

Site: Elreg House, Rosslyn Road, Shoreham-by-Sea
Prepared by: Phil Allen MCIWEM C.WEM
Approved by: Neil Jaques
Date: 19 March 2026

1.0 Introduction

- 1.1 This Technical Note has been prepared by Motion to address Condition 4 of the appeal decision for APP/Y3805/W/25/3359366 (dated 30th April 2025). This condition relates to surface water disposal, and specifies the following:

"The development hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all drainage works have been carried out in accordance with the approved details"

- 1.2 The full appeal decision and schedule of conditions can be seen in [Appendix A](#).
- 1.3 Motion have reviewed the nature of the proposed development against the NPPF and surface water management policy, which has informed the approach taken and the information provided below.

2.0 The Proposed Development

- 2.1 The proposed development is for a first-floor extension above existing ground floor rear wing to create five new care rooms. The existing conservatory will be removed. No external works (other than the removal of the conservatory) are taking place, and the footprint of the building will not increase (please note that the first-floor extension will provide a semi-covered canopy over the existing footpath). Full details of the first-floor extension can be found in [Appendix B](#).
- 2.2 The proposed development is for vertical expansion only. This 'building up' is regarded as a retrofit scheme and should not be classified as 'new development'. For clarity on this, new development refers to constructing an entirely new standalone building on a site; it starts from the ground up, allowing complete freedom in design, structure and foundations. However, vertical expansion only modifies an existing building.
- 2.3 Because of the vertical extension to the first floor, the existing roof drainage and its connection to ground will be retained. Noting that the impermeable areas are not changing as part of the vertical extension, the current drainage from the roof of the rear wing will not be altered, and there will be no material changes to surface water runoff.
- 2.4 This is relevant because of how national SuDS guidance and drainage policy regards the two different types of development and whether there are any changes to existing drainage and surface water runoff.

3.0 The NPPF and the New National Standards for SuDS

- 3.1 While SuDS and drainage strategies apply to major and minor planning applications, and policy guidance on SuDS and drainage strategy defines that SuDS are required when:
- „ New hard surfaces are being created and there are increases in the impermeable area;
 - „ Surface water runoff is being significantly altered and there are material changes in the surface water runoff.
 - „ SuDS are needed to ensure the development remains safe due to local flood risks.
- 3.2 Specifically, Paragraph 182 of the NPPF states that:

"Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal."

3.3 Therefore, if a development scheme will not introduce new impermeable areas, will not alter or increase surface water runoff, and SuDS/drainage alterations are not needed to ensure the development remains safe for its lifetime, Paragraph 182 of the NPPF is not engaged and a drainage/SuDS strategy does not need to be provided.

3.4 This principle is augmented by the advice of the New National Standards for SuDS. The National Standards for SuDS confirm that they are not designed to apply to retrofit schemes, noting that retrofit projects *"often have different objectives and face broader constraints"* and that full compliance may not be achievable. In retrofit contexts, the standards serve as a *"starting point"* only. Specifically, the National Standards for SuDS state:

"It is important to acknowledge that constraints specific to retrofit projects may prevent the full application of the standards."

3.5 This means that the New National Standards for SuDS cannot be mandatorily applied to retrofit projects.

3.6 It should also be highlighted that new developments should demonstrate that the SuDS hierarchy has been explored and the most sustainable forms of surface water discharge have been investigated prior to connection to sewers. However, this requirement is only engaged when new development with new drainage layouts is proposed. If a development has no additional roof areas, does not modify existing drainage outfalls, and does not change runoff characteristics, the drainage hierarchy is not engaged and is not applicable to the development.

4.0 Existing and Proposed Drainage

4.1 The existing building benefits from a fully functioning drainage system and the rear wing benefits from positive roof drainage that connects to the existing below-ground drainage system.

4.2 The proposed retrofit development involves vertical expansion only, with no increase in building footprint, hardstanding, or areas draining to the surface water system. Because there are no changes to impermeable areas over the existing, and there is no increase in runoff volume or peak flow, there will be no material changes to surface water runoff. Indeed, the roof drainage of the first-floor vertical extension will reuse the existing surface water downpipes that currently drain the roof areas of the rear wing.

4.3 Moreover, changes to drainage are not needed to ensure the development remains safe for its lifetime. This situation will be unchanged from the existing development's position.

4.4 Because of the above, Paragraph 182 of the NPPF is not engaged. The development will not *"affect drainage on or around the site"* and on that basis there is no policy mandate for the development to *"incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff"*. National drainage policy dictates that retaining and reusing the existing roof drainage would be *"proportionate to the nature and scale of the proposal"*.

This approach is in accordance with the guidance of the New National Standards for SuDS, which acknowledges that *"constraints specific to retrofit projects may prevent the full application of the standards"* and does not impose mandatory requirements for SuDS and drainage for this type of development.

5.0 The Appeal Decision and Condition 4

5.1 The wording of Condition 4 of appeal decision APP/Y3805/W/25/3359366 is as follows:

"The development hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning

Authority. The development shall not be occupied until all drainage works have been carried out in accordance with the approved details"

- 5.2 This condition and its wording have specifically not mandated SuDS, a drainage strategy, or the geo-environmental investigations that would typically be required to prepare with SuDS schemes. As such, we believe that this condition acknowledges the nature of this retrofit vertical extension and the wider infrastructure constraints that existing when 'building up' on an existing structure.
- 5.3 On this basis, we propose that Condition 4 does not require a SuDS/drainage strategy to be prepared, and that the reuse of the existing drainage, which is proportionate to the nature and scale of the development and appropriate for its drainage requirements, is appropriate.

6.0 Conclusion

- 6.1 This Technical Note demonstrates that the proposed scheme at Elreg House constitutes a retrofit vertical expansion with no increase in impermeable area, no alteration to existing drainage infrastructure, and no material change in surface water runoff. The extension reuses the existing roof drainage system, and the development does not introduce any new hard surfaces, modify outfalls, or increase runoff rates or volumes.
- 6.2 In this context, Paragraph 182 of the NPPF is not engaged, as the development will not "*affect drainage on or around the site*" and therefore does not trigger a requirement to incorporate SuDS or provide a drainage strategy. This conclusion is reinforced by the New National Standards for SuDS, which explicitly acknowledge that full compliance is not intended for retrofit schemes and that such standards serve only as a starting point where constraints limit applicability.
- 6.3 With respect to Condition 4 of the appeal decision APP/Y3805/W/25/3359366, the condition does not mandate SuDS, a SuDS strategy, or the typical geo-environmental investigations associated with new drainage schemes. Its wording is consistent with the nature of this project and acknowledges the limitations and constraints inherent in vertical expansion of an existing structure.
- 6.4 Accordingly, the existing drainage arrangements remain appropriate and proportionate, and no additional SuDS measures or drainage interventions are required to satisfy Condition 4. The development can therefore proceed using the existing drainage system, which will continue to operate effectively and safely for the lifetime of the scheme. This approach does not increase or affect any forms of flood risk.

Appendix A

Appeal Decision APP/Y3805/W/25/3359366



Appeal Decision

Site visit made on 30 April 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 June 2025

Appeal Ref: APP/Y3805/W/25/3359366

Elreg House, 58 Rosslyn Road, Shoreham-by-Sea, West Sussex BN43 6WP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Brown against the decision of Adur District Council.
 - The application Ref is AWDM/0525/24.
 - The development proposed is a first floor extension above existing ground floor rear wing to create 5 new care rooms.
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor extension above existing ground floor rear wing to create 5 new care rooms at Elreg House, 58 Rosslyn Road, Shoreham-by-Sea, West Sussex BN43 6WP in accordance with the terms of the application, Ref AWDM/0525/24, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a detached building located within a residential road of detached and semi-detached buildings. The appearance and style of buildings in Rosslyn Road are not uniform but the palette of external materials and the relatively small variations in building heights give it a cohesive and pleasant character.
4. Elreg House, while it has one of the largest footprints in the road, is not unduly prominent within the street scene. This is due to the combination of its external finishes matching neighbouring buildings; it being one and half storeys in height; and that its rear extensions are single storey.
5. In removing the existing conservatory and outbuildings, the proposed scheme would reduce the footprint of built form on the site. This would create a more spacious context, particularly on the western side of the building. However, this would not have a wider visual benefit as these structures cannot readily be seen from outside of the site.
6. In contrast, the proposed first floor extension would be evident from outside of the site. The new structure would be seen when approaching Rosslyn Road from Rosslyn Avenue. From the gap between the side of the appeal building and rear of

15 Rosslyn Avenue the building's increased size would be apparent. However, the additional roof structure would sit below the height of the main roof, be set away from the road and any views would generally be brief and fleeting.

7. Views of the rear of the appeal site are more evident when positioned further south along Rosslyn Avenue. Despite some existing built form and planting interrupting views across the adjacent rear gardens, the extension would be clearly visible, particularly when viewed between the rear of 85 Gordon Road and the side of 17 Rosslyn Avenue.
8. That works would be on the western side of the building and not extend the full length of the existing rear projection would help to mitigate some of the impact from this vantage point. Furthermore, its height would be subservient to the main building and its roof form would not be out of keeping with the main roof. Together with the use of a matching roof tile this would help to anchor the extension within its setting, particularly as it would largely be seen against a backdrop of buildings/roofs.
9. From Gordon Road, it might be possible to obtain brief glimpses of the appeal site from between the existing houses, but views of the proposed extension would be difficult to discern. The extension would be visible from properties in Gordon Road but the separation distances would ensure there was no impact on living conditions of these neighbours. More generally the scheme includes raised cill heights and obscure glazing to protect the privacy of neighbours.
10. Overall, the proposal would be visible from outside of the site and where it would be seen it would not be read as a particularly small addition to the existing building. However, by the same token, the measures which have been employed to limit its effect would ensure that it would not appear overly dominant or visually obtrusive. As such, neither the character and appearance of the existing site or its surrounds would be harmed.
11. Consequently, I find that the proposal would not be contrary to Policy 15 of the Adur Local Plan 2017, which, amongst other things, seeks to ensure a quality of design which respects the local context.

Other Matters

12. Subsequent to the Council's decision, the issue of flood risk has been raised. Both main parties have provided technical responses to the issue. The appellant's final technical note indicates that the latest Risk of Flooding from Surface Water (RoFSW) map dated January 2025, reveal that safe access and egress from Elreg House could be provided in the event of flooding. I have also had regard to the nature of the existing use, that the proposed extension is for accommodation at first floor level and the existing floor levels are a minimum of approximately 400mm above ground floor levels at the rear of the property. This all leads me to the conclusion that safe access and egress could be achieved in the event of flooding and so this is not an impediment to the development proceeding.
13. It has been suggested that the loss of the conservatory and additional rooms would result in overcrowding. The quality and quantity of accommodation provided would be governed by other bodies and would be beyond the remit of this appeal.

14. I note that there have been concerns raised by interested parties regarding light pollution, privacy and vehicles blocking the road. However, I note that the scheme was amended to address privacy concerns and that there was no objection from the Council or Highway Authority on the other matters. Furthermore, I have no substantive evidence to conclude that the proposal would materially alter the existing situation in respect of these issues.

Conditions

15. In addition to the standard time limit, a condition which lists the approved plans is necessary in the interests of certainty.
16. As the approved drawings do not confirm the external materials will match those of the existing building a condition to this effect is necessary to protect the character and appearance of the site. Similarly, the drawings do not indicate the dormer window to be obscurely glazed and non-opening so a condition to this effect is also necessary, in order to protect the living conditions of neighbours.
17. To ensure the development functions as intended, conditions relating to surface water drainage and the removal of existing structures are also necessary.
18. Given my conclusions on the issue of flooding a condition seeking a Flood Risk Assessment would not be necessary in this instance

Conclusion

19. For the reasons set out above, having considered the development plan as a whole and all other matters raised, I conclude that the appeal should be allowed.

Stewart Glassar

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing numbers:

Existing and Proposed Ground Floor Plan	-	A01 Rev 2
Existing and Proposed First Floor Plan	-	A02 Rev 2
Existing and proposed Second Floor and Roof Plan	-	A03 Rev 2
Existing and Proposed Elevations	-	A04 Rev 2
Location and Block Plan	-	A05 Rev 2
- 3) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the anticipated number, frequency and types of vehicles used during construction – HGV construction traffic routings shall be designed to minimise journey distance through the Air Quality Management Areas
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) storage of plant and materials used in constructing the development;
 - iv) measures to control the emission of dust and dirt during construction;
 - v) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - vi) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 4) The development hereby permitted shall not be commenced until details of the proposed surface water drainage and means of disposal have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all drainage works have been carried out in accordance with the approved details.
- 5) The external materials of the extension hereby permitted shall match those used in the existing building.
- 6) The building hereby permitted shall not be occupied until the existing structures numbered 1-5 inclusive as shown on the plan at section 3.6 of the Build View Planning Statement dated 18/05/24 have been permanently removed from the site.
- 7) The extension hereby permitted shall not be occupied until the dormer window on the west elevation has been fitted with obscured glazing, and no part of that window shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

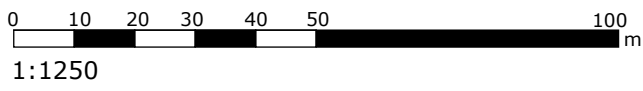
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Appendix B

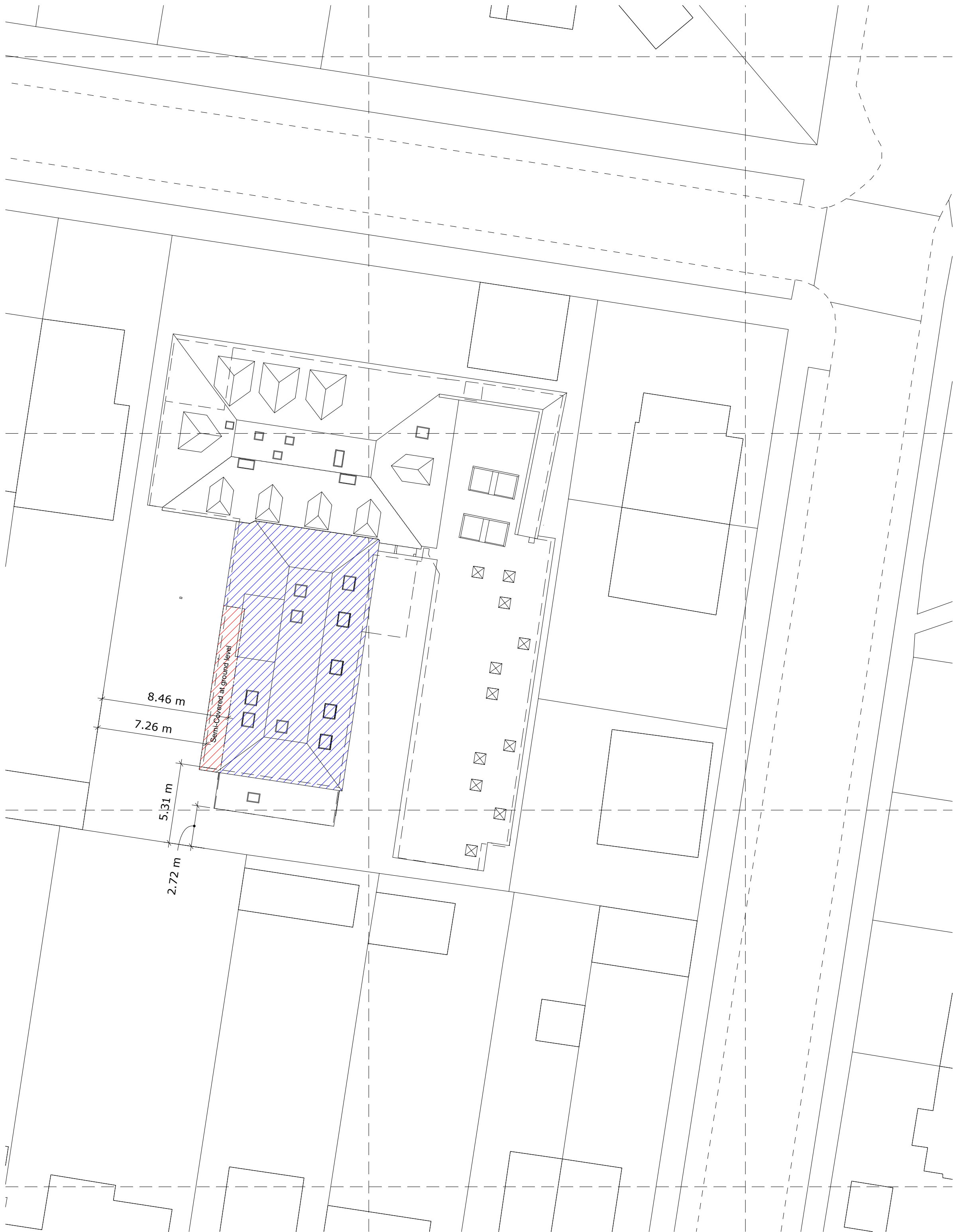
Plans and Elevations of the Proposed Vertical Extension at Elreg House



A :: Location Plan
05 scale: 1:1250



1:1250



A :: Block Plan
05 scale: 1:200



1:200



A	:: Existing Ground Floor Plan
01	scale: 1:100

01	<i>scale: 1:100</i>
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A	:: Proposed Ground Floor Plan
01	scale: 1:100

01	scale: 1:100
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- The contractor is responsible for taking and checking all levels and dimensions prior to ordering materials and starting work on site.
- All building work is to be carried out in accordance with building regulations and to the satisfaction of the local authority and a such additional unforeseen building works may be required on site.
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- Party walls actions are the responsibility of the client.

Address:
58 Rosslyn Road,
Shoreham By Sea
West Sussex
BN43 6WP

Client:
Elreg House

Title:
First Floor Extension

May 1, 2024

Rev2 - Revised Sill Height to Velu

Rev1 - LPA Full App Subm

Paper Size A1



A 01

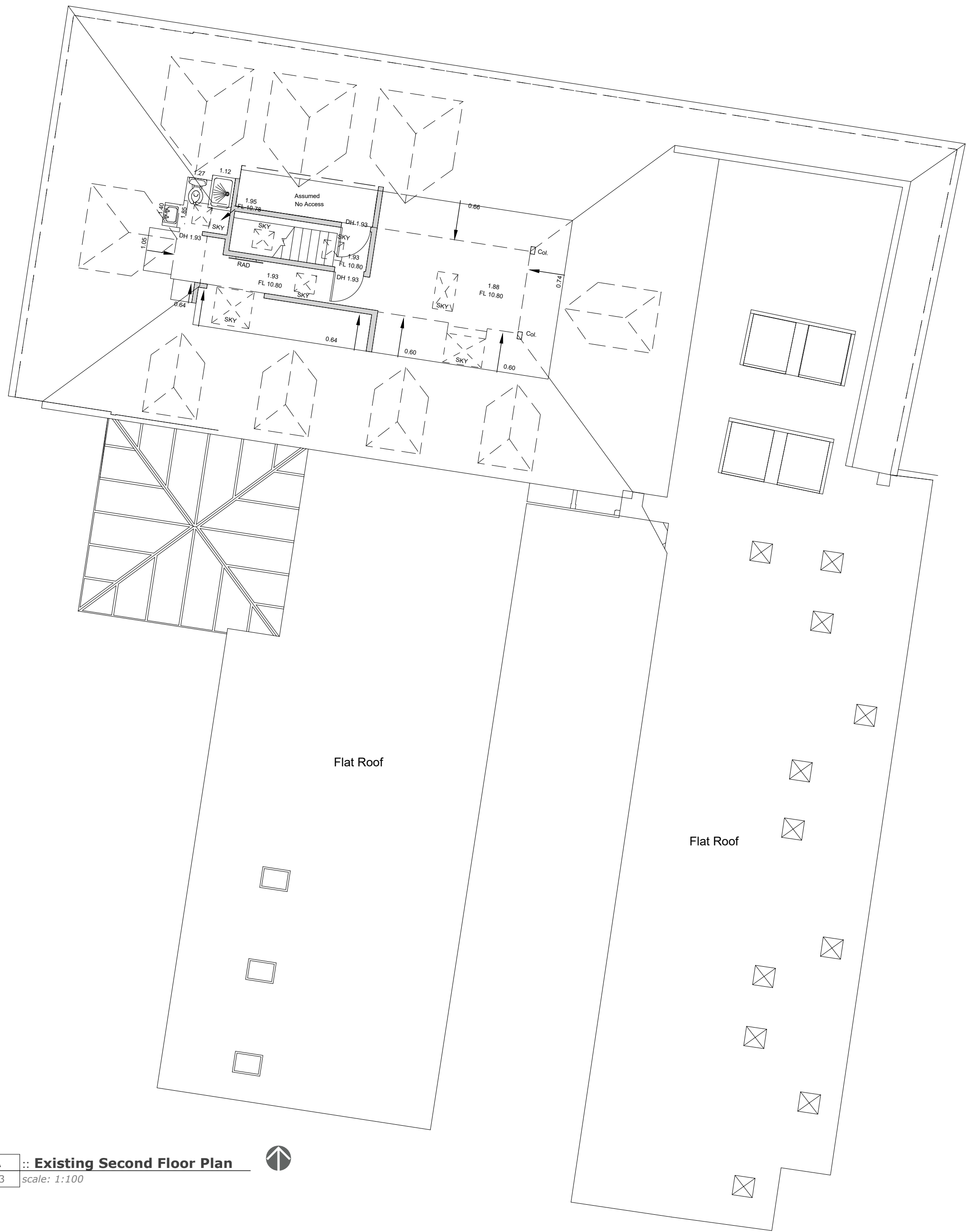




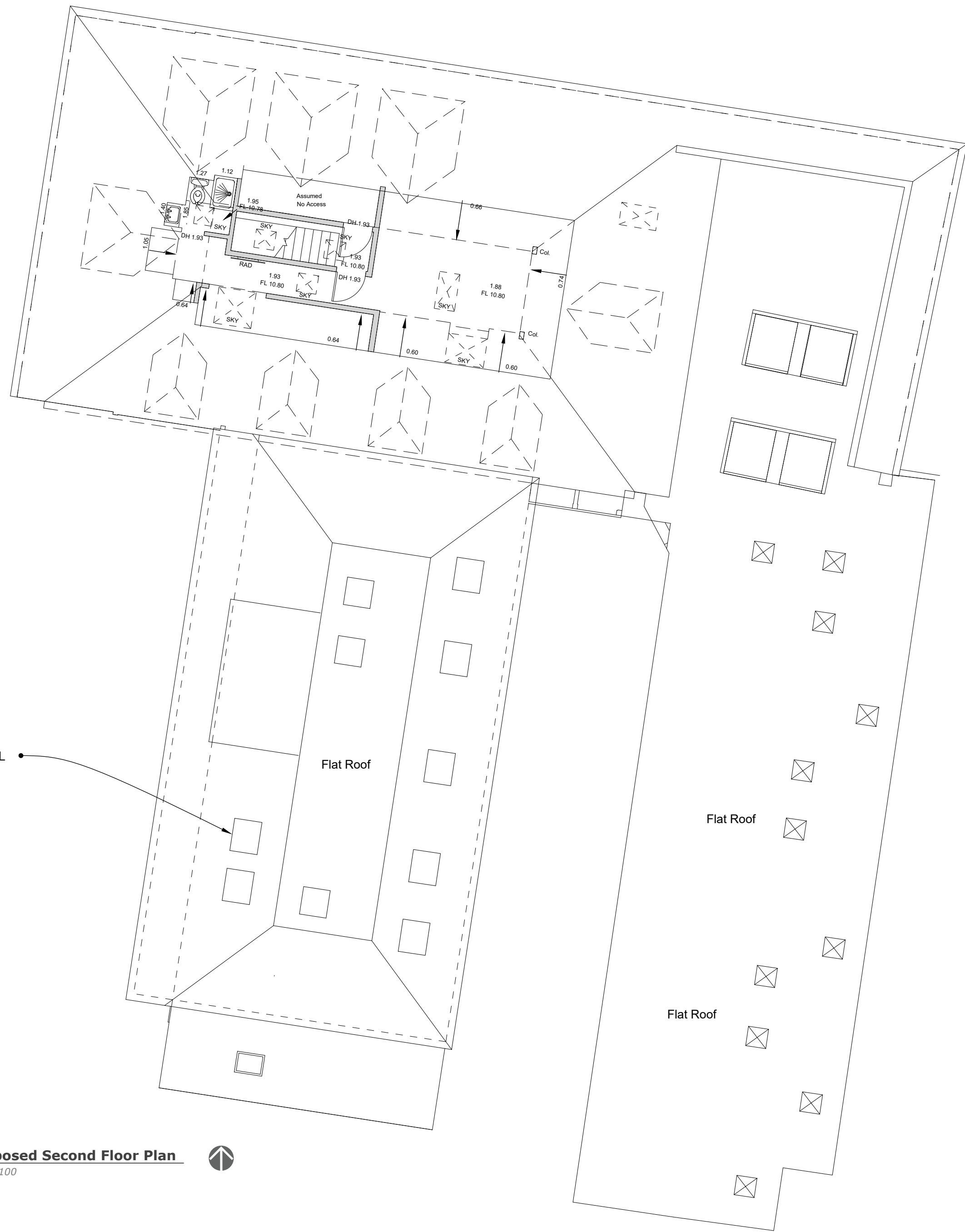
A :: Existing First Floor Plan
02 scale: 1:100



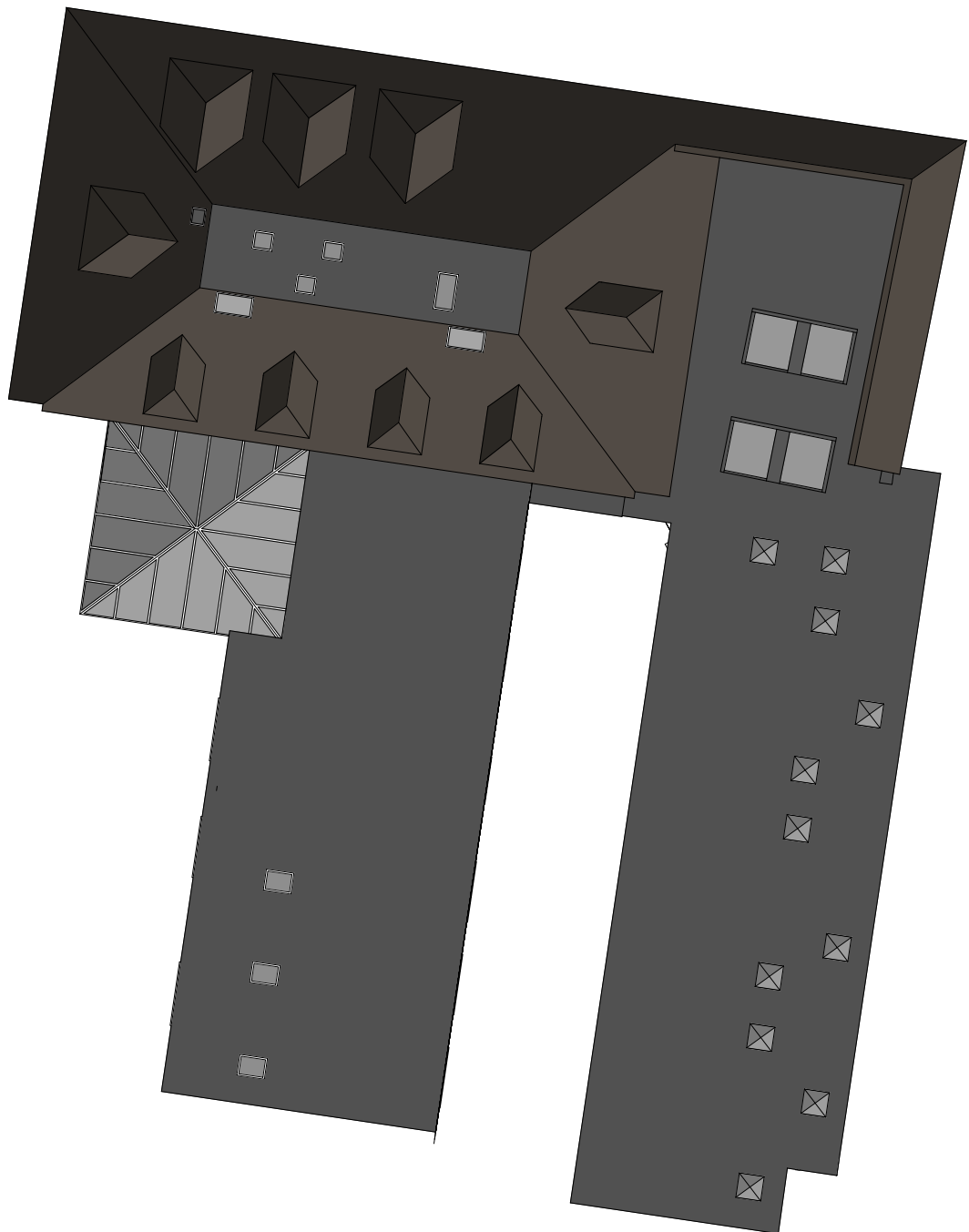
A :: Proposed First Floor Plan
02 scale: 1:100



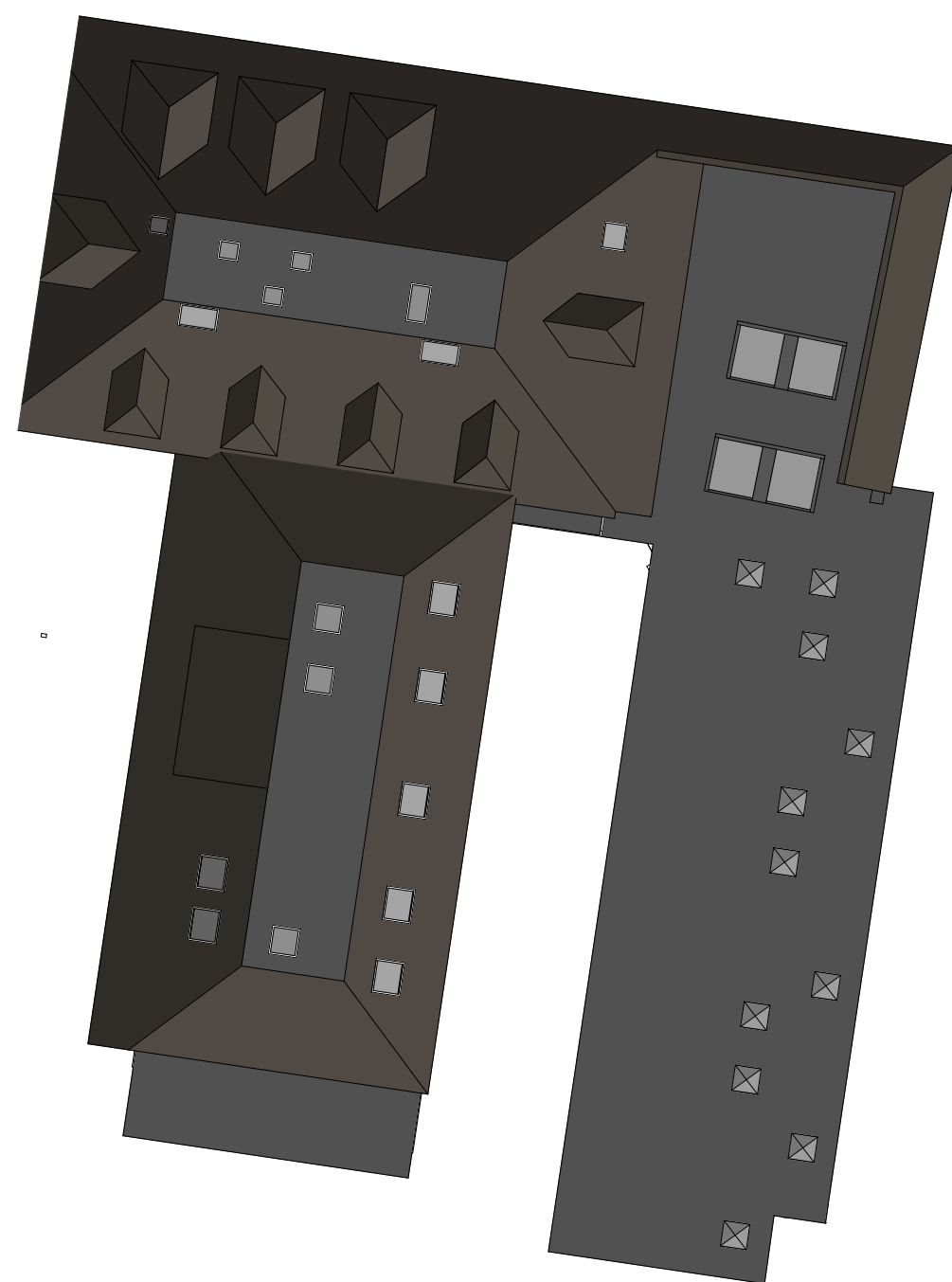
A :: Existing Second Floor Plan
03 scale: 1:100



A :: Proposed Second Floor Plan
03 scale: 1:100



A :: Existing Roof Plan
03 scale: 1:100



A :: Proposed Roof Plan
03 scale: 1:100





A :: Existing North Elevation
04 scale: 1:100



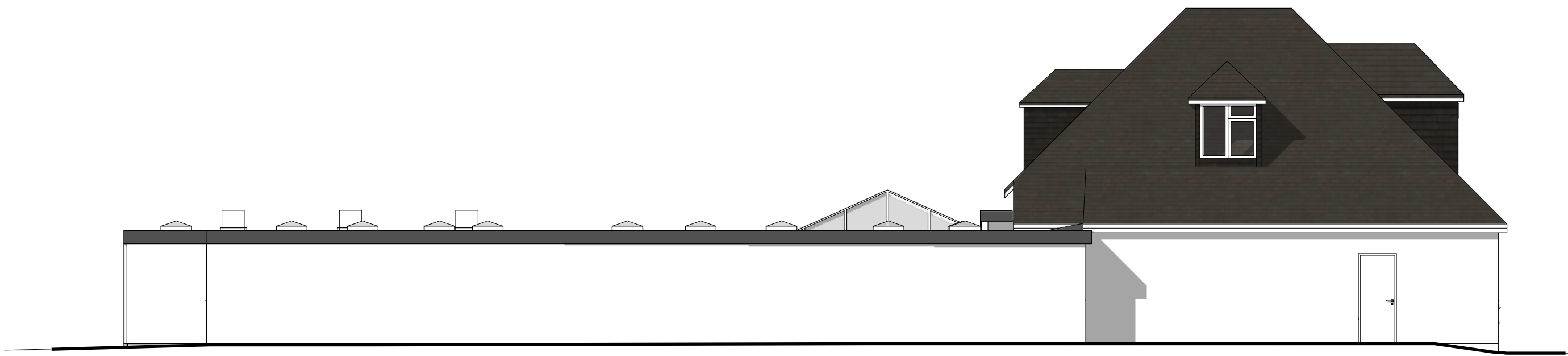
A :: Proposed North Elevation
04 scale: 1:100



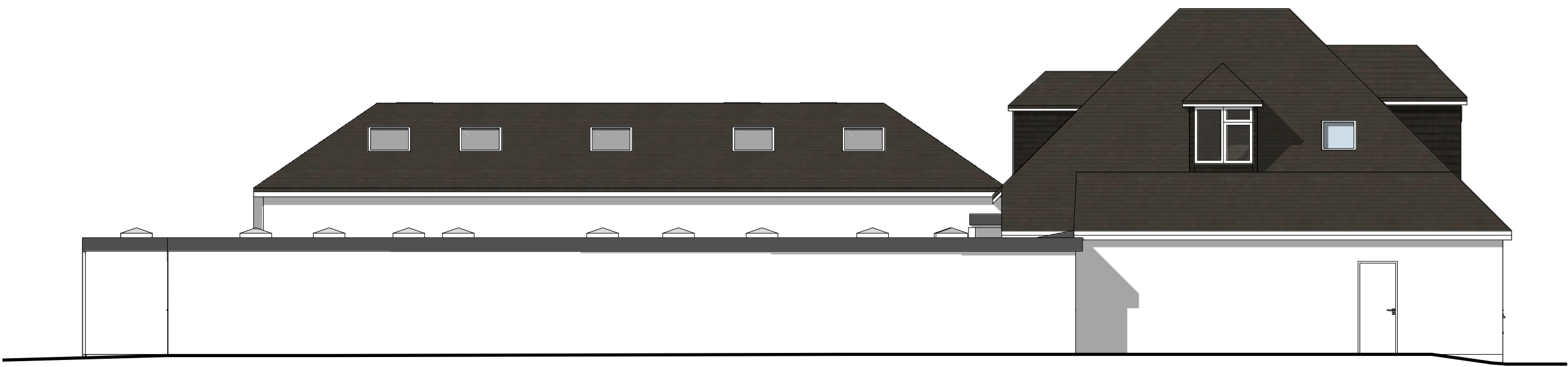
A :: Existing South Elevation
04 scale: 1:100



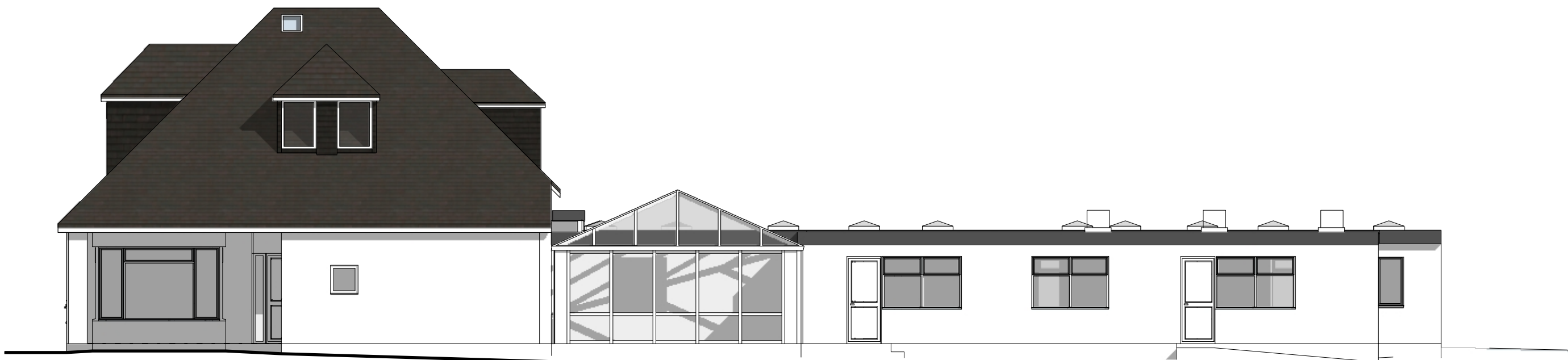
A :: Proposed South Elevation
04 scale: 1:100



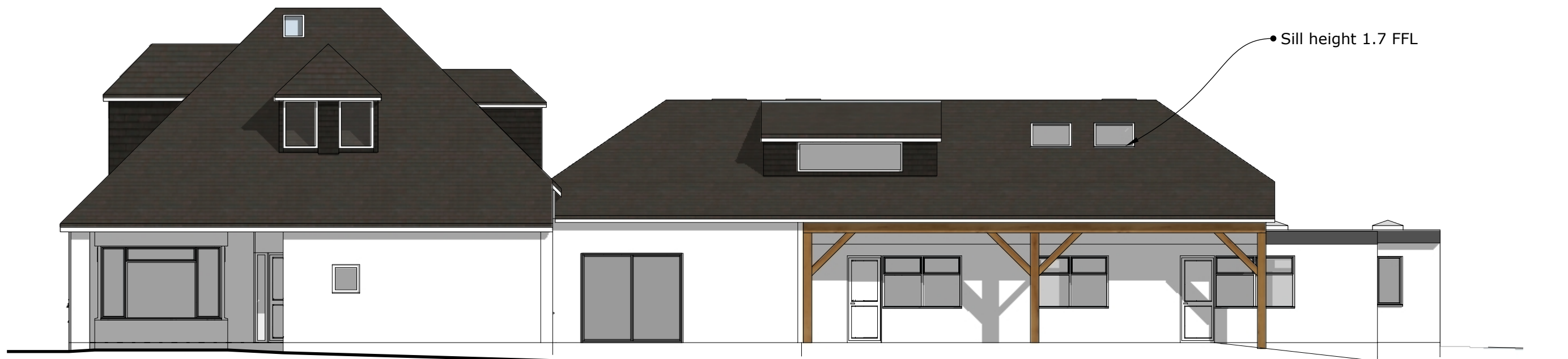
A :: Existing East Elevation
04 scale: 1:100



A :: Proposed East Elevation
04 scale: 1:100



A :: Existing West Elevation
04 scale: 1:100



A :: Proposed West Elevation
04 scale: 1:100



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Client:
Elreg House

Title:
First Floor Extension

May 1, 2024
Rev2 - Revised Sill Height to Velux
Rev3 - LPA Full App Subm
Paper Size A1



A 04

0 1 2 3 m
1:100