
PLANNING OBJECTION REPORT

TECHNICAL ANALYSIS OF POLICY INFRACTIONS & MATERIAL ADVERSE IMPACTS

Planning Application:	AWDM/0629/26 (Full Planning Permission)
Listed Building Consent:	AWDM/0630/26 (Grade II Listed Consent)
Site Location:	Courtlands, 37 Parklands Avenue, Goring-by-Sea, Worthing, BN12 4NG
Proposed Development:	Change of Use to Class F1 SEN Day School for up to 80 pupils, erection of 2no. lodge-style classrooms, installation of Multi-Use Games Area (MUGA) & associated works
Target Authority:	Adur & Worthing Councils (Worthing Borough Planning Committee)
Case Officer:	Jo Morin, Principal Planning Officer
Relevant Policies:	Worthing Local Plan (WLP) Policies DM5, DM8, DM15, DM24; NPPF Section 16 & Paras 212-215

EXECUTIVE POLICY ASSESSMENT

Under **Policy DM8 of the Worthing Local Plan (WLP)**, improvements to community and educational facilities will only be supported '*where it is demonstrated that there would be no unacceptable impact on the occupiers of adjacent properties.*' This technical objection report, compiled on behalf of adjacent residents, demonstrates that the proposed day-school expansion representing a **350% intensification of pupil capacity** (from the 23 care-school baseline previously approved to 80 daytime pupils) fails this mandatory policy test.

By placing oversized classrooms on residential boundaries, introducing a high-noise Multi-Use Games Area (MUGA) immediately adjacent to residential road frontages, and reducing on-site parking at the exact moment staff and student numbers are peaking, this scheme represents severe overdevelopment. The proposal creates unacceptable acoustic intrusion, endangers highway safety on narrow residential roads, and causes severe 'less than substantial harm' to the setting of Grade II listed heritage structures. For these reasons, the application is fundamentally flawed and must be refused.

1. ACOUSTIC INTRUSION & LOSS OF WORK-FROM-HOME AMENITY

The applicant's Planning Statement attempts to downplay the impact of the school's expansion by claiming the educational use is already established. However, there is a material difference in the operational intensity of a 23-pupil residential care facility (where pupils live on-site and are taught in small, tightly supervised groups) and an 80-pupil non-residential F1 day school.

The Unresolved Multi-Use Games Area (MUGA) Objection

The proposed 14.25m x 9m MUGA with its color-coded playing surface and 3m high mesh fence is sited prominently at the open frontage of Parklands Avenue. This facility will generate intense daytime acoustic spikes from screaming, whistles, and balls striking the metal mesh fence and backboards. **Michael Lavender, Senior Environmental Health Officer** for Adur & Worthing Councils, has formally intervened, stating:

"There are basketball rings and basketball bouncing and hitting the backboard is fairly noisy. It is not clear what type of surface will be on the MUGA or what the surrounding fencing is, but it does not look solid. We will need an acoustic report for the MUGA so we can take an informed view."

To date, no formal Acoustic Report has been submitted, meaning the planning authority cannot legally satisfy itself that noise levels will not cause an unacceptable impact under Policy DM8.

Deconstructing the Unrealistic 'Closed Windows' Mitigation

The applicant's agent (ECE Planning) admits in paragraph 6.6.9 of the Planning Statement that noise will be generated but proposes that it can be managed by *'keeping doors and windows closed where necessary.'* As noted formally by Ward Councillor Claire Hunt and numerous residents, this represents an unacceptable, unhealthy, and completely unenforceable mitigation strategy. In an era of rapidly rising summer temperatures, relying on closed windows in single-skin timber classrooms (Classrooms 1 & 2) is a direct health hazard and violates WLP Policy DM16 on sustainable and healthy design.

Consequently, residents working from home will be subjected to the choice of either closed windows in summer or intolerable classroom noise and disruption, completely destroying their daytime residential amenity.

2. HIGHWAY SAFETY, CONGESTION, AND THE PARKING CONTRADICTION

The application site is accessed via Parklands Avenue, a narrow, quiet residential cul-de-sac. The local road network consists of domestic streets (Angus Road, Warnham Road, Warnham Close, and Harvey Road) which join the A259 Goring Road. High concentrations of vehicle movements during highly structured morning pick-up (08:30) and afternoon drop-off (15:30) times pose severe highway safety hazards across three local junctions in immediate proximity to the entrance.

The Unacceptable On-Site Parking Space Reduction

The applicant's proposal contains an indefensible planning contradiction: while seeking to expand daytime pupil capacity to 80 and staff capacity to 41/42, the plans show a net **reduction of 7 on-site car parking spaces** (from 42 down to 35). This is required solely to accommodate the relocation of the automated security gates inset further into the driveway.

Metric / Vehicle Category	Existing Baseline (Approved C2)	Proposed Day School (F1)	Net Change
Approved Student Capacity	23 Pupils	80 Pupils	+57 Pupils (350% increase)
Total Full-Time Staff	30 - 35 Staff	41 - 42 Staff	+6 to +11 Staff
On-Site Parking Spaces	42 Spaces	35 Spaces	-7 Spaces (16.6% reduction)
Cycle Parking	10 Spaces	10 Spaces	0 (No change)
Local Authority Taxis / Minibuses	Minimal / Occasional	Over 60% of modal share	Significant Increase

WLP Policy DM15 requires that all developments provide safe, sustainable, and adequate transport and parking provision. Increasing staff by up to 11 and pupils by 57 while cutting on-site spaces by 7 is planning nonsense. The applicant's Transport Statement claims that 'no overspill parking occurs.' However, this relies on retroactively justifying unauthorised day-school operations (55 day pupils already attending in breach of the 23-pupil residential condition). A true planning assessment against the consented 23-pupil care school baseline shows an inevitable overspill of staff and taxi vehicles onto Parklands Avenue, blocking private residential driveways and creating a high-risk bottleneck near the narrow junctions.

Furthermore, West Sussex County Council (WSCC) Highways initially flagged the complete lack of a Transport Assessment or Transport Statement at validation, demonstrating a piecemeal approach to highway planning.

3. INSENSITIVE BOUNDARY SITING & HERITAGE DEGRADATION

The Unneighbourly Impact on Vulnerable Adjacent Occupiers

A central tenet of WLP Policy DM8 is the protection of adjacent residential amenity. At **35 Parklands Avenue**, immediately adjacent to the northern boundary of the school's grounds, lives **Mrs. Monica Jackson**, an 85-year-old resident, with her learning-disabled daughter. They rely heavily on their west-facing rear garden and private driveway for peace, security, and sensory respite.

The proposed siting of **Classroom 1**—a massive, 1,000 sq ft (the size of a domestic bungalow), 3.4m high timber lodge building—is placed immediately against Mrs. Jackson's northern boundary and drive. Siting a highly active teaching and therapeutic building here brings noisy institutional activity right to her boundary, destroying their peaceful enjoyment. Siting school sports activities next to her boundary has already resulted in heavy footballs flying into her garden on at least 13 occasions, landing on her dining table and creating a safety hazard. Placing a classroom here will make her garden completely unusable.

The Planning Officer's Pre-Application Warning

The applicant was explicitly warned of this unneighbourly impact. In the formal written response to pre-application inquiry **PREAPP/0152/25 (dated 5 January 2026)**, Principal Planning Officer Jo Morin wrote:

"In my opinion, the siting of the proposed classroom 'lodges' in proximity to 35 Parklands Avenue and 3 Warnham Close is somewhat insensitive and in both cases is likely to have an unneighbourly impact on these properties."

The applicant has made only minor cosmetic adjustments and has failed to resolve this fundamental objection. Furthermore, there are no service drawings showing how noisy HVAC systems, drainage, and external security lighting for this structure will be routed along the boundary, threatening further unmitigated noise and light pollution.

Severe Damage to the Grade II Listed Garden Settings

The Courtlands site contains five separately Grade II listed structures: the main house, the balustraded terrace, the gazebo, the sundial, and the classical garden archway. WLP Policy DM24 and Section 66 of the Listed Buildings Act 1990 require the council to give 'great weight' to the preservation of list asset settings.

Richard Small, Adur & Worthing Councils' Design and Conservation Architect, has formally objected to the scale and discordant nature of the classroom lodges. He concludes that Classroom 1, by virtue of its massive footprint and discordant design, would severely impact the settings of the Grade II listed Gazebo and the historic Sundial, causing a **'medium to high range of less than substantial harm'** to their significance. He notes that the grounds cannot support further 'shoehorning' of modern buildings without destroying the historic landscape integrity.

4. CUMULATIVE OVERDEVELOPMENT & ENFORCEMENT HISTORY

The applicant has demonstrated a consistent pattern of 'creeping overdevelopment' and disregard for planning controls, submitting retrospective applications only after formal enforcement action has been initiated. This 'piecemeal pepper-potting' of ancillary buildings is a strategic attempt to bypass heritage and residential protections.

Date / Period	Action Taken by School	Planning Status / Enforcement
2022	Change of use approved under AWDM/2234/21 for C2 Care School with max 23 resident pupils.	Legally binding conditions restricted educational services to resident pupils only.
2023 - 2025	Opened solely as a day school, expanding to an average of 55 day pupils (up to 65) in direct breach of the C2 overnight-only condition.	Unauthorised day-school operations kept hidden until current application.
Spring 2025	Cleared woodland undergrowth next to 3 Warnham Close, chopped branches of protected TPO Lime tree T23, and commenced unauthorised foundations.	Reported to Planning Enforcement in July 2025.
Summer 2025	Erected an industrial-scale 1,000 sq ft outbuilding (Shed 2 / Large Lodge) and a new polytunnel without consent.	Adur & Worthing Councils issued formal Enforcement Notice (Ref: AWEN/0152/25) to halt works.
Mid 2026	Applicant submits current comprehensive application seeking to regularise all retrospective breaches and double classrooms.	Enforcement complaint remains pending outcome of this application.

Approving these retrospective elements and granting permission for further lodge classrooms establishes a highly dangerous planning precedent. It rewards the developer for creating a 'fait accompli' and ignores the severe damage done to protected TPO trees (including the removal of Mature Holly tree T10 to facilitate the MUGA and the unauthorised lopping of Lime tree T23).

CONCLUSION & RECOMMENDATION FOR REFUSAL

In conclusion, while the provision of SEN education is of critical importance, it must be balanced against the statutory protections afforded to residential occupiers and designated heritage assets.

The proposed day-school expansion fails on all major material planning counts: it generates unacceptable and unmitigated noise in a quiet residential area, compromises highway safety across three narrow junctions, reduces on-site parking while expanding pupil and staff capacity, and inflicts severe unneighbourly harm on a vulnerable elderly resident and her disabled daughter. Furthermore, it causes a medium-to-high level of less than substantial harm to five Grade II listed settings, which is not outweighed by any public benefits that couldn't be accommodated within the main building or in a more sensitive, pre-planned location.

Accordingly, we respectfully urge Adur & Worthing Councils' Planning Committee to **refuse both Planning Application AWDM/0629/26 and Listed Building Consent AWDM/0630/26** in their entirety.