Development Control – Delegated Officer Report

Application Number: AWDM/1567/24 Recommendation: Approve

Site: 19 Farncombe Road, Worthing

Proposal: Proposed single storey annexe to the rear of the garden

Date of site visit: 21.01.2025

Neighbours checked: Y

Additional neighbour notifications: N Site notice posited 21.01.2025

Site and Surroundings

The site relates to the rear portion of garden associated with 19 Farncombe Road, a detached two storey Victorian villa located on the west side of the street, north of its junction with Church Walk which is on the opposite side of the street. The building is currently vacant but was previously used as offices. Permission was granted in 2024 for a 2 storey extension and terrace for use as additional office accommodation and with alterations to the front boundary (AWDM/0296/24 refers) and has not been implemented. The site is within a Protected Key Employment area as a protected office location. The site has an in and out driveway which can accommodate 4 cars off street. The site is within a controlled parking zone which restricts parking between 10-11am and 2-3pm to residents only.

There is a protected tree at the frontage, in the south east corner of the site, where TPO No.5 of 2006 applies. The site is within the Farncombe Road Conservation Area and is a local interest building.

To the north of the site is the five storey mansard roofed 1960's office building. To the south is a semi-detached villa, extended into the roof and converted into 3 flats.

Proposal

Permission is sought for the construction of a single storey building located in the rear garden with surrounding terrace and landscaping. The following extract from the applicant's planning statement describes the proposal:

The proposed development seeks permission for the construction of a single annex at the rear of the garden, designed to serve as a training room and meeting space. The annex is positioned towards the back of the property, ensuring it is not visible from Farncombe Road and has no impact on the main street frontage.

4.2. The annex has been designed to be sunken into the ground by 1.2 metres which means that the building will stand just 2.5 metres above ground level.

4.3. The floorplan of the annex provides an efficient use of space, with an open-plan layout designed to accommodate flexible space. A shower room, female and male toilets and storage spaces are also provided in the annex. The total GIA of the annex is 81.65m2 and the footprint is 99m2.

4.4. The external elevations reflect a design that is sympathetic to the existing Victorian building. The annex will have a timber clad finish, with glazed elements along the east elevation. Rooflights and a green roof are proposed to enhance natural light.

4.5. The height of the annex is modest at approximately 2.5 metres (inc. rooflights), ensuring it remains subordinate to the main building and does not overpower the rear garden. The design respects the scale of surrounding properties, minimising overshadowing or any potential loss of amenity to neighbouring residents.

4.6. The proposal includes a comprehensive landscaping scheme with soft planting, native species, and permeable surfaces to enhance biodiversity and manage surface water drainage effectively.

The application is supported by an Ecological Impact Statement, BNG Statement and Metric, and Surface Water Drainage Strategy

Relevant Planning History:

AWDM/1522/24 - Two-storey rear extension with first floor terrace; basement extension with front and rear lightwells; alterations to front boundary treatment and new rooflight to office building
STATUS: PCO .

AWDM/0296/24 - A two storey rear extension with first floor terrace to existing Office (Use Class E) and provision of front boundary treatment
STATUS: APP 4th June 2024.

NOTICE/0006/23 - Application for Prior Approval of Proposed Change of Use of an office (Use Class E) to form a 4no.bedroom single dwelling
STATUS: WDN 23rd June 2023.

AWDM/1295/19 - Approval of Details Reserved by Conditions: 4 - Details of doors and windows; 7 - Details of secure cycle facilities; 8 - Details of surface water drainage, of Application no. AWDM/0365/17.
STATUS: APP 22nd October 2019.

AWDM/0005/18 - Application for a non-material amendment to previously approved AWDM/0365/17. Amendments: Removal of first floor window on north elevation, new window at first floor level on west elevation and alteration of ground floor west elevation window and new conservation rooflight to rear elevation.
STATUS: APP 25th January 2018.

AWDM/0365/17 - Part two storey part single storey rear extension and conversion of office building to form 4 no. two bedroom flats with rear first floor balcony
STATUS: APP 16th June 2017.

AWDM/0209/13 - Re-surfacing and re-modelling layout of existing forecourt car parking area, including the formation of a second vehicular access and crossover onto Farncombe Road (to allow ingress and egress by vehicles) and ancillary works; and installation of replacement painted timber front door and re-modelling of front entrance steps
STATUS: APP 30th April 2013.

90/0826 – Application for Conservation Area Consent for the demolition of existing north (side) and west (rear) extension. Approved 6.11.90

90/0820 – Alterations and extension to existing building. Granted 6.11.90

86/0809 – Formation of additional vehicular access onto a classified road and erection of new gate pier. Granted 4.11.86

85/1166 – Change of use from house to offices. Granted 4.2.86

Consultations:

The **Worthing Society** has made the following comments:

Thank you for requesting our comments in respect of the above Planning Application which relates to a Victorian Villa, registered on the Local Interest List and is within the Farncombe Road Conservation Area.

I have now had the opportunity to discuss the proposal with our Heritage Team. This is a 'back land development' and we have the following comments:

 The development would not be consistent with the 'Conservation Area Appraisal Document' (CAAD) and would be not be in keeping with the unique character of the CA. It would undermine the flow of open back gardens which are a distinctive feature of the CA.
 The CAAD states:
Streetscape: "All the buildings are set well forward on their plots to produce generous back gardens", and "mature trees throughout the area, both in gardens and verges, create a pleasant setting for the buildings".

 The proposed modern design is too big and is not in keeping with the character of the 'host' building and the proximate Victorian villas. This would not be consistent with Policies DM 24 and DM 25 of the Worthing Local Plan.

Sinking the proposed annexe into the ground is also inappropriate and would harm the rear garden area. We have noted the concerns raised by the Consultees Water Management regarding the drainage for the proposed annexe.

 If approved this building could set an unwelcome precedent encouraging other similar developments which would undermine the overall integrity of the Conservation Area.

 The available site area is very limited and confined. The annexe would represent overdevelopment of the available area, raising issues of privacy and noise affecting near residents in both Farncombe Road and the properties at the rear in Madeira Avenue. The proposal which would not, in our view, be consistent with Policy DM 25 of the Local Plan.

 The Society considers the inclusion of the annexe in this sensitive area would not be consistent with the Planning (Listed Buildings Conservation Areas) Act 1990 as it would not 'enhance or preserve' the character of the CA.

One balance, we consider this proposal represents an 'overdevelopment' of the available site area and would not be in keeping with the unique character of the Conservation Area. For the reasons stated, the Society submits that this application should be refused.

The Council's **Drainage Consultant** has commented on the original submission as follows:

Following a review of the submitted information, we have noted that insufficient information has been provided to demonstrate the application is in accordance with the NPPF and the PPG. The provided infiltration testing demonstrates that infiltration is not a viable option. Therefore, the applicant should provide updated drainage information that does not include infiltration.

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.

The Council's **Drainage Consultant** has provided further clarification and recommending that the application is not approved until updated information is received to address the following:

The provided infiltration testing in Appendix F of document 1ecfar/2409049 dated 17/12/2024, demonstrates that infiltration is not a viable option. The first test failed to drain and therefore three tests, as required in the BRE 365 guidance, could not be completed. Therefore, the applicant should provide updated drainage information that does not include infiltration. By following the hierarchy of preference, attenuation with a controlled discharge rate to the surface water sewer as identified to the north of the site should be considered. The discharge rate from the site should be no more than identified greenfield runoff rates to demonstrate flood risk is not increased elsewhere. We would recommend the application is not approved until updated information is received that addresses the above points.

The applicant agent has subsequently provided a technical note and rebuttal in response to the objection which is summarised as follows:

3.1 This technical note has shown that the infiltration rate taken from the on-site soakage testing is indeed viable for infiltration. Trial pits that take longer than 7.5 hours to empty still return useable infiltration rates and do not constitute a 'failed' test. The time constraints at 19 Farncombe Road at the time of the site investigation have been highlighted and present why three full tests were not recorded and why it was not possible to be present at the conclusion of the first test. On this point, and as explained in this technical note, experience has placed designers in an uncertain position where there is no correct answer to this situation and the only alternative, which is to maintain a 24-hour watch over a trial pit, is not reasonable or practical.

3.2 It is also proposed that the infiltration rate encountered, when combined with the attenuation on offer that stores all surface water runoff from the 100-years plus 45% storm, is commensurate with the scale and risk of the development, and a more pragmatic and proportionate response to the issue of infiltration rates would be better applied in this case.

3.3 However, if the LPA do not agree with this, we request that a planning condition be placed on the consent that requires a full BRE365 soakage test to be provided prior to commencement.

3.4 Finally, a surface water sewer is not available to the development, as suggested by WSP, as there is only foul sewer in Farncombe Road.

The Council's **Drainage Consultant** has commented as follows:

Following a review of the submitted information, we note our previous comments, dated 21st January 2025, are still relevant. Infiltration testing must be carried out in accordance with BRE 365 to demonstrate infiltration is a viable option for surface water drainage. As the trial pit did not drain (as stated in Appendix F – Infiltration Testing Report of the Surface Water Drainage Strategy) an infiltration rate can not be based on the testing. Instead, an estimated infiltration rate has been provided. However, as this cannot be evidenced it is not clear that the soakaway will function as required and will not increase flood risk to the site and others. Therefore, the application is not in accordance with the NPPF and its accompanying PPG.

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

Further infiltration tests have been carried out and an infiltration testing report was submitted for consideration. The Council's Drainage Consultant has commented as follows:

Following a review of the submitted information, we have noted the updated infiltration testing demonstrates infiltration is a viable option for surface water drainage. Therefore, under the following conditions the applicant should update their drainage strategy to include calculations using the worst infiltration rate from testing. Groundwater monitoring should also be provided to demonstrate a 1m clearance

between the highest recorded groundwater levels and the base of the proposed soakaway.

We would recommend the application is approved with the following conditions attached:

Condition 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 will be required to support the already provided infiltration testing and 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.

Condition 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 Adur and Worthing Council.

Southern Water has made the following comments:

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.
Septic tank

The Environment Agency should be consulted directly by the applicant regarding the use of a septic tank drainage which disposes of effluent to sub-soil irrigation.
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

The **Highway Authority** has commented as follows:

I refer to your consultation in respect of the above planning application and would provide the following comments.

Summary

The proposal seeks to create an annexe in the rear garden of the existing office building at Farncombe Road, this would raise the overall Office floor space by an extra 99sqm. Farncombe Road is a C class road subject to 30mph speed restrictions. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injuries or accidents at the existing access with the public highway. Therefore, there is no evidence to suggest that the junction is operating unsafely, or that the proposed additional floorspace would exacerbate an existing safety concern.

Comments
The annexe will provide additional office space and training/meeting room, demonstrated in the proposed Floor Plan and Site Plan as Room A and B. There is no proposal to change the existing access or parking layout as a result of this proposal.
The WSCC Parking Standards outline that 1 space per 30sqm is required to serve an office use. Therefore, the proposal would generate the requirement for 3 additional parking spaces. It is acknowledged that the works will provide an intensification over the existing arrangement, the LHA has therefore considered the opportunities for alternative means of parking and transportation within the local vicinity of the site.

On street parking is available within the adjoining road network, however this is subject to a permit and restrictions. The existing property is served with 4 parking spaces.

There are two car parks within a 10minute walk of the development site, Lyndhurst Road Car Park to the North and Beach House West Car Park to the south. Further west of the site lies Worthing multistorey car park. These are pay and display facilities. Regular bus services operate on Lyndhurst Road to the North and the A259 to the

south, these operate services to Lancing, West Durrington, Brighton and Littlehampton amongst others.

Opportunities for cycle parking do exist at the site, although it is unclear how many are available and their current demand. The LPA may wish to consider confirmation of this to ascertain whether additional cycle parking provisions should be secured. WSCC guidelines state that 1 space per 100sqm for staff and 1 space per 100sqm for visitors should be provided.

Conclusion
The Local Highway Authority does not consider that the 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.

Environment Agency (consulted 13.3.25 following Southern Water comments in respect of the use of a septic tank) – no comments received.

West Sussex Fire and Rescue Service has made the following comments:

Having viewed the plans for the planning application no AWDM/1567/24 for the Proposed single storey annex to the rear of the garden; evidence is required to show that all points inside the annex are within 45 metres of the location of a fire appliance in accordance with Approved Document B (AD-B) Volume 1 B5 section 13. This is to be measured along the hose lay route, not in a direct line or arc measurement as this type of measurement can rarely be achieved due to obstructions. Any areas not within the 45-metre distance will need to be mitigated by the installation of domestic sprinkler or water mist system complying with BS9251 or BS8458 standards.

The Council's **Design and Conservation Architect** has commented as follows:

Farncombe Road has long been dominated by large Victorian Villas in generous verdant plots. Although retaining an established residential character, some plots have been in use as offices for a number of years.

A sympathetic extension was negotiated to the rear of 19 Farncombe Road in 2017 as part of proposals to convert the building from office use to 4 residential units. The large remaining rear garden would have been maintained for the amenity of the residents. The building has since been sold and permission obtained to build a very similar extension, but continue an office use throughout.

The current application proposes further development within the rear garden. Where backland development is proposed within a conservation area the impact of the proposal on the pattern of development in the vicinity needs to be carefully considered. Buildings set deep within the rear gardens are not considered to be a typical characteristic of the Farncombe Road Conservation Area and therefore the implications of the current proposals need careful assessment. As designed, the proposed single storey structures have been set around a sunken courtyard in order to minimise their presence from surrounding views. They do however undermine the

established pattern of development in this conservation area and as such would cause less than substantial harm. The NPPF requires that in determining the planning application the less than substantial harm must be weighed against the public benefits of the proposal.

The Council's **Environmental Health Officer** has confirmed no adverse comments.

The Council's **Senior Tree and Landscape Officer** has requested further details in relation to proximity of trees and their RPAs to which the applicant responded as follows: *In relation to the existing retained trees, all trees in the area of the proposed annexe are small, self-seeded and immature tree specimens such as buddleia. The trees have been considered in the accompanying BNG assessment. The RPAs are very limited, and the sunken structure specifically designed to avoid undue impacts on RPAs to the young tree specimens. We would agree to a suitably worded condition to ensure their ongoing retention and protection.* The Council's Senior Tree and Landscape officer considers that due to the size and age of the trees, those trees to be retained should not be adversely affected subject to details required as to how they are to be maintained. In relation to moving four trees within the scheme, he has recommended the following:

If within five years following repositioning, any of the trees die or become seriously diseased, a new tree of the same size and species shall be planted in a similar position during the next planting season following the removal of the relocated tree, unless the Local Planning Authority gives written approval to any variation.

Representations:

One representation has been received from the occupier of a neighbouring flat at No.17 Farncombe Road, objecting to the application on the grounds as summarised below:

- The development would not be in keeping with the character, appearance and design of the conservation area
- Harm to current row of large undeveloped gardens and set a precedent for overdevelopment – previous application at No.13/15 was refused on these grounds (AWDM/1912/21)
- Close proximity to residential properties with small gardens and to neighbouring garden at No.17 – noise and disturbance
- Open nature of garden would be lost – already impacted on by approved extension to No.19

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM5 (Quality of the Built Environment)
DM11 (Protecting and Enhancing Employment Sites)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)

DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)
DM24 (The Historic Environment)

National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance

Planning Assessment

Principle of Development

Paragraph 11 identifies at the heart of the NPPF a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

The NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking account both local business needs and the wider opportunities for development.

Although surrounding uses in the vicinity of the site are predominantly residential, the site is located within a key office location where employment uses are protected against loss of other uses. Having a range of sites and premises across the borough to suit different needs of businesses for space, location and accessibility is vital to improving the competitiveness of Worthing and the wider sub regional economy. Worthing Local Plan policy DM11 states that the key employment areas are essential in maintaining a strong and diverse supply of employment sites and premises to meet the needs of the local economy and, given the significant land constraints, the Council are seeking to protect them for employment uses appropriate to their location. Only in exceptional circumstances, where there is clear and robust evidence that the introduction of alternative uses is required to retain a diverse and resilient local economy, will such a change be considered.

The applicant's agent has stated that: *The proposed annex and extensions are designed to enhance ongoing employment activities by delivering modern, adaptable, and efficient workspaces. Crucially, this scheme enhances rather than reduces employment floorspace, ensuring that the sites fundamental role as an employment area is maintained. Unlike other developments along Farncombe Road that might shift the properties use away from employment, our proposal optimises the existing building through carefully considered extensions (which have already received approval) and the addition of a small-scale, low-lying annex which cannot be seen from the conservation area.*

The proposals do not only meet contemporary office requirements but also reinforces the sites commitment to serving as a key employment location. By improving the quality and functionality of the workspace, the proposal supports the long-term employment use of the site.

The proposals would result in the addition of approximately 70 sqm of new floorspace to be used as a training room and meeting space in connection with the existing office accommodation. Shower and wc facilities and a small kitchen area would be provided. The proposals would support the continued use of this site for office accommodation and would enhance the provision through the additional facilities provided.

It is acknowledged that the proposals would support and enhance the employment use at this key office location in a sustainable location and this would be consistent with Local Plan Policy DM11. This is subject to detailed consideration of the effects of the development proposal on visual amenity and the character and appearance of the conservation area, the effects on the amenities of neighbouring occupiers, highway and parking considerations, drainage and flooding, biodiversity, ecology and sustainability considerations.

Visual Amenity and impact on the Conservation Area

The NPPF states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.' The NPPG advises that significance derives not only from a heritage asset's physical presence, but also from its setting.

Policy DM24 of the Worthing Local Plan requires that:

a) Where development affecting any designated or undesignated heritage asset is permitted, it must be of a high quality, respecting its context and demonstrating a strong sense of place.

b) Proposed development should take account of the information and guidance in Worthing's Conservation and Heritage Guide (which will be updated and periodically reviewed).

Designated Heritage Assets

c) Development should not adversely affect heritage assets or its setting (including important views that contribute to its setting). Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the Council will refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Where proposals may result in harm to a designated asset a Heritage Impact Assessment (HIA) must be submitted describing the significance of any heritage assets affected, including any contribution made by their setting.

d) Planning permission and/or Listed Building consent will only be granted provided that the appearance, significance, or historic character of the Listed Building is not adversely affected. The reinstatement or replication of original features such as windows or doors will be supported. Materials used must be consistent with those originally used or typical of the locality. Change of use may be supported where this secures the retention of a building of historic architectural interest where it could otherwise be lost.

e) Development in Conservation Areas will be required to be of a high standard of design and materials so as to respect, preserve and enhance the character and appearance of that area, and preserve important features. Conservation Area Character Appraisals will be used to assess applications within designated Conservation Areas and opportunities will be taken to preserve and enhance these areas, and to implement the recommendations of Conservation Area Management Plans. The importance to the local area of Buildings of Local Interest within Conservation Areas will be a material consideration in assessing an application for their demolition or development. Where, in compelling circumstances, the Council is minded to grant permission for demolition of a building in a Conservation Area, this shall not be granted until detailed plans for redevelopment have been approved.

In relation to undesignated heritage assets including Buildings of Local Interest, Policy DM24 states that:

They have been identified for their contribution to the character of the area in which they are located as set out in Worthing's Conservation and Heritage Guide. Their importance to the local area and community will be considered, and account will be taken of the desirability to sustain and enhance their significance. Development proposals should respect, support, and where possible, positively contribute to the essential character of these heritage assets. Other buildings and features of design and architectural interest not included above may also be considered undesignated heritage assets and therefore will also be subject to these requirements. Where a development would result in harm to an undesignated asset, a balanced judgement will be made, having regard to the scale of any harm or loss and the significance of the asset. A HIA will be necessary to inform the decision.

Policy DM5 of the Worthing Local Plan requires that:

All new development (including extensions, residential annexes, alterations, ancillary development, change of use and intensification) should:

i) be of a high architectural and design quality and respect and enhance the character of the site and the prevailing character of the area. This will include consideration of proportion, form, design, context, massing, siting, layout, density, height, size, scale, materials, detailed design features and landscaping;
ii) 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 layout of the development;

iii) make a positive contribution to the sense of place, local character and distinctiveness of an area;
iv) respect, preserve and where appropriate enhance, heritage assets and settings;
v) be well built, accessible, fit for purpose, and adaptable to changing lifestyle, demography and climate;
vi) include a layout and design which: take account of potential users of the site; create safe conditions for access, egress and active travel (walking and cycling) between all locations; provide good links to integrated public transport; and have acceptable parking arrangements (in terms of amount and layout);
vii) make a positive contribution to creating a safe and secure environment by integrating measures for security and designing out opportunities for crime;
viii) not have an unacceptable impact on the occupiers of adjacent properties, particularly of residential dwellings, including unacceptable loss of privacy, daylight/sunlight, outlook, an unacceptable increase in noise giving rise in significant adverse impacts, or vehicular movements resulting in severe cumulative impacts on the road network, or loss of important open space of public value (unless it satisfies any of the exceptions set out under Policy DM7 – Open Space, Recreation and Leisure);
ix) respect the existing natural features of the site, including landform, trees and biodiversity and contribute positively to biodiversity net gain. Where appropriate, this will include the protection and integration of existing trees and green infrastructure into new developments;
x) ensure that lighting incorporated into developments provides the minimum for public safety, is energy efficient and avoids light pollution.

The site is within the Farncombe Road Conservation Area. The Conservation Area Appraisal notes the essential architectural character of the area is defined by its large villas. It states that '*all the buildings are set well forward on their plots to produce generous back gardens, yet far enough back from the pavement to give streets their broad, open aspect. This effect is reinforced by the generous grass verges between road and pavement and by the wide roadways. Mature trees through the area, both in gardens and verges, create a pleasant setting for the buildings. Well-kept original red brick pavements also contribute to the area's settled, long-established appearance, though some have been replaced by driveways and man-hole covers. Low boundary walls of boulder-flints with red-brick bandings and piers, provide an attractive division between garden and thoroughfare for most properties. They are a significant part of the street scene. The building lines follow the road, with most houses being set 8-10 metres from the edge of the pavement; this, and the generous spacing between the houses affords a series of changing vistas to anyone travelling along Farncombe Road*.'

The proposed building would be sited within the rear garden area set behind the existing frontage building at No. No.19 Farncombe Road and would use the existing access. It has been designed as a sunken single storey building to limit protrusion above the boundary wall heights.

In terms of the impact on the significance of the conservation area, relevant in this case is an appeal at 22 Lyndhurst Road (to the north east of the application site) where

the inspector considered the character of the conservation area (application reference AWDM/1518/17 appeal reference APP/M3835/W/18/3217977 refers) as follows:

Conservation Area

8. The site is within the northernmost part of the Farncombe Road Conservation Area (the CA). I therefore have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, any harm or loss requires clear and convincing justification.

9. The significance of the CA is derived from its sinuous street scene of elegant, generously proportioned villas set behind softly landscaped front gardens and the tree lined highway. Although some of the villas have been altered, the primacy of their Victorian design remains, and there are broad consistencies in their widths, 2/3 storey heights, roof profiles and their spacing. This leads them to be viewed as a collective, which reinforces the planned, suburban flow of the CA. Due to its rather anomalous placement within this part of the town, its tranquil and affluent character contrasts with the otherwise busy and urban roads to which it connects. This leads the CA to have a particular sensitivity to change that would encroach upon its spacious character and suburban scale.

10. This is evidenced by the incongruously large and wide 20th century development of Griffin House, which is one several buildings near to the appeal site which break from the character of the CA in one way or another. However, the scale, proportions and siting of the modern buildings to the south of the appeal site, at Horton Court, in addition to the adjacent original villa No 22 Farncombe Road, ensure that this part of the CA continues to make a positive contribution. Furthermore, the CA is logically experienced in significant part or in whole, as one travels through it. For these reasons, development within the appeal site would influence the significance of the CA as a whole.

The existing garden land is compatible with the prevailing character of Farncombe Road with the rear gardens being largely free from built development. The proposed building and sunken terrace as originally submitted would be substantial in terms of site coverage and greater than other garden outbuildings within the grounds of other Farncombe Road properties and not of a scale that would have been associated with a dwelling of this size and period, and also taking account of the extent of the previously approved extension to the main building at No.19 which would also intrude into a substantial portion of the rear plot.

The applicant's statement suggests that: *The proposed annex is designed as a single-storey, partially submerged structure, maintaining a modest height to ensure it remains visually subordinate to the main building and minimises any impact on the surrounding area. The building is approximately 2.5 metres in height, allowing it to sit comfortably within the garden space without dominating the site.*

It is acknowledged that views of the building would be restricted by the rear positioning, the width of the existing frontage building and the surrounding boundary walls and neighbouring buildings and crucially its sunken design and in this respect the proposals differ from other recent backland proposals at No.13-15 (AWDM/19152/21)

and 14-16 Farncombe Road (AWDM/1141/22), where views of the development would be possible in those cases. Also relevant is the ancillary nature of the use of the annex building and in this respect it is unlikely to have a significant effect on character in terms of affecting the intensity of use at the site.

The applicant has responded to concerns over site coverage by reducing the area of each room by squaring off the rear (west) wall to have a separation distance of approximately 3.4 metres to the rear boundary wall, and with the length of the of the northern part of the building (containing room A) reduced to approximately 7.1 metres. The application includes a sunken terrace area and this has also been reduced in width by setting it in from each side wall (and 4.5 metres and 3.1 metres from the north and south boundaries respectively) and reducing the depth to approximately 3.2 metres from the proposed east wall of the building.

Having regard to the inspector's description of the significance of the conservation area above which refers to the visible streetscene elements, and the limited height and visibility of the building proposed, where it would not be readily visible or have any discernible effect on the character of the villa, whilst the proposals would introduce a form of backland development in an otherwise leafy garden environment it is considered that the proposed building and sunken terrace would not impose itself on the conservation area. The Council's Design and Conservation Architect has acknowledged that as designed the single storey structure would be set around a sunken courtyard in order to minimise their presence from surrounding views. However they would undermine the established pattern of development in the conservation and as such would cause less than substantial harm to the significance of the heritage asset. This must be weighed against the public benefits which in this case the proposals would support and enhance the continued employment use in this key office location and in doing so would support the continued viable use of the site. It is considered that on balance and having regard to the level of harm weighed against the public benefits of the proposal a refusal on conservation area impact or wider character grounds would not be justified.

In terms of detailed design for the proposed building, the contemporary design and materials would not be characteristic of the traditional frontage dwellings. However its detached form and contrasting but simplistic design with a green roof would not appear unreasonable in the garden setting. The stepped form, roof detailing, and extent of glazing would help to minimise the sense of scale. It is considered that the proposals would not cause any significant harm to visual amenity.

In terms of trees and landscaping, there are eight existing trees identified in the rear garden, three of which are indicated to be relocated, and others would be retained. Four new trees are proposed within the rear garden. The protected tree to the site frontage would not be directly affected by the proposals. No objection has been raised by the Council's Senior Tree and Landscape officer on the proposals. Precise landscaping details indicating species and planting numbers can be agreed by condition to ensure a satisfactory landscaping scheme, and to ensure suitable tree protection measures during construction and for ongoing retention or suitable replacement planting if necessary.

Residential Amenity

The comments raised in the representation in relation to the impact on neighbouring occupiers are noted.

The building would be sited between 3-3.4 metres from the rear boundary wall as it tapers, between 1.4-2 metres from the north boundary and 2 metres from the south boundary. The height has been limited to approximately 2.5 metres above ground level plus roof lanterns, with limited protrusion above the existing boundary treatments and combined with the separation this would limit the impact arising from the physical building, which is particularly close-knit at the rear where gardens in Madeira Avenue are particularly shallow.

The positioning of the main windows would result in no main window openings at the rear of the building (one window to the wc is proposed) and with one high level window to the south side. Main outlook has been arranged to look inward to a courtyard area and back towards the rear of the frontage building. Whilst this would include views back towards the neighbouring building, given the separation distance of approximately 20 metres, this would not cause any significant impact specifically in terms of overlooking. Smoked glazing has also been indicated as well as fixed glazing to room B where it is closest to the neighbouring garden to the south.

In terms of the use and the level of activity associated with the new building, as originally submitted the applicant's statement did not make clear how the proposed use would function in connection with the main building. However the applicant's agent has since provided the following clarification:

The developed site will provide high-quality, technologically advanced flexible workspace tailored to professionals who rely on modern technology. Designed for adaptability, the development will accommodate evolving business needs, including hybrid working, research, training, and development. Consequently, employee numbers will fluctuate depending on the nature of ongoing projects. Additionally, the site is being prepared for future employment without a pre-let or confirmed occupier. Given current market conditions and its location, delivering high-quality employment space is essential. The annexe will be completely ancillary to the main building and will not be rented out or offered for use by external parties.

In the context of the existing office building, and having regard to its use as an annex ancillary to the use of No.19 as offices, it is considered that the use of the proposed building would not represent a significant intensification of the authorised use of the site in terms of comings and goings or noise and disturbance. No objection has been raised by the Environmental Health Officer and it is considered that its use could be suitably controlled by a condition to ensure that it remains ancillary in the interests of protecting residential amenity.

Whilst it is acknowledged that the existing garden area could already be utilised by office users, the proposed terrace area may bring more focus to this area to be used more intensely than the existing garden and where neighbouring occupiers would have a reasonable expectation of peace and quiet. However in response the applicant has provided revised plans which reduce the extent of the terrace area in terms of its depth and in width by setting it in further from the side walls of the proposed building. There

would be a distance of 4.5 metres from the northern boundary and 3.2 metres from the southern boundary and it is considered that the reduced terrace area and sunken design would help to limit any significant unneighbourly impacts arising from this area

Given the constraints of this site and close proximity of neighbouring buildings a construction management plan is considered necessary to help manage and mitigate against the impact arising from construction works.

Access and Highways

No objection has been raised by the Highway Authority on parking, access or highway safety grounds. The application proposes no alterations the existing car parking or access arrangements which includes 4 car parking spaces at the site frontage. Whilst the proposal would create a shortfall against WSCC parking standards of 3 spaces, the site is considered to be a sustainable location, well connected to the town centre and public transport connections, and with the provision of cycle storage to encourage alternative modes of transport, users need not be reliant on the use of the private car.

Secure cycle storage has been indicated at the rear of the frontage building, details of which would need to be agreed by condition to secure this provision to meet WSCC guidelines and encourage alternative modes of transport to the private car.

Sustainable Development

The supporting statement outlines that '*the building would be able to adopt water (aerated taps and low flow shower) and energy (appliances rated A or A+) measures to reduce consumption and would be able to accommodate low energy lighting in accordance with building regulation requirements.*

The building would further be constructed using modern methods of construction and include insulation designed to ensure space heating load will be reduced. A high level of air tightness and good natural lighting will be optimised where possible.'

A condition is recommended for sustainable design measures to be submitted and agreed in order to meet the requirements of local plan policy DM16 which includes C02 reduction requirements, a 'B' rating Energy Performance Certificate, overheating prevention and waste minimisation requirements.

In terms of flooding and drainage, the SFRA identifies that parts of the site are susceptible to surface water flooding. Further infiltration testing has been carried out at the request of the Council's Drainage consultant and this has demonstrated that infiltration is a viable option for surface water drainage. The Drainage Consultant is now satisfied with the latest information and has recommended conditions to require a detailed surface water drainage scheme to be agreed and for details of maintenance and management of such scheme to ensure that flood risk is adequately addressed and not increased.

An Ecological Impact Assessment has been provided which outlines that the site offers some suitable habitats for small mammals, reptiles, invertebrates and breeding birds. Avoidance and mitigation measures have been built into the design of the scheme in

accordance with the mitigation hierarchy and BS42020:2013 such as tree protection, phased cutting of shrubs required to be removed, and works to take place outside of bird nesting/breeding periods. It also recommends ecological enhancements such as use of flowering plants with a recognised wildlife value, seed and fruit bearing tree species, bird boxes, a bat box and invertebrate boxes to be installed, and hedgerow planting.

BNG

As set out in the Environment Act 2021, all relevant planning applications to which BNG applies will automatically be subject to a deemed pre-commencement condition (the biodiversity gain condition) which ensures that development may not begin unless a Biodiversity Gain Plan has been agreed.

Policy DM18 requires all new development to provide a minimum 10% net gain for biodiversity – where possible on site. A minimum 10% BNG is mandatory for small sites since April 2024.

The applicant has provided a BNG Statement with the application which explains that a baseline habitat assessment has been undertaken and no clearance or habitat degradation had taken place prior to survey. It states that there is no irreplaceable habitat within or immediately adjacent to the site.

The Biodiversity Net Gain (BNG) assessment concludes that the existing baseline biodiversity value of the site was **0.36** Habitat Units, consisting of:

• 0.021ha of modified grassland in poor condition providing 0.04 habitat units.
• 0.031ha of introduced shrub (condition assessment N/A) providing 0.06 habitat units.
• 0.0326ha of rural trees in moderate condition providing 0.26 habitat units.

0.31 habitat units would be retained.

It is understood that this includes the habitat value of all existing trees including 3 trees to be relocated. The metric has been adjusted to downgrade those trees identified to be moved to a poor condition to account for any potential impacts as a result of replanting.

Proposals in the creation of new habitat have been indicated to comprise of:

• 0.01 ha of developed land, sealed surface which includes the proposed annexe (with the total of the proposed green roof subtracted), the paved terrace and the pathways.
• 0.006ha of green roof, to be positioned on the proposed annexe.
• 0.012ha of other neutral grassland, consisting of flowering grassland surrounding the terrace
• 0.0163ha comprised of 4no. proposed small trees.

The proposed new habitat creation is indicated to deliver 0.14 habitat units which would represent an onsite net change of 24.05%

The metric calculations and BNG Statement have identified that an on-site approach would result in over 10% Biodiversity Net Gain which if implemented would comply with BNG regulations and local plan policy DM18. This can be secured by condition and the application would be subject to the biodiversity gain condition which would require a Biodiversity Gain Plan to be formally submitted for approval at pre-commencement stage and a landscape and ecological management plan to ensure that the proposed habitats are delivered, and target conditions are achieved and maintained for at least 30 years. The applicant has agreed to this approach to securing on site BNG.

Other issues

In response to the comments from West Sussex Fire and Rescue Service the applicant's agent has confirmed that the proposal will incorporate a fully compliant sprinkler system which will be designed and installed in accordance with the requirements of BS 9251.

Recommendation

APPROVE subject to Conditions:-

1. Drawing Numbers
2. Standard time limit
3. Construction Management Plan to be agreed
4. Biodiversity Gain Plan to be prepared in accordance with BNG metric and BNG Statement unless otherwise agreed
5. Landscape and Ecological Management Plan to be agreed to include management and monitoring to maintain habitat in accordance with the BGP for a minimum of period of 30 years from the completion of the development
6. Surface water drainage scheme to be agreed
7. Sustainable design measures to be agreed
8. Hard and soft landscaping scheme to be agreed including tree protection measures
9. Schedule of materials and finishes to be agreed
10. Management and maintenance of surface water drainage to be agreed
11. Cycle storage to be agreed
12. Hours of Construction
13. Recommendations in Ecological Impact Assessment to be implemented
14. Use to remain ancillary to the use of 19 Farncombe Road as office accommodation
15. No further windows/openings

Informative

- The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the

application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- BNG condition applies
- West Sussex Fire and Rescue requirements

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

Case Officer: Rebekah Hincke Date: 19.05.2025

Authorised by: Louise Prew Date: 19/05/2025