



Parish: Appledram	Ward: Harbour Villages
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AP/22/03196/FUL

Proposal	Demolition and replacement dwelling and garage with associated landscaping.		
Site	Apuldram House Dell Quay Road Dell Quay Appledram West Sussex PO20 7EE		
Map Ref	(E) 483653 (N) 102693		
Applicant	Mr & Mrs O'Sullivan	Agent	Mrs Joanne Halton

RECOMMENDATION TO PERMIT



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1.0 Reason for Committee Referral

1.1 Red Card: Cllr David Rodgers: Important information/opinion to raise in debate (the Victorian Society has asked me to object).

2.0 The Site and Surroundings

- 2.1 The application site is located on Dell Quay Road, with a frontage onto the water. The site falls within the Parish of Apuldram and the Chichester Harbour National Landscape (formerly an Area of Outstanding Natural Beauty (AONB)). The site also forms part of the Dell Quay Conservation Area.
- 2.2 The plot sits within a small collection of residential properties generous in scale and bordered by agricultural fields, over which a permissive right of way passes. The property sits within 2.5 acres of private garden bordering Chichester Harbour. The dwelling occupies a central position within the plot, set back from the roadside and screened by mature landscaped boundaries. The dwelling itself comprises of a two storey Georgian style property which has rendered elevations with a red clay tile roof over. It was constructed in 1900-1902, to the designs of English architect Temple Moore (1856-1920) and has undergone some alterations since its construction.
- 2.3 The existing property at Apuldram House is considered to be a Non-designated Heritage Asset. Within the garden there is a large, detached garage building, a storage building, tennis court and a swimming pool.
- 2.4 There is a small collection of properties which share a boundary with the site, these comprise of the Saltings to the northwest, Honeysuckle Cottage and Apuldram Cottage to the southeast. The Saltings was replaced in approximately 2017 with a new build dwelling. The site's southern boundary borders agricultural fields that extend between the nearby towns of Donnington and Chichester.

3.0 The Proposal

- 3.1 The application seeks planning permission for a replacement dwelling with associated garage.
- 3.2 The replacement dwelling would be set over the footprint of the existing house, adjusted by three degrees clockwise. The main part of the house would be set back from the harbour by 4.25m, compared to the existing dwelling. The overall footprint would increase by 48%, with the mass being broken down by the separation of the main elements of the house. The proposal would be a bespoke architect designed home in a largely traditional form.
- 3.3 The existing detached garage would be replaced and set back behind the line of the east entrance boundary fence.

4.0 History

15/01163/DOM	PER	Single storey extension to existing dwelling.
21/01162/DOM	PER	Proposed pool house, raised terrace and relocation of multi-use games area and swimming pool.

22/00302/DOC	SPLIT	Partial discharge of conditions 5 (external materials), 6 (ecology enhancements), 7 (hard and soft landscaping scheme) & 8 (boundary treatments) of planning permission AP/21/01162/DOM.
22/01533/DOC	PER	Discharge of conditions 6, 7 from planning permission 21/01162/DOM.
22/02072/PRERD	PRE	Replacement house.

5.0 **Constraints**

Listed Building	NO
Conservation Area	Dell Quay
Rural Area	YES
AONB	YES
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 **Representations and Consultations**

6.1 Parish Council

No Parish Council comments received.

6.2 Chichester Harbour Conservancy (Summarised)

Further comments received 20.09.2023

As per the Conservancy's original response dated 06.03.23.

Original comments received 06.03.2023

Chichester Harbour Conservancy's Response PLANNING "NO OBJECTION" WITH SUGGESTED CONDITIONS

- schedule/samples of materials to be agreed prior to construction, use of a natural / neutral coloured timber cladding is preferred by the Conservancy, no light or pale colours
- for glazed surfaces, the use of coated surface glass that is non-reflective to mitigate external reflective glare which might also assist with keeping heat in and radiation out for the respective seasonal changes

- any and all glazed windows / doors / skylights should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times in order to minimise and reduce the amount of light illumination of the new window openings to comply with the Dark Skies protocol operating within the AONB protected national landscape designated area to limit disturbance to wildlife

- any and all external lighting to the circulation areas and outdoor congregating areas be it wall mounted or free standing should be fitted with a suitable and effective cowl to focus the light-beam and illumination downwards and prevent light spillage above the horizontal and into the night sky so as to comply with the Dark Skies approach and to limit disturbance to wildlife

6.3 Environment Agency

17.08.2023

No further comments.

06.02.2023

No objection

6.4 Natural England

No objection

6.5 WSCC Local Highway Authority

Further comments 29.08.2023

No further comments

Original comments 24.01.2023

Summary

This application is for the demolition of existing dwelling and erection of a replacement dwelling. The site is located on Dell Quay Road, an unclassified road subject to national speed limit in this location. Following an inspection of the application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application.

Content

No alterations are proposed to the existing vehicular access arrangements. As this application seeks a replacement dwelling only, the proposed development is not anticipated to give rise to a material intensification of use of the existing vehicular access.

Regarding car parking, a replacement double-bay garage with driveway is proposed. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces. Therefore, the LHA is satisfied with the proposed parking provision. On-site turning appears achievable, allowing cars to exit the site in a forward gear.

Given the recent changes to the Building Regulations Approved Document S (Infrastructure for the Charging of Electric Vehicles), it may be that the provision of EV charging is now covered under separate legislation to planning. Therefore, WSCC as Highway Authority have no comment to make upon the EV charging provision as a result of this planning application. However, the planning case officer should check whether the development is being built under the old Building Control regulations, in place prior to June 15th 2022, and if they are, it may be appropriate to secure EV charging provision through the planning process.

For cycle parking, the proposed garage is suitably sized to accommodate at least two bicycles, in accordance with WSCC Parking Standards.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following conditions should be applied:

Car parking space (details approved)

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

6.6 CDC Conservation and Design

Apuldram House was built between 1900-1902 originally serving as a vicarage. It is known to have been designed by Architect Temple Moore who was best known for his contribution to ecclesiastical architecture during the Victorian era. Moore also worked on

other building types during his career and a number of his works are now Listed Buildings in their own right.

Apuldram House has been reviewed against Chichester District Councils Non-Designated Heritage Asset Identification and Assessment Criteria and scored a combined total of 9 across five categories. This is a relatively high score with a total score of 5 or more indicating that a building should be considered a non-designated heritage asset (NDHA). Apuldram House following review has therefore been considered to be a NDHA with the score of 9 having been reached mainly for the following reasons:

- The dwelling is considered to be a good quality piece of architecture despite having suffered some unfortunate alteration over time.
- Having formerly been a vicarage it is considered the dwelling has some level of association with the community and local people.
- It is considered to have architectural value having been designed by a nationally celebrated architect and despite some level of alteration it retains the appearance of a building of pleasant appearance and high quality to the principal facades.

The assessment of the dwelling as a NDHA is also supported by the mention of the dwelling in the Buildings of England Sussex: West from the Pevsner's The Buildings of England series. The house is described as 'informally planned with symmetrical garden front facing the harbour'.

The plot size and the dwelling's intended design appearance portrayed a building of status and grandeur which is in keeping with the buildings original but short use as a vicarage. Its use as a vicarage is also likely to provide clues about the set up and status of the local parish and church at the time which until 1818 was under the parish of Bosham and appeared to not have a vicarage.

Given the site arrangement and access the house is considered to have two principal elevations: one addressing the front road side and the other to the waters-edge. It appears clear that the dwelling was originally designed with this in mind, as whilst differing in character both facades were clearly designed with the intention of their being seen. Being largely unaltered in form the house retains much of this appearance including sizable chimneys, the original roof slopes and bay windows (albeit with new frames, cladding and glazing). The introduction of uPVC and plastic cladding has however eroded some of the original character of the principal facades.

Whereas many of the other alterations to the house particularly on the principal facades are reversible the south-east side elevation has suffered more greatly. The resulting varied and ad hoc alteration to the original fenestration layout here is detrimental to the appearance of the building. The former stable block has also suffered substantial negative alteration which has significantly impacted its appearance. This now garage building is set in front of the house and is the most visible built feature within the site when viewed from the road. Its appearance is considered to be harmful to both the appearance of the site and the building as a NDHA.

In addition to being an NDHA Apuldram House is located within Dell Quay Conservation Area and within the Chichester Harbour AONB on a site which borders the waters-edge. The conservation area appraisal does not identify Apuldram House as a positive building and describes it as being well set back from the road with the garden being important to

the setting of the core of Dell Quay. The appraisal makes clear the house was only inspected from the road and whilst this is a key view point the conservation area is also viewed and experienced from the water of the Fishbourne Channel and must also be considered in this regard.

The Dell Quay Conservation Area Character Appraisal sets out the key characteristics of the conservation area. These include the maritime setting of Chichester Harbour, its location within the AONB, the small grouping of quayside buildings, the sound of water and wildlife, beautiful views over the estuary, a small number of listed buildings, the former warehouse and round house, the more modern functional buildings of the sailing club and education centre. These are the defining features that contribute most greatly to the significance of the conservation area with the statement identifying the quay itself as being the principal feature.

Unlike many conservation areas the character of Dell Quay Conservation Area is not heavily defined by a strong material palette or framed by built form and street scenery but rather the character of varied quayside buildings in the coastal landscape setting. As identified in the Conservation Area Character appraisal it is the grounds of Apuldram House that contribute most substantially to the character and appearance of the conservation area rather than the built forms.

The house itself, despite some harmful alterations, remains visually characteristic of its type and date and therefore contributes to an understanding of the ages of the area's development over time and more loosely its ecclesiastical history. It is however considered important to note that St Mary's Church itself is not located within the conservation area and being some distance away is not visually connected to the site.

Whilst the site history and its contribution to understanding local history is of interest it and should be given some consideration in reviewing the application it is not in itself considered to contribute to the key characteristics that make up the significance of the Dell Quay Conservation Area.

The existing house has limited visibility from within the conservation area itself with glimpsed views being possible down the driveway from the road and at the very end of the quay itself. The views from the road are mainly contributed to by the dwellings grounds and vegetation which will remain largely unaltered in character. The garage is set some distance into the site but is relatively visible, to the visual detriment of the conservation area, given its height and light-coloured finish. The house is also visible but in more distant and glimpsed views.

From the quay the first floor, gable and chimney stack of the north-west side elevation are visible and make a neutral contribution to the conservation area. The house does become more of a focal building within the conservation area from the water of the Fishbourne Channel. From here the house is much more prominent given its raised position and light painted render. It appears this prominence must have formed part of the original design intention however it is considered to be at odds with the now relative tranquillity of the setting, the siting within the AONB and its assertive presence in the beautiful views across the estuary (identified as a key characteristic of the conservation area).

By contrast the proposed house is contemporary in design and takes precedent from locally characteristic forms and material palettes with the aim of more greatly blending into

its backdrop. It is considered that the proposed design has the potential to result in a high-quality piece of contemporary architecture subject to the specification of final materials, detailing and how it is built out on site. Therefore, as designed it is considered the new build once settled into the site could provide a building that visually contributes positively and more subtly to the character of the conservation area and also the AONB.

Whilst both buildings are considered to have architectural merit there are additional factors that must be considered. The existing dwelling is considered to be a non-designated heritage asset with links to the ecclesiastical history of the area and designed by the nationally renowned architect Temple Moore. The significance, character and appearance of the house and former stable block as a grouping has however been harmed by unfortunate and inappropriate alterations some of which are not readily reversible. These along with its assertive appearance in the AONB and within views from the Fishbourne Channel are considered to be detrimental to the character of the conservation area and have reduced the quality of the building in terms of its visual contribution as an NDHA.

The proposed design would result in the loss of a NDHA and by its new build nature not instantly have associations with the local community as the existing house once had. However the proposals provide a new design of consistently high quality resulting in the removal of aspects of the existing house and garage building that contribute negatively to the conservation area and a design that less assertively and more considerately sits within its setting in the AONB. It is considered this case is finely balanced however the proposals are considered to be of such high quality that overall the sites contribution to the character and appearance of the conservation is considered to be enhanced. Therefore when weighing up the potential for harm through the loss of the existing house and the high quality design of the proposal it is not considered that harm to the significance of the designated heritage asset of the Dell Quay Conservation Area would result.

The demolition of Apuldram House would result in the loss of a non-designated heritage asset within the Dell Quay Conservation Area. The harm to the NDHA would be significant resulting in its total loss. Para 203 of the NPPF requires that this should be taken into account in determining the application and a balanced judgement required having regard to the scale of loss and the significance of the heritage asset. A balanced judgement is therefore considered to be necessary in this case without which the demolition of the house should not be considered acceptable. This must be considered overall in terms of the planning application beyond the conservation and design matters of the scheme. However, taking into account the scheme as a whole the improvements to the appearance of the designated heritage asset of the conservation area and the sites visual appearance within the designated AONB it is considered whilst very finely balanced in terms of conservation and design there are benefits that tip the balance towards supporting the demolition of the NDHA.

Should the proposals be recommended for approval it is considered that details for the materials and windows and doors should be secured by condition. This should include sample panels for the flint and brick walls as these will be of considerable importance in securing the currently reviewed high quality scheme is built out on site to the standard expected and required to weigh in favour of the demolition of the NDHA.

6.7 CDC Environmental Strategy (Summarised)

Further comments 24.08.2023

Biodiversity Net Gain

We are pleased to see enhancements have been included within Biodiversity Net Gain Assessment (July 2023). The biodiversity net gain matrix shows a 10.13% improvement in habitats and a 225.86% hedgerow improvement which meets the requirements of Biodiversity Net Gain and we are satisfied that this is suitable.

Original comments 23.01.2023

Bats

Following submission of the EIA (Dec 2022) we are happy that the mitigation proposed would be suitable. A condition should be used to ensure this takes place. The applicants should be aware that a Natural England Protected Species License will be required for the works, and this will need to be obtained prior to any works taking place.

Nesting Birds

Due to the risk of disturbance to overwintering birds, construction works must avoid the winter months (October Feb) to ensure they are not disturbed by any increase in noise and dust.

Conditions relating to ecological enhancements, lighting and construction mitigation recommended.

6.8 CDC Drainage

Further comments 25.08.2023

No further comments to add.

Original comments 07.02.2023

Flood Risk: The site of the new dwelling is wholly within flood zone 1 (low risk) and we have no additional knowledge of the site being at increased flood risk. So subject to satisfactory surface water drainage we have no objection the proposed use, scale or location based on flood risk grounds.

Surface Water Drainage: The proposal is to drain all surface water to ground via infiltration, an approach that is acceptable in principle. We are satisfied that the proposed drainage strategy (Drawing 0453 003 P3) should adequately drain the development. If you are minded to approve the application we would recommend you condition drainage to be constructed in accordance with the strategy.

6.9 Third party objection comments

11 third party representations of objection have been received concerning the following matters:

- a) Loss of the property at Apuldram House which is by a named architect and demonstrative of a building of its time.
- b) The existing property is a major feature within the Conservation Area and on the Dell Quay skyline
- c) Apuldram House should be extended and altered to protect the architecture and history.
- d) It makes a positive contribution to the surrounding Dell Quay Conservation Area and within Chichester Harbour Area of Outstanding Natural Beauty as a cultural heritage asset
- e) The environmental impact of the demolition of an existing building and the carbon cost of a replacement.
- f) The Heritage Statement is insufficient
- g) No justification for destroying the existing property which is a good example of its time
- h) Apuldram House is a building of national architectural significance as a Victorian dwelling designed by Temple Moore.
- i) Apuldram House should be listed and is of significant historical and local heritage interest.

Of the 11 third party representations, 2 of these were submitted by The Victorian Society and Save Britain's Heritage respectively. Their comments have been summarised below, but are available in full on the planning application file.

The Victorian Society

This application has been drawn to the attention of the Victorian Society. Having now reviewed the application documentation, we write to register our strong objection to the proposed demolition of this building.

Apuldram House is a significant historic building within the Dell Quay Conservation Area, constructed in 1900-1902 by Temple Moore. Temple Moore was an important architect of the late Gothic Revival, noted particularly for his ecclesiastical work. Geoff Brandwood in 'The Architecture of Temple Moore' describes Apuldram House as 'particularly attractive' and that 'the entrance side has an informality unusual in Moore's domestic work.'

The proposal would result in the complete loss of a building of considerable architectural and historic significance by a leading architect of the late Gothic Revival.

Furthermore, the proposals would harm the character of the Dell Quay Conservation area. While Apuldram House is not accounted a 'positive building' in the Conservation Area Appraisal we note that the Conservation Area was extended to include the building. Considering it is the work of a nationally significant architect it should be considered a positive contributor to the Conservation Area and preserved.

Save Britain's Heritage

SAVE supports the position set out by the Victorian Society in its letter of objection, that the house is worthy of protection and should be listed. The loss of this house has not been justified by the applicant and we consider that it cannot be justified on heritage grounds.

The justification for demolition is the poor energy performance of the house and a desire to build a new home which would be more sustainable.

This proposal entails the total loss of an important house designed by a renowned architect which contributes positively to the Dell Quay Conservation Area and on balance, SAVE urges the Council to agree that the proposal cannot be justified.

The Dell Quay Conservation Area Character Appraisal 2006 (updated March 2012) ("the Character Appraisal") does not consider the importance of the conservation area from the water. Whilst the conservation area was widened to include Apuldram House and the two contemporaneous cottages on Dell Quay Road, the Character Appraisal makes it clear that Apuldram House was only inspected from the road, from which it is set well back. Accordingly, the Character Appraisal only references the gardens of Apuldram House and the pair of cottages as making a positive contribution to the character of the area, because they can be seen from the road. The Character Appraisal, however, recognises that the most significant features of the Dell Quay Conservation Area include its maritime setting on the Fishbourne Channel of Chichester Harbour and its location within the Chichester Harbour. SAVE considers that views from the water to the conservation area are therefore of key importance. Had those views been considered, SAVE believes that the house would also have been identified for its positive contribution as an historic landmark building on this part of Chichester Harbour, of greater architectural interest and quality than the roadside cottages.

Replacing this historic house with a house that is clearly modern, with large expanses of unbroken glazing will have a significant impact on the Conservation Area and AONB in this historic and unspoilt setting. Of particular concern is the loss of the historic glazing pattern with glazing bars and the replacement with plain sheets of glazing which will greatly increase glare in daylight hours and will increase the visibility of the house from the water and across the Harbour.

SAVE notes that an effort has been made to demonstrate that the replacement house may be less obtrusive on the landscape setting than the existing house by the use of brick, flint and timber in place of painted render. However, SAVE notes that from the water, Apuldram House reflects the listed Crown & Anchor Public House adjacent to Dell Quay which is also painted render. The materials of the existing house are not therefore considered detrimental or out of place, and certainly not sufficiently damaging to justify demolition.

6.10 Third party support comments

4 third party representations of support have been received concerning the following matters:

- a) The replacement dwelling is attractive and characterful and would preserve the conservation area and would fit in with the properties in the village.

- b) The proposal represents a high standard of architecture and would complement the character of Dell Quay.
- c) The replacement dwelling would utilise good quality materials and additional landscaping.
- d) The development would comply with the relevant guidance set out by the Harbour Conservancy.

6.11 Applicant/Agent's Supporting Information

The applicant/agent has provided the following support information during the course of the application:

- a) Landscape and Visual Impact Assessment
- b) Energy Statement
- c) Landscape Mitigation Plan 5040 BB-DR-L-101
- d) Design and Access Statement
- e) Biodiversity Metric and assessment
- f) Expert Opinion re. Historic Environment Considerations
- g) Whole Life Carbon Report
- h) Heritage Advice Note
- i) Planning Justification Statement and AONB Impact Statement

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made neighbourhood plans. There is no made neighbourhood plan for Apuldram.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 2: Development Strategy and Settlement Hierarchy
- Policy 4: Housing Provision
- Policy 8: Transport and Accessibility
- Policy 12: Water Resources in the Apuldram Wastewater Treatment Catchment
- Policy 33: New Residential Development
- Policy 39: Transport, Accessibility and Parking
- Policy 40: Sustainable Design and Construction
- Policy 42: Flood Risk and Water Management
- Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)
- Policy 44: Development around the Coast
- Policy 45: Development in the Countryside
- Policy 46: Alterations, Change of Use and/or Re-use of Existing Buildings in the Countryside
- Policy 47: Heritage

Policy 48: Natural Environment
Policy 49: Biodiversity
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas
Policy 51: Development and Disturbance of Birds in Pagham Harbour Special Protection Area

Chichester Local Plan Review Preferred Approach 2016 - 2035

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well-advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in early 2024. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2023).

National Policy and Guidance

- 7.4 Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2023), which took effect from 5 September 2023. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.5 Consideration should also be given to the following paragraph and sections: Sections 2, 4, 12, 14, 15 and 16.

Other Local Policy and Guidance

- 7.6 The following documents are material to the determination of this planning application:

- Surface Water and Foul Drainage SPD
- CDC Waste Storage and Collection Guidance
- CHC Chichester Harbour AONB Management Plan (2014-2029)
- Apuldram Conservation Area Character Appraisal

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles
- Support communities to meet their own housing needs
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Principle of development
- ii. Design and impact upon character of the surrounding area
- ii. Impact upon heritage assets
- iv. Impact upon amenity of neighbouring properties
- v. Impact upon highway safety and parking
- vi. Sustainability
- vii. Ecological considerations
- viii. Planning Balance

Assessment

i. Principle of development

8.2 The application site is located outside of any defined settlement boundary, as defined by Policy 2 of the Local Plan. The proposal seeks permission for a single replacement dwelling following demolition of the existing property, there would be no additional dwellings created. The principle of a replacement dwelling is acceptable, subject to compliance with the development plan and other material considerations.

ii. Design and impact upon character of the surrounding area

8.3 Policy 33 of the LP refers to new residential development and sets out that proposals must meet the highest standards of design and a high quality living environment in keeping with the character of the surrounding area and its setting in the landscape. In addition, that its scale, form, massing and siting, height and design respects and enhances the character of the surrounding area and site.

- 8.4 Policy 43 relates to the impact of proposals on the AONB and proposals within the AONB must reinforce and respond to the distinctive character of the AONB. The application site is located within the AONB, the visual impact of the proposal upon the AONB must be considered, with particular regard to the proximity to the water. Policy 44 further emphasises the importance that development around the coast must not adversely affect the character and environment of the AONB. Paragraph 176 of the NPPF (2023) attributes great weight to conserving and enhancing the landscape and scenic beauty of AONB, which have the highest status of protection in relation to these issues.
- 8.5 The Chichester Harbour Conservancy have raised no objection to the proposal. Their comments conclude that the positioning of the proposals would have a localised impact on the character and visual appearance outside of the site and the immediate surrounds and the structures scale, design and appearance would sit unobtrusively within its visual setting. The architectural design is a modern traditional dwelling approach. The use of brick and flint walls would represent a change from the brick / render wall treatment of the existing house. This visual appearance can be seen as a more visually subdued alternative to the current dwelling. Due to building set-back within the site from Dell Quay Road and the harbour waters, the public view of the site is tempered.
- 8.6 The proposed replacement dwelling would represent an exceptionally high-quality design and would represent a significant benefit to the AONB landscape due to the introduction of a high-quality materials palette and high-quality design.
- 8.7 The proposed development would be largely traditional in its form with modest glazing and strong roofscapes. The proposed fenestration has been designed to be set-back by a full brick. Providing deep recesses of over 200mm to lessen the impact and visibility of the glazing from the harbour. The Design and access statement also states that window treatments will be applied to dampen light spill at night, using a variety of systems. These will include a mix of automated blinds & curtains and internal shutters. The roof light to the entrance elevation will be installed with an automated blackout blind to mitigate light pollution. Overall, the proposal would have a reduction in glazing to principal views by 6%. The window arrangement has been positioned in an informal grouping, deliberately offset to break up the impact of the glazing.
- 8.8 The replacement dwelling would be less stark in the landscape and would appear less prominent in its surroundings, particularly when viewed from the water. The render finish of the existing property appears bright in its surroundings and draws attention from the water. The property next door appears more subservient in its setting and accords with the AONB principles to a greater extent. The proposed house draws on architectural detailing from the local area, such as brick corbelling, rubbed brick arched lintels and brick detailing to chimney stacks. The materials reference the vernacular, with traditional design references, whilst taking on modern elements and principles to ensure that the building performs as efficiently as possible.
- 8.9 The scheme would be supplemented with additional landscaping which would provide some additional screening and softening of the site. Wildflower meadow planting is proposed, the existing hedgerows will be largely retained and supplemented where required. Any removal of trees would be mitigated with replacements with additional trees proposed.

8.10 Overall, the replacement house is considered to be of a high architectural and build quality and it responds positively to the rural character, scale, form and design details of surrounding properties. Despite the demolition of the existing dwelling, overall, it is concluded that the replacement house design will result in an overall enhancement to the character and appearance of the Dell Quay Conservation Area. The proposed design has taken influence from the conservation area and the AONB and the form of the replacement house reflects the qualities of local development, such as the Crown and Anchor. The massing of the dwelling has been broken down to create architecturally distinct elements which provide quality elevations from all views. It is therefore considered that the replacement dwelling would enhance the overall quality of the area and would be sensitive to the landscape.

8.11 The development would accord with Policies 33 and 43 of the CLP. Furthermore, the replacement dwelling would make a positive contribution to the conservation area and to the AONB, to which weight should be given. Both of these designations are protected by national policies and the proposed high-quality replacement dwelling would be an appropriate addition to the site which would be sympathetic to the surroundings.

iii. Impact upon Heritage Assets

8.12 Policy 47 of the Local Plan requires that development proposals conserve or enhance the special interest and setting of heritage assets. Section 16 of the NPPF reiterates this requirement to conserve and enhance the historic environment.

8.13 Apuldram House was built between 1900-1902 originally serving as a vicarage. It is known to have been designed by Architect Temple Moore who was best known for his contribution to ecclesiastical architecture during the Victorian era. Moore also worked on other building types during his career and a number of his works are now Listed Buildings in their own right.

8.14 Apuldram House has been reviewed against Chichester District Councils Non-Designated Heritage Asset Identification and Assessment Criteria and scored a combined total of 9 across five categories. This is a relatively high score with a total score of 5 or more indicating that a building should be considered a non-designated heritage asset (NDHA). Apuldram House following review has therefore been considered to be a NDHA with the score of 9 having been reached mainly for the following reasons:

- The dwelling is considered to be a good quality piece of architecture despite having suffered some unfortunate alteration over time.
- Having formerly been a vicarage it is considered the dwelling has some level of association with the community and local people.
- It is considered to have architectural value having been designed by a nationally celebrated architect and despite some level of alteration it retains the appearance of a building of pleasant appearance and high quality to the principal facades.

8.15 In addition to being an NDHA, Apuldram House is located within Dell Quay Conservation Area and within the Chichester Harbour AONB on a site which borders the waters-edge. The conservation area appraisal does not identify Apuldram House as a positive building and describes it as being well set back from the road with the garden being important to the setting of the core of Dell Quay. The appraisal makes clear the house was only inspected from the road and whilst this is a key view point the conservation area is also

viewed and experienced from the water of the Fishbourne Channel (to Dell Quay) and must also be considered in this regard.

- 8.16 Conservation Areas are a designated Heritage asset and as such, paragraph 199 of the NPPF 2023 states: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'
- 8.17 Paragraph 202 of the NPPF 2023 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, where appropriate, securing its optimum viable use.' In this case, the benefits of the proposed replacement dwelling would need to be weighed up against the harm to the Conservation Area and the loss of the Non-designated Heritage Asset.
- 8.18 The Dorothy Bohm v SSCLG [2017] EWHC 3217 Judgment clarifies that just because something is a 'positive contributor', so long as it is not designated in itself, a Local Planning Authority should not automatically conclude that it cannot be demolished/redeveloped until it has assessed it in comparison with the potential enhancements of a proposed development. This judgement is considered relevant in this case as it concerns the loss of an NDHA within a Conservation Area and concludes that the decision must be balanced against all other factors.
- 8.19 The above judgement found that the loss of an existing building within a conservation area would not necessarily harm the conservation area. In the Bohm Judgement, the replacement dwelling would, in the Inspector's judgement, be of an acceptable design which would preserve the character of the conservation area, no harm to the conservation area would arise. The loss of a positively-contributing building NDHA would not inevitably cause harm to the conservation area.
- 8.20 The character of Dell Quay Conservation Area is not heavily defined by a strong material palette or framed by built form and street scene, but rather the character of varied quayside buildings in the coastal landscape setting. As identified in the Conservation Area Character appraisal, it is the grounds of Apuldram House that contribute most substantially to the character and appearance of the conservation area rather than the built forms.
- 8.21 Apuldram House, remains visually characteristic of its type and date and contributes to the understanding of the ages of the area's development over time and, loosely, its ecclesiastical history. The site contributes to the local history of the conservation area, it cannot be considered however that Apuldram House contributes to the key characteristics that make up the key characteristics of the Dell Quay Conservation Area.
- 8.22 In terms of the visibility and contribution to the conservation area, glimpsed views are possible down the driveway and from the end of the quay. The views from the road are mainly contributed to by the dwellings grounds and vegetation which will remain largely unaltered in character. The garage is set some distance into the site, but is relatively visible, to the visual detriment of the conservation area, given its height and light coloured finish. From the quay, the first floor, gable and chimney stack of the north-west side elevation are visible and make a neutral contribution to the conservation area. The house

does become more of a focal building within the conservation area from the water of the Fishbourne Channel. From here the house is much more prominent given its raised position and light painted render.

- 8.23 By contrast the proposed house is contemporary in design and takes precedent from locally characteristic forms and material palettes with the aim of more greatly blending into its backdrop. It is considered that the proposed design has the potential to result in a high-quality piece of contemporary architecture subject to the specification of final materials, detailing and how it is built out on site. This replacement could contribute positively and more subtly to the character of the Conservation Area.
- 8.24 It is considered this case is finely balanced however the proposals are considered to be of such high quality that overall, the site's contribution to the character and appearance of the conservation area is considered to be enhanced. Therefore, when weighing up the potential for harm through the loss of the existing house and the high-quality design of the proposal it is not considered that harm to the significance of the designated heritage asset of the Dell Quay Conservation Area would result.
- 8.25 Paragraph 203 of the NPPF 2023 states: 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' In this case, the loss of the Non-designated Heritage Asset must be balanced against the benefits which would arise as a result of the demolition and replacement dwelling.
- 8.26 Apuldram House has been rejected for listing by Historic England on 04 April 2023. This was due to the incremental changes to the building overtime which has resulted in a significantly altered building. Furthermore, extensive alteration to the former stable block has reduced the interest of the site as a legible domestic group.
- 8.27 The proposed design would result in the loss of a NDHA and by its new build nature, would not instantly have associations with the local community as the existing house once had. The demolition of Apuldram House would result in the loss of a non-designated heritage asset within the Dell Quay Conservation Area. The harm to the NDHA would be significant resulting in its total loss. Para 203 of the NPPF requires that this should be taken into account in determining the application and a balanced judgement required having regard to the scale of loss and the significance of the heritage asset. A balanced judgement is therefore considered to be necessary in this case, without which the demolition of the house should not be considered acceptable.
- 8.28 In summary, the proposal would result in harm to the NDHA, this would be significant harm resulting in the total loss. Apuldram House is considered to have a neutral impact on the conservation area, previous alterations and interventions have resulted in some harm to the conservation area. The loss of the dwelling would change the appearance of the conservation area, primarily from the water, however this would not change the overall character of the conservation area, as the property itself is not considered to contribute to the significance of the Dell Quay Conservation Area.
- 8.29 Policy 47 requires the LPA to conserve and enhance the historic environment and this proposal would result in the loss of an NDHA and some impact on the conservation area.

Paragraph 199 of the NPPF (2023) ensures that development conserves designated heritage assets and Paragraph 203 of the NPPF (2023) ensures that the loss of NDHA is carefully balanced. It is considered that the proposal would conserve the setting of the conservation area as the existing property does not contribute to the key characteristics which make up the significance of the Dell Quay Conservation Area and it could also be considered that the conservation area would be enhanced by the removal of the garage and replacement dwelling which once settled into the site could provide a building that visually contributes positively and more subtly to the character of the conservation area.

iv. Impact upon amenity of neighbouring properties

8.30 The NPPF states in paragraph 130 that planning should ensure a good quality of amenity for all existing and future occupiers of land and buildings, and Policy 33 of the CLP include requirements to protect the amenities of neighbouring properties.

8.31 The proposal would be sufficiently distanced, orientated and designed so as not to have an unacceptable effect on the amenities of the neighbouring properties, in particular to their outlook, privacy or available light.

v. Impact upon highway safety and parking

8.32 Policy 39 of the Chichester Local Plan seeks to ensure that new developments do not result in residual cumulative impacts which are severe and ensure a safe and adequate means of access for all modes of transport. Paragraph 111 of the NPPF (2023) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

8.33 The development is for a single replacement dwelling. WSCC were consulted as the Local Highways Authority and raised no objection to the application. No alterations are proposed to the existing vehicular access arrangements. As this application seeks a replacement dwelling only, the proposed development is not anticipated to give rise to a material intensification of use of the existing vehicular access. Regarding car parking, a replacement double-bay garage with driveway is proposed. The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces. Therefore, the LHA is satisfied with the proposed parking provision. On-site turning appears achievable, allowing cars to exit the site in a forward gear. Provision for cycle parking would be possible in the garage.

8.34 Therefore, the proposal would accord with Policies 8 and 39 of the CLP and paragraph 111 of the NPPF which seeks to ensure that new development has acceptable parking levels, and access and egress to the highway.

vi. Sustainability

8.35 Policy 40 of the Local Plan requires all new dwellings to evidence that the proposal would follow Sustainable Design and Construction Principles. The application is supported by a Whole Life Carbon Report which demonstrates that when comparing both the existing house and proposed design, the proposed replacement dwelling design will reduce carbon over the next 60 years by 60%. This betterment exceeds the improvement which could be achieved by improving the existing house and extending it.

8.36 To comply with Policy 40 of the Chichester Local Plan for the residential property Apuldram House, dell Quay, Chichester Harbour to incorporate energy efficient design measures into the construction of every home. Mesh Energy has reviewed these proposals. Following a review and detailed calculation we can confirm.

- The proposed insulation and building services specifications will comfortably better the
- minimum standards of the Building Regulations Part L and the Domestic Compliance
- Guide.
- The designs of each new home allow for natural ventilation to maintain a comfortable
- and healthy internal environment.
- The house designs and glazing specification will aid solar gain.
- The measures will deliver a saving in CO2 emissions over Part L of the Building
- Regulations: and A 4.46% saving in Fabric Energy Efficiency and 30.76% in Primary Energy Efficiency is forecasted.

8.37 In conclusion the strategy proposed complies with Policy 40 of the Chichester Local Plan.

vii. Ecological considerations

8.38 A Biodiversity Net Gain Assessment has been submitted in support of the proposal. The proposal would result in a 10.13% improvement in habitats and a 225.86% hedgerow improvement which meets the requirements of Biodiversity Net Gain. Biodiversity Net Gain is not yet a statutory requirement, however it has been submitted in support of this application.

8.39 Ecological enhancements would be secured as part of the application if it were to be approved to ensure that the biodiversity of the site would be conserved and enhanced.

viii. Planning Balance

8.40 The loss of the NDHA within the Dell Quay Conservation Area has been carefully considered and great weight has been given to the heritage considerations of this application.

8.41 The demolition of Apuldram House would result in the loss of a non-designated heritage asset within the Dell Quay Conservation Area. The harm to the NDHA would be significant resulting in its total loss. Para 203 of the NPPF requires that this should be taken into account in determining the application and a balanced judgement required having regard to the scale of loss and the significance of the heritage asset. A balanced judgement is therefore considered to be necessary in this case without which the demolition of the house should not be considered acceptable. This must be considered overall in terms of the planning application beyond the conservation and design matters of the scheme.

8.42 However, taking into account the scheme as a whole, the improvements to the character and appearance of the conservation area and the site's visual appearance within the designated AONB, it is considered that, whilst very finely balanced in terms of conservation and design, the benefits that outweigh the harm identified.

8.42 Overall, when taking all of the planning constraints and merits into account, it is considered that the quality of the proposed replacement dwelling would tip the balance to support the demolition and replacement of the dwelling on-site. The replacement dwelling

would be a quality design which would be sympathetic to the AONB and the conservation area. Whilst there would be significant harm to the NDHA, resulting in a total loss, there would be less than substantial harm to the significance of the designated heritage asset, the conservation area. Consequently, a planning balance must be taken and in this case the benefits of the proposal are considered to tip the balance in support of the application.

Conclusion

8.43 Based on the above it is considered that on balance, the replacement dwelling would contribute positively to the AONB and conservation area and the loss of the NDHA would be outweighed by the benefits arising from the replacement dwelling. The requirements of the development plan and all other material consideration have been taken into account and for the reasons set out within this report the application is recommended for approval.

Human Rights

8.44 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account, and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun 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.

2) The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Decided Plans"

Reason: For the avoidance of doubt and in the interests of proper planning.

3) Notwithstanding any details submitted no development above slab level shall commence until a full schedule of all materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Upon submission of the details to the Local Planning Authority samples of the proposed materials and finishes shall be made available for inspection on site, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved schedule of materials and finishes, unless any alternatives are agreed in writing via a discharge of condition application.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas
- (k) waste management including prohibiting burning, and,
- (l) a schedule of works for the demolition and construction of the development to ensure that the most disruptive works would avoid the overwintering bird period between October-February.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

5) No development/works shall commence on the site until a photographic record of Apuldrum House has been submitted to approved in writing by the Local Planning Authority. The photographic record shall include high resolution photographs of the dwelling, including any features of interest. It shall be accompanied by an annotated plan (elevation and or floor plan) that contextualise each photograph, relative to its direction or the part of the building.

Reason: In the interest of securing a photographic record of Apuldrum House, prior to its demolition

6) No flint shall be installed until a sample panel of flint; shall be constructed, and made available for inspection, on site to accurately reflect the proposed bond, coursing and finish of the material and the type, composition and profile of the mortar, and an accompanying written specification shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts of the work are

begun. The approved sample panel(s) shall be retained on site until the work is completed and the work carried out in full accordance with the approved details.

Reason: To ensure the materials and finishes to be used are appropriate in order to maintain the architectural interest of the building.

7) Notwithstanding the approved plans, no windows or doors shall be installed until details have been submitted to, and approved in writing by the local planning authority. The details shall include:-

- a) Plans to identify the Windows or doors in question and its location(s) within the property(ies), cross referenced to an elevation drawing or floor plan for the avoidance of doubt;
- b) 1:20 elevation and plan;
- c) 1:10 section with full size glazing bar detail;
- d) the position within the opening (depth of reveal) and method of fixing the glazing (putty or beading); and
- e) a schedule of the materials proposed, method of opening, and finishes.

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

8) Notwithstanding the approved plans, no rainwater goods shall be installed until details have been submitted to, and approved in writing by the local planning authority. These details shall include:

- a) plans to identify the location of the rainwater goods within the property(ies), cross referenced to an elevation drawing for the avoidance of doubt;
- b) 1:10 detailed section ; and
- c) a schedule of the proposed materials and finishes.

Thereafter the works shall be carried out in full accordance with the approved details and the development shall be maintained as approved in perpetuity.

Reason: To ensure appropriate design and appearance in the interests of protecting the visual amenity/character of the development and surrounding area.

9) The development hereby permitted shall not be first brought into use until a scheme detailing hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. Thereafter the scheme shall be carried

out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

10) Prior to occupation of the works hereby permitted, whichever the earlier, the following ecological enhancements shall be provided:

- a) A hedgehog nesting box should be installed within the site to provide future nesting areas for hedgehogs
- b) a bird box shall be installed on the building and or tree within the garden of the property
- c) a bat box shall be installed on the buildings onsite facing south/south westerly positioned 3-5m above ground.

Thereafter the ecological enhancements shall be retained in perpetuity.

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

11) No part of the development hereby permitted shall be first occupied until the car parking has been constructed and laid out in accordance with the approved site plan and the details specified within the application form. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: In the interests of ensuring sufficient car parking on-site to meet the needs of the development.

12) No part of the development hereby permitted shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details that shall first have been submitted to and approved by the Local Planning Authority. Thereafter the cycle parking shall be retained for that purpose in perpetuity.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

13) Prior to first use of the proposal hereby approved, the rooflights hereby approved shall have installed automatic dusk till dawn blinds (to block all internal light emissions) which shall be retained and maintained to an operational manner in perpetuity.

Reason: In accordance with dark skies policy, and to preserve the special character of the AONB and tranquil character of the countryside.

14) The implementation of this planning permission shall be carried out strictly in accordance with the Ecological Impact Assessment (Dec 2022).

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

15) Any brush piles, compost and debris piles on site could provide shelter areas and hibernation potential for hedgehogs. These piles must be removed outside of the hibernation period mid-October to mid-March inclusive. The piles must undergo soft demolition.

Reason: In the interests of protecting biodiversity.

16) Any works to the trees or vegetation clearance on the which take place between 1st March - 1st October. If works are required within this time an ecologist will need to check the site before any works take place (within 24 hours of any work).

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

17) Due to the risk of disturbance to overwintering birds, demolition works must avoid the winter months (October-February).

Reason: To ensure that the protection of ecology and/or biodiversity is fully taken into account during the construction process in order to ensure the development will not be detrimental to the maintenance of the species.

18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no external illumination shall be provided on the site other than in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed location, level of luminance and design of the light including measures proposed to reduce light spill. Thereafter the lighting shall be maintained in accordance with the approved lighting scheme in perpetuity.

Reason: In the interests of protecting wildlife and the character of the area.

19) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) no building, structure or other alteration permitted by Class A-E of Part 1 Schedule 2 shall be erected or made on the application site without a grant of planning permission.

Reason: In the interests of protecting the amenity of neighbours and the surrounding area.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - LOCATION PLAN	221.59.10000. LOC REV P2			Approved
PLAN - SITE PLAN EXISTING	221.59.11000. SITE REV P3- WIP			Approved
PLAN - GARAGE PLANS AS EXISTING	221.59.20500. GA REV 01			Approved
PLAN - GARAGE PLANS AS PROPOSED	221.59.205000 .GA REV 01			Approved
PLAN - GROUND FLOOR PLAN AS PROPOSED	221.59.21000. GA REV P3			Approved
PLAN - FIRST FLOOR PLAN AS PROPOSED	221.59.22000. GA REV P3			Approved
PLAN - SECOND FLOOR PLAN AS PROPOSED	221.59.23000. GA REV P3			Approved
PLAN - ROOF PLAN AS PROPOSED	221.59.24000. GA REV P3			Approved
PLAN - SECTIONS 01 02 MAIN HOUSE	221.59.24000. SEC REV P3			Approved
PLAN - COASTLINE (SW) AND LIBRARY (NW) ELEVATIONS	221.59.31000. ELE REV P3			Approved
PLAN - KITCHEN (SE) AND ENTRANCE (NE) ELEVATIONS	221.59.32000. ELE REV P3			Approved
PLAN - GARAGE ELEVATIONS	221.59.33000. ELE REV 01			Approved
PLAN - SECTIONS 03 AND 04 LINK	221.59.42000. SEC REV P3			Approved
PLAN - SECTIONS 05, 06 AND 07	221.59.43000. SEC REV P3			Approved
PLAN - LOCATION PLAN	221.59.10000. LOC P2			Approved

PLAN - SITE PLAN PROPOSED	221.59.12000. SITE P4			Approved
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INFORMATIVES

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

2) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Sascha Haigh on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RN920DERH9D00>