

Development Management – Delegated Officer Report

Application Number: AWDM/1520/25 **Recommendation:** – REFUSE

Site: **94 Marine Crescent Worthing West Sussex BN12 4JH**

Proposal: **Subdivision of existing dwelling plot to provide 2 bedroom chalet bungalow style detached house in rear garden with parking accessed off St John's Avenue**

Date of Site Visit: 21.01.2026

Neighbours Checked: Y

Additional Neighbours Notified: Y

Site and Surroundings

The application site consists of a roughly rectangular-shaped area of land currently forming part of the rear garden of 94 Marine Crescent. The latter comprises a detached, mid-C20 2-storey house occupying a corner plot at the junction of Marine Crescent and St John's Avenue. It forms one of a group of similar-designed dwellings occupying good-sized plots fronting Marine Crescent and the greensward beyond. The dwellings are set well back into their plots with deep front gardens and frontage parking areas enclosed by low walls, typically supplemented with hedge and shrub planting behind.

The low perimeter wall and low-level planting enclosing the area of grassed frontage to No.94 wraps around into St John's Avenue, with a private walled garden to the rear (North) of the house. The garden wall is screened in part by tall shrubberies but is aligned with the main flank wall of the house, angling inward (East) towards the North.

The grassed wrap-around garden and low boundary wall, plus the splayed shape of the junction of Marine Crescent with St John's Avenue with wide pavements, contributes to the open character of the street scene.

The site measures between 16.25m and 19.3m deep, and 12.5m wide.

To the East the site adjoins 92 Marine Crescent, a similar style of detached house as No.94.

To the North the site adjoins 8 St John's Avenue, a traditional pitched-roof bungalow with an L-shaped footprint. A driveway on the North side leads to a detached garage set back into the rear garden.

The site is located within EA Flood Zone 2/3 (now and in the future based on the national flood maps for planning).

There are no TPO trees on the site. The site is not within a conservation area.

Proposal

Permission is sought to sub-divide the existing plot and erect a chalet style dwelling in the rear part of the garden of No.94.

The proposed dwelling would front St John's Avenue, having an L-shaped footprint set back a minimum 5.4m from the back edge of the pavement.

The new dwelling would be provided with 2 car parking spaces (side by side) served by a new vehicle access off St John's Avenue. The proposed dwelling would be approximately 9.8m wide and 7.3m deep. A minimum gap of 1.2m would be retained between the south side of the proposed dwelling and the new southern site boundary with No.94. A gap of 1.5m would be provided between the north side of the proposed dwelling and the existing northern site boundary with No.8. The latter is marked by a close-boarded fence approximately 1.9m high, which chamfers down in height towards the back edge of the pavement onto St John's Avenue.

The proposed accommodation would consist of a hallway, open-plan living/kitchen/dining area, snug and shower room on the ground-floor with stairs leading up to a small landing and 2no bedrooms (both with en-suite shower rooms) on the first-floor contained within the roof. A small private garden would be provided to the rear (East) of the proposed dwelling, varying in depth between 3.76m and 5.95m.

The dwelling would have a dual-pitched roof with the main ridge 6.8m high running North-South with a front-projecting gable feature having a nominally lower ridge height of 6.5m. The eaves height would be 3.5m high with the finished level (FFL) raised 0.6m above existing ground levels. A gabled, pitched-roof dormer (2.75m wide) is shown on the front (West) roof slope, 3no roof lights on the rear (East) roof slope.

The main elevations would be finished in brickwork under a tiled roof. The proposed dormer would be faced in timber cladding. French and bi-fold doors on the GF rear elevation would open onto an irregular-shaped raised deck (maximum depth 2.45m) with steps down into the small garden.

The application is supported by a Flood Risk Assessment v.1.0 Ref: 73436.

Relevant Planning History: None.

Consultations

WSCC: The Local Highway Authority has raised no objection in principle, commenting:

"This application is for the subdivision of existing dwelling plot to provide 2-bedroom chalet bungalow style detached house in rear garden with parking accessed off St John's Avenue. The site is located on St John's Avenue, an un-classified road subject to a speed limit of 30mph.

The proposed dwelling will be accessed via a new vehicular crossover (VCO) from St John's Avenue. Details of the proposed VCO have not been provided, however details can be secured via condition. Any new VCO works would be subject to a licence from

the Area Engineer and must be constructed to a specification agreed with them. An informative is included below. Visibility at the proposed access appears sufficient for the anticipated road speeds in this location.

The proposed dwelling will be provided with two parking spaces, considered sufficient for a dwelling of this size and location. The site is sustainably located within an existing residential area, within walking distance to bus stops providing access to Worthing town centre, Brighton and Littlehampton. Cycling is a viable option within the vicinity and secure and covered cycle storage is proposed for the dwelling.

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."

The following conditions are recommended in the event the application is approved:

Access (details required, access provided prior to first occupation)

No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

Car parking space (details approved)

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 thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use.

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Informative

Vehicle Crossover – Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Environment Agency

No objection provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Flood Risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (dated September 2025) and the following mitigation measures it details:

- All sleeping accommodation shall be at first floor level or above.
- Finished floor levels shall be set no lower than 4.80 metres above Ordnance Datum (AOD).
- All electrics and sockets shall be set no lower than 5.87mAOD above Ordnance Datum (AOD).

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Southern Water

The following condition is recommended:

Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

WSP

The Council's surface water drainage consultant has raised no objection in principle subject to the following conditions: -

1. Construction shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policies of Adur & Worthing Council.

2. 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.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Worthing Council.

Environmental Protection

The Environmental Health Officer has no adverse comment on the application.

Neighbour Representations

Eleven objections have been received from the occupiers of 1, 7, 8, 10, 12 St John's Avenue, 92, 98, 100 Marine Crescent, on behalf of the resident of 5 St John's Avenue; 8 St John's Close, 9 Little Drive (Ferring) raising the following concerns (which have been summarised):

- Proposed dwelling sited substantially forward of existing building line in St John's Avenue; forward siting intrusive and uncharacteristic; departure from existing consistent alignment of building line;
- Height exceeds roofline of existing properties/bungalows in St John's Avenue; will dominate the street scene; incorrectly described as 'chalet bungalow style house'; height, bulk and roof mass are incongruous resulting in a visually discordant development; fails to respect established character; inappropriate scale; unbalanced and visually intrusive; does not integrate with surroundings; contrary to NPPF policy requiring development to be sympathetic to local character; NPPF allows refusal where design does not improve the quality of an area;
- Out of character with existing open character and well-spaced traditional single-storey bungalows in St John's Avenue; interrupting the rhythm, spacing and openness characteristic of the street;

- Overdevelopment, inappropriate 'backland' development contrary to planning policy; plot size not comparable with neighbouring and other dwelling plots in the area; inadequate separation distances; insufficient room for landscaping or mitigation; cramming development into an unsuitably small space;
- Negative impact on receipt of light to main living areas and garden of No.8 plus negative/overbearing sense of enclosure, loss of wellbeing, loss of privacy, increased noise, contrary to planning policy seeking to protect residential amenity;
- Double-width VCO will further limit on-street parking available in narrow St Johns Avenue, increasing potential for congestion and road safety hazards; intensification of vehicle movements during construction and occupation raises highway safety concerns;
- Loss of garden to a family home; existing large, detached house at No.94 will be left with minimal/inadequate garden;
- Will set a precedent for further loss of green/garden space; loss of biodiversity; will the required 10% BNG be achieved?
- Contractors' vehicles will make the narrow St John's Avenue impassable for emergency vehicles; noise, vibration and dust associated with construction works will cause prolonged disturbance to this quiet residential area;
- Development is within a flood risk area; Concerned that building a house and drive on garden land will push surface water into neighbouring properties;
- Proximity of proposed dwelling will directly overlook rear garden/pool and block sunlight to 92 Marine Crescent; no consideration given to privacy of neighbours with positioning of proposed windows/roof lights; increased noise and overlooking will destroy amenity, privacy and existing way of life;
- Overlooking resulting in loss of privacy, and loss of light to 5 St John's Avenue opposite the site;
- Concerned about inadequate publicity of the application (no notice published on site, timing of publicity over Christmas/New Year when case officer on leave);
- Will worsen existing drainage problems (logged with Southern Water);
- Impact of the development will disproportionately affect residents of St John's Avenue rather than existing dwelling;

The Goring and Ilex Conservation Group object to the proposal commenting:

"We consider this opportunist back garden development to be visually offensive to the detriment of the local amenity, overdevelopment of the property, having an adverse effect on biodiversity, ill-sited and poorly designed.

The proposals do not reflect the character of the properties in St John's Avenue which is the main elevation for these proposals. The existing properties are all single storey or chalet bungalows, some with minor dormers. These proposals show a heightened ridge line together with a prominent gable end which introduces the character of a two storey ill balanced house into the Avenue which provides an incongruous and conflicting appearance to the other Avenue properties.

The proposals attempt to gain as much square footage from the plot as possible without much thought being given to the neighbours with the proposed building being

uncomfortably close to the neighbouring property in the Avenue when it could have been sited nearer the Marine Crescent property. The proposals also project not just beyond the St John's Avenue building line but also beyond a projected line from the property in Marine Crescent to that of No8 St John's Avenue. It is also closer to the pavement boundary than the West elevation of 94 Marine Crescent.

Although some planting is proposed, the proposals include the removal of a large area of trees/shrubs and replacement of soft landscaping with buildings/hard surfaces which, rather than increasing biodiversity, reduces it and may also have an adverse effect on local drainage.

We appreciate that there is pressure for new housebuilding at local and national level but this should not be at a cost to the local amenity, and these proposals are unlikely to add to the stock of affordable housing. A less ambitious redesign may sit more kindly within the local framework although this may not be possible when considering flood risk and other requirements in which case, the plot would not be suitable for another property. We would ask, however, that these current proposals be rejected.”

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, SS1, DM1, DM2, DM5, DM15, DM16, DM17, DM18, DM20

National Planning Policy Framework (MHCLG 2024)

National Planning Practice Guidance

SPD 'Space Standards' (WBC 2012)

SDP 'A Guide to Residential Development' (WBC 2013)

CIL Charging Schedule (Aug 2021)

Planning Assessment:

Principle of Development

The Worthing Local Plan was adopted on 28th March 2023 (base date of Plan 2020). Policy SS1 sets out the Housing supply over the period 2020-2036 and gives a total figure of 3672 (an annual target of 230 dwellings per annum).

Paragraph 78 of the NPPF (2024) requires that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of the Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

The most recent 5 Year Housing Land Supply position for Worthing (as at 01/04/2024) demonstrates 6.3 years supply of deliverable housing sites.

The most recent HDT (published December 2024) shows that Worthing scored 107% and currently faces no consequences from the HDT.

Having a housing land supply of more than 5yrs and having passed the HDT with no consequences means that for Worthing, paragraph 11 c) of the NPPF applies which states for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

As part of the Council's commitment to plan positively to meet housing needs it is anticipated that smaller sites (under 10 dwellings) will play a greater role in housing delivery. LP policy SS1 specifically states that the Local Plan will seek to increase the rate of housing delivery from small sites.

Consequently, there is no objection in principle to the sub-division of the existing plot to provide a residential dwelling. The key considerations in this case are the effects of the proposal on the character and appearance of the local area, the living conditions of future occupiers and the effects on neighbour amenity, flood risk, highway safety considerations, biodiversity and sustainability.

The existence of an infill dwelling 'Driftwood' built in the rear garden of 149 Alinora Crescent (AWDM/0964/17) is noted, but the specific site circumstances and relationships to neighbouring dwellings means it does not set a precedent for the current proposal which must be assessed on its own merits and in relation to the current planning policy framework.

Character and Appearance

Paragraph 129 of the NPPF states that planning decisions should support development that makes efficient use of land taking into account (amongst other things) 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.

It goes on to state (paragraph 131) that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 requires decision-making to ensure that developments are (amongst other things) visually attractive as a result of good architecture, layout and appropriate and effective landscaping; sympathetic to local character, including the surrounding built environment and landscape setting; function well and add to the overall quality of an area; and establish or maintain a strong sense of place, create places that are safe, inclusive and accessible and which promote health and wellbeing with a high standard of amenity for existing and future users. Paragraph 139 states that development that is not well designed should be refused.

Local Plan policy DM2 states that development proposals must make the most efficient use of land, but this should not be to the detriment of the quality of the environment. It

states the optimum density for development should result from a design-led approach to determine the capacity of a site taking into account site context and character, current and future levels of accessibility, the need to achieve high quality design and minimise environmental impacts, including impacts on the amenities of adjoining occupiers.

The Council's SPD 'A Guide to Residential Development' describes infill development as development that fills a restricted gap in the continuity of existing buildings where the site has existing building curtilages adjoining on at least two sides. It states that infill development requires sensitive design and good landscaping if new buildings are to be fitted successfully into small sites in established residential areas, and that "insensitive infilling that will negatively impact on areas character or amenity will be resisted" (paragraph 4.33). Infill development should contribute to the character of the existing locality. In broad terms, a proposal that fails to complement the local area in terms of design, density and layout will be refused.

There is a recognisable formal geometry and symmetry to the layout of roads in this area which is also reflected in the grain and pattern of built development. Development on the north side of Marine Crescent is typically characterised by detached houses occupying good-sized plots. The dwellings are carefully positioned within their respective plots in a wide splay formation which acts to reinforce the sense of openness to the entrance to Alinora Avenue. The Y-shaped geometry of the road entrances into St John's Avenue and Patricia Avenue (mirrored on either side of Alinora Avenue) also creates a sense of openness leading off Marine Crescent. However, these narrower side roads have a notably different character, predominantly made up of detached, traditional bungalows within more modest-sized plots. The individual dwelling plots are each similar in size and shape, with variation in the built forms of the bungalows, including some taller, chalet-style bungalows with roof accommodation. Nevertheless, there is a limited range of bungalow types and their repeated pattern, particularly on the East side, contributes to a sense of visual cohesion.

The formality to the pattern of existing development is also reflected in siting of the individual bungalows on this side of the road, slightly stepped (in a mirrored fashion) around a tree-lined highway verge opposite the entrance to St John's Close.

The bungalows are all laid out with driveways and garages to one side which, in addition to their single-storey scale and massing contributes to a sense of space between the buildings.

Notably, a single-storey eaves height to the built forms prevails throughout the road.

The proposed dwelling plot would not only be substantially shallower than existing dwelling plots in St John's Avenue but would leave the frontage dwelling, No.94, with an uncharacteristically shallow rear garden (minimum depth 7.7m).

The nearest part of the proposed dwelling would be sited 2.3m forward (west) of the front of neighbouring No.8, and the front-projecting gable feature some 3.5m forward. It would be sited 2.5m forward (west) of a line taken between the rear northwest corner of No.94 and the front southwest corner of No.8.

The eaves of the proposed dwelling would be approximately 1m above the eaves height of neighbouring No.8, in part owing to the elevated floor level but also to maximise, the usable first-floor area of the proposed dwelling.

The proposed main ridge would be some 0.7m above the highest part of the roof of No.8. The street elevation drawing indicates the proposed main roof ridge would also be taller than the ridge of the chalet-bungalow at No.6 (although the accuracy of the drawing is unclear on this point).

The proposed dwelling plot is uncharacteristically small. The 'squeezed in' siting of the dwelling within its plot boundaries and reliance on frontage parking is also uncharacteristic of existing patterns of development. Moreover, owing to its height, scale, form, massing and forward siting, the proposed chalet dwelling would have an unduly dominant and assertive presence in the street scene, including in views from Marine Crescent, that would be harmfully detrimental to established local character and distinctiveness.

The proposed development would constitute an overly cramped and unsympathetic form of overdevelopment that fails to either respect or enhance the character of the site or the prevailing character of the area.

Residential Amenity – Future Occupiers

The proposed dwelling will have a GIA of 86sqm (excluding areas on the first floor with a headroom of less than 1.5m). This exceeds the NDSS of 79sqm for a 2-bedroom, 4-person dwelling over 2 floors. The main rooms would have an aspect to either the front (West) or rear (East) and would be provided with satisfactory standards of light and outlook.

The rear garden would have an area of 53sqm (including the raised deck) which is substantially below the Council's minimum external space standard of 85sqm for a small, detached dwelling. However, the site is with easy walking distance of the nearby greensward and beach, and it is considered this shortfall in amenity space provision would not in itself amount to a reason for refusal.

Residential Amenity – Neighbours

The most affected neighbours are those directly adjoining the site, including the host dwelling (No.94).

No.8 St Johns Avenue

This detached bungalow adjoins the site to the North. The main entrance is recessed on the South side positioned roughly 5m from the front of the dwelling (at about two-fifths of its overall depth). There is a gap of between 3.5m and 1.8m between the stepped South side elevation of the bungalow and the common site boundary. The nearest front bay window serves the main living room area. Two windows on the front part of the South side (on either side of the chimney breast) serve the same room and are secondary in nature. A further window towards the rear on the South side serves a study and faces onto the site boundary with the neighbouring 92 Marine Crescent.

The gabled North side elevation of the proposed dwelling would be sited 2.3m forward of the front elevation of No.8 at a height of 6.8m and at a separation distance of approximately 5 metres. Given separation distance and the secondary nature of the nearest windows in the South side elevation of No.8 the proposed dwelling will not have an unacceptable impact on receipt of daylight to the main living room. However, its height, forward siting and gabled form will have a notable enclosing impact on the entrance to No.8 which would be overbearing in effect. The existence of tall evergreen shrubs growing in the garden of No.94 close to the common site boundary is noted, but the visual effect of vegetation is 'softer' and not so oppressive in effect as built development.

92 Marine Crescent

This dwelling is similar in style, form and appearance to the host dwelling (No.94), but sited deeper into its plot with a comparatively smaller rear garden. A timber pergola-type structure attached the rear elevation extends the full width of the dwelling. A swimming pool occupies a good proportion of the remaining rear garden. The west side of the rear garden is enclosed by shrubs growing in a narrow border alongside the boundary. The screening effect of this planting is reinforced by tall evergreen shrubs growing on the other side of the fence in the garden of No.94.

The submitted plans indicate this existing planting in the garden of No.94 would be retained in the garden of the proposed new dwelling. However, given its small size it is most likely this would be removed to maximise the available space and light into the garden.

The rear elevation of the dwelling would be sited only 3.761m to 5.955m from the common boundary with No.92, with French and bi-fold doors on the ground-floor rear elevation opening onto a raised deck the nearest edge of which would be sited only 2.25m from the boundary. This close proximity would allow for views over the top of the existing boundary fence and whilst border planting in the garden of No.92 would have some screening effect it would not be wholly effective in safeguarding the occupiers of No.92 from unneighbourly overlooking.

The elevation drawing shows 3no rooflights at first floor on the rear elevation, 2no serving the main bedroom and 1no in the en-suite. The section drawing only shows the position of the en-suite roof light, the bottom edge of which would be 1.5m above the floor of the room. The elevation drawing shows the bottom edge of the 2no bedroom roof lights would be lower than this and would also allow views towards the neighbour's rear garden/pool. Whilst a requirement for these roof lights to be obscurely glazed and fixed shut would address actual overlooking it would not address perceptions of being overlooked.

It is considered the actual and perceived effects of overlooking would be intrusive and detract from the enjoyment of the neighbour's garden/pool.

In addition, it is considered the overall height and proximity of the proposed new dwelling to the common site boundary would have a notable enclosing and overbearing impact on the rear garden/pool of No.92 notwithstanding its 'chalet' form, as well as an increased overshadowing effect that would endure for a longer period in

the afternoon/evening (i.e. than currently results from the existing boundary vegetation).

94 Marine Crescent

Although the submitted plans show a private rear garden area of some 100sqm would be retained for No.94, the South elevation of the proposed new dwelling would be sited less than 10m from the main rear elevation of No.94, which is substantially less than typical separation distances between the rear of one dwelling and the side of another.

Although the proposed pitched roof slopes away from the rear of No.94, the overall ridge height of the proposed roof combined with the raised eaves height would nevertheless have a somewhat overbearing effect that would enclose the rear aspect of the existing dwelling and its residual enclosed rear garden area, detracting from the attractiveness of this existing family-sized dwelling.

It is noted the elevation drawing shows no openings proposed on the south side elevation or roof slope of the new dwelling facing the rear of No.94.

Other

Representations received from the occupiers of bungalows on the opposite (West) side of St John's Avenue are noted. However, the proposed dwelling would be sufficiently well separated from these properties as to not have any significant effect on their amenity.

Noise and disturbance during development works would be temporary and could reasonably be mitigated by controlling hours of construction work and requiring the submission and approval of a construction management plan.

Flood Risk

The site is located entirely within EA Flood Zone 2 (Tidal) and a small part (outside the dwelling footprint) within Flood Zone 3. The proposal is for a 'more vulnerable' type of development.

The application is accompanied by a site-specific FRA. This highlights that modelling for the (undefended) 2125 1 in 200yr (plus climate change) flood event indicates the dwelling footprint may experience flood depths of up to 1.37m.

The NPPF requires new residential finished floor levels (FFL) to be set at least 300mm above the modelled 1 in 20yr plus allowance for climate change flood level. In instances where bedroom accommodation is proposed on the ground floor, FFLs should be set at least 600mm above the modelled 1 in 200yr plus allowance for climate change flood level.

On this basis, the FFL of the dwelling would need to be set at a minimum 5.87mAOD, raised at least 300mm above the updated 2125 1 in 200yr Upper End Climate Change flood level of 5.57mAOD. However, this would require the dwelling to be raised some 1.67m above surrounding ground levels. Owing to the constraint of visually integrating the proposed development with its surrounding context, the submitted FRA instead proposes that FFLs are set at 4.80mAOD, raised 0.6m above surrounding ground

levels. This is on the basis that both bedrooms would be at first-floor, elevated at least 7.20AOD and therefore above the modelled 2125 0.5% AEP Upper End Climate Change flood level, offering safe refuge within the dwelling should a flood event occur.

Other flood mitigation measures are proposed including non-return valves on drains and pipes, all electrics and sockets raised at least 1.07m above FFLs, new boilers, gas meters electric incomer/meters installed at least 300mm above the 2125 0.5% AEP Upper End CC flood level set at 5.87mAOD or above, waterproof screed used on ground floor etc.

The proposed measures are accepted by EA who have raised no objection on flood risk grounds, subject to a condition. This requires (amongst other things) that there is no sleeping accommodation on the ground-floor. However, the ability for the LPA to enforce such a condition is extremely limited particularly in cases, as here, where the 'snug' shown on the proposed ground-floor plan could straightforwardly be used as a bedroom.

Paragraphs 173-175 of the NPPF require a sequential risk-based approach to be taken to individual applications in areas to be known to be at risk now or in the future from any form of flooding. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It is stated that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary would be located on an area that would be at risk of flooding from any source now and in the future.

A sequential test has not been undertaken. The LPA cannot therefore be satisfied that there are not reasonable available alternative sites at a lower risk of flooding that would meet the same development needs of the local community. Paragraph 028 of NPPG (17.09.2025) makes it clear that such alternative sites do not need to be owned by the applicant to be considered reasonably available.

Access and Highways

The site is within a sustainable location within a reasonable (15 minute) walking distance of the various shops, facilities and services of The Mulberry medium scale shopping centre and is accessible to bus routes along Marine Crescent and Goring Road serving the wider area.

Several of the representations received raise highway safety concerns about the narrow width of the road, increased traffic and reduced capacity for on-street parking that would result from the proposed development.

However, adequate parking provision (2 spaces) would be provided on the site frontage for the proposed 2-bedroom dwelling. The existing frontage dwelling (No.94) would retain the existing garage facilities accessed from Marine Crescent.

The LHA has raised no objection to the proposed access or parking arrangements.

A bike store is shown on the site frontage close to the front elevation/main entrance of the new dwelling. Depending on its detail design and appearance, a more suitable, less visually intrusive location for the bike store would be to the side, or rear garden.

Sustainable Development

Policy DM16 states that all new housing should seek to achieve an A rating (with a minimum expectation of B rating) Energy Performance Certificate. No precise details have been provided. Submission of build-stage SAP calculations to demonstrate compliance with minimum 20% CO2 reduction compared to Part L of the Building Regulations (2013) and submission of a minimum EPC B rating on completion could be secured as a condition of planning permission were the proposed development to be recommended for approval.

Policy DM17 requires all development resulting in new housing to incorporate renewable and low carbon energy production equipment to meet at least 10% of the predicted total energy requirements (after CO2 reductions from energy efficiency measures). No details have been provided as part of the current submission, but this could have been dealt with by a condition of planning permission were the proposed development to be recommended for approval.

Biodiversity

Recent Government announcements have signalled that changes will likely be made to mandatory BNG requirements for small sites such as this. However, until such time as current legislation is amended the provisions of Paragraph 13 of Schedule 7A of the Town and County Planning Act will continue to apply.

The submitted application forms identify the development as exempt from mandatory BNG on the basis the proposal is a self-build or custom-built development, stating that *"The Applicant has led the design and will live in the house once built."*

[On the other hand, it is noted a self-build exemption has not been claimed on CIL Form 1 (Question 5(C)) and CIL Form 7: Self Build Exemption Claim - Part 1 has not been completed.]

If planning permission were to be granted, the LPA would require the self-build/custom-built status of the proposed development (and therefore its associated exemption from mandatory BNG) to be secured by means of a S106 UU. However, this has not been pursued as part of the current application which is recommended for refusal on other grounds.

CIL

See above. CIL Form 1: CIL 'Additional Information' has not been completed in full.

Recommendation:

REFUSE for the reasons:-

1. The proposed development of this constrained site would represent an overly cramped and unsympathetic form of infill development that would be anomalous and visually discordant within the street scene and harmful to existing local character and distinctiveness contrary to policy DM5 of the Worthing Local Plan, the Council's SPD 'A Guide to Residential Development' and the NPPF.
2. By reason of its height, scale, massing, form, orientation and design, the proposed dwelling would have an unacceptably harmful impact on the residential amenities of neighbouring dwellings contrary to policy DM5 of the Worthing Local Plan and the NPPF.
3. In the absence of a completed sequential test the Local Planning Authority cannot be satisfied that alternative sites at a lower risk of flooding that would meet the development need are not reasonably available. The development is therefore contrary to policy DM20 of the Worthing Local Plan and the NPPF.
4. In the absence of a S106 unilateral undertaking to secure a self-build/custom-built development, the Planning Authority cannot be satisfied that the development is exempt from providing biodiversity net gain as set out in the Biodiversity Gain Requirements (Exemptions) Regulations (2024) and as such is contrary to the provisions for biodiversity net gain required under Schedule 7A of the Town and Country Planning Act 1990.

Informative

Pro-active refusal

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

Case Officer: Jo Morin Date: 30.01.2026

Authorised by: Louise Prew Date: 02/02/2026