



**TO:** Planning Committee

**BY:** Head of Development

**DATE:** 15<sup>th</sup> August 2017

**DEVELOPMENT:** The erection of two new industrial buildings (4,729sqm) and ancillary storage building (286sqm) with associated parking and landscaping.

**SITE:** Tesla Engineering Company Limited Building 9 Water Lane Storrington Pulborough West Sussex RH20 3EA

**WARD:** Chanctonbury

**APPLICATION:** DC/17/1367

**APPLICANT:** **Name:** Tesla Engineering Ltd **Address:** C/O Agent

**REASON FOR INCLUSION ON THE AGENDA:** Departure from the Development Plan

**RECOMMENDATION:** That planning permission be delegated for approval to the Development Manager, subject to completion of a legal agreement and appropriate conditions.

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.1 The application seeks full planning permission for the erection of two new industrial buildings for B2 use with a gross internal floor area of 2,364.5 sqm each and an associated storage building which would have a gross external area of 286 sqm with access, parking, landscaping and ancillary works on land at Water Lane. The proposed buildings would sit to the north of an existing industrial building (Unit 9) and associated parking which was permitted by the Council in 2013.
- 1.2 The two buildings would be of steel portal frame construction with dimensions of 66m in length by 30m in width. Both buildings would have a smaller area (6m x 30m) of two storey office accommodation on the western and southern sides, on units 11 and 10 respectively. The buildings would be 10m in height to the eaves and 11.6 m to the ridge with the office area measuring 6.7m to the eaves and 7.3m to the ridge. The proposed steel framed storage building would incorporate dimensions of 21.3m in length, 14m in width and 6m in ridge height. The storage building would be located between Units 9 and Unit 10 and the roller shutter door positioned to the eastern side of the storage building. Unit 10 is orientated east west with the roller entrance doors positioned to the south of the building and unit 11 is orientated north south with the roller shutter doors positioned to the west of the building. Parking areas are located to the east adjacent of unit 11 and to the west of unit 10.

- 1.3 The proposed development is to be phased as shown on the submitted phasing plan. The Applicant states that there is an existing requirement for the construction of the proposed storage building (Phase 1) in conjunction with the existing business operations on their existing site, which is located immediately to the south of Water Lane. This will therefore be built first following any grant of planning permission. The second building, Unit 10 (Phase 2) is anticipated to be required within the next year and the third building, Unit 11 (Phase 3) is anticipated to meet longer term needs, the construction is therefore anticipated at 5+ years. The applicant has stated that planning permission is sought for all three buildings to ensure that there is a comprehensive strategy for further growth of the business that will meet their needs without any further requirement for expansion into undeveloped land within the foreseeable future. Tesla expects these buildings to meet their future growth requirements over the next 15-20 years.
- 1.4 To create a level platform for the buildings, the existing land which slopes approximately 45m above ordnance datum (AOD) in the east to 40m AOD in the west would be re-profiled, with the buildings set into the ground by approximately 4m along their eastern halves similar to the existing Unit 9 building, to achieve a finished floor level of 39.80-m AOD.
- 1.5 The cut material from the levelling ground works would be re-used to create a landscape bund on the western boundary of the site adjacent to the Public Right of Way filling the existing gap in the hedgerow of the site. A second bund with associated landscape planting is proposed along the eastern boundary of the site from the residential dwellings in Watermeadow Lane to the east. None of the existing hedgerow perimeter trees would be removed as part of the development.
- 1.6 In respect of parking, a total of 110 car parking spaces would serve the development proposals on site, along with 4 HGV parking spaces, 31 cycle parking spaces and 12 motorcycles bays.
- 1.7 Tesla Engineering Ltd manufactures resistive and superconducting electro-magnets for particle accelerators of all types. They produce specialised gradient coils for magnetic resonance imaging (MRI) scanners and advanced superconducting magnets for emerging markets such as nuclear fusion, renewable energy sources, semi-conductor processing and cancer therapy. The company has been established in Storrington since 1973 and it is maintained by the applicant that its existing staff of approximately 298 employees are among the most experienced magnet designers and builders in the world. Approximately 80% of staff currently employed by Tesla lives within 15 miles of the existing facility. It is proposed that the new buildings would provide employment for between 75-100 additional employees.

#### DESCRIPTION OF THE SITE

- 1.8 The application site is located on the north east side of Water Lane, opposite the existing Water Lane Industrial Estate and to the north of Tesla's existing Unit 9. The site is a parcel of undeveloped land comprising an arable field with mature hedgerow boundaries and trees which lies outside any built-up area as defined with the Horsham District Planning Framework. It is a Green Field site although the western part of the site is within an area which has previously been subject to landfilling and comprises rough scrubland bounded by shrubs and trees.
- 1.9 The application site has a site area of 2.48 hectares and the western part of the site lies within a flood plain. The northern boundary of the site is unmarked on the ground, running east to west along the arable field. The eastern site boundary runs close to the edge of the site, but has been determined by the need to avoid the easement around a high pressure water main which runs north-south along the eastern edge of the field. The hedge to the

east along the edge of the field is variable, with some tall trees interspersed with lower sections of planting.

- 1.10 The southern site boundary lies adjacent to the existing Unit 9. The western boundary lies adjacent to the northern side of Water Lane, and is marked by a row of mature roadside trees. A section of public footpath, approximately 100m in length lies adjacent to the upper western boundary of the site.
- 1.11 A stream runs parallel to Water Lane, just inside the site boundary, and is culverted beneath the existing access to Unit 9 within the site boundary at a point where there is a gap in the roadside tree line.
- 1.12 The area to the north and east of the site is open countryside, comprising large arable fields bounded by mature trees and hedgerows. There are residential developments 250m to the south-west and 100m to the south-east of the site, and to the south of the industrial estate.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework (NPPF 2012)

NPPF 1 – Building a strong, competitive economy

NPPF 3 – Supporting a prosperous economy

NPPF 4 – Promoting sustainable transport

NPPF 7 – Requiring good design

NPPF 9 – Protecting Green Belt land

NPPF 10 – Meeting the challenge of climate change, flooding and coastal change

NPPF 11 – Conserving and enhancing the natural environment

NPPF 14- Presumption in favour of sustainable development

- 2.3 HORSHAMDISTRICT PLANNING FRAMEWORK (HDPF 2015)

Policy 1: Strategic Policy: Sustainable Development

Policy 2: Strategic Policy: Strategic Development

Policy 3: Strategic Policy: Development Hierarchy

Policy 4: Strategic Policy: Settlement Expansion

Policy 7: Strategic Policy: Economic Growth

Policy 9: Employment Development

Policy 10: Rural Economic Development

Policy 24: Strategic Policy – Environmental Protection

Policy 25: Strategic Policy: The Natural Environment and Landscape Character

Policy 26: Strategic Policy: Countryside Protection

Policy 30: Protected Landscapes

Policy 31: Green Infrastructure and Biodiversity

Policy 32: Strategic Policy: The Quality of New Development

Policy 33: Development Principles

Policy 35: Strategic Policy: Climate Change

Policy 36: Strategic Policy: Appropriate Energy Use

Policy 37: Sustainable Construction

Policy 38: Strategic Policy: Flooding

Policy 39: Strategic Policy: Infrastructure Provision

Policy 40: Sustainable Transport  
Policy 41: Parking

2.4 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)

2.5 Horsham District Guidance & Relevant Assessments

- Horsham District Landscape Capacity Assessment 2013
- Planning Advice Document: Air Quality & Emissions Reduction Guidance – May 2014
- Draft Storrington Area Quality Action Plan – October 2012
- Horsham District Landscape Capacity Assessment 2013

#### NEIGHBOURHOOD PLAN & PARISH DESIGN STATEMENT

2.6 The site is within the Parish of Thakeham. The Thakeham Neighbourhood Plan was subject to a Referendum on 22 March 2017, where the majority (93%) of those who voted were in favour of the plan. The Thakeham Neighbourhood Plan which covers the period up to 2031 was 'made' by the Council on the 26 April 2017. It now forms part of the statutory development plan.

2.7 The policies within the Thakeham Neighbourhood Plan which are considered to be relevant to this proposal include Thakeham 1 – Spatial Plan, Thakeham 5 – Employment Sites, Thakeham 6- Design, Thakeham 9 – Development in the Countryside and Thakeham 10- Green Infrastructure & Valued Landscapes. Two of the main objectives within the Plan which are relevant to this proposal relate to:

- Ensuring any new development within the countryside area is confined to uses which require a location in the countryside and benefits the countryside's landscape and economy in order to protect our valued landscape.
- Supporting the local economy through its existing businesses and to encourage expansion of local employment within settlements

2.8 The Thakeham Village Design Statement was adopted under the previous Planning Act by the Council as Supplementary Planning Guidance (SPG) and therefore holds limited weight in the consideration of this application.

#### PLANNING HISTORY AND RELEVANT APPLICATIONS

2.9

DC/12/1891	Proposed new industrial building with access, landscaping, parking and ancillary works	Approved 21/03/2013
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### 3. OUTCOME OF CONSULTATIONS

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

#### INTERNAL CONSULTATIONS

3.2 **HDC Economic Development:** The proposal would enable Tesla to expand the business, retaining existing jobs and creating 100 additional jobs. Tesla is an important local business and one of the larger employers in the District. It is important that they are retained within the District and are able to expand. There is a lack of supply of commercial sites in the District, both in terms of meeting the needs of small and larger companies. This is reflected in the poor performance of the District in terms of business rates growth and

the lack of opportunities to allow existing companies to expand. It is clear that there are no existing commercial sites that would meet the needs of Tesla, with the risk that the company would need to relocate outside of the District. Overall it is considered that there are significant economic benefits which justify the proposed expansion. As such it aligns with Priorities 1 & 2 of the Economic Strategy.

3.3 **HDC Strategic Planning:** No objection. The proposed scheme conflicts with policies 4 and 26 of the HDPF as the site is located outside the built-up area boundary of Storrington and is not allocated within a Local Plan or a Neighbourhood Plan. Nevertheless, the proposed development would provide employment floor space for an existing, expanding business in this location, which would provide additional jobs (quantified at 100 jobs within the applicant's Planning Statement) and would be supported by policy 7 of the HDPF in this respect, given the economic benefits of the proposed scheme. The proposal does not strictly conform with some policies (as set out above), but given the shortfall of employment land, the economic benefits of the scheme, together with the relatively sustainable location of this site, the case officer may consider that the benefits of the proposal outweigh the partial policy conflict.

3.4 **HDC Environmental Health:** In general the conclusions of the report are satisfactory and the recommendations considered appropriate. However, relevant conditions should be applied in relation to the acoustic impact arising from the operation of all internally and externally located plant and activity; the opening times of roller shutter doors to the proposed building; restricting the use of power tools and other noise generating plant machinery or equipment in the open air; restriction of timings for deliveries; restriction working hours for construction; restricting delivery times associated with construction and restricting burning on site.

3.5 **HDC Environmental Health (Air Quality):** No objection. Accepts the approach taken by the consultant to calculate emission damage costs. Regarding the air quality assessment dated April 2017, the results are based on the assumption that (per day) 38 vans (and no lorries) will take the route through the Air Quality Management Area (AQMA). However, there is uncertainty regarding this assumption and therefore it is vital that the mitigation measures proposed by the consultant (Travel Plan and financial contribution to Storrington Air Quality Management Plan) are implemented. A list of Storrington Air Quality Action Plan projects that can be supported with the funds are:

- Prohibition of lorry turning movements at the mini-roundabout of Manley's Hill and School Hill. A rough estimate is £25,000 (legal costs of a TRO plus £16,000 for illuminated signs plus £2,000 for all diversion signage).
- Prohibition of loading/unloading on North Street – estimated at £8,000 (includes legal costs of a Traffic Regulation Order and the installation of 4-5 signs).
- Linking of the pedestrian crossings on High Street/West street using a MOVA (Microprocessor Optimised Vehicle Actuation) technology – estimated cost of £25,000 (includes a £500-£1000 for a site study and £20,000 for scheme implementation).
- Improvements to advisory lorry route signage around Storrington - £5,000
- Scheme to retrofit/upgrade school buses - £20,000 (estimated cost to retrofit one bus).
- Car parking incentives to encourage the uptake of ULEVs - £1,000

3.6 **HDC Drainage Engineer:** No overall objections with regards the surface water strategy being proposed, clarification required on the design parameters used in the 'Mircodrainage'.

- 3.7 **HDC Consultant Ecologist:** No objection, subject to the vegetation clearance works taking place as outlined in section 7 of ecology report. If minded to approve the application, conditions should relate to bat sensitive lighting and vegetation clearance.
- 3.8 **HDC Landscape Architect:** No objection, subject to conditions securing landscaping and appropriate planting, different colour roof and sensitive lighting, any effect to views from the South Downs National Park can be positively mitigated.

- Landscape condition of the area is generally good but in decline due to the urban influence of the industrial TESLA unit and industrial estate to the south of the area.
- Strong rural character except close to the urban edge
- Settlement edge setting already compromised by the introduction of the TESLA unit and Water
- Visibility of any potential development being localised, with partial enclosure or screening but with some scope for mitigation of any adverse effects
- potential development may be perceptible and would alter the balance of features or landscape elements within the view. The existing boundary vegetation would be retained however the undulating landform would be lost.
- Views into and out of settlements are of some importance but there is likely to be some scope for mitigation
- No concerns with potential views from the South Downs escarpment as the proposed buildings will be partially screened by the existing line of trees to the west but the roofs will be visible just above.
- The substantial buffer/tree belt along the western and northern boundary will mitigate views and the adverse effect on the landscape character. This would also provide transition from the built-up suburban area of Storrington to the rural feel of Thakeham.

#### OUTSIDE AGENCIES

- 3.9 **The Environment Agency:** Part of the proposed development site was a former landfill and there could be a risk of contamination that could be mobilised during construction to pollute controlled waters. The Design and Access Statement dated May 2017 submitted in support of this planning application provides us with some confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. However, further detailed information will be required before built development is undertaken and therefore conditions are recommended.
- 3.10 **West Sussex County Council Highways:** No objections.
- £144,964 Total Access Demand Contribution - Allocated for pedestrian crossing improvements to Water Lane/Thakeham Road junction and cycle improvements linking Storrington to Wisborough Green cycle route (scheme 91 within the West Sussex Walking and Cycling Strategy 2016-2016).
  - The current application will result in a more intensive use of the existing access. The Local Highways Authority accept that the existing form and geometry are adequate to serve the additional development now proposed.
  - Whilst the proposal is acknowledged to give rise to additional trips on the highway network, the LHA are satisfied that this development would not result in any severe highway capacity issues.
  - Parking provision for staff has been assessed against the WSCC Car Parking Standards. The number of spaces proposed are sufficient for the applicant's needs.
  - As the proposal will result in additional vehicle movements through the Water Lane Roundabout, a contribution should be taken towards pedestrian crossing improvements at this junction.

- The potential impact on the Air Quality Monitoring Areas should be assessed by the District Council's Environmental Health team.
- No over-riding concerns would be raised with the information submitted to date. Prior to the LHA recommending conditions, the applicant should confirm the operation of the site and whether this results in shift working, and therefore peaks of movement away from the normal network peak hours.

**3.11 West Sussex County Council Rights of Way:**

A section of Public Right of Way (PROW) Footpath 3424 runs to the west of the proposed development, beyond and contiguous to the red line of the planning application boundary. It is understood that the application does not propose any alteration to the PROW. A 1.5m high stock proof fence is proposed along the boundary of the site with new hedge planting and a shall mound. More open landscaping should be used rather than close-boarded fencing which would have a negative impact on visual amenity in a rural location. The local area lacks connectivity for cycling and equestrian journeys. I would seek improvement to Footpath 2448 to upgrade this to a bridleway.

**3.12 West Sussex County Council Flood Risk Management:** The majority of the proposed site is at 'low' risk from surface water flooding and at 'moderate risk' from ground water flooding based on the current mapping. No records held in terms of historic surface water flooding within the confines of the proposed site. Current Ordnance Survey mapping shows an ordinary watercourse within 50m of the boundary of the site.

The proposed sustainable drainage techniques (below ground attenuation with a restricted discharge to watercourse) proposed to control the surface water from this development to Greenfield run-off rates is acceptable in principle, additional details should be provided through the specified conditions.

**3.13 Natural England:** At the time of writing this report no response has been received, comments will be reported at the Committee Meeting.

**PUBLIC CONSULTATIONS**

**3.14 Storrington & Sullington Parish Council:** No objection. The Parish Council are aware that the applicant had looked at other sites which were unsuitable for the kind of specialist work that they undertake. The company provides high added value and employs a number of local people, to lose such an industry would be devastating to the community.

**3.15 Thakeham Parish Council:** No objection subject to conditions. Considerations are given to the importance of Tesla for the local economy and for local employment. Concerns were raised in relation to the location of the proposal on Greenfield land which projects into the countryside away from the built-up area boundary. Concerns are also raised in relation to the risk and pressure for future developments extending into the countryside. On balance, the Parish Council considers that the policies relating to countryside protection are narrowly outweighed by the importance of retaining and facilitating the expansion of a key local enterprise. The Parish Council propose conditions in relation to mitigating visual impact, mitigating impact on the natural environment, improvements to the footway on Water Lane and restricting any future changes of use.

**3.16 Thakeham Village Action Group:** In favour of the expansion of Tesla Engineering, objection to new buildings being sited in the countryside on a green open field. Building on brownfield sites, particularly as they are in such close proximity to the existing site, is far more in keeping with regional and local planning policies than building on Greenfield land. It would be contrary to the HDPF and Thakeham Neighbourhood Plan which have policies to restrict new building in countryside locations to that which is appropriate to the countryside. In our opinion, siting these buildings on this land is likely to increase the chances of further fields in the south of Thakeham being approved for housing.

3.17 4 letters have been received objecting to the application and 4 letters of representation which neither object nor support the application, the comments are summarised below:

- Loss of general amenity
- Over development
- Loss of privacy and light
- Noise impact
- The road is already at capacity and additional traffic would make it unsafe for car users and pedestrians.
- Negative impact on countryside location
- Potential for excessive noise pollution impacting on the quality of life and health of residents in Watermeadow Lane and surrounding roads.
- The additional traffic and HGV's associated with the development will have a direct impact on pollution and air quality in Storrington
- The disturbance of contaminated waste will be detrimental to the health of nearby residents.
- Location of new building in the countryside on a green open field is contrary to the HDPF and Thakeham Neighbourhood Plan which aim to restrict development in the countryside.
- Allowing this development on Greenfield land is likely to increase the changes of further fields to the south of Thakeham being approved for housing.
- Despite additional parking being proposed, there is an existing shortage of parking spaces which is putting pressure on the local area.
- Existing waste and litter problems would be exacerbated
- Currently HGV vehicles delivering to Tesla park overnight on Water Lane.
- There are trees with preservation orders located near the entrance of the site.
- The location of development is ill-considered and is next to numerous public rights of way that are regularly used by locals and dog walkers.

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

6.1 The main issues in the determination of the application are considered to be the principle of development, the impact of the development on the surrounding landscape, environmental issues and the effect of the development on highway safety and capacity.



## **Principle of Development**

- 6.2 The application site lies outside of the built-up area boundary and is therefore within the countryside. The spatial strategy for growth set out in the Horsham District Planning Framework seeks to direct development within the built-up area boundaries, with development outside of these boundaries coming forward through site allocations, either in the Local Plan or Neighbourhood Plans. Thakeham Neighbourhood Plan has been through examination and was successful at referendum, the Plan has therefore been 'made' by Horsham District Council and forms part of the statutory development plan. The site is not allocated for development in the Neighbourhood Plan and conflicts with one of the main objectives which specifies that any new development within the countryside area is confined to uses which require a location in the countryside.
- 6.3 The proposed development is therefore a Departure from the Development Plan and the Thakeham Neighbourhood Plan; which forms part of the Development Plan. This assessment will therefore need to consider whether there are any special circumstances which would warrant an approval of the application.
- 6.4 The current Government guidance set out within the National Planning Policy Framework (NPPF) specifies that sustainable development should be seen as a golden thread running through both plan making and decision taking. Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. Paragraph 28 of the NPPF states that "planning policies should support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings."
- 6.5 The existing Unit 9 was permitted relatively recently in 2013, and was put forward on the basis of a need to continue to expand the growth of the company and meet the demands of fulfilling existing and future orders of the business. Although markets can be difficult to predict, given the short time scale between this proposal and the previous permission for Unit 9, it has to be questioned whether this proposal for two additional industrial buildings and an associated storage building would meet an identified need for the business.
- 6.6 In order to provide some reassurances, a Need and Alternatives Assessment has accompanied this application, providing further detail in relation to how conditions have changed since the need for the recently construction Unit 9 was identified, whether the current proposal would meet future demands and whether the countryside surrounding the site would likely come under further pressure for expansion of large scale development in the near future.

## **Need**

- 6.7 Tesla Engineering Ltd manufactures resistive and superconducting electro-magnets for particle accelerators of all types. It produces specialised gradient coils for magnetic resonance imaging (MRI) scanners and advanced superconducting magnets for emerging markets such as nuclear fusion, renewable energy sources, semi-conductor processing and cancer therapy. The company has been established in Storrington since 1973 and it is maintained by the applicant that its existing staff of approximately 298 employees are among the most experienced magnet designers and builders in the world. Approximately 80% of staff currently employed by Tesla lives within 15 miles of the existing facility. The business has expanded over time and is continuing to grow with an increasing annual turnover.
- 6.8 As it has been predicted that the company will continue to grow, the Applicant states that more storage and production space is required to meet the increase in manufacturing orders. The recent success of the company means that the current level of manufacturing

space is no longer sufficient and the business is at capacity in terms of orders and manufacturing space. To secure future growth of the business and attract new orders, Tesla state they need additional floor space and capacity to manufacture the new orders.

- 6.9 Within the Needs and Alternatives Assessment a list of five prototypes magnets that Tesla are currently working on are set out, the company will require additional production space to fulfil these orders. These projects will require the first industrial building in Phase 2 to be built within approximately 1 year. Whilst the company state that the need for the second industrial building in Phase 3 is less urgent, in light of the unprecedented growth, Tesla are proposing a phased, comprehensive strategy for the site to accommodate their future growth requirements over the next 15-20 years. Along with the two proposed manufacturing buildings, the company specify they have a current need to increase storage facilities for manufacturing tools on the site in the form of the proposed 286sqm storage building (Phase 1) which would be built immediately on the grant of any planning permission.
- 6.10 Since the approval and construction of Unit 9 in 2013 (which was approved on the basis of need), the turnover of the business has steadily grown. The outcome of the Needs Assessment is not able to specify what growth in turnover of the business will be as a result of the proposed development. However, it is expected that, in due course the proposed two additional units would create similar levels of business as the existing Unit 9. Should the business remain at capacity then the Applicant states that a potential significant loss of future turnover and 50% of the current turnover.
- 6.11 The economic benefits and additional employment opportunities provided in the local area in conjunction with the proposed expansion of the existing business is a key consideration which aligns with one of Horsham District Council's aims of achieving and maintaining economic prosperity in the District. The HDPF acknowledges that there is a lack of employment land in the District and much of the business accommodation stock does not meet the requirements of existing businesses. The plan also recognises that there needs to be opportunities for existing businesses to grow, expand and change to meet modern business demands. Tesla is one of the District's largest private sector employers, approximately 298 people.
- 6.12 In the consideration of the planning application for Unit 9, it was stated that 50-75 additional jobs across the site would be created by the industrial unit. In reality, Tesla has confirmed that staff numbers have risen by a lesser amount since the construction of Unit 9, from 280 in 2012 to 298 today. Tesla has attributed this to general working efficiencies made across the business at this time. For example, in 2012 it took nearly 160 hours to make one of Tesla's best-selling products, whereas now it takes around 110 hours to make the same product. Tesla consider that had Unit 9 not been approved the overall number of jobs on the site would have decreased and despite future efficiency savings they are confident given their workload that the proposed two units would result in 75-100 local people being employed.
- 6.13 As a result of the additional manufacturing contracts from the expansion of Unit 9, additional staff have also been employed in manufacturing, the machine shop and administration. In 2016, Tesla also bought products and services from companies within 15 miles of their existing facilities, including other businesses within the Water Lane Industrial Estate. The existing company therefore currently contributes significantly to the local economy within the Horsham District.
- 6.14 This application presents an opportunity for the local economy to benefit from an estimated 75-100 new jobs, additional indirect employment through the supply chain, additional business rates, increased local spend and continued investment in employees training and career progression. Whilst there is some uncertainty regarding the anticipated increase in jobs figure given the smaller rise in jobs from the construction of Unit 9 in 2013, it is

considered important to seek to retain the 298 jobs currently employed by Tesla at the site, and as advised above the applicant is confident the proposal would result in a net increase of jobs.

### **Alternative Options & Sites**

- 6.15 Various alternative options are explored within the Needs and Alternatives Assessment, such as creation of additional floor space within the existing site; creation of additional floor space elsewhere within the District or re-locating the entire business to an alternative location. There was no additional space within Tesla's existing site or within the wider Water Lane Industrial Estate as they are both intensely developed and any existing buildings would not meet the size requirements of the business. There was also found to be no scope to redevelop the existing site due to its limited size and any re-development would require a temporary relocation, which would be impractical even if a suitable site could be found.
- 6.16 Tesla have previously rented 15,000sqft of floor space in Lancing, approximately 10 miles (20mins) driving distance from their Storrington complex. Following a trial period of 5 years this arrangement was terminated due to impracticalities and inefficiencies. Tesla consider it essential that the business operates from a single complex in terms of management, efficiency, viability of the business, the need to share equipment and environmental impact. It is the company's preferred option to expand next to the existing Unit 9 and adjacent to its existing premises. The assessment identified 14 sites within Storrington and neighbouring towns which were assessed against Tesla's requirements. However, none of the sites met their requirements as they were either unavailable for rent or sale in a reasonable timeframe or were not of a size or height to accommodate Tesla's operation. The third option to move the entire business to another location outside of the Horsham District or the UK is a viable option especially given Tesla's international market. Tesla has confirmed that a 'do nothing' approach is not an option as this would cause the company to become less competitive and lose their market share if they were not able to meet demand. The Assessment therefore highlights the two most realistic solutions would be either a) Tesla re-locate outside the District, or b) expand at the site subject to this planning application.
- 6.17 Tesla have confirmed they would prefer to stay in their established site in Storrington. The associated risk of re-location of the business outside of the Horsham District, should the company not be allowed to expand their existing site would severely affect the local economy resulting in the loss of the existing 298 jobs at the factory and a potential 75-100 additional jobs created by this proposal.

### **Impact of the Development on Landscape**

- 6.18 This application proposes two substantial industrial buildings and one associated storage building in an arable field, which have respective ridge heights of 11.6 m and 6m. Given the rural nature of the surrounding area to the north, east and west the proposal will inevitably have a degree of visual impact on the rural landscape setting. At present open views of the arable field are available along the site's western boundary from the public footpath (PRoW 3424). Glimpsed views towards the southern boundary are also possible from Water Lane through the intervening vegetation and across the Unit 9 car park. Open views are available from the car park and users of the open spaces within the grounds of the TESLA unit; however these are not for wider public usage. On its northern and eastern boundary the site is contained by mature hedgerows and trees. The site is therefore seen against the backdrop of the open countryside to the north and western boundary and industrial development to the south. When assessing the overall effects of the proposed buildings and associated parking on the landscape character, it is necessary to consider whether the harm arising from the development would be significant enough to warrant refusal in this instance.

- 6.19 The site is identified on the Horsham District Landscape Capacity Assessment 2013 as Landscape Character 59. Although most of the study is still relevant, the site forms part of a wider study area and does not reflect the more recent changes in circumstances such as the introduction of the Tesla's Unit 9 within the Character Area. The Council's Landscape Officer considers that the overall landscape sensitivity is moderate with the landscape condition of the area generally good but in decline due to the urban influence of the existing industrial unit 9 and industrial estate to the south of the area.
- 6.20 The proposed industrial buildings would have limited impact on wider views with visibility of the development being localised from the adjacent fields. The site's topography is currently undulating and the land is at its lowest level on the northern-west corner, gently rising towards the eastern boundary. As part of the proposals, the existing land would be re-profiled with the buildings set into the ground by approximately 4m to sit level with the existing Unit 9 and achieve a finished floor level of 39.80-m AOD. This would to a certain extent mitigate some of the visual impact on the landscape, especially when incorporated with the retained boundary hedging and trees which would provide some screening of the development from the surrounding fields. It is however acknowledged that the site itself and its immediate surroundings would change significantly in character.
- 6.21 Views into and out of settlements are considered to be of some local importance but there is scope for mitigation of any adverse effects on the landscape which are incorporated within this scheme. These include additional planting in the gaps between the existing hedging and planting along the northern, eastern and western boundaries which will form a substantial buffer/tree belt around the site to mitigate any adverse impact of the development on the landscape character. Bunds would also be formed on the western boundary and along the eastern boundary which would provide further screening of the development. The Council's Landscape Officer considers that the location of the buildings would relate to the existing settlement edge. This would provide a transition from the built-up suburban area of Storrington to the rural aspect of Thakeham.
- 6.22 Views of the proposed development from the South Downs National Park (SDNP) escarpment and the wooded greensand ridge from elevated land in the south of the area would be relatively limited and would be mostly screened by the existing line of trees to the west. Given the 11.6 m height of the two proposed industrial buildings, the roofs are likely to be visible from the SDNP. They are however proposed to be constructed in green metal roof cladding instead of white, making it less visually prominent than the white roof of Unit 9, which the Landscape Officer considers is more noticeable within the landscape. Subject to the agreed roof colour, appropriate planting, sensitive lighting; the Landscape Officer considers that any views of the buildings from the surrounding area or SDNP can be positively mitigated.

### **Environmental Issues**

- 6.23 A Screening Opinion has been sought from the Council in respect of the proposed development and it has been confirmed that an Environmental Impact Assessment would not be required as it was not considered in relation to Schedule 3 of the Environmental Impact Assessment regulations that the development, paying attention to the development characteristics, location and nature of the impacts, would have a significant effect on the environment.
- 6.24 With exception of the existing access road to the site, the site is located outside the former landfill site to the west. A full contamination assessment of the site has accompanied this application and all contaminant concentrations are identified as being low and are not of concern with respect to human health, in terms of commercial land use. The Environmental Health Officer has raised no concerns with respect to the contamination assessment undertaken on the site.

- 6.25 The Environment Agency has also confirmed that the supporting information gives some assurances that it will be possible to suitably manage the risk posed in terms of any potential mobilisation of the nearby contaminated land and associated pollution of controlled waters by this development. The Environment Agency has raised no objection to the application provided their suggested conditions are attached to any recommendation of approval.
- 6.26 The site is within the Site of Special Scientific Interest 'Impact Risk Zone' of two statutory designated sites, Sullington Warren SSSI and Hurston Warren SSSI (not within the SSSIs themselves). Natural England has been consulted on this application as per their Standing Advice in respect of the likely impact of the proposed development on the designated SSSIs. Natural England's comments have not been received at the time of writing this report, yet their comments will be reported at the Committee Meeting. An Ecology Impact Assessment has been submitted with this application and the Council's Ecology Consultant has raised no objection to this proposal with regard to ecology, providing that vegetation clearance takes place in accordance with the recommendations made in the Ecology Assessment and subject to the recommended conditions.

### **Air Quality**

- 6.27 Policy 24 of the HDPF requires developments to minimise exposure to and the emission of pollutants including noise, odour, air and light pollution. Developments are also expected to contribute to the implementation of Local Air Quality Action Plans. Air pollution in Storrington is a particular issue due to the large number of vehicles using the road through Storrington, combined with the stop/start nature of driving conditions at peak times. The Storrington Air Quality Management Area (AQMA) was declared in December 2010. The boundary of the AQMA has been defined on the basis of the areas which are, or are likely to exceed the air quality objective for nitrogen dioxide, and where there is "relevant exposure" that is places where people live close to the road. The Air Quality Management Area in Storrington incorporates West Street, the High Street and part of School Hill and Manleys Hill.
- 6.28 The HDC Planning Advice Document (PAD): Air Quality & Emissions Reduction Guidance sets out a range of specific measures to be implemented in order to minimise and offset the potential emissions produced from a new development. As there are growing concerns regarding air pollution across the District, particularly in Storrington and Cowfold the two AQMAs declared for exceeding the annual NO<sub>2</sub>, the guidance has been created to ensure that new developments do not worsen the air quality. The guidance establishes the principle of Horsham District as an 'Emission Reduction Area' and requires developers to use 'reasonable endeavours' to minimise emissions and, where necessary, offset the impact of the development on the environment.
- 6.29 For the purposes of this guidance the proposed development is categorised as a Major Development Category which is set out in the document as requiring Type 1, 2 and 3 mitigation. Type 1 and 2 mitigation measures should generally be incorporated into a scheme design and can include installation of charging plug-in and other ultra-low emission vehicles, a travel plan and use of ultra-low service vehicles. Type 3 mitigation includes a pollution damage cost attributable to the proposed development and potential additional off-site mitigation measures.
- 6.30 This application has been supported by an Air Quality Assessment which has been conducted by an Air Quality Consultant on behalf of the Applicant. A screening assessment of the vehicle emissions has been undertaken as part of the submitted Air Quality Assessment and shows based on predicted movements associated with the development, 288 Light Duty Vehicles (LDVs) and 46 Heavy Duty Vehicles (HDVs), 38 LDVs and 0 HDVs

would access the Storrington AQMA. This information shows that the higher emission vehicles comprising the HGVs would not be going through the AQMA, however it is acknowledged that the same restrictions cannot realistically be placed on staff and visitor cars and light commercial traffic (e.g. courier vans etc) and so the 38 LDVs estimates the proportion of these vehicles that would travel through the AQMA.

- 6.31 The assessment of operational phase impacts showed that the predicted increase in traffic movements would have an insignificant impact on local air quality. As such, mitigation measures proposed in relation to Type 1 & 2 mitigation include:

Type 1

- 10% parking spaces to incorporate facilities for Electric Vehicle (EV) charging points (phased with 5% provision initially and a further 5% trigger to be agreed with HDC)

Type 2

- Implementation of the Tesla Travel Plan; an on-going strategic document with a number of measures:
- Implementation of the Tesla Traffic Management Plan; a strategy to minimise the interface between public and site goods vehicles and where possible, reduce the level of traffic generated by the site.

- 6.32 The damage cost calculation used to monetise costs associated with the increase in pollutant emissions from transport estimated for a 5 year period has been calculated by the Applicant's Air Quality Consultant as £68,736.57. The Applicant considers that the Type 1 and Type 2 mitigation measures would equate to £33,432. Once these costs have been removed from the 5 year exposure cost value of £68,736.57, the Applicant's Consultant calculates the remaining mitigation sum as £35,304.57.

- 6.33 The HDC Planning Advice Document: Air Quality & Emissions Reduction Guidance states that all mitigation measures should be equivalent value of the emissions calculation and that this should also be appropriate to the type and size of development and local policy requirements. In addition, any compensatory sum requested by the Council must meet the CIL Regulations 2010 tests which require them to be necessary to development, directly related to the development and fairly reasonably related in scale and kind to the development.

- 6.34 It is acknowledged that the proposed industrial buildings would increase traffic and pollution in the Storrington AQMA due to some LDVs passing through the area. It is considered that only two of the six projects identified by the Council's Environmental Health Officer and listed below would directly relate to the proposed development.

- Improvements to include the prohibition of lorry turning movements at the mini-roundabout of Manley's Hill and School Hill (a rough estimate is £25,000 with legal costs of a Traffic Regulation Order, £16,000 for illuminated signs and £2,000 for all diversion signage).
- Improvements to advisory lorry route signage around Storrington - £5,000

- 6.35 The two identified projects equate to a total of £30,000 which creates a £5,304.57 shortfall of the calculated pollution damage cost. As the other projects identified would not relate to the proposed development, it would only be considered reasonable in terms of the CIL tests to secure £30,000 towards the two projects listed above. Lastly, the pollution damage cost must be fairly and reasonably related in scale and kind to the development. The application site is located approximately 1.2km from the Storrington AQMA and the submitted Traffic Management incorporates a routeing plan which specifies that HGVs

would be required to access and exit the application site via the existing access serving Unit 9, then via Water Lane and the A283 to Washington Roundabout. No HGVs would therefore need to go through the AQMA and therefore the impact of the proposed development on the air quality in the AQMA would be to some extent mitigated. The details covered in the Traffic Management Plan and comprising the routeing plan can be secured through a Section 106 agreement, which provides a legal requirement for the HGVs to follow the routeing plan.

- 6.36 It is acknowledged that the occasional HGV may miss the Water Lane turning and end up in the AQMA, however the pollution damage cost contribution would mitigate this impact by securing road improvements prohibiting lorry turning movements at the mini-roundabout of Manley's Hill and School Hill and providing advisory lorry route signage around Storrington. The Travel Plan and 10% parking spaces to incorporate charging facilities for electric vehicles charging would also provide employees with alternative or more sustainable methods of transport to work. Given that the Type 1 and 2 mitigation measures put forward by the Applicant have been given an estimated valued at £33,432, it is considered that the reduced pollution damage sum of £30,000 towards the identified projects would relate reasonably in scale and kind to the development and assist in mitigating the impact of pollutants associated with the proposed development and the additional LDV movements through the AQMA. The £30,000 can be secured through a Section 106 agreement and will be allocated to the projects identified above.

### **Highways Issues**

- 6.37 The application site would be accessed from the existing vehicular access serving Unit 9 from the junction with Water Lane. The proposal would result in a more intensive use of the access and the Highways Authority has confirmed that the existing access is adequate to serve the additional industrial units. The Transport Statement accompanying this application calculates that the proposed units are expected to generate an additional 54 vehicle movements (53 arrivals, 1 departure) in the AM network peak period. 84 vehicle movements (8 arrivals, 76 departures) are expected in the PM peak. Based on data recording of where existing employees are travelling to work, it has been calculated that 27% of trips will arrive and depart to the east, 12% to the west (from Storrington), and 61% south (via Water Lane and the A283).
- 6.38 Whilst it is therefore acknowledged that the proposal would give rise to additional vehicular trips on the highway network, it is considered that that these trips would quickly disperse beyond the Water Lane Roundabout. A formal capacity assessment for the Water Lane Roundabout has been undertaken for a future year scenario and on the basis of this information the Highways Authority considers that this junction would continue to operate well within capacity with minimal increases to queues and delays with the additional vehicle trips. As a result of the supporting information provided, the Highways Authority are satisfied that this development would not result in any severe highway capacity issues.
- 6.39 The parking provision of 110 car parking spaces would meet the full provision allowed in the County Council's parking standards and allows for 1 space per 40sqm. The proposal would result in additional vehicle movements through the Water Lane Roundabout and therefore the County Council have requested a Total Access Demand contribution of £144,964 towards pedestrian crossing improvements to Water Lane/Thakeham Road junction and cycle improvements linking Storrington to surrounding the villages, to include the Storrington to Wisborough Green Cycle route. This would contribute towards a longstanding desire to improve pedestrian access across the Roundabout which comprises a key route towards the former Rydon School site and future dual education campus comprising Thakeham First School and Steyning Grammar School.
- 6.40 The County Council Public Rights of Way Officer has requested an upgrade of the Footpath 2448 to a bridleway as the local area lacks connectivity for cycling and equestrian

journeys. This public footpath is located approximately 240 metres to the south-west of the application site and provides a link between the end of Water Lane and Downsview Avenue. Given the distance from the application site, it is not considered that a contribution towards the upgrading of this public footpath to a bridleway would be necessary or reasonably related to the development in terms of the CIL tests and the County Council Total Access Demand contribution would facilitate enhancement of non-motorised modes of transport.

- 6.41 The application has been supported by a Travel Plan which sets out a number of measures, initiatives and targets currently adopted by Tesla across their entire site in Water Lane to increase travel choices and reduce reliance on single-occupancy car travel. The implementation and monitoring of the Travel Plan will be secured by planning condition and in consultation with the County Council.

### **Impact to Neighbouring Residential Properties**

- 6.42 The impact of noise arising from the proposed development is an issue of concern given that the proposed buildings would operate on a 24 hour basis and would be elevated when compared to the nearest neighbouring properties to the south-east in Water Meadow Lane and East Wantley Cottage to the west.
- 6.43 A noise survey has accompanied this application and has assessed the likely noise impacts from the operational phase of the development. The report concludes that there should be no adverse impacts on the occupiers of residential properties provided that the recommendations set out in the report are carried out. These measures include: the workshop must give a minimum Weighted Sound Reduction Index (Rw) of 25 dB, the roller shutter doors must be kept closed at all times especially at night, no noisy activities are to be undertaken outside of the unit and location of noisier plant within the unit away from the eastern and southern ends of the building and to provide internal buffer zones. The Council's Environmental Health Officer considers the conclusions of the Noise Report to be satisfactory and the recommendations are considered appropriate. Subject to the imposition of appropriate conditions to mitigate noise impact the Environmental Health Officer has raised no objection to this proposal.

### **Conclusion**

- 6.44 Within this report, it has been acknowledged that Tesla, a company dedicated to the design and manufacture of resistive and superconducting electromagnets for science medicine and industry has been well-established in Storrington since 1973 and currently employs 298 employees, 80% of which live within 15 miles of the existing site. In addition to the jobs created, Tesla buy many of their products and services from local companies within 15 miles of their existing facilities. The company therefore contributes significantly to the local economy. The business has an identified need to expand their premises in order to continue its growth. Whilst alternative options have been considered the company's preferred option would be to stay within Storrington and expand adjacent to their existing site and to the north of Unit 9, permitted by the Council in 2013.
- 6.45 It has been acknowledged that the forecasted increase in 75 jobs proposed following the construction of Unit 9 has not been achieved. The company have attributed this to general working efficiencies made across the business at this time. In addition, there are some fluctuations in staff levels depending on the workload of manufacturing jobs. This has created an element of doubt as to whether the forecast of 75-100 additional jobs created by the proposed development is realistic. What could be lost should the company not be allowed to expand their current site, lose further business and potentially relocate outside of the District or the UK, is a consideration that holds important weight in the assessment of this departure application. The loss of 298 jobs within the area, plus any additional jobs



created by the development and the company's secondary spending in the local area would harm the local economy of the area.

- 6.46 The Applicant has shown a commitment to reducing the impact of pollution associated with the development through a financial contribution towards air quality improvements in the local area and a number of mitigation measures including a Travel Plan, Traffic Management Plan and installation of EV charging points which will provide employees with alternative or more sustainable methods of transport to work. The proposed routeing plan would also route vehicles outside of the AQMA. It is considered that the financial contribution, proposed mitigation measures and routeing plan would mitigate the impact of the proposed development on air quality in Storrington. It has been demonstrated that other environmental impacts including landscape impact, ecology, contamination and flooding of the proposed development have been overcome or can be mitigated subject to the submission of additional information secured by conditions.
- 6.47 In conclusion, it is considered that the proposed development, a departure from the development plan, is in this instance justified on the basis that the proposed development would enable a successful local business to be responsive to market conditions, enable future economic growth and provide benefits to the local economy and the Horsham District as a whole. The proposed development would socially support the surrounding communities by providing additional local employment and accessible services. The proposed buildings have been positioned next to an existing industrial unit where views and the environmental impact on the landscape would be mitigated by existing planting and additional landscaping. Given the Government's current support for economic development and the strong economic justification for the proposal, with its potential loss of 298 jobs, it is Officer's view that in this particular instance, the resultant benefits to the local economy outweighs any impact to the surrounding countryside or environment and the proposal is therefore considered, on balance, to be acceptable.

## **7. RECOMMENDATIONS**

- 7.1 That planning permission be delegated for approval to the Development Manager, subject to completion of a Legal Agreement securing the HDC pollution damage cost, WSCC Total Access Demand contributions and the HGV routeing plan and appropriate conditions

### Conditions:

1. Approved List of Plans
2. 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.*

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby permitted shall only be used for purposes falling within Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and for no other purpose or Use without express planning consent from the Local Planning Authority first being obtained.

*Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case under Policy 33 of the Horsham District Planning Framework (2015).*

4. For a period of 5 years from the initial occupation of each building hereby permitted, the buildings shall only be occupied in connection with the operation of Tesla Engineering Ltd or other company occupying existing premises at the Water Lane Industrial estate.

*Reason: In order to secure appropriate occupation of the development which would otherwise have been contrary to the provisions of the Development Plan.*

#### **Pre-Commencement Conditions**

5. Prior to the commencement of development of phases 2 and 3 as shown on the phasing plan dated the 27<sup>th</sup> July 2017, an assessment of the acoustic impact arising from the operation of all externally located plant and activity shall be undertaken in accordance with BS4142:1997 and submitted to the Local Planning Authority for each phase together with a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment. The scheme as approved by the Local Planning Authority shall be fully installed upon the occupation of the building within phases 2 and 3 as shown on the phasing plan dated the 27<sup>th</sup> July 2017 and shall be operated for as long as the use of the buildings within phase 2 and 3 are continued.

*To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

6. No development relating to the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017 shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period for each phase. The Statement shall provide for, but not be limited to:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding, where appropriate
  - v. the provision of wheel washing facilities if necessary
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

*Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of neighbouring properties during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

7. No development relating to the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017 shall take place, until a Surface Water Drainage Scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years plus 20% climate change. The Surface Water Drainage Scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The Surface Water Drainage Scheme shall include, but not be limited to, the following:

- The peak discharge rates and together with associated control structures and their position.
- Details of the drainage system capacity (e.g. 1:30 year).
- Safe management of critical storm water storage up to the 1:100year event.

- Overland flow routes for events in excess of the 1:100 (plus 20% Climate change)
- Details of measures to ensure that critical storm water runoff from the site will not exceed that of the undeveloped site.
- Provide topographical information of pre and post development.
- Details of how the scheme shall be maintained and managed after completion

*Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).*

8. No development relating to the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017 shall take place until precise details of the existing and proposed finished floor levels for that phase of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

*Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

9. No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.

The development shall thereafter be carried out in accordance with the approved details. Any changes to these components require the consent of the local planning authority.

*Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

### **Pre-Occupation Conditions**

10. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017, full details of the hard and soft landscaping works in relation to that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The approved

landscape scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Any plants, which within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

11. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017, a landscape management plan in relation to that phase (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

*Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

12. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017, the proposed car parking spaces and HGV parking spaces, accesses and turning areas shown within each phase on the phasing plan dated the 27<sup>th</sup> July 2017 shall be constructed in accordance with the proposed layout plan within the Transport Assessment received on the 20<sup>th</sup> June 2017. These spaces shall thereafter be retained at all times for their designated purpose.

*Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)*

13. Prior to the occupation of the buildings in phase 2 and 3 as shown on the phasing plan dated the 27<sup>th</sup> July 2017, a plan showing the layout and position of the EV parking spaces shall be submitted to and approved in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and no building within phase 2 and 3 shall be occupied until provision has been made for users to access the charging facilities.

*Reason: To encourage low-emissions vehicle choices in order to assist in ensuring delivering the Air Quality Action Plan for this area in accordance with Policy 24 of the Horsham District Planning Framework (Adopted November 2015).*

14. Prior to the occupation of the building within phase 2 as shown on the phasing plan dated the 27<sup>th</sup> July 2017, the Applicant shall implement the measures incorporated within the travel plan submitted on the 16<sup>th</sup> June 2017. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

*Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).*

15. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to

demonstrate that the site remediation criteria have been met.

*Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

16. Prior to the occupation of the building in phase 3 as shown on the phasing plan dated the 27<sup>th</sup> July 2017 details for the installation of 1 fire hydrant shall be submitted to and approved in writing by West Sussex County Council. The fire hydrant shall be installed at no cost to the County Council. The details shall include the proposed location and proposals for its connection to a water supply which is appropriate in terms of both pressure and volume for the purposes of fire fighting and to arrange for its installation in the approved location in accordance with the West Sussex Fire Brigade Guidance Notes.

*Reason: To ensure that there is adequate provision for fire hydrants serving the site.*

17. Prior to the occupation of the building in each phase as shown on the phasing plan dated the 27<sup>th</sup> July 2017, the position and details of any external lighting for that phase shall be submitted to, and approved in writing by the Local Planning Authority. The external lighting shall be installed and maintained in accordance with the approved details.

*Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

18. Prior to the occupation of the buildings in phase 2 and 3 as shown on the phasing plan dated the 27<sup>th</sup> July 2017 details of secure [and covered] cycle parking facilities for the occupants of, and visitors to, that phase of the development shall have been submitted to and approved in writing by the Local Planning Authority. The buildings in phase 2 and 3 hereby permitted shall be not be occupied until the approved cycle parking facilities have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

*Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).*

### **Regulatory Conditions**

19. The materials to be used on the buildings hereby permitted shall strictly accord with those indicated on Drawing No. DHA/11978/08 – Proposed Storage Building, DHA/11978/05 – Proposed Plot 10 Elevations & Drawing No. DHA/11978/07 – Proposed Unit 11 Elevations

*Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

20. No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

(a) All required arboricultural works, including permitted tree felling and surgery operations and above ground vegetative clearance within such areas set out for development as indicated within the Arboricultural Implications Assessment shall be completed and cleared away;

(b) All trees on the site targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

*Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

21. Any clearance of vegetation from the site shall only take place in accordance with the recommendations made in Section 7 of *The Ecological Impact Assessment Report* by Lloyd Bore, dated March 2017.

*Reason: To provide ecological protection and enhancement in accordance with policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.*

22. No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

*Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

23. No plant or machinery shall be operated from the site and no commercial processes be carried out from the site on Saturdays other than between the hours of 0800 – 1300 and at no time on Sundays and Bank and Public Holidays.

*Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

24. The roller shutter doors on the proposed buildings shall not be opened except between the hours of 08:00 hours and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays and not at any time on Sundays, Bank or Public Holidays.

*Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

25. No operations involving the use of power tools or other noise generating plant, machinery or equipment (with the exception of fork-lift truck movements), shall be undertaken within the site, other than within the buildings hereby permitted.

*Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

26. Deliveries to or from the premises shall not take place other than between the hours of 07.30-17.30 Monday to Friday and 08.00 hours and 13:00 on Saturdays, and at no time on Sundays or Bank Holidays.

*Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

27. If, during any phase of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

*Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

28. Piling or any other foundation designs including ground source heating and cooling systems using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

*Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

29. No infiltration of surface water drainage into the ground in areas of contamination is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

*Reason: As the site is underlain in part by a former landfill site and this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).*

30. Each phase of the development hereby approved and shown on the phasing plan dated the 27<sup>th</sup> July 2017 shall be carried out in accordance with the Noise Assessment submitted on the 16<sup>th</sup> June 2017 in relation to internally located plant.

*Reason: In the interests of amenity of neighbouring residential occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

31. No external plant (except fork-lift trucks) shall be operated externally within the site in conjunction with the storage building (phase 1) hereby permitted.

*Reason: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

32. There shall be no external storage on site in conjunction with the development hereby permitted.

*Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

Background Papers: DC/12/1891