Development Control – Delegated Officer Report

Application Number: AWDM/1008/25 Recommendation: Refuse

Site: 173A Findon Road, Worthing

Proposal: Chalet style detached bungalow with rooms in roof.

Last visited: 30.09.2025

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The site relates to a portion of land located to the north of No.173 Findon Road and on the south side of Vale Drive, and comprises of a brick built store room with timber outbuildings to its west and north sides and conservatory structure to the north east corner of the site. It s screened from Vale Drive by a high hedge to the north boundary. The applicant's Design and Access Statement describes the land as storage land associated with the host dwelling at No.173. However, this appears to have been separated off from the residential property at No.173 and has been in commercial use with a Nail Bar within the brick building and the conservatory occupied by 'Valley Windows' with some window storage remaining within.

No.173 is a two storey semi-detached property with a shop premises to its frontage, currently in use by a civil engineering company 'J Frosts Civils' and with residential accommodation to the rear and first floor which is accessed separately via a side door along a narrow walkway to the north west side of No.173. There is also a door to the store room building opposite. The adjoining property at No.169-171 contains a takeaway restaurant within the ground floor shop premises and with residential accommodation above. Both properties have been extended to the rear with a large flat roof single storey addition. At No.169-171, this addition appears to relate to the commercial premises with extraction/ventilation equipment visible at the rear.

To the west of the site there is a bungalow at No. 1A Vale Drive that has been infilled at the rear of No. 169-173 and is sited closely to the rear (west) boundary of these properties. No.1A has a side walkway along its east side and from here access can be gained into the western side of the site and it is understood that No.1A and No.173 are within the same ownership as the site.

Proposal

Permission is sought for the construction of a two storey/chalet one-bedroom dwelling following demolition of the existing structures. The new dwelling would be set back from the Vale Drive frontage by approximately 3 metres and extend towards the angled side wall of No.173 and along its garden boundary. The building would measure approximately 9.2 metres in width across its frontage and 7.6 metres in depth. It has

been designed as a chalet-style bungalow with a pitched roof, and gable to its west elevation. Due to the irregular form proposed it would have an asymmetrical east side gable and angled two storey wall to its south/east side. The accommodation within the roofspace would be served by dormer windows in the front elevation, roof light windows at the rear and one first floor window in the west gable. The accommodation would comprise of a hallway, open plan living/dining/kitchen area and wc at ground floor level, and bedroom, bathroom and office at first floor level. The building would be finished in part brick/part timber cladding, slate roof tiles, and grey powder coated windows and doors.

Relevant Planning History:

No recent history

No.173
WB/95/0741/CLE Application for Certificate of Lawful Use of part of the ground floor premises (2.8m deep x4m wide on north side of front door shown as hatched area on submitted plan) for car and van hire office and waiting area. Issued 02.04.1996

WB/0517/85/FULL Erection of single storey rear extension to provide enlarged lounge Approved 15.07.1985

WB/0446/85 Use of land for the storage & display of good in connection with business at No.173 Findon Road Appeal allowed 16.04.1986

WB/0223/79/EU Application for an Established Use Certificate for use of land at side for storage of garden sundries including fencing and sheds. Refused 10.04.1979

1A Vale Drive
WB/0228/86/FULL Revised proposals for erection of one detached chalet bungalow with attached double garage at front (WB/0970/85 refers) Approved 29.04.1986

WB/0340/83/OUT Outline application for erection on one detached bungalow with integral garage with frontage to Vale Drive Approved 14.06.1983 (rear of No. 169, 171, 173)

Consultations:

The **Highway Authority** has made the following comments:

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals.
I refer to your consultation in respect of the above planning application and would provide the following comments.

Comments
The proposal seeks to make use of an existing dropped kerb sited North East of the site to facilitate a new off-street parking provision for a single vehicle.

I have discussed this proposal with the Assistant Highways Manager for your area and with the WSCC Service Delivery Manager to ascertain whether this would be considered a suitable practise

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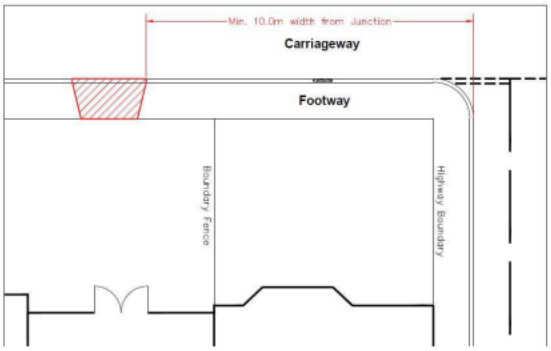
I can advise that the Assistant Area Highways Manager has advised that a vehicle crossover at this point would not be permitted due to their policy on accesses being sited a minimum of 10m from a junction, please see the below excerpt from the WSCC VCO Guidance Criteria, a link has been provided below to the full document also, for your information. Should the applicant have additional questions regarding the VCO guidance or procedure, they are advised to contact the Area Highways Team Directly (01243 642105).

10. Distance from road junctions

If the location of the proposed crossing is closer than 10m to a busy road junction it may create a significant hazard and the application will most likely be refused. This dimension may be increased to 15m on major roads or near very busy junctions.

If the property is situated directly on the junction of two roads, it will generally be safer to situate the access on the minor, side road. Accordingly, you may be asked to amend your proposals to comply with this requirement.

This requirement may be relaxed in very quiet roads and/or along the opposite kerb from the junction as visibility will not be impaired. This decision lies with WSCC and any decision on appeal is final.



https://www.westsussex.gov.uk/media/20290/vco_guidance_notes.pdf

The WSCC Service Delivery Manager has advised that the existing dropped kerb at this location was created as a pedestrian crossing, which links to the opposite side of Vale Drive. This crossing provides pedestrians a designated location to safely cross the highway at Vale Drive. The dropped crossing in its current format does not meet WSCC minimum widths for vehicular access and its use as such would likely incur damage to the kerbstones at this point.

The Local Highways Authority therefore advises that the applicant remove the proposed parking space fronting the property at this point and should either base this proposal on a nil parking provision or investigate alternative locations for providing vehicular access which meet the guidance as set out in the policy document above.

Please re-consult once the above has been actioned.

Southern Water has made the following comments:

Connection to public sewer
Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. To make an application visit Southern Water's Get Connected service: https://developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

https://www.southernwater.co.uk/developing-building/connection-charging-arrangements
We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by the Local Planning Authority in consultation with Southern Water.

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.

No Soakaways should be connected to the public surface water sewer.

Proposed works involve demolition
In order to protect and safeguard the existing water supply apparatus, Southern Water requests formal notification of any proposed demolition works prior to such works being undertaken.

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

The applicant is applying for a chalet style detached bungalow with rooms in roof. The application is to Worthing Borough Council.

Following a review of the submitted information, we have no objection on surface water grounds.

We note that the proposed site is adjacent to a surface water flood risk; however, the site is not within the flood extents. Due to the site, size, location, and type of development we would recommend the approval of the application with the following conditions and informative 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 and winter infiltration testing to BRE DG365, or similar approved, will be required to support the design of any infiltration drainage. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

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.

Condition 3: Prior to the first use of the development a Flood Risk Emergency Plan shall be submitted to and approved in writing by the Local Planning Authority. The Flood Evacuation Plan should be created in line with 'Flood risk emergency plans for new development' as produced by ADEPT and EA and demonstrate safe access and egress in accordance with NPPF.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Worthing Borough Council.

Informative 1: We have identified the site is adjacent to a surface water flow path, therefore appropriate flood resistance and resilience measures could be considered within the development.

The Council's **Environmental Health** Officer has recommended the following conditions:

- Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to the following times.

Monday - Friday 08:00 - 18:00 Hours
Saturday 09:00 - 13:00 Hours
Sundays and Bank Holidays no work permitted

Any temporary exception to these working hours shall be agreed in writing by the Local Planning Authority at least five days in advance of works commencing. The contractor shall notify the local residents in writing at least three days before any such works.

Reason: To safeguard the residential amenity of the area.

- Construction work shall not commence until a scheme for protecting the proposed noise sensitive development from external noise has been submitted to and approved by the local planning authority. All works, which form part of the scheme, shall be completed before any part of the noise sensitive development is occupied. The scheme shall have regard to the principles contained within the World Health Organisation community noise guidelines and achieve the indoor ambient noise levels for dwellings specified in BS8233:2014. The scheme should include full details of glazing and a strategy to prevent overheating. The noise level of any ventilation units when in use should not exceed the levels specified in BS8233:2014 and all duct work should be fitted on anti-vibration mounts. Following approval and completion of the scheme, a test shall be undertaken to demonstrate that the attenuation measures proposed in the scheme are effective and protect the residential unit from noise.

Reason: The area has been highlighted by DEFRA as an area of increased traffic noise.

Representations:
None received

Relevant Planning Policies

Worthing Local Plan 2020-2036 (WBC 2023): Policies:
SP1 (Presumption in Favour of Sustainable Development)
SS1 (Spatial Strategy)
DM1 (Housing Mix)
DM2 (Housing Density)

DM5 (Quality of the Built Environment)
DM15 (Sustainable Transport and Active Travel)
DM16 (Sustainable Design)
DM17 (Energy)
DM18 (Biodiversity)
DM20 (Flood Risk and Sustainable Drainage)
DM22 (Pollution)

National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
SPD 'Space Standards' (WBC 2012)
SPD 'A Guide to Residential Development' (WBC 2013)
CIL Charging Schedule (Aug 2021)

Planning Assessment

Principle of Development

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

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

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

The most recent 5 Year Housing Land Supply (5YRHLS) position for Worthing (as at 01/04/2023) demonstrates a 6.3 years supply applying a 20% buffer as at that time Worthing had failed the then current Housing Delivery Test (HDT) (2022 published December 2023).

However, the most recent HDT 2023 (published December 2024) shows that Worthing scored 107% and therefore faces no consequences from the HDT.

Having a 5YRHLS position and having passed the HDT with no consequences means that for Worthing Paragraph 11 c) of the NPPF applies which states: '*For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay* '.

The site is located within a sustainable location within walking or cycling distance to local services and amenities, and public transport connections. The proposed development would make a small contribution to meeting housing need in the Borough by providing one additional dwelling. The main determining issues relate to the effects of the development proposals on the visual amenities of the site and surrounding area, the effects on living conditions for existing and future occupiers, highways, access and parking considerations, and sustainability, ecology and biodiversity considerations.

Visual Amenity

Chapter 12 of the NPPF sets out the policies to achieve well-designed places. In paragraph 131, it advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The NPPF emphasises securing high quality design that (amongst other things): will function well and add to the overall quality of the area for the lifetime of the development, is visually attractive as a result of good architecture, layout and appropriate and effective landscaping; is sympathetic to local character and history; maintains a strong sense of place using the arrangement of streets, building types and materials to create attractive, welcoming and distinctive places to live; and, with a high standard of amenity for existing and future users (paragraph 135), and that permission should be refused for development that is not well designed, especially where it fails to reflect local design policies or government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes (paragraph 139).

The Worthing Local Plan sets out in Policy DM5 requirements that all new development 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 Councils Supplementary Planning Document 'A Guide for Residential Development' provides policy and design guidance for new residential development.

Paragraph 3.3 it states that: A key element to the achievement of good design is an appreciation of the context in which it is situated. During the design process of any new development consideration will need to be given to its local setting, the surrounding densities, local building heights and other local features.

It states that infill development requires sensitive design and good landscaping if new buildings are to be fitted successfully into small sites in established residential areas Insensitive infilling that will negatively impact on areas character or amenity will be resisted. A backland or infill development should therefore, contribute to the character of the existing locality. In broad terms, a proposal that fails to complement the local area in terms of design, density levels and layout will be refused. (paragraph 4.33 and 4.34).

The existing two storey building at No.173 is angled to the corner of Vale Drive and Findon Road and matches that of the opposite corner on the north side of the street. Dwellings in Vale Drive comprise of bungalows that are set well back from the street frontage. Some have been extended into their roofspace. Plot widths are fairly consistent and regularly arranged with more generous plots on street corners with side garden areas which give a spacious character.

It is relevant to note that the bungalow at No.1A has already infilled at the rear of No's 169-173 following approval in the 1980's. Although there are some differences in the design of the bungalow at No.1A compared to others in the street including the orientation of its gable and the forward position of its front garage structure, the main dwelling itself is set back from the street frontage like others in the street and with a similar footprint.

It is not clear from the planning history of the site precisely how the current arrangement of buildings/outbuildings has evolved or indeed whether these are lawful. Nevertheless, in terms of the surrounding pattern of development, the site area proposed does not conform to the prevailing pattern of residential plots and is constrained by its size, shape and the proximity of neighbouring buildings. The positioning of the proposed building which would be set back towards the rear of this shallow site, and closely sited to No.173, the neighbouring residential garden, and to No.1A Vale Drive, would be particularly cramped and have a poor relationship with surroundings buildings and spaces.

The proposed dwelling would be seen in the context of neighbouring bungalows in Vale Drive, presenting its principal elevation to this street frontage. Despite the positioning towards the rear of the site, the front wall of the proposed dwelling would protrude significantly forward of the building line of neighbouring dwellings to the west and forward of the corner of No.173. Having regard to the shallowness of the plot, this limitation has led to a particularly cramped form of development with limited space around the building and this constraint has resulted in a site coverage, layout, and design and form of development that would not reflect the pattern and grain of neighbouring detached dwellings nor as a complementary extension to No.173 and would be out of character, detrimental to the visual amenities of the surrounding area.

No streetscene elevation has been provided to demonstrate whether the overall scale of the bungalow would be in proportion with or sympathetic to neighbouring bungalows or how it relates to the two storey scale of No.173, its design and form, or in relation to differing ground levels. These details would have been sought had the application been considered otherwise acceptable. Nevertheless on the basis of the details provided it is considered that the one and half storey proportions of the building with a relatively high eaves level would not be in keeping with other neighbouring detached bungalows it would be seen in the context of, nor would it appear as a cohesive addition to the corner positioning and two storey scale and form of No.173, having an awkward relationship with this neighbouring building. The positioning of the building in relation to No.173 would result in the asymmetrical design of the gable being readily visible and its position and design would appear to jar with the design and form of No.173 and appear as a relatively dominant and incongruous feature. No elevation details have been included showing the relationship with No.173 to demonstrate otherwise despite the proposed building appearing to visually link to No.173 at its corner.

The proposed roof design includes first floor dormer windows breaking though the eaves level. Dormer windows are not a particular feature of the frontages to neighbouring bungalows in Vale Drive although it is noted that there are two examples to the North of Vale Avenue and others in the flatted development at Cissbury Court although this has a distinct scale and character that differs greatly to the Vale Drive frontage. The proposed roof and high level/broken eaves design appears to emphasise the appearance of the proposed dormers and the vertical element to give a fairly prominent appearance that would be out of character in this location. The use of cladding board to the extent proposed is not widely seen in the context of Vale Drive or to the Findon Road frontage where a palette of brick and render is generally used. This, in combination with the vertical emphasis to the first floor dormer elements and the asymmetrical design would result in an incongruous addition to the streetscene.

Patio doors have been included to the front elevation and would not be a feature generally seen to the frontage. No proposed site plan has provided to indicate how the area to the frontage of the proposed dwelling would be used or enclosed. At present the existing high hedging at the boundary forms a relatively solid and linear element to the street, in contrast to neighbouring front gardens that have a more open appearance. Further details would have been sought had the application been considered otherwise acceptable.

It is considered that the proposal would represent a cramped and visually discordant form of development detrimental to the visual amenities of the site and prevailing pattern of development.

Residential Amenity - Neighbours

The NPPF emphasises the importance of creating places that have a high standard of amenity for existing and future users (paragraph 135). The quality of living environment derives not only from the amount of internal space, but also relates to issues of overlooking and privacy, natural daylight and outlook as well as the importance of private amenity space and the quality of the living environment in terms of the effect of noise and disturbance.

The main impact of the development would be to the occupiers of the neighbouring dwelling at No.173 Findon Road to the east and the bungalow at No.1A Vale Drive to the west.

The more intensive use of the site and introduction of residential activity in close proximity to neighbouring dwellings would give rise to noise and disturbance from within the dwelling site as well as from comings and goings. In the context of the commercial use of the site and surrounding character it is considered that this would not pose any significant threat to residential amenity.

The introduction of the proposed built form, which would extend along much of the boundary and in close proximity to the rear windows of the residential accommodation at No.173, would unacceptably enclose the neighbouring dwelling and residential garden at a height of between 3.9 metres to 6.1 metres along its adjacent rear wall and eaves level, and with the overall roof height extending beyond that which would be overbearing. The inclusion of roof windows to the rear roofslope in close proximity to the proposed boundary with the neighbouring dwelling and its first floor windows in particular, would exacerbate the overbearing and unneighbourly impact to the occupiers of No.173 and despite the proposed cill height being at a high level this would cause a perception of overlooking.

To the west, No.1A has its garage in front of the main house. The main side wall is sited approximately 1 metre from the site boundary with the site. There are windows within the side wall of No.1A facing towards No.173 and the application site, but main outlook to habitable rooms is from windows at the rear and in its main front wall beyond the garage. Having regard to the position of the proposed dwelling which would be sited forward of No.1A and with a separation distance of approximately 3.2 metres it

is considered that there would be no significant detrimental impact to the amenities of occupiers of No.1A arising from the proposed built form.

Residential Amenity – Future Occupiers

The proposed dwelling has been designed as a 1-bedroom 2-person dwelling, although reference is made to a 3-bedroom 4 person occupancy in the applicant's Design and Access Statement but the application has been assessed on the basis of the submitted plans. It has been indicated to have a floor area of 112 square metres although it is noted that this calculation has not excluded areas below 1.5m headroom but would nevertheless meet Government's Nationally Described Space Standards overall for a 1 bedroom 2-person two storey dwelling (58sqm) and with adequate room sizes, light and ventilation to habitable rooms. Built-in storage has not been incorporated however.

The Council's local standards continue to apply under Policy DM2 of the Worthing Local Plan 2023 for the provision of external space. The Design and Access Statement states that a total of 87 square metres of private amenity space would be provided for the new dwelling. However given the site layout proposed including the car parking space, and that the space around the building is largely to the site frontage, it is unclear from the application details precisely how this would be achieved, whether any new means of enclosure is proposed to the boundaries to achieve this, how useable the amenity space would be given the site coverage, or the acceptability of any means of enclosure in terms of BNG or in visual terms. Further details in this respect would have been sought if the application was otherwise considered acceptable.

Given the lack of detail about the external space it is considered that the development would provide inadequate amenity space and therefore a poor quality of accommodation for future occupiers.

Access and Highways

The site is considered sustainable, being within walking/cycling distance to local services and amenities including bus services in Findon Road which provide connections to the town and wider area. One car parking space is proposed which the applicant states would utilise an existing cross over at the north east corner of the site. However, as the Highway Authority has highlighted, this is a pedestrian crossing point and it would not be acceptable to utilise this for access to the proposed parking and its proximity to a busy road junction would cause a potential hazard to highway users. Had the application been acceptable in all other respects, a revision would have been sought to address the Highway Authority's comments in the interests of highway safety, and also to indicate the location of cycle parking in the interests of encouraging alternative modes of transport to the private car.

Biodiversity net gain

The Environment Act inserted within the Town and Country Planning Act Schedule 7A for the provision of biodiversity net gain. The NPPF requires planning decisions to contribute to and enhance the natural and local environments by minimising impact on

and providing net gains for biodiversity. Local Plan policy DM18 requires the protection, conservation and enhancement of biodiversity and the requirement to secure 10% net gain.

The applicant has indicated on the application form that the proposals would be self-build and as such an exemption would apply. However, it is noted that limited information has been provided as part of the application setting out how the proposals would be considered self-build and in addition no such claim is made in relation to CIL. Had the scheme not been self-build, the development would need to be achieve 10% biodiversity net gain. It is also noted that the existing hedging habitat has not been included in the application drawings.

The development would need to secure self-build to ensure the development would be exempt from BNG requirements. If the application were to be approved, a Section 106 agreement would have been sought to secure self-build. It would have also included a clawback mechanism to provide biodiversity net gain in the event of the site or dwelling being occupied by persons other than the relevant individual. In the absence of such an agreement to secure the proposed development as a self-build scheme there would not be sufficient control to be satisfied that it will be exempt from achieving 10% biodiversity net gain. The application is therefore recommended for refusal on this basis.

Sustainable Development

The latest dataset for the SFRA identifies parts of the site including areas of access/egress to be at medium/high risk of surface water flooding. A basic flood risk assessment paragraph has been provided with the application details describing the direction of surface water run-off and states there will be a low likelihood of flooding and no history of flooding to Findon Road. The requirement for a detailed site-specific flood risk assessment and sequential test would apply to this single dwelling site.

Paragraph 175 of the NPPF states that:

The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

The recent update to the Flood Risk and Coastal Change PPG Paragraph 23 states that:

The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features.

Paragraph 27 of the PPG states that:

In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.

In terms of drainage, conditions have been recommended requiring a detailed surface water drainage scheme to be agreed and implemented, which would include prioritising the use of Sustainable Drainage Systems and demonstrating no increase in flood risk, and for its maintenance and management. A flood risk emergency plan and appropriate flood resistance and resilience measures have also been recommended by the Council's drainage consultant.

However, neither a sequential test of site specific flood risk assessment in accordance with the NPPF or PPG as stated above has been provided in this instance. If the application was to be acceptable in other respects, this would have been sought.

In relation to sustainable design, the Design and Access statement does not outline specific measures or outcomes. The use of solar panels has been indicated. However, no specific details have been provided in relation to CO2 reduction and to prevent overheating as required by Policy DM16 or specific details on the use of renewable and low carbon energy production equipment to meet at least 10% of total energy requirements as required by Policy DM17. This would need to be secured by condition if approved.

CIL

The proposed development if permitted would be subject to a contribution towards the CIL.

Recommendation

REFUSE for the reasons:-

1. The proposed development would, by reason of its siting, scale, form and detailed design, represent a cramped and incongruous overdevelopment of the site, relating poorly to the character and layout of the surrounding pattern of development, and appear as a visually discordant form of development that would be harmful to the visual amenities of the site and surrounding area. As such the proposed development would be contrary to policy DM5 of the Worthing Local Plan, SPD A Guide to Residential Development, and the relevant paragraphs of the NPPF.

2. Having regard to the relationship with neighbouring dwellings, the proposals would represent an overbearing and unneighbourly form of development,

detrimental to the amenities of neighbouring occupiers notably in terms of sense of enclosure and privacy. As such the proposed development would be contrary to policies DM2 and DM5 of the Worthing Local Plan and the relevant paragraphs of the NPPF.

3. The proposed amenity space, by reason of siting and layout, would fail to provide good quality useable private external space for the occupiers of the dwelling thereby resulting in a poor standard of accommodation contrary to policy DM2 of the Worthing Local Plan.

4. The submitted flood risk assessment, by reason of inadequate assessment of alternative sites as part of a sequential test or adequate site-specific flood risk assessment to demonstrate clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, is not considered to adequately address issues related to flooding and is therefore contrary to policy DM20 of the Worthing Local Plan and the relevant paragraphs of the NPPF.

5. On the basis of the limited information available, the Local Planning Authority is not satisfied that the proposed car parking area can be served by a suitable vehicular access without causing hazards to highway users. As such the proposed development would be contrary to policies DM5 and DM15 of the Worthing Local Plan.

6. In the absence of a Section 106 obligation to secure the proposed development as a self-build scheme, the Local Planning Authority cannot be satisfied that it will be exempt from achieving 10% biodiversity net gain and as such would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as amended) and policy DM18 of the Worthing Local Plan.

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) 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 provide pre-application advice in respect of any future application for a revised development.

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

Case Officer: Rebekah Hincke Date: 15.10.2025

Authorised by: Louise Prew Date: 16/10/2025