Expiry: 13/1

Development Management - Delegated Officer Report

Application Number: AWDM/1450/24 Recommendation – Refuse

Site: Land Between 3 - 4 Holmbush Close, Shoreham-by-sea

Proposal: Erection of chalet bungalow with basement.

Date of site visit: 11/9 and 4/12

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The proposal relates to a narrow strip of amenity land on the west side of Holmbush Close. It measures 36m long and has a depth of between 9m and 15m. To the rear is the steep landscaped embankment of the M&S superstore car park, whilst to the south, opposite and north are bungalows (some with rooms in the roof) within this cul-de-sac.

Holmbush Close is characterised by properties set back from the road with generally wide open frontages. This gives the surrounding area a sense of openness which is characteristic of the cul-de-sac generally. The site itself has historically been used as highway verge, deliberately set aside when the estate was set out, but was subsequently found surplus to requirements and sold into private ownership. It is currently an overgrown grassy area, with a number of trees on the land, many of which are the subject of a Tree Preservation Order, 13.53/3/09(SU) refers.

A 2009 street view image shows it as well kept in the past.



The site is not in a conservation area.

Expiry: 13/1

Planning permission was refused last October for a chalet bungalow and detached garage. This follows a refusal 10 years ago to convert the land to domestic curtilage and a refusal 15 years ago again for a chalet bungalow and garage, see history below. Both these later decisions were dismissed on appeal. These appeal decisions are attached to this report as Appendix A and B respectively.

It is now proposed to erect a chalet bungalow with basement. No garage or off street parking otherwise is proposed. Three bedrooms, a bathroom and separate WC are shown at first floor. The ground floor includes a kitchen/diner and separate living room. Stairs down to a basement room are shown. It is annotated for storage/study/office and has windows in the rear wall following some excavation.

The house is positioned 1500mm off the boundary with No. 3 and between 1.9 metres and 4 metres back from the pavement edge. It is 8.3 metres wide and a maximum 7.3 metres in depth. The front elevation measures the ridge height at 5.5 metres.

The application is accompanied by a tree report, a Flood Risk Assessment and a surface water drainage sheet. The Council's drainage consultant has confirmed there is a surface water flooding issue outside the site on the northern half.

Relevant Planning History

AWDM/1021/24 - Erection of chalet bungalow with detached garage. Refused 23.10.24.

AWDM/0159/15 - Change of use land into domestic curtilage, construction of garden shed/storage and wooden fence. Refused. Appeal Dismissed.

ADC/0492/10 - Construction of a chalet bungalow with attached garage (outline seeking approval of details of access, landscaping, layout and scale, with appearance reserved for future approval). Refused. Appeal Dismissed.

ADC/0442/09 - Construction of a chalet bungalow with access (outline with all detailed matters reserved). Refused.

Consultations

West Sussex County Council: The **Highways Authority**

'*This application seeks the erection of a bungalow. The site is located on Holmbush Close, an unclassified road subject to a speed restriction of 30 mph.*

WSCC in its role as Local Highway Authority (LHA) previously provided consultation advice for this site for similar application AWDN/1021/24, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

Expiry: 13/1

For the current submission, no vehicular access is proposed for this site. The proposed development would not be anticipated to give rise to a significant material intensification of movements to or from the site.

No vehicular parking is proposed and as such, parking associated with this site would have to be accommodated on-street. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require two car parking spaces. The LHA would not anticipate that parking on-street in this location would be cause for a highway safety or capacity concern, but the LPA may wish to consider the potential amenity impacts.

The site is situated in a sustainable location within walking/cycle distance of local services and amenities. Cycling is a viable option in the area, and provision for secure cycle storage has been demonstrated in the plans. There are opportunities for sustainable travel, with regular bus services available from nearby Holmbush Way or the Holmbush Centre.

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

Council's Drainage consultant WSP:

Thank you for your consultation on the above site. We have reviewed the application as the drainage consultant acting on behalf of the Council and wish to make the following comments.

The applicant is applying for the erection of chalet bungalow with basement. The application is to Adur District Council.

Following a review of the submitted information, we have noted insufficient information has been provided to demonstrate the application is in accordance with the NPPF and the PPG. Whilst we recommend water reuse, it is important that sufficient storage is provided. This should include a controlled overflow option to ensure flood risk to the site and others is not increased if the tank is at full capacity.

We would recommend the application is not approved until updated information is received that addresses the above points.

Reason
To prevent flooding in accordance with National Planning Policy Framework 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.

Southern Water:

Southern Water has examined the supporting documents and can confirm that we have the following comments.

Expiry: 13/1

Existing Southern Water Assets - General

Please see the attached extract from Southern Water records showing the approximate position of our existing sewer and water main assets crossing/in the vicinity of the development site. The exact
position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Existing Gravity Sewer stand off distance

The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. All existing infrastructure should be protected during the course of construction works.

Please refer to:
https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf

Existing Water Main stand off distance

The 0.75 inch diameter water main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future maintenance access.

No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. Please refer to: https://www.southernwater.co.uk/media/st5orjvm/stand-off-distances.pdf

SuDS

The supporting documents make reference to drainage using Sustainable Drainage Systems (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 available here:
https://www.water.org.uk/sewerage-sector-guidance-approved-documents/
https://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS

Where SuDS rely upon 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

Expiry: 13/1

submitted to the Local Planning Authority 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 the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Proposed Soakaways

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main. There should be no discharge of Surface Water entering the public sewer.

Tree Planting

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" (https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the Sewerage Sector Guidance (https://www.water.org.uk/sewerage-sector-guidance-approved-documents/) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Adur and Worthing Councils:

Council's Tree Officer:

'I have looked at the new proposal and I consider that this would be damaging to the cohesiveness of the group. I recommend that the application is REFUSED, and that the trees are allowed to remain, when and if there is a

Expiry: 13/1

request to remove them they should each be replaced "like for like" to preserve the continuity of the TPO.'

Previous comments on AWDM/1021/24:
'I have taken a look on site at these trees and found that the trees proposed to be removed have each been deliberately damaged. The base of each tree has been ring barked approximately 2 to 3 years ago. One tree, a common Ash appears to be recovering. I recommend that the application is REFUSED, and that the trees are allowed to remain, when and if there is a request to remove them they should each be replaced "like for like" to preserve the continuity of the TPO.'

Environmental Health: Hours of construction condition and details of a Construction management Plan condition recommended.

Private Sector Housing: No response.

Representations

Five neighbour objections summarised as follows:

- This land should remain open and undeveloped.
- No parking. This street is already very heavily parked.
- Preserved trees should be retained and protected for the local and wider environment.
- Radon gas exposure especially from development of basement room.

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 18, 19, 20, 22, 31, 35 and 36
Adopted Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'' and No. 2 'Alterations and Extensions to Dwellings'.
National Planning Policy Framework (December 2024)
Planning Practice Guidance
WSCC Guidance on Parking at New Developments (Sept 2020).
DCLG Technical Housing Standards 2015

Planning Assessment

Principle

The site is located within a residential part of the built-up area of Shoreham and there is no objection in principle to infill development in order to meet the housing requirements of the Local Plan.

The Adur Local Plan was adopted on 14th December 2017. Policy 3 sets out the Housing supply over the period 2011-2032 and gives a total figure of 3718 (an annual target of 177 dwellings per annum).

Expiry: 13/1

The five year housing land supply position for the Adur Local Plan area, measured against the 2023 Standard Methodology figure for Adur of 448 dwellings per annum, and incorporating a 20% buffer as a result of the Housing Delivery Test 2022 measurement for Adur, demonstrates a 3.5 year supply of deliverable land as at 1st April 2023. (The Housing Delivery Test 2022, published December 2023, indicates that Adur delivered 72% of its requirement, and so a 20% buffer has been applied.)

As such, the presumption in favour of sustainable development, set out in the National Planning Policy Framework, applies. This states that permission should be granted unless one or both of two given criteria are met. Criterion (ii) states that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The impacts are assessed below.

The relevant issues in this case are whether the revised proposal overcomes previous reasons for refusal specifically the loss of amenity land and consequent harm to the landscaped setting of Holmbush Close and loss of TPO'd trees. In addition neighbour amenity, flood risk and parking should be considered.

AWDM/1021/24 was refused for two reasons:

1. The introduction of a cramped, poorly sited and incongruous dwelling and the change of use to domestic curtilage would result in the loss of an attractive area of amenity land to the detriment of the spacious and open character of the street scene and its landscaped setting which would not enhance local distinctiveness. The proposal is therefore contrary to policy 15 and the National Planning Policy Framework.
2. The proposals would result in the direct loss of 9 trees covered by a Tree Preservation Order and the potential loss of others which are of significant amenity value and which form an essential component of the character of Holmbush Close. The ecological significance of the site otherwise has not been demonstrated. The proposal is therefore contrary to policies 15 and 30 and of the Adur Local Plan, Development Management Standard No. 2 Extensions and Alterations to Dwellings and the National Planning Policy Framework.

Visual amenity

The land in question has become overgrown but this does not detract from the overall contribution this parcel of land makes to the wider street scene. It remains of considerable visual amenity.

The site's amenity value is enhanced by the trees on it, many of which are covered by a TPO. These trees contribute to the openness of the estate and provide a useful screen to the Holmbush shopping centre, to the west. The TPO'd trees to be removed have been deliberately damaged. One, an Ash, appears to be recovering. Any removal would be harmful to the overall cohesiveness of the TPO'd group and the appearance of this street generally.

Expiry: 13/1

Any TPO'd trees to be removed should be replaced on a like for like basis to preserve the open, green character of this land.

The general character of this suburban cul-de-sac is one of bungalows, many converted into chalet bungalows on generous plots, most of which are set well back from the street. In contrast, due to the constraints of the site's size and shape the proposed dwelling would sit closer to the road than others typically, with a less generous frontage. For instance, No. 3 is set no closer than 4 metres to the pavement edge, others further back still. The proposed house is as close as 1.9 metres to it. It would differ markedly from the prevailing character.

It would also have a rear garden depth of only 3.65 metres which again is untypical of the Close. Overall, garden size, including side garden, would be acceptable however. Nonetheless it would appear unduly cramped on the plot. The dwelling would also be close to the boundary with no. 3. These factors together would result in the proposed development greatly diminishing the cul-de-sac's characteristic spaciousness. Moreover, this adverse impact would be further exacerbated by any fencing proposed alongside the public footpath, to enclose the side garden of the dwelling for privacy purposes.

The proposed front elevation compared with the submitted elevation from No. 3 shows comparable eaves and ridge height. The section drawing shows some excavation to allow for the basement area and rear window. We have not seen a topographical survey to fully understand the extent of this excavation. It would potentially undermine remaining tree roots.

Trees

There are 14 trees on the site protected by a Tree Preservation Order. A Tree survey submitted with the previous application indicates that trees 1 to 8 are in a very poor condition or dead with trees 9 and 10 in a poor condition. At least 4 of these trees would have to be removed to facilitate this development with others threatened.

The Council's tree officer visited the site and inspected the trees. In his opinion those to be removed and others have been deliberately damaged in the last 2 to 3 years by ring barking them. He recommends refusal of the application. Though this latest scheme directly removes fewer trees their loss would be damaging to the overall cohesiveness of the group, in his opinion. Existing trees which do recover from the deliberate damage may be removed via an application with a like for like replacement planting scheme as part of any approval.

We do not have an ecology report so the ecological value of this overgrown site is not understood.

Biodiversity

The planning application form states that this proposal is a self build project and is therefore exempt from BNG.

Expiry: 13/1

Were this an approval a Section 106 Unilateral Undertaking would be required to guarantee the self build status and BNG exemption.

Residential amenity

It is not considered that the proposed house would be directly harmful to any neighbour.

Space Standards

The dwelling comfortably exceeds the minimum floorspace standard of 70sqm expected in the Technical Housing Standards for a 2 bed 4 person unit. We The rear and side gardens also comfortably exceed the Council's garden space standard in adopted Development Management Standard No.1 Space Around New Dwellings and Flats.

Flood Risk

There is a known surface water flood risk on the road outside the site. The council's drainage consultant is not satisfied with the drainage information submitted. It has not been demonstrated that the development would not be susceptible to flooding or that it would not increase flood risk beyond the site.

Highways

The Highway Authority is satisfied that the absence of off street parking for this proposal would not lead to any significant highway safety issues. Neighbours however, are concerned at the existing level of on street parking, made worse by nearby school parking, and that this dwelling will exacerbate the problem.

Each existing property has at least one off street parking space. The site is reasonably sustainably located within walking distance of bus routes into Brighton. A refusal on parking grounds would not be sustainable.

Conclusion

The proposal would unacceptably harm the character and appearance of the surrounding area by removing trees covered by a TPO, threatening others, enclosing the land and erecting a cramped house. The flood risk associated with this development is not understood. The modest contribution this single dwelling would make to housing need, notwithstanding the self build nature of this application, is not sufficient to outweigh the harm.

Recommendation

REFUSE for the following reasons:

1. The introduction of a cramped dwelling and the change of use to domestic curtilage would result in the loss of an attractive area of amenity land to the detriment of the spacious and open character of the

street scene and its landscaped setting which would not enhance local distinctiveness. The proposal is therefore contrary to policy 15 and the National Planning Policy Framework.

2. The proposal would result in the direct loss of trees covered by a Tree Preservation Order and the potential loss of others which are of significant amenity value and which form an essential component of the character of Holmbush Close. The ecological significance of the site otherwise has not been demonstrated. The proposal is therefore contrary to policies 15, 30 and 31 of the Adur Local Plan, Development Management Standard No. 2 Extensions and Alterations to Dwellings and the National Planning Policy Framework.

3. Insufficient information has been provided to demonstrate that the development would not flood or cause flooding to adjoining properties. The proposal is therefore contrary to policy 36 of the Adur Local Plan, the National Planning Policy Framework and the Planning Practice Guidance

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal clearly setting out the reasons for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to discuss the best course of action in respect of any future application for a revised development.

Case Officer:	MOK	Date: 10/1/25
Authorised by:	PB	Date: 10/1/25

Appendix 1 – Appeal Decision APP/Y3805/W/15/3133156
Appendix 2 – Appeal Decision APP/73805/A/11/2158701