Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/1886
Aquarius, The Street, Bramber, West Sussex, BN44 3WE

DESCRIPTION:
Demolition of garage. Demolition of single storey side extension. Erection of a single storey extension incorporating integrated garage with accommodation above. Raising of roof to form two-storey across whole dwelling.

RELEVANT PLANNING HISTORY:
None Relevant

SITE AND SURROUNDS

The application site comprises a chalet bungalow located on the north side of Bramber High Street immediately adjacent to the River Adur. The site is located within the built-up area of Bramber and within the Bramber Conservation Area. The Upper Beeding Conservation Area sits to the opposite side of the River Adur to the east, and within the setting of two Grade II listed buildings (The Bridge Inn and Hope Cottage) which are located on the east bank of the River Adur. The application site is bounded by mature vegetation and hedging, with intermittent views from the roadside and bridge which include glimpses of the existing dwelling. The dwelling is within a floor risk area (flood zones 2 & 3).

DETAILED DESCRIPTION

The application seeks planning permission for the demolition of garage. Demolition of single storey side extension. Erection of a single storey extension incorporating integrated garage with accommodation above. Raising of roof to form two-storey across whole dwelling. This application has been subject to amended plans. The new proposed two storey addition would have an approximate length of 23.6m which would be 7.95m greater than the existing building's length. The building's depth would remain similar to the existing at approximately 9 to 10m, with the building's overall height to be increased by 1.04m from 6.59m to 7.63m.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets
Policy 38 - Flooding
Policy 41 - Parking

Upper Beeding Neighbourhood Development Plan (Pre-Submission (Regulation 16))
Policy 1: Spatial Plan for the Parish
Policy 8: Design Standards for New Development

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Conservation Officer comments received (06.11.2023): Objection.
Due to the prominent position of this property in the conservation area, on the western bank of the River Adur, it is essential that any redevelopment is directed by an appreciation of the character of the conservation area we wish to preserve. The application does not include a heritage statement or design & access statement. The generic suburban form of the proposal reinforces my understanding there has been no attempt to understand the context of the site in relation to its position in the conservation area. Any revised proposal should be directed by a comprehensive understanding of the context of the site and reinforce the character of the conservation area as a historic settlement. The proximity to the river might indicate what type of building might be expected in this position and how this might respond to its context.

Re-consultation comments received (16.02.2024): Objection.
My objection in principle remains as the revisions are superficial. The proposed redevelopment of the site has not taken into consideration the desire to preserve the character of the conservation area. The proposal will be harmful and will fail to preserve the character of the conservation area.

Re-consultation comments received (01.07.2024): No Objection.
I am content the redesigned replacement dwelling will reinforce the character of this part of the conservation area and the proposal can now be supported in heritage terms.

Archaeological Specialist: Advice - Aquarius is located within Archaeological Notification Area DWS8579 – Bramber Historic core and medieval Salt-working and occupation. Archaeological fieldwork on the adjoining Millfield site (MWS6711) established that the site was located within the former tidal estuary, and that it had been used for salt-production in the 13th century, followed by a period of flooding. In the 15-16th centuries the site was reoccupied, with a number of structures present. Reclamation of the area took place in the postmedieval period, raising land levels. The archaeological potential of the proposed development area is high.

Parish Comments:

Bramber Parish Council: Objection

Initial comments received (16.11.2023): Objection on the grounds of design and significant rise to ridge height.

Re-consultation comments received (19.02.2024): Objection on grounds of design.

Re-consultation comments received (10.07.2024): No Objection

Representations:
During the original consultation period, 3 letters of representation have been received (from 3 separate addresses) objecting to the application for the following reasons:

- The two-storey extension will affect views from neighbouring property.
- Roofline will be heightened impacting sunlight and general views.
- Overshadowing.
- Highway, access and parking limited and sensitive shared access to the property.

No further representations were received during the second re-consultation period.

1 letter of representation received during the final re-consultation neither objecting nor supporting to the amended design however suggesting that the access to the property is not blocked.

Member Comments:
Cllr Croker – requested the application to be heard before committee if Officers are minded to approve the application (16.11.2023)

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Design, Character and Appearance

Policy 8 of the Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings. Within the South Downs National Park or its setting, development proposals will only be supported where they adopt a landscape-led approach and respect the local character, through sensitive design that makes a positive contribution to the overall character and appearance of the area. In addition, development proposals will be supported where they are in accordance with the Parish Design Statement 2017.

Policy 33 of the Horsham District Planning Framework relates to improving the quality of new development. It confirms that high quality and inclusive design will be required for all development across the district. Policy 33 also seeks to ensure that development proposals make efficient use of land, cause no harm to amenity, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

In respect of heritage assets, Section 72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have '*special attention….to the desirability of preserving or enhancing the character or appearance'* of conservation areas. Section 66 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting.

Paragraph 203 of the NPPF requires that '*Local planning authorities should take account of:*

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 208 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.

Policy 34 of the HDPF states that development affecting heritage assets should reinforce and make a positive contribution to the special character of the historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques.

This application has been subject to significant amendments; the proposal initially sought the erection of a two-storey dwelling with a height of 8.9m, and planform similar to that of the most recent revisions. However, this was judged by the Local Planning Authority's Senior Conservation Officer to result in adverse harm to the setting and character of the wider surrounding Conservation Area. The latest amendment to the proposal seeks to redevelop the existing property by preserving and taking appreciation of the character of the conservation area, by reducing the overall height and form of the proposed replacement dwelling. The revised proposal takes into account the context of the site and reinforce the character of the conservation area as a historic settlement. It is further considered that the amended plans maintain a similar build pattern to the original dwelling, extending upwards and to the side. The attached garage would replace the existing detached garage on site. The new proposed two storey addition would have an approximate length of 23.6m, with an approximate width of 10m this is noted the same as the existing width of the dwelling, the overall proposed height would be 7.63m with an increase of 1.04m.

It is noted that there are several Listed Buildings within the area however, it is recognised that they are located to the south-east across the river, the nearest Listed Building being 63.8m away. Nevertheless, the site sits within the setting of two listed buildings as set out above and is within the Bramber Conservation Area. Upon receiving feedback from the Council's Conservation Officer, no objection has been raised, who states '*I am content the redesigned replacement dwelling will reinforce the character of this part of the conservation area and the proposal can now be supported in heritage terms*.'

While acknowledging that the proposed extension would enlarge the current modest chalet bungalow, it's important to highlight the approval of a detached dwelling across the river (Ref: DC/18/1405), which presents a modern design contrasting with the traditional architectural style of the surrounding area. In contrast, this planning application aims to preserve the existing property's architectural pattern while integrating its current details and features. Therefore, despite the anticipated increase in mass and bulk on the proposed first floor, it is not considered significantly detrimental enough to justify refusal based solely on the dwelling's footprint.

The revisions have addressed the level of accommodation provided, with the design and structure intended to evoke a utilitarian building suitable for its riverside setting. Considering the diverse architectural styles in the broader vicinity, which include a mix of two and two-and-a-half-storey dwellings, it is believed that the proposed dwelling would harmoniously blend into this context, both in terms of design and appearance. While the property occupies a prominent position near the river and bridge, any views of the proposed two-storey structure would be intermittent and set at a distance, making them no more conspicuous than neighbouring two-storey properties surrounding Aquarius. Moreover, the amended design is deemed adequate to prevent the resulting dwelling from overshadowing surrounding heritage assets.

Therefore, the overall scale would be suitably designed and positioned to avoid any negative visual effects and align with planning policies. Additionally, it is believed that the proposed additions would not cause any more harm to the surrounding area or neighbouring properties than the original planning permission. Consequently, the proposed works are deemed acceptable in this aspect, contingent upon a condition specifying the materials to be utilized for the development.

Impact on Neighbouring Amenity

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposed development would entail an increase in height by 1.04 metres, resulting in an overall height of 7.63 meters. While this represents a rise in elevation compared to the existing plot, such height increases are not uncommon in the surrounding area. Although the proposal would introduce a significant vertical extension to the site, it is important to note that there are no proposed windows on the side elevations. The nearest side elevation from 6 Millfield located to the north-west is set at 15.1m, and 18.5m from Castle Keep set at the western side of the development site. Given the character and context of the site and its relationship with neighbouring properties, it is unlikely to cause harm to the amenities of nearby properties through overlooking or loss of privacy.

Additionally, despite the proposed dwelling extending higher than its original form, the siting and orientation of the structure is such that it is unlikely to cause a significant loss of light or outlook, thus not justifying a refusal on these grounds. Therefore, the proposed development is deemed acceptable in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Highways

Policy 40 of the HDPF supports proposals which provide safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods, whilst Policy 41 requires adequate parking facilities within developments. Chapter 9 of the National Planning Policy Framework sets out that 'development should only be refused on transport grounds if there would be an unacceptable impact on highway safety grounds, or the residual cumulative impacts on the road network would be severe'.

The site would continue to benefit from the access through the Millfield Estate, and out on to The Street, with no alterations proposed to the existing means of access. As such, the proposal would not result in any adverse impact in terms of access over and above the existing arrangement.

The submission does not detail proposed methods of parking, save for the integrated garage which could accommodate at least two cars. Though external parking is not detailed, the dwelling benefits from a generous curtilage which would comfortably accommodate the level of parking required for a dwelling of this size. As such, a condition is attached to ensure that this detail is provided prior to the occupation of the replacement dwelling. As such, there is no transport grounds to resist the proposal on as above.

Water Neutrality

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

A recently received advice note from Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The proposal seeks consent for a replacement four-bedroom dwelling (existing three-bedroom). The existing dwelling pre-dates 2010, and thus has an average water use of 135lpd- with an average occupancy rate of 2.47 people, the existing water use can be calculated as 333.45l/d. The proposed dwelling would comply with the Part G Building Regulations Optional Standard 110lpd (by way of planning condition)- at an average occupancy rate of 2.86 people, the proposed water use can be calculated as 314.6l/d. Therefore, on the basis that the proposed replacement dwelling would consume

less water than the existing, Officers are satisfied that the development would not result in a significant affect.

The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Considerations

It is noted that Aquarius is located within a Flood Risk Area, the position of the property is at low risk which means that this area has a chance of flooding of between 0.1% and 1% each year. Flood Zone 2 – land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1%–0.1%), according to the information submitted 'Flood Risk Summary' received 12.10.2023. It is not considered that the development would have an impact on flood risk as a result of the proposed works, as the floor levels will be set no lower than the existing.

Conclusion

The proposed development is considered to be acceptable in principle, and following amendments is considered to be of a scale, form and appearance that would sit comfortably within the context and would not result in harm to the amenities of neighbouring properties. As such, the proposal is considered to accord with Policies 32, 33, and 34 of the Horsham District Planning Framework (2015) and is therefore recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide (Zone 1)	344m^2	195m^2	149m^2
		Total Gain	**149m^2**
		Total Demolition	195m^2

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-commencement Condition**: No preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in

accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To enable the Local Planning Authority to control the programme of archaeological work by monitoring and recording of all groundworks, in accordance with Policy 34 of the Horsham District Planning Framework (2015).

4 **Pre-commencement Condition**: Prior to relevant work beginning, the following details shall have been submitted to and approved in writing by the Local Planning Authority. The relevant works must not be executed other than in complete accordance with these approved details:

- Specifications of external materials and surface finishes.

Reason: As this matter is fundamental to ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide electric vehicle car charging space for the use in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation of the development hereby permitted and thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the parking, turning and access facilities for that dwelling have been submitted to and approved by the Local Planning Authority in writing. The dwelling shall be first occupied until the approved parking, turning and access facilities necessary to serve it have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or

hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: The new roof junctions at ridge, hips, valleys, eaves and verges shall be built to reflect traditional detailing including exposed rafter feet, cut verges, bonnet hip and valley tiles and hogs back or half round ridge tiles.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The new windows fitted in the building hereby permitted shall have casements flush fitted with their frames if manufactured in timber or plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: The roof lights hereby permitted shall be metal framed and sit flush with the roof slope.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: All new and replacement rainwater goods shall be cast iron or cast aluminium or cast effect plastic.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B and C of Part 1 or Class AD of Part 20 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the amenities of the adjoining neighbours in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition**: The dwelling hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/23/1886

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		A.B.LP REV 3	25.10.2023
Floor plan	Proposed Floor Plans	AQ.BR.PFP REV 4	14.06.2024
Elevation & Floor plan		AQ.BR.E	12.10.2023
Elevation plan	Proposed Elevations and Roof Plans	AQ.PE.SF REV 4	14.06.2024
Supporting Docs	Flood form	NONE	12.10.2023
Supporting Docs	Flood Risk Map	NONE	12.10.2023
Supporting Docs	Flood Risk Summary	NONE	12.10.2023

DELEGATED

Case Officer sign/initial Shazia Penne Date: 15.07.2024

Authorising Officer sign/initial RHERMITAGE Date: 16/07/2024