[redacted]
1 Temple Mews
Lower Street
Pulborough
West Sussex

FAO: The Planning Inspectorate

Dear Sir/Madam,

Re:

- **Planning Inspectorate Reference:** APP/Z3825/W/25/3362988
- **Horsham District Council Reference:** DC/24/0941
- **Name of Appellant(s):** Mr & Mrs Brent Dowson
- **Description of Application:** Demolition of Waterside House and rear barn. Erection of replacement building to provide 10 no residential apartments

Site at: Waterside House, 17 Lower Street, Pulborough, West Sussex, RH20 2BH

Objection to Planning Application Ref: DC/24/0941

I am writing to you to raise objection to HDC Planning Reference DC/24/0941 and the subsequent appeal per the above details. DC/24/0941 was rejected by Horsham District Council.

DC/24/0941 proposes demolition of Waterside House and rear barn. Erection of replacement building to provide 10 no residential apartments.

The submitted application does not meet various planning guidelines, specifically those relating to the Pulborough Conservation Area, flooding and more general environment and infrastructure constraints.

Pulborough Conservation Area

Waterside House is located in the Pulborough Conservation Area.

https://www.horsham.gov.uk/__data/assets/pdf_file/0020/63092/Pulborough-Appraisal-and-Management-Plan.pdf

This document is hosted by Horsham District Council details the history of the Conservation Area, how it will be maintained and preserved. In relation to development, Conservation Area designation introduces controls over the way owners can alter or develop their properties. In summary these controls require preservation and enhancement of the Conservation Area.

Waterside House – Demolition and replacement 10 apartment building

The application states the existing single detached house needs to be demolished and has included a site condition report commissioned by the applicant;

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=6E5FE199D21B49FDA198B2E25482C84B

The report details the overall condition and details of specific external and internal components of the building, describing the defective, compromised or failing condition. The report notes the property has been unoccupied for approximately 13 years and provides estimates for works to restore the building (note costs have been redacted).

The derelict state of the property is an unpleasant view on Lower Street and significant distraction to the Conservation Area.

Waterside house is listed as positive in audit of properties in the ***"Western section of the Conservation Area around Church Place"*** (refer page 25 of the Pulborough Conservation Area Appraisal and Management Plan). Per the Pulborough Conservation Area Appraisal and Management Plan this area is also considered an ***"...Old Place, is designated an Archaeological Notification Area (ANA). Development in both these areas has the potential to affect below ground heritage and are subject to additional controls."***

The Horsham District Council Conservation Officer objected to DC/24/0941

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=C691CBB8F0DB41DE9B68FA85FCCDB142

The Conservation Officers position for the objection:

"Demolition of Waterside House would result in the total loss of the building and its associated significance as a non-designated heritage asset. It would also harm the historic character of the conservation area, as the building provides evidence of how the river was used, and the linkage of agriculture and the wider town. The property as it stands enables an appreciation of the interlinking of industrial, agricultural and domestic uses. An objection would therefore be raised to the demolition of Waterside House, particularly within the context of paragraph 209 of the NPPF. Waterside House has been in a state of disrepair for a number of years. If it is accepted that the building is in such a condition that it can no longer be retained any new development should make a positive contribution to local character and distinctiveness and enhance the character and appearance of the conservation area.

This part of Lower Street has a distinctive character predominantly derived from the presence of built form to only one side of Lower Street together with the sense of openness arising from the separation between buildings and potential for wider views towards the south and the river. The properties vary in design and form, however their scale and materials reflect the evolution of this part of Lower Street with the properties to either side of the site being recognised for their historic and architectural qualities as designated heritage assets.

Any replacement building should seek to enhance the conservation area with a development that responds to its road and riverside location and supports the existing narrative of development along the river's edge. As it stands the lack of detailing, and scale of the building particularly where the levels of the site change create a monolithic appearance that does not reflect the character of the conservation area. The proposed replacement building has a generic design which due to its size, and box like form, in addition to the above-mentioned lack of detailing does not consider the rhythm and scale that informs the significance of the conservation area. The proposal

does not reflect a sense of place or seek to respond to the character of its location resulting in an incongruous addition that does not make a positive contribution to its historic surroundings. There is also no information in terms of how the lime kiln would be retained and maintained as part of the wider scheme.

It would therefore be considered that the proposed development due to its design and scale would not enhance the special historic and architectural character of the conservation area..”

The applicant has owned Waterside House for approximately 15 years. During this ownership, the applicant has not undertaken any maintenance on the Waterside House building. This lack of maintenance is directly responsible for the current state of the building and due to the extent of the deterioration it now appears the building is so compromised that demolition is the only viable option as it is **“..beyond economic repair.”** as stated in the **“Explanation for Proposed Demolition Work”** section of the planning application.

Refer figures 1-3 for current state of Waterside House Pictures from the applicants site survey report.



Image 1: Waterside House current western elevation



Image 2: Waterside House current eastern & northern elevations



Image 3: Waterside House current southern and lower eastern elevations

Note: the boarded up windows and doors were put in place to prevent illegal/unauthorised entry, not as a maintenance consideration.

Why has no maintenance been undertaken?

The applicant claims in section 4.10 of their Appeal Statement:

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=74CCDC8C384D407484A1771059A1458C

"4.10 The local planning authority allege that the building has been deliberately neglected/damaged without providing any evidence to back up this claim. The applicant was not in control of the building until 2018 (the previous tenant being responsible for the buildings upkeep between 2009-2018). The applicant has reports dating back to 2018 confirming the building was in a poor state at this time."

If the applicant was not in control of the between 2009-2018, why has no maintenance of the building been undertaken in the last 7 years?

Furthermore, the applicant had ownership of Waterside House and associated land at 17 Lower Street that they had sufficient control over it to submit Horsham District Council Planning Application DC/11/0805 in 2011 (details below).

https://public-access.horsham.gov.uk/public-access/applicationDetails.do?keyVal=LKB5VBIJ09F00&activeTab=summary

DC/11/0805 was rejected for a variety of reasons, primarily covering Conservation Area and flooding.

Since acquiring the property in late 2000's the applicant has submitted multiple applications to redevelop the site, which have all been rejected or withdrawn due to not meeting Pulborough Conservation Area requirements, flooding and more general environment and infrastructure constraints. These applications include three attempts to build on the flood plain, where the buildings would have flooded or been cut-off from ground access by flood waters.

Page 44 of the Pulborough Conservation Area Appraisal and Management Plan (link above) states;

Opportunities for new development - must be considered carefully and the effect of new buildings on the setting of the Conservation Area, and on views both into it and out of it, particularly taken into account. ***New development must be sympathetic to its context in terms of its siting, scale (including height, size and massing),*** *materials and details. It should also follow the existing pattern or grain of development, not obstruct important views,* ***and not dominate buildings in the immediate vicinity****. Materials should be carefully chosen to complement the Conservation Area's existing palette of materials.*

Setting and views - all development affecting the setting of the Pulborough Conservation Area should demonstrate how the setting and long distance views, into and from the Conservation Area, are preserved and enhanced. The important views are identified in section 7 of the Conservation Area appraisal."

Furthermore, page 48 states:

"Enhancement of existing buildings – many of the listed and unlisted buildings in Pulborough have been altered and lost features. Fortunately, there exists good photographic coverage of the place, allowing for the possibility of accurate restoration. Proposed enhancements to make a building look grander that it ever was should be resisted."

Waterside House has three list buildings in its immediate vicinity;

- Willow Cottage is adjacent on the eastern boundary
- Malt House Cottage is two properties to the east, on the adjacent boundary with Willow Cottage
- The Lime Kiln located within the Waterside House property boundary to the south of the residential building
- Templemead House to the west

The latest application, the subject of this objection, proposes to demolish the existing Waterside house building and replace it with a much larger building comprising 10 apartments.

What motivation does the applicant have to submit multiple applications over a 14+ year period knowing these constraints and planning refusals/withdrawals?

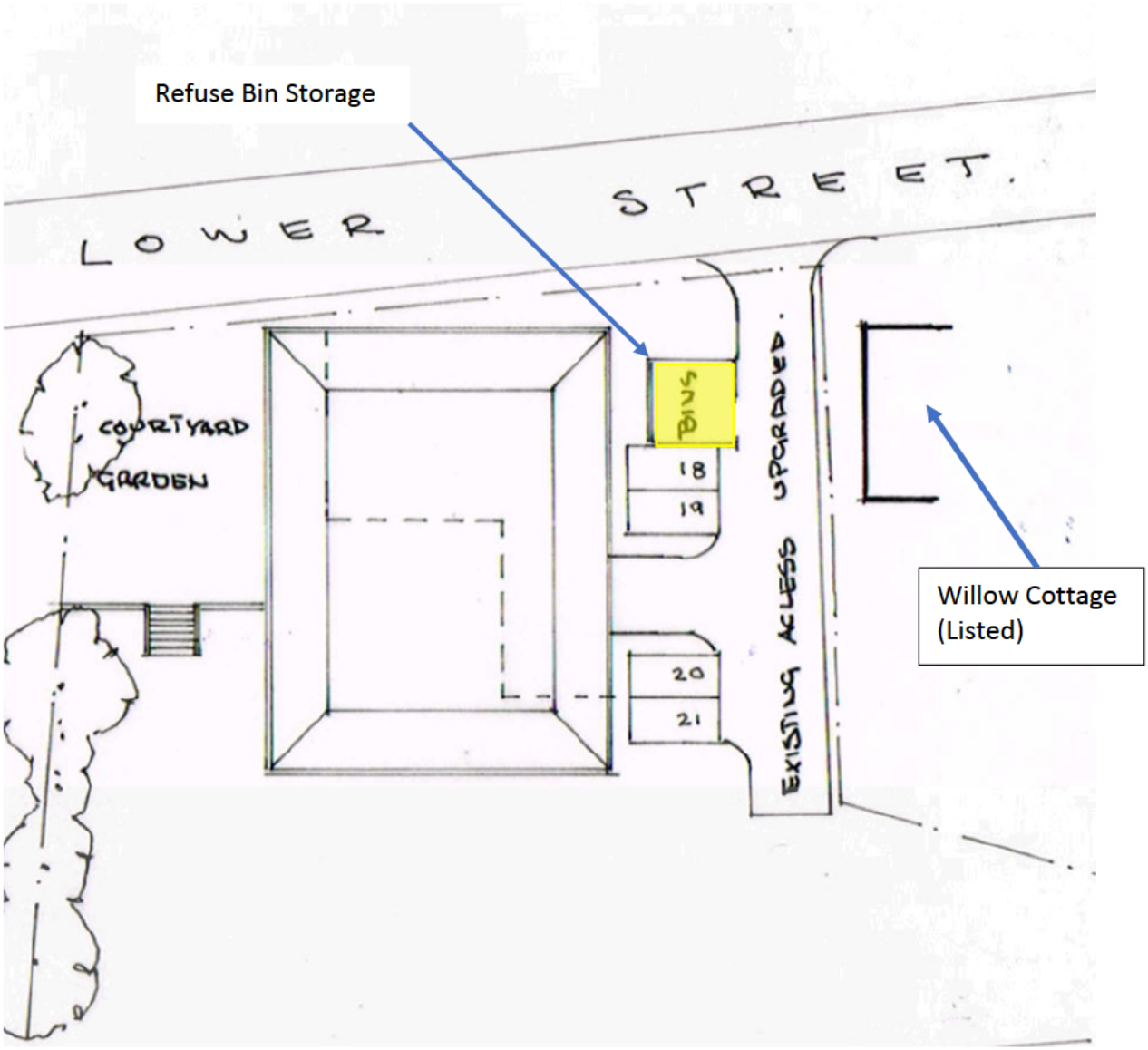


Figure 4: Proposed new building footprint vs existing building footprint (dotted line)



Figure 5: Extension scale – Easterly view impact



Figure 6: Extension scale – Easterly view impact

The significant increase in the size and massing of the proposed 10 apartment building does not meet the requirements of the Pulborough Conservation area. It appears the size (floorplan square footage) for the proposed development would increase by at least 300% Specifically:

- The southerly extension at three stories materially reduces views through the site and onto the South Downs National Park AONB
- The southerly extension at three stories negatively impacts views into the Pulborough Conservation area from the South Downs National Park AONB (views into the Conservation area are a stated consideration for the area)
- The amenity of listed Willow cottage will be significantly impacted due to the extended height and length of the proposed building. It will dominate the view, in direct conflict with the Conservation Area requirements.
- The addition four carparks (numbered 18-21 in Figure 4) and din store detract from the amenity of listed Willow Cottage
- Refuse Bins:
    - The application proposes a location for bins next to the external car parks, opposite to and in direct line of site of the listed Willow Cottage.
    - If individual bins are used:
        - 30 bins (3 bins per household (1x waste, 1x recycling, 1x green/garden waste) x 10 houses) would need to located in the marked area on Figure 4. The size of the bin area does not appear to support this many bins. This would be significant visual detraction and impact to views of and through the site
            - On refuse collection days, 10-20 bins (recycling and garden are collected on the same day) on the pavement of Lower Street would be a significant and ugly visual detraction and pedestrian risk
        - If larger shared bins are used, these would require refuse truck access to the site. The noise and visual issues arising from lorries accessing the site directly and negatively impact the listed buildings Willow Cottage and Malt House Cottage. Whilst not occupied, views to the listed Lime Kiln located on the Waterside House property will be negatively impacted in the same way. This does not meet the Conservation Area requirements to preserve and enhance.

Lime Kiln (Listed)

The application makes no mention of maintenance or restoration works for the Lime Kiln. In a similar pattern to Waterside House, there has been little attempt to preserve the Lime Kiln. The applicant has undertaken some stabilisation work historically to clear the Lime Kiln of tree and general growth, however there has been no subsequent maintenance, with trees and other general growth now re-established and the Lime Kiln is now almost exclusively covered and it's structured obscured by the regrowth.

Why does the application not make any effort to undertake work to restore the Lime Kiln?

The application is therefore not meeting multiple Conservation Area requirements to preserve and enhance and should not be supported.

Flooding

The Waterside House property is a known flood risk, this is evidenced in;

1. the report from Nijhuis Industries commissioned by the applicant
2. photograph's of actual flood events (Refer *Images 5, 6 & 7)*
3. HDC's refusal of Application DC/11/0805 that proposed erection of 1x 4 bedroom dwelling in a similar location to the construction of three number two bed bungalows. Flooding was one of the explicitly stated reasons for refusal.

Waterside House is located on an active flood plain that is subject to multiple annual flood events. Typical flood levels and their relationship to the Waterside House are shown below in *Images 7, 8 & 9.*



Image 7 – Typical annual flood plain water levels (1-4 events per annum)



Image 8 – Site plan and flood levels

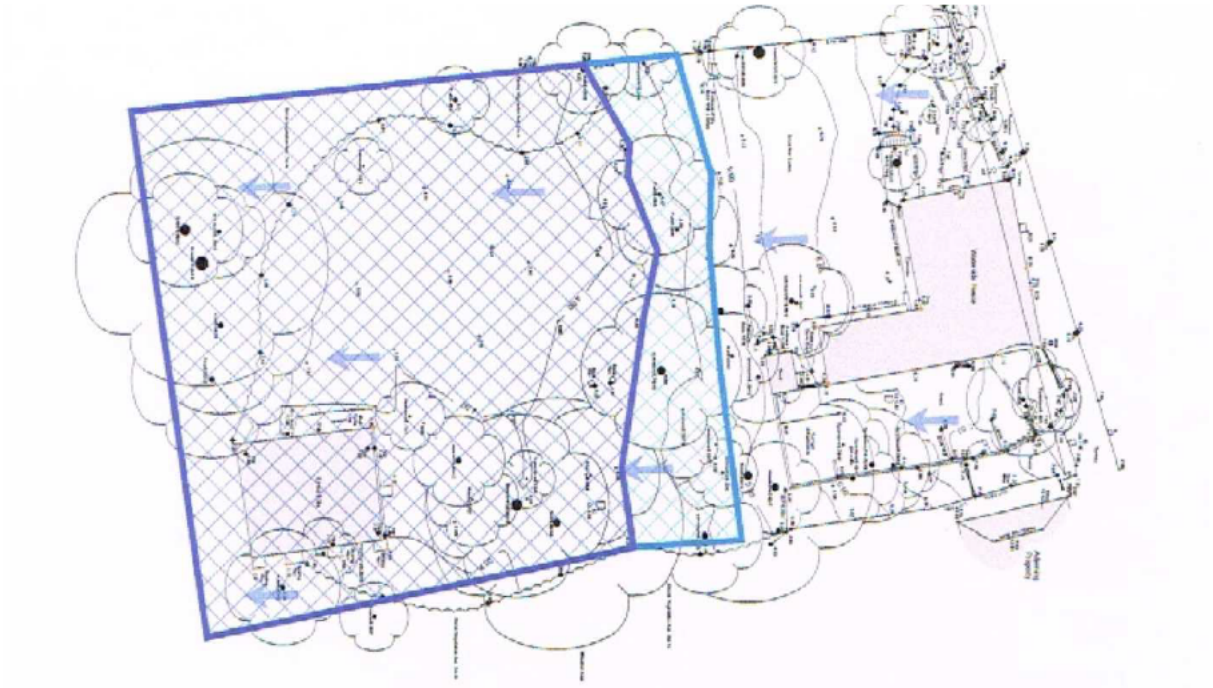


Image 9 – Fluvial flood levels – Appendix C, Nijhuis Industries Report

The site is subject to both tidal and fluvial (flood plain) flooding per the applicants commissioned report from Nijhuis Industries (link below). Sections 3.3, 3.4, 4.0, 5.0 & 5.1 detail these risks.

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=091E9DAAA8EA4CDA8D32B578D7FFA59C

The Nijhuis report does not consider the cumulative effect of both tidal and fluvial flooding occurring at the same time, which occurs following every high tide and can lead to rapidly increasing flood water levels, which as a Lower Street resident I can attest to.

Flooding as a Result of Development

Section 3.5 of the Nijhuis report outlines the requirements to mitigate flooding as a result of development.

Flooding as a Result of Development

The proposed development will alter the permeable areas throughout site. At present the site is entirely permeable ground, whereas the development will introduce impermeable area through construction of any dwellings, garages and roads. Therefore the site will be required to limit the surface water run-off to reduce the flood risk to properties downstream of the site.

The Building Regulations hierarchy for the disposal of surface water should be followed for this development. This states the use of infiltration (soakaways) as the primary disposal method for surface water, however, given the proximity of the watercourse this is unlikely. If there is poor/no infiltration then the surface water should be attenuated to a pre-determined rate into the nearby watercourse.

It is anticipated that a suitable surface water drainage system can be implemented on the site.

Any development within the flood plain will result in the infilling of flood plain storage. As such, compensatory flood storage will need to be carried out so that any volume lost from the development is compensated for. This is to reduce any risk of flood risk impact on adjacent sites due to the proposed development. This will need confirmation and negotiation with the Environment Agency.

Image 10 – Section 3.5 from Nijhuis report

The application makes no provision for:

- surface water arising from the development
- provide any details of a suitable water drainage system
- provide any details for compensatory flood water storage

Nijhuis Industries claims to be *"Nijhuis Saur Industries provides solid and adaptive solutions for sustainable and resilient water use, energy and resource recovery for Light and Heavy Industries, Utilities, and Commercial Buildings around the world. Our mission is #MissionWater." (Quoted from https://www.nijhuisindustries.com).*

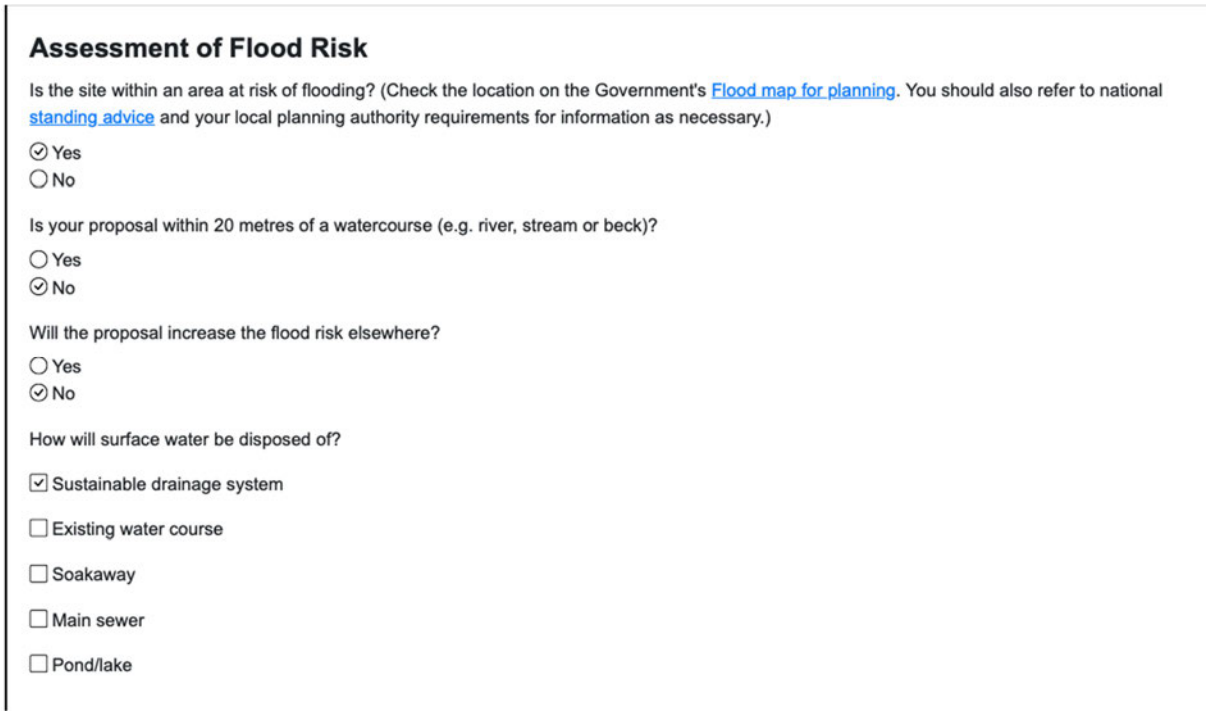
As water solutions specialists, why have they not proposed solutions to mitigate these requirements? The logical conclusion is that a viable solution does not exist or is excessively costly.

The views of and through the Conservation Area, including to & from the South Downs National Park AONB will be materially worsened when looking upon flooded dwellings, flood isolated buildings and access structures. The southerly extension of the proposed 10 apartment building will bring it very close to fluvial flood levels (*per Image 9)*.

In summary, the site's known flooding issues and proximity of the extended southern elevation in the proposed application are not viable and the overall application inappropriate for approval.

The **Assessment of Flood Risk** section of the application states a "Sustainable drainage system" will be provided to manage surface water disposal. (Refer Image 10) however the application does not contain any details of such system;

- Presumably the system would be located on the lower part of the property, which is exposed to flooding per Images 7, 8 & 9. How would this system be protected from flood waters?
- How would the system be sized to manage the flood water shown in Images 7, 8 & 9?



Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's Flood map for planning. You should also refer to national standing advice and your local planning authority requirements for information as necessary.)

- (✓) Yes
- ( ) No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- ( ) Yes
- (✓) No

Will the proposal increase the flood risk elsewhere?

- ( ) Yes
- (✓) No

How will surface water be disposed of?

- [✓] Sustainable drainage system
- [ ] Existing water course
- [ ] Soakaway
- [ ] Main sewer
- [ ] Pond/lake

Image 10

<u>Water Neutrality</u>

To meet water neutrality requirements, the applicant has commissioned a Water Neutrality Statement (WNS) – link to submitted WNS:

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=091E9DAAA8EA4CDA8D32B578D7FFA5A0

The submitted WNS is the same WNS submitted with withdrawn applications DC 23/1649 & DC23/1750. The figures and calculations in the submitted WNS refer to the 6x apartments in the proposed Waterside House redevelopment from 23/1649 & 23/1750 and do not reflect the 10 apartments in the 24/0941 application. Therefore the WNS cannot be accepted as viable and the application cannot be approved.

Outlined below are some inaccuracies in the WNS, which further evidence the proposed solution not being appropriate to meet the water neutrality requirements.

Section 3.0 – Baseline Calculations states:

"3.2 Meter readings are not available for the five-bedroom house. However, a flow survey was undertaken on 3rd August 2023 to determine the existing baseline water usage of the property. A copy of the flow survey can be found in **Appendix E**."

	Population	Mains Water Usage
Existing 5-bedroom	3.09	698.12
	Totals	698.12

Image 11 – WNS Appendix E Baseline Water Usage

The report states "…existing baseline water usage…" per Appendix E (refer Image 11) as 698.12 litres per day with a population of 3.09. **This information is categorically misleading as the existing 5 bedroom dwelling has been un-occupied for approximately 10 years.** These readings only indicate **the potential available flow** for the current 5 bedroom dwelling, not current actual water usage.

The WNS subsequently uses the 698.12 litres per day figure as part of the calculations to achieve water neutrality. The WNS calculates the proposed development requires 1,680.65 litres per day, which requires 982.53 litres per day that will need further offsetting. The rain water harvesting system can provide 633.46 litres per day, leaving 349.07 required to achieve water neutrality.

To source the remaining 349.07 litres, the report proposes that an agreement has been reached with Danefold Farm in Littleford Lane, Horsham to implement a rain water harvesting system to reduce its main's water consumption, which can in turn be utilised by the Waterside House development. The referenced example in the WNS is not within the HDC and the report provides no evidence to an established solution within HDC.

Whilst the application references Natural England's approval of this as a potential solution, their specific requirement documented in the WNS states (refer Appendix C, page 15 of the WNS);

"For every new development, total water use in the region after development must be equal to or less than the total water use in the region before the development"

Water neutrality cannot be achieved when these criteria are applied. The proposed development remains 698.12 litres per day short of water neutrality due to the existing 5 bedroom dwelling being vacant for approximately 10 years and cannot be considered as existing usage to meet water neutrality requirements.

Highways and Access



Image 12 – View of proposed access/egress driveway looking east on Lower Street



Image 13 – View from car exiting proposed access location (driveway) looking east on Lower Street

The applicant has commissioned a Transport Statement to support the application;

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=091E9DAAA8EA4CDA8D32B578D7FFA5AC

Section 4.6 of the Transport Statement states the following:

"Based on the posted speed limit of 30mph, visibility splays of 2.4m x 43m are required in either direction of the access. These visibility splays are readily achievable at the access."

Images 12 & 13 show the easterly view from the access.

As measured from the existing driveway the application states it will use, looking east to the curve in the road (per Image 13) there is approximately 31m visibility.

As the required 43m of visibility is not present in the easterly direction, the proposed access solution is not viable, subsequently the site cannot support the proposed development.

Section 3.2 'Bus Services' od the Transport Statement states:

"There closest bus stops located to the development site are along Lower Street, approximately 65m west of the site access, equating to 1-minutes' walk time. There are both eastbound and westbound services available. The bus stop is entitled 'Church Hill' and is served by bus services 1, 71 and 100, operated by Compass Travel and Stagecoach buses."



Image 14 – Eastern Bus Stop showing no footpath or safe waiting/alighting space

The Transport Statement is misleading and dangerous to state the east bound bus stop is a suitable alternative to private car transport given there is no footpath or safe space to wait for or alight from a bus. The bus stop is located as noted on Lower Street/A283 and

immediately after the intersection with the A29, both of which generate significant traffic, including HGV's and large farm equipment frequently using all of the available lane width.

Refusal of a previous Planning Application DC/11/0805 (erection of 1x 4 bedroom dwelling) at Waterside House included a specific objection from WSCC and PPC due to risks associated with access and egress from the site and it's proximity to a bend.

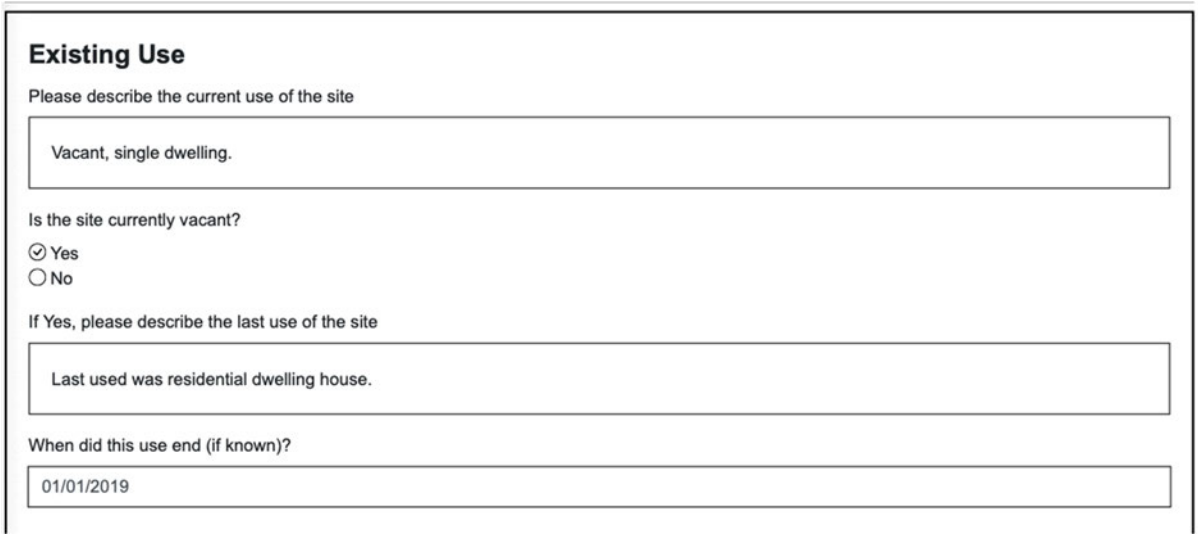
"Reason: The increased use of the existing access to the public highway would add to the hazards of highway users to an unacceptable degree."

Quote from WSCC Objection to DC/11/0805:

https://iawpa.horsham.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=D36387351EA311E18D000050569B243C

Having established the public highways risks relating to ingress and egress from the site and proximity to a bend, parking of either visitor or resident vehicles on Lower Street and making it a de facto car park cannot be acceptable. In addition to the public highways risk, parking on Lower Street would not meet the Conservation Area requirements as it would detract from views within and through the area, and materially negatively impact the amenity of the nearby listed buildings.

Existing Use



Existing Use

Please describe the current use of the site

Vacant, single dwelling.

Is the site currently vacant?

- [x] Yes
- [ ] No

If Yes, please describe the last use of the site

Last used was residential dwelling house.

When did this use end (if known)?

01/01/2019

The **"Existing Use"** section of the planning application states the last residential dwelling use of the site ended in 2019. This is not correct, the property has been vacant for approximately 13 years. This is stated in the **"Site Condition Report"** commissioned by the applicant and also consistent with when the last occupant moved out of Waterside House.

Concluding Thoughts

As a resident of Lower Street, I would love to see Waterside House as an occupied and active part of the community. We are all very aware its current state is a detraction to the area.

However, the proposed application is prioritising quantity of development over quality that will not enhance and preserve the Conservation Area, nor meet various other requirements as outlined. The applicant is very aware of the Conservation Area, flooding issues, and other requirements, especially given they have had multiple previous applications to build in the same location refused or withdrawn.

The applicant has also placed the property for sale following the refusal of HDC planning application Ref: DC/24/0941.

https://www.struttandparker.com/properties/lower-street-11

It is unclear and somewhat unusual for the applicant to be appealing the refusal of DC/24/0941 and placing the property for sale, but it does show the applicants ongoing lack of commitment to the property, Pulborough community and its heritage. The primary objective of the Pulborough Conservation Area is to protect and preserve this heritage, and specifically development such as this that is wholly and directly in conflict with the clearly defined and consistent requirements of the Conservation Area.

The established grain of development along this section of Lower Street from Swan Corner to Alfrey's Wharf is for detached or semi-detached houses. Given the information communicated in the multiple refused and withdrawn applications, why has the applicant not submitted an application that would take this into account?

An application based on the existing floorplan and elevations of Waterside House would achieve this. It could accommodate a two semi-detached houses, with a reconfigured internal floorplan, away from the flood plain that would meet the Conservation area requirements and avoid the infrastructure and other general concerns arising from a 10 apartment sized building. If this is not cost effective as a result of the severely compromised existing building needing to be demolished due to the lack of maintenance by the applicant, this is not a concern for the Conservation Area requirements and the applicant needs to absorb these costs and take responsibility for their failure to maintain the property.

We would all welcome an application that sympathetically develops the site in a manner compliant with the Conservation Area, which this application does not achieve.

I hope this objection has highlighted the multiple failings of the application to meet the requirements of the Conservation Area, highways access, water neutrality and other constraints and require the appeal to be rejected.