would release space to allow an extension to the rear of Forest Barn so that the characterful façade could be retained.

We note the proposed materials of the new build are, overall, reflective of Forest Barn Mews but it would be desirable to include some Sussex flint to provide connectivity to complement the historic character of Forest Barn.

Amenities
There are indications that further discussion is are needed with the nearby residents to resolve access details and the parking provision. An extension to the rear of Forest barn could also contribute to additional parking amenity. Concerns remain regarding the layout of the surface water drainage facilities which need to be resolved. Again, a more modest building would seem more appropriate for the site. Close attention to sensitive landscaping will be required to complement the setting of the SDNP.

Policies
National (Listed Buildings and Conservation Areas) Act 1990
NPPF: Section 16, particularly paragraphs 202 and 203
Local Plan: Policies DM23 and DM24.

Summary
The Society appreciates that the restoration of Forest Barn and regeneration of this site is challenging. Whilst we welcome the retention of Forest Barn we consider the application in its present form represents both unsympathetic changes to the character of Forest Barn together with an over-development of the available site area. The proposal is not consistent with the planning policies protecting our heritage assets, In our view an alternative scheme needs to be considered.

Representations:

10 objections have been received from the occupiers of 1, 2, 3, 4, 6 Forest Barn Mews, 3, 4 Zinnia Row and 11 Gladiolus Grove raising the following concerns, which have been summarised below:-

- We are keen for the restoration/improvements made to the main cottage and it would be lovely to see it lived in again, but we feel the second property is too large and not practical due to the parking and walking to access it. This should remain as one property and the subdivision of the curtilage not allowed; it is on the edge of the countryside and should not be treated similar to an urban area. Any

new structure should be single-storey and on the site of the site if the recently demolished outbuildings with no new building extending further south than the original. The current design does not protect the heritage appearance of the cottage.

- Proposed new fencing should be replaced in flint walls in keeping with existing character.
- The addition of a 2nd new dwelling is excessive and unnecessary.
- Any extension to Forest Barn should be finished in flint, using the remains of the original flint wall demolished last year, and still on site, to blend in with the existing buildings and remain in keeping with the Castle Goring Conservation Area. The front extension to the existing cottage is on the large side. An extension to the front of Forest Barn would completely change its character and it would be preferable to preserve the setting of the Castle Goring Conservation Area if it were located at the back of the house and follow the footprint of the recently demolished outbuildings. There is no evidence there was a former structure to the front (North) of the existing cottage as suggest in the submitted Planning Statement.
- The Forest Barn Mews properties are clearly of a different design to those on the nearby West Durrington development and any new property should reflect the design and qualities of Forest Barn Mews. The castle Goring estate is clearly demarcated by the stream and hedgerows and is separate from the West Durrington estate.
- The developer has pushed forward on works without the correct consent which is very alarming with regard to lack of respect for rules going forward;
- The sheer scale of the new dwelling looks to be far too large, a smaller 2-bedroom dwelling would suit the surroundings and offer less pressure on existing parking constraints.
- The access road Forest Lane is an unmade track and can only take a maximum 7.5 tonne lorries and is flanked by ditches on either side. There are no turning points for large vehicles. The lane is not sturdy enough for heavier vehicles and we worry what damage [construction vehicles] will do and who will pay for the damage that will undoubtedly be caused. I fear the developer will not take this into consideration. There must be an agreement in writing that the Developer will repair and reinstate any damages to the lane and within the Forest Barn Mews car park, together with agreement on hours of working and the maximum size of construction vehicles so we can be sure Forest Barn Mews residents are exempt from the costs. I would like to see the safe working method in place for the eventual works. If only the existing dwelling were to be renovated there would be far less wear and tear on the lane.
- Hours of working should be limited to between 9am to 5pm Monday to Friday only.
- Developer not to set any additional fires during demolition/construction.
- The lane is a public footpath used throughout the day by dog walkers, cyclists and families with limited refuge spaces from passing construction vehicles/tradespeople. This raises health and safety

issues for the general public using it. It may be preferable for this reason to use the Council-adopted roads to the East of the development which are better suited to HGV use.

- The ditches on either side of Forest lane carry water from the SDNP. Damage caused to the lane by HGVs would increase the risk of flooding.
- We are concerned that heavy plant vehicles will be passing close to the underground private drainage plant/equipment for Forest Barn Mews; the courtyard surrounded by the houses of Forest Barn Mews is of a brick surface low weight limit base therefore no works vehicles will be able to access this space for turning;
- Forest lane is a private road owned by the residents of Forest Barn mews and no approach has been made to formally request a Deed of Easement for access to the proposed dwellings. Whilst not a planning matter it should be taken into account when these properties are ‘sold on’ that no formal arrangement for access has been granted.
- The plans show minimal parking for 2 substantial-sized dwellings, with no visitor parking or space for turning. We believe the rear property can only be accessed by foot? I think purchasers of such properties would expect to be able to park within their own property – not to have to walk 20m.
- The space separating the new dwelling plot and Forest Barn Mews is very narrow and not sufficient for large, heavy vehicles. Recently installed plant/pipework in that space makes access for construction more challenging.
- Strongly oppose any access to the development from West Durrington development.
- It is questioned whether emergency services would be able to access the new dwelling;
- The land at the rear is susceptible to flooding;
- It has been sad to see the removal of the established hedgerow/tree and the lack of bird species and bats that we used to see is already telling;
- The Developer has shown total disregard to the ecology report by destroying the existing vegetation with a digger and digging away the existing bank during the hibernation period of the Great Crested Newts. Our property is 17m away from the application site and we have had 3no GCNs on our property since moving here in 2018 and our neighbour has had one in their front garden. The whole area between Zinnia Row and Forest Barn/Forest Barn Mews was a newt protection zone during construction of the new [West Durrington] and shown on the site plan as a nature buffer with native planting of trees and shrubs. This needs to remain without a 1.8m high, solid fence along the line of the existing post and wire fence.
- The removal of trees and bushes to the south and East of the plot has impinged on the privacy of Forest Barn Mews, especially No.1. The planting and replacing of green spaces suitable for local wildlife and restoring privacy levels is a must.

- The new dwelling will infringe our privacy; it is not a chalet bungalow but a mirror image of Forest Barn with high ridge line and overlooking windows. In turn future residents will need to endure our windows overlooking their property.
- There is little space for planting within the site boundaries so would need to be provided on our [West Durrington] development, but as soakaway drainage has been installed in that area this could cause longer term issues. We don't want a repeat of previous flooding issues.
- The developer has deliberately removed the roofs of outbuildings to allow the structures to become unsafe and has done the same to Forest Barn removing the chimney and windows exposing the structure to the elements; the existing shell is an eyesore and left no doubt to collapse;
- The siting of the new dwelling, across the site of the former sewage treatment plant, is very close to 1 Forest Barn Mews with overlooking windows/patio doors.
- Siting of new dwelling is close to 11 Gladiolus Grove and not the required 21 metres resulting in a loss of privacy. We would like landscaping to include evergreen trees along the border.
- The WSCC guidance of 4.2 parking spaces has been rounded down to 2 for each property, there will be no availability for visitor parking. This may still have an impact on the adjoining new development by visitors parking here. The Planning Statement is incorrect in stating that there is the opportunity to use the informal parking to the north as this is owned by Forest Barn Mews. Dues to the parking issues already at this site the owners have implemented permit only parking enforced by One Parking Ltd and permits are issued to residents of the Mews only. There will be no opportunity for this to be extended to Forest Barn or the proposed new dwelling. Inadequate parking provision will but pressure on roads in the adjoining [West Durrington] development.
- There is no severe need for houses on the edge of the rural area, there are enough new three-bedroom houses in the new [West Durrington] development. Unless the developer is proposing this development to be social or affordable housing the argument of a housing shortage to squeeze in one additional dwelling is unjustified and unwarranted.
- No details of the siting of the sewage treatment plant have been provided – it is questioned whether there is sufficient room. The previous treatment plant for Forest Barn Mews caused no end of unpleasant odours for nearby residents. Any development must have caveats to require the new properties to be connected to the mains sewer.
- Trees on the east side of the site are predominantly Dutch elm and starting to succumb to Dutch elm disease.
- Increased traffic during the build will present noise issues and compromise access/egress for neighbours.
- Agreement of working hours must respect the needs of existing residents.
- There are inaccuracies and inconsistencies within the submission documents:-

- The forms states that work has not begun but the Developer has demolished part of the building, removed vegetation and part of an earth bank. The developer was forced to cease work before the application was submitted.
- The form states there is no contamination, however part of the new build will be on top of the former sewage treatment tank and therefore should be considered to be contaminated.
- There is an earth bank that runs to the back of Forest Barn mews and the existing Forest Barn which creates a natural boundary between Forest Barn and the West Durrington development. However, many trees/vegetation and much of the bank were removed before the developer was required to cease. The developer ignored the recommendations of JWK Wildlife so there is no reason to believe the requirements of DM18 would be fulfilled. The developer should be forced to make good the area with mature planting.
- The relationship between the Agent and the planning department has been redacted on the form, which could imply advice may have been acquired on an unofficial basis. The Council needs to be transparent about this relationship.
- We believe the land purchased to the South of the site was in the ownership of another landowner in the 21 days leading up to the application.
- The main house has fallen into considerable disrepair – this is due to deliberate neglect, removing windows and chimneys from the main building and the roof from the rear annex leaving the building exposed to the elements.
- The Applicant tries to imply the new dwelling is single-storey however its design is such that the building will be as high and as big as any 2-storey dwelling on the same footprint. It will have an overbearing effect, loss of daylight/sunlight and privacy, noise/disturbance on 1 Forest Barn Mews.
- The reasons for refusing the previous application still apply.
- The total square meterage of the proposed development (364sqm) is larger than for the original proposal (354sqm).
- Regulations state there must be 18m between the front of a building and the rear of an existing property.
- The dormer windows will overlook properties in all four directions.
- Query that ‘great weight’ is the correct term [in the submitted Planning Statement] when 1 property is only 0.43% of the annual housing need.
- The proposal does not fulfil the criteria of Policy DM5.
- If planning is approved it is essential that specific materials to be used are secured by condition.
- The development puts forward the minimum parking required and possibly less than required by WSCC. Whilst the latest development reduced the number of properties and parking places by 50% the reduction in bedrooms is only 25% and this will cause issues for guests and residents alike.

  - The lane is owned by Forest Barn mews and it is unclear the proposed new dwelling has access rights.
  - The additional land to the south has never been built on before and not brownfield land.

- The applicant is an experienced developer of several years but has shown no respect to planning officers, planning law, the environment, the existing property or neighbours. It is likely the Developer will carry on in this manner. Given the blatant disregard for the rules and enforcement action there should be a good case for rejection, and if not then enure additional protection measures are introduced for residents.
- The small pockets of countryside outside the SDNP represent a small and finite resource and should be valued for their open space, respite from urban activity and intrinsic character. One of the main reasons we moved to this area was to find respite in this countryside away from our work and the proposed new dwelling would shatter this respite.
- The proposed new dwelling does not meet minimum requirements for separation distances between buildings, too close to 1 Forest Barn Mews with windows overlooking the private garden and rear bedroom window.
- It is essential that any planting scheme be mandatory and consist of established trees and shrubs and to replace the earth bank and vegetation already removed. There are many birds and bats that roost in the area and provision should be made for the loss of habitat and their foraging area.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023):
SP1 (Presumption in Favour of Sustainable Development)
SP2 (Climate Change)
SP3 (Healthy Communities)
DM1 (Housing Mix)
DM2 (Density)
DM5 (Quality of the Built Environment)
DM15 (Sustainable travel and Active Travel)
DM16 (Sustainable Design)
DM17 (Energy)
DM18 (Biodiversity)
DM19 (Green Infrastructure)
DM20 (Flood Risk and Sustainable Drainage
DM22 (Pollution)
DM24 (The Historic Environment)

National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
WSCC Parking Guidance for New Residential Development (WSCC 2020)
Guide for Residential Development (SPD)
Space Standards (SPD)
CIL Schedule Aug 2021

Planning Assessment

Policy Background and Principle

The Worthing Local Plan was adopted on 28th March 2023. Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3,672 dwellings (an annual target of 230 dwellings per annum).

Paragraph 76 of the NPPF states that local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision-making purposes where:

a) The adopted plan is less than 5 years old; and
b) That adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

Paragraph 77 goes on to state that where there has been a significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the Plan period).

The most recent housing trajectory and 5 year housing land supply for Worthing can be found in the Annual Monitoring Report 2022-23. Table 9 indicates the Five Year Supply measured against the adopted WLP annual target of 230 dwellings plus a 20% buffer, and demonstrates a 7 year supply of deliverable sites.

To maintain the supply of housing paragraph 79 of the NPPF requires local planning authorities to monitor progress in building out sites with planning permission. Where the Housing Delivery test indicates delivery has fallen below 75% of the local planning authorities housing requirement over the previous three years, the presumption in favour of sustainable development applies, in addition to the requirement for an Action Plan and 20% buffer.

The latest Housing Delivery Test was published in January 2022, and covers the period from 2018/19 - 2020/21 (prior to adoption of the Local Plan). Worthing Borough Council scored 35%. Therefore the presumption in favour of sustainable development applies as the delivery of housing was less than 75% of the housing requirement over the previous three years.

The Local Plan sets out a spatial strategy that seeks to achieve the right balance between planning positively to meet the town's development needs including maximising appropriate development of brownfield land and increasing the rate of housing delivery from small sites, whilst continuing to protect and enhance the Borough's high quality built environment and open spaces. This approach reflects national planning policy within the NPPF which states that planning policies and decisions should promote an effective use of land in meeting the need for homes while safeguarding and improving

the environment and ensuring safe and healthy living conditions (paragraph 123).

Paragraph 124 states that planning decisions should (amongst other things)

- Recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation etc.
- Give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs etc.
- Promote and support the development of under-utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively. , cooling/shading, carbon storage n achieving an appropriate density of development paragraph 124 states that planning policies and decisions should take into account (amongst other things) the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting, including residential gardens; and the importance of securing well designed, attractive and healthy places.

In achieving appropriate densities of development paragraph 128 states that planning decisions should support development that makes efficient use of land taking into account (amongst other things):-

- The identified need for different types of housing and other forms of development;
- The desirability of maintaining an area's prevailing character and setting (including residential gardens) or of promoting regeneration and change, and
- The importance of securing well-designed and beautiful, attractive and healthy places.

The site includes the vacant dwelling plot of Forest Barn plus the adjoining land to the South which currently accommodates a redundant underground sewage treatment (previously serving Forest Barn Mews) bounded by an established hedge-line/earth embankment (now partially removed), and an additional irregular-shaped area of land which extends further southwards, partially adjoining a footpath within the informal open space which forms part of the adjoining recent West Durrington development. The whole development site is located within the designated 'built-up area'. Although only accessible by car from the A27 to the north (via Castle Goring Way and Forest Lane), the site can be considered to be sustainably located being within walking distance of nearby bus routes/services in Durrington, and walking/cycling distance of local facilities and services in Durrington, including shops in Durrington District Shopping Centre.

The key considerations raised by the application are therefore the effects the development on the character and appearance of the area, including trees/landscape, the historic environment and the setting of the West Durrington development; the living conditions and residential amenities of future and neighbouring residential occupiers; drainage and flood risk matters;

ecology and biodiversity; and transport and parking matters, which are considered below.

Effects on Local Character and Heritage

Paragraph 195 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance which are internationally recognised. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 202 states where there is evidence of deliberate neglect of, or damage to a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision

Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy DM24 states that locally listed heritage assets will be a material consideration when determining planning applications, but also states that other buildings of design and architectural interest not included in the local list may also be considered undesignated heritage assets and will also be subject to these requirements.

The comments of the Council's Conservation Architect outline the history of the building which dates from the early 19th Century, as forming part of a complex of farm buildings associated with the nearby Castle Goring Estate within the Castle Goring Conservation Area (within the SDNP). The conversion of Forest Barn into a dwelling in the 1980s retained the simple form and character of the former agricultural flint building is of historic interest owing to its historic association with the Castle Goring Estate and makes a positive contribution to the setting of the Conservation Area. Although some of this interest has been eroded by the recent removal of the attached single-storey range to the rear, the remaining building can still be considered a non-designated heritage asset. No detailed assessment of the historic significance of the building has been provided as part of the submission other than stating that the main house has fallen into considerable disrepair over the years and the rear range has fallen into ruin (ECE Planning Statement paragraph 2.2).

However, little weight can be attributed to its current condition since the removal of windows and a chimney have allowed the main house to become exposed to the elements. The single-storey rear range was recently removed after apparently become ‘unsafe’, although the rapid deterioration of its condition up to then can largely be attributed to the removal of its roof during Winter 2021/22.

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 states that planning decisions should ensure that developments:-

a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy DM5 requires all new development to (amongst other things) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area; enhance the local environment by way of its appearance and character with particular attention being paid to the architectural form, height, materials, density, scale, orientation, landscaping, tree canopy, impact on street scene and the layout of the development; and make a positive contribution to the sense of place, local character and distinctiveness of an area; respect, preserve and where appropriate enhance heritage assets and settings.

Policy DM24 states that where development affecting any designated or undesignated heritage asset is permitted it must be of high quality, respecting its context and demonstrating a strong sense of place.

The Council’s Supplementary Planning Document ‘A Guide to Residential Development’ expands upon the policy approach for new residential development. Para 3.3 states: ‘A key element to the achievement of good

design is an appreciation of the context in which it is situated. During the design process of any new development consideration will need to be given to its local setting, the surrounding densities, local building heights and other local features.'

The current application proposes a large 2-storey front extension to the North elevation of Forest Barn, which it is stated replicates a former structure in this location, although no evidence of this has been provided. The siting, scale, massing, design and materials of the 2-storey addition would dominate the existing Forest Barn building, detracting from its current simple form and destroying is distinctive character and identity as a former agricultural building. Although elements of dark-stained weatherboarding can be found as part of the neighbouring Forest Barn Mews, the majority of the latter development is constructed in brick with some flint, and with dark-stained weatherboarding limited to highlighting specific features or smaller scale components. The cladding of the entire proposed front and rear extensions in 'horizontal timber boarding' would create a distinctly modern aesthetic more akin the West Durrington development than Forest Barn Mews.

The detached, tandem siting and layout of the proposed new dwelling, in addition to its scale, form, massing, detailed design and materials would also have a distinctly modern appearance that fails to respect the distinctive identity or sense of place reflected by the existing group of buildings.

The context for this development is its semi-rural setting within Forest Lane and the neighbouring complex of dwellings, Forest Barn Mews. Although the latter is a relatively new development (permitted 2005), the design concept in terms of its layout, scale, massing, architectural style and detailing; use of external materials, boundary and surface treatments, successfully replicates the rustic character of a group of traditional farm buildings and complements the traditional, flint-built Forest Barn to create a characterful assemblage of dwellings with a distinctive identity and strong sense of place that is consistent with its location at the end of a rural lane.

Since the completion of Forest Barn Mews, new residential development has taken place to the South and East of the development site, and is continuing to the North-east of the site as part of the West Durrington development, a key strategic housing allocation within the former local development plan (The Worthing Core Strategy: 2011). However, key to the agreed concept and Design Code for that development (WB/11/0275/OUT), was that a sense of space should be retained between the new built-up area and the rural peripheries of the wider development site through the creation of wide landscaped 'buffers' that would also provide opportunities for enhancing biodiversity and creating new wildlife habitat. This has been achieved in the immediate context of Forest Barn by creating swathes of landscaped public open space that adjoin the development site to the East (beyond the stream), and to the South, which includes that part of the development site to the South of the existing hedge line/embankment.

The stream that runs north-south along the eastern edge of the development site, and the established trees and hedgerow on the west side of the stream (which continue Northward to bound Forest Lane); together with the hedgerow/embankment that runs East/West adjoining the south side of the redundant sewage treatment plant; define historic field boundaries that are not only important landscape features that complement the rural setting of Forest Barn and Forest Barn Mews, but also reinforce their separate identity and a sense of visual separation from the new West Durrington development.

New tree planting has been implemented within the informal open space on the East side of the steam (East of the development side), and within the informal open space to the South side of Forest Barn Mews and Forest Barn, south of the hedge line/embankment. The southern boundary of the application site within this area of informal open space, marked on site by a post and wire fence. Whilst it is not disputed that the land in question is in the current ownership of the Applicant, the Design Code and Masterplan accompanying the Outline planning permission for West Durrington (WB/11/0275/OUT) clearly show it as forming part of the landscaped 'buffer' strip, with the existing hedge line/embankment forming the boundary of the wider development site area.

The inclusion of the this part of the application site within the landscaped 'buffer' of the West Durrington development is further confirmed by the recently approved Reserved Matters application AWDM/0636/16 relating to the strategic road, landscape, drainage, recreation and community uses at West Durrington. The approved drawing CSA/2861/105 REV A (Infrastructure Landscape Proposals Sheet 1 of 5) shows the fenced area of land in question included as 'retained grassland' with the provision of 1no bat and 1no bird boxes. The same drawing shows the existing trees and vegetation forming the established hedgerow/embankment forming the boundary of the West Durrington development to be retained, with additional 'Woodland Mix' planting to the west side of the stream.

The proposed enclosure of this area of undeveloped landscape buffer as domestic garden with 1.8m high garden fencing would harmfully and unacceptably detract from the existing strategic landscape setting of West Durrington with the loss of part of the existing informal open space also detracting from the public amenity of this communal area. Moreover, the removal of a section of the existing established hedgerow/embankment will further erode the sense of place and setting of Forest Barn Mews and Forest Barn as distinct and separate from West Durrington.

The drawings accompanying the current application are lacking in detail and it is unclear whether the Eastern site boundary lies on the West side or the midpoint of the adjoining stream. In the absence of a topographical survey, or Arboricultural report with accompanying tree survey, it is unclear whether the 'trees' indicated on the Proposed Site Plan on the West Side of the stream are correctly plotted existing trees, and if so, how the health and wellbeing of these existing trees would be affected by, or be compatible with the proximity of new building works, and not least, the siting of the proposed sewage

treatment plant shown on the Proposed Site Plan. As above, these hedgerow trees form part of an established landscape feature that contribute to the existing setting and sense of place associated with Forest Barn Mews and Forest Barn as visually distinct and separate from the neighbouring West Durrington development.

The siting, layout, form, massing, detailed design and materials of the proposed development together with the removal and potential loss of existing important landscape features, fails to satisfactorily respect the historic significance of Forest Barn as a non designated heritage asset and would detract from the distinctive identity of the existing assemblage of buildings comprising Forest Barn and Forest Barn Mews which form part of the historic setting of the Castle Goring Conservation Area, that would be harmful to local character and sense of place. Whilst the harm to the non designated heritage asset and the setting of Castle Goring Conservation Area is 'less than substantial' is not outweighed by the benefit that would derive from a net increase of 1no dwelling.

Residential Amenity –Future Residents

The proposed enlarged Forest Barn and new dwelling would each have 3-bedrooms with a GIA of 178sqm and 186sqm respectively, which considerably exceeds the Government's minimum internal space standard of 102sqm for a 3-bedroom, 6-person dwelling over 2 floors.

Forest Barn would have a rear garden in excess of 100sqm in area and the proposed new dwelling would have front and rear gardens totalling well in excess of 200sqm, exceeding the Council minimum external space standard of 100sqm for a larger, detached dwelling.

Both dwellings would be served by a private sewage treatment plant shown on the Proposed Site Plan to be located approximately 7m north of the enlarged Forest Barn. No details of the type of treatment plant have been provided, or connection to the proposed new dwelling.

The Environment Agency has been consulted but no comments received.

Residential Amenity - Neighbours

The most affected properties are 1 Forest Barn Mews, 9 Gladiolus Grove and 4 Zinnia Row.

The eastern flank of 1 Forest Barn Mews is sited between 2.5m-3m from the western site boundary on slightly higher ground. The common boundary is marked by panel fencing approximately 1.4m high. The 3 ground-floor windows in the east side of No.1 serve a bathroom, separate WC and a dining room. There are 3no roof light windows in the eastern roof slope. The extant planning permission AWDM/0522/22, although not implemented, is a material consideration, and granted permission for an additional g/f window opening in

the East elevation serving a study, a part-glazed door in place of the existing dining room window and 2no additional roof light windows.

The paved access path serving the enlarged Forest Barn and proposed new dwelling would be sited adjoining the common boundary with 1 Forest Barn Mews. Comings and goings along the path in such close proximity would have some impact on the privacy of No.1 and the quiet enjoyment of the side garden. Whilst this impact would not be severe if the paved access path were limited solely to pedestrian use, the addition of vehicular traffic with associated noise and fumes would be unacceptable.

The proposed new dwelling would be sited to the south and east of No.1, with a separation distance of 8.2m between the southeast corner of No.1 and the northwest corner of the new dwelling. The ‘bulk’ of the nearest gabled component of the new dwelling would have an overbearing impact on the main rear (South) aspect of No.1, whilst the first-floor North-facing dormer window (serving Bed 3) would overlook the East-facing windows and side garden of No.1. The overall effect would be intrusive and unneighbourly.

No.9 Gladioulus Grove is not shown on the Proposed Block Plan or Proposed Site Plan. It lies to the east of the stream within the West Durrington development. Its main front aspect faces WNW toward the development site across a private estate road and the area of informal open space adjoining the stream. The siting and massing of the proposed new dwelling would notably alter the existing aspect of this dwelling, although views would be filtered to some extent by the hedgerow trees growing along the West side the stream (assuming they can be retained as shown), as well as new trees recently planted within the informal area of open space. Dormer windows serving habitable rooms in the East side of the new dwelling would overlook the front (west) of No.9 at a distance of approximately 20m.

No.11 Gladiolus Grove, a similar detached estate house, is located further south and east of the proposed dwelling and would not be significantly affected.

No.4 Zinnia Row is also a detached estate house within the West Durrington Development. The siting of this dwelling is not shown on the submitted Site Location Plan, the Proposed Block Plan or the Proposed Site Plan. The nearest southern component of the proposed new dwelling would lie to the north and east of No.4 at a separation distance of approximately 21m. There are no first-floor windows proposed in the south-facing elevation of this component. There would be a separation distance of some 27m from the proposed south-facing first-floor dormer window (serving bed 3) in the western component of the new dwelling and the front elevation of No.4. Although the siting of the proposed new dwelling would dramatically alter the existing aspect of this dwelling, the effect would not be intrusively overbearing or result in an unacceptable loss of privacy.

Access and Transport

Sole vehicular access to the proposed development would be from Forest Lane, a narrow, unmade and unlit private lane with limited passing places and ditches/streams on either side. However, no objection to the proposed access has been raised on highway safety grounds either by National Highways or the Local Highway Authority.

The WSCC Car Parking Demand Calculator (for this postcode) calculates a demand for 4.2 car parking spaces. Four car parking spaces are shown within a shared parking area to be formed to the north of Forest Barn. Whilst identifying a shortfall of 1 space, no objection to this level of parking provision has been raised by the LHA on highway safety grounds.

Given the generous floor area of the dwellings, several third party representations have expressed concern about the likelihood of unmet parking demand generated by the proposed development leading to additional pressure for parking on nearby residential roads. As made clear in many representations, there is no scope for informal parking within the enclosed/gated area to the North of the proposed parking area which is owned by residents of Forest Barn Mews and managed on their behalf. It is likely that the occupier of the proposed new dwelling would ideally wish to park their vehicles closer to the dwelling and therefore likely that at 2.6m wide the ‘paved access path’ would be used as a private drive for vehicles, and in time the front garden given over to provide a dedicated parking area. It is difficult to understand how this could realistically be prevented if the development was approved, although such a turn of events would certainly reinforce existing concerns about the loss of existing local character and sense of place.

Cycle and bin storage is shown in the respect private gardens. The siting of the bin storage for the proposed new dwelling exceeds the carry distance for refuse operatives and an alternative location would need to be identified for the bins to be retrieved on collection day.

Other matters raised in representations relating to ownership, maintenance and re-imbursement for any damage during construction work caused to the surface of Forest Lane, as well as rights of access over the gated/enclosed area of land North of the development site are private matters.

Ecology and Biodiversity

Policy DM18 requires that all development ensures the protection, conservation and enhancement of biodiversity. It states that development that is likely to have an adverse effect on notable and priority habitat or species will not be permitted unless it can be demonstrated the benefits of the proposal outweigh the need to safeguard the nature conservation value of the site/feature.

All new development (excluding changes of use and householder development) should provide a minimum of 10% net gain for biodiversity. Where possible this should be provided on site.

Policy DM19 states that opportunities should be taken to incorporate elements of green infrastructure on site to create, protect, enhance and manage green infrastructure assets and/or networks to achieve environmental net gains. This should be based on up-to-date ecological evidence and information about green infrastructure networks and assets to maximise multi-functional benefits. It states that in all new development there should be no loss of trees and any trees removed should, where practical and appropriate, be replaced on a greater than 1:1 basis to support levels of canopy cover and contribute to biodiversity.

The application is accompanied by a Preliminary Ecological Appraisal and Bat Roost Assessment (23/47 January 2024), a Great Crested Newt and Bat Survey Report (23/47b January 2024), and BNG Assessment (JWK Wildlife letter dated 30.01.2024) supported by the Biodiversity Metric.

The Council's Ecology Consultant has appraised the above supporting documents together with the Preliminary Ecological Appraisal and Bar Roost Assessment by JWK Wildlife (October 2022) submitted in support of the previous refused application on this site AWDM/1471/22.

There a no habitats of principal importance are identified within the development site. However, a deficiency is highlighted in respect of the assessment of the stream on the eastern site boundary with no assessment undertaken of the potential value of this feature in its own right, or the potential for effects of the development on the habitat integrity or connectivity provided by this feature.

A number of deficiencies have also be identified in respect of the BNG assessment. Although the completion of the Biodiversity Metric is not a statutory (or policy) requirement for this application, the deficiencies of the current submission are such that the Council cannot be satisfied the required 10% net gain would be achieved.

The initial assessment of protected and notable species identified evidence of roosting bats and a subsequent recent Phase 2 Bat Roost Survey has highlighted the existence of an individual Common Pipistrelle bat roosting within the roof of the main Forest Barn building.

The Council's Consultant has identified that works undertaken by the Developer to the roof of Forest Barn between Sept 2022 and June 2023 would have required a derogation licence from Natural England for disturbance/damage to a roost site, and that following identification of the individual Common Pipistrelle roost site an EPS licence will be required in respect of the current application.

The Council's Consultant considers that the level of detail provided in support of the application to date is insufficient to demonstrate that the favourable conservation status of bats at the site will be maintained.

Surveys undertaken as part of the West Durrington development identified populations of Great Crested Newts in ponds to the North, North East and South West of Forest Barn Mews with parts of the development site falling inside the 50m buffer of these ponds. The Council's Consultant considers that the deficiencies of the submitted Great Crested Newt and Bat Survey and associated mitigation strategy, would not maintain the favourable conservation status of this species. It is considered there is a moderate risk of CGNs being present on the site and that an EPS licence will be required. Moreover, the Council's Consultant considers it likely that the recent clearance of terrestrial habitat associated with a GCN population amounted to a breach of nature conservation legislation.

The Council Consultant has highlighted (in the consultation response recorded in full above) the additional ecological information and survey work that would be needed to fully assess the ecological impacts of the proposed development in order to demonstrate compliance with policies DM18 and DM19. Whilst these comments have been drawn to the attention of the Applicant's Agent, it is not considered appropriate to delay determination of the application beyond the statutory 8-week time period in order to await further submissions, owing to the other significant concerns relating to the development proposals.

Flood Risk

The Council's Drainage Consultant has identified the site as located within an area at significant surface water flood risk and has raised an objection subject to the receipt of a site specific FRA and Drainage Strategy.

The Applicant's Agent has referred to information on flood risk within the submitted Planning Statement at paragraph(s) 6.8.

It is noted that paragraph 6.8.6 refers to the site as already in residential status and therefore previously development, although this is not the case for the southern part of the site where the new dwelling would be located part of which is undeveloped.

Paragraph 6.8.13 states that the proposed new build will seek to increase finished floor levels above those of the existing dwelling to reduce the impact of surface water flooding on future residents, but this is not reflected on the submitted elevation drawings 13B, 14B and 15B which show the FFL for the new dwelling below those of Forest Barn and Forest Barn Mews.

No consideration has been given within the Planning Statement to whether the proposals would increase the risk of flooding to neighbouring development as a result of removing the existing earth embankment between the rear (south) of the dwelling curtilage of Forest Barn and the landscape buffer forming part of the West Durrington development, or what impact the development would have on the effectiveness of the land drainage and associated pipework recently installed within the adjoining landscape

buffer/informal space forming part of the West Durrington development approved under planning permission AWDM/2119/20.

In the absence of a site-specific FRA the application submission fails to demonstrate that the future occupants of the proposed development would be safe from flood risk for the lifetime of the development when allowances for climate change are taken into consideration, or that it would not increase flood risk for existing development. Moreover, the proposed development fails the Sequential Test in that the application fails to provide justification for the development of this site which although within Flood Zone 1 is at risk of surface water flooding, taking into account the availability of other more suitable small windfall sites of a similar size within the built-up area of Worthing with a lower risk of flooding.

Other Matters

Policy DM16 requires all new build housing to achieve a minimum B-rating Energy Performance Certificate. Policy DM17 requires all new housing to incorporate renewable and low carbon energy production equipment to meet at least 10% of predicted total energy requirements (after CO2) reductions from energy efficiency measures). Solar PVs would be unlikely to be acceptable here given the visually sensitive nature of the roof scape, but there is no reason why suitably sited ASHPs could not be implemented instead.

No details have been provided to demonstrate compliance with these policies but in the event that all other material considerations were acceptable, these matters could be addressed by imposing suitably worded planning conditions.

CIL

The proposed development would be eligible for CIL.

Conclusion

The so-called tilted balance in favour of sustainable development is triggered as delivery has fallen below 75% of the housing requirement over the last 3 years. However, the small benefit arising from 1no net additional dwelling does not outweigh the substantial conflict arising from the proposed development with other policies of the NPPF and adopted Local Plan relating to the protection and enhancement of local character and distinctiveness, the preservation of the natural and historic environment, flood risk and the amenity of existing residents.

Recommendation

1. The proposals and supporting ecological submissions fail to satisfactorily demonstrate the proposed development would not be unacceptably harmful to existing green infrastructure, ecology and nature conservation, or that it would result in an adequate biodiversity net gain, and is therefore contrary to policies DM18 and DM19 of the

Worthing Local Plan, the relevant policies of the NPPF and nature conservation legislation.

2. The siting, layout, form, massing, detailed design and materials of the proposed development, together with the removal of existing important landscape features, fails to satisfactorily respect local distinctiveness and sense of place, including the significance of Forest Barn as a non-designated heritage asset, and the strategic landscape character and setting of the West Durrington urban extension. As a result the proposed development would be unacceptably harmful to local character and the environment, and the setting of the Castle Goring Conservation Area contrary to Policies DM5 and DM24 of the Worthing Local Plan, the Council's SPD 'A Guide to Residential Development' and the relevant policies of the NPPF.
3. By reason of its siting, scale, massing and detailed design, the proposed new dwelling would have an unneighbourly impact on the amenities of 1 Forest Barn Mews resulting in an overbearing effect and loss of privacy contrary to Policy DM5 of the Worthing Local Plan and the relevant policies of the NPPF.
4. The application is not supported by a site specific flood risk assessment and fails to demonstrate that future occupants of the proposed new dwelling would be safe from flood risk for the lifetime of the development when allowances for climate change are taken into consideration, or that the proposals would not increase the flood risk for existing development. The proposed development fails the Sequential Test in that the application fails to provide adequate justification for the development of this site which although within Flood Zone 1 is at risk of surface water flooding, taking into account the availability of other more suitable small windfall sites of a similar size within the built-up area of Worthing with a lower risk of flooding. The proposed development is therefore contrary to policy DM20 of the Worthing Local Plan and the National Planning Policy Framework.

Informative

Pro-active refusal

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

Case Officer:	Jo Morin	Date: 04.04.204
Authorised by:	Gary Peck	Date: 4 April 2024