



Email: committeeservices@horsham.gov.uk
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Planning Committee (South)

Tuesday, 20th October, 2020 at 2.30 pm
via Remote Video Link

Councillors:	Brian Donnelly (Chairman)	
	Tim Lloyd (Vice-Chairman)	
	John Blackall	Mike Morgan
	Chris Brown	Roger Noel
	Jonathan Chowen	Bob Platt
	Philip Circus	Josh Potts
	Paul Clarke	Kate Rowbottom
	Michael Croker	Jack Saheid
	Ray Dawe	Jim Sanson
	Nigel Jupp	Diana van der Klugt
	Liz Kitchen	Claire Vickers
	Lynn Lambert	James Wright

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
GUIDANCE ON PLANNING COMMITTEE PROCEDURE	
1. Apologies for absence	
2. Minutes	7 - 12
To approve as correct the minutes of the meeting held on 22 September 2020 (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
4. Announcements	
To receive any announcements from the Chairman of the Committee or the Chief Executive	

To consider the following reports of the Head of Development and to take such action thereon as may be necessary:

5. **Appeals** 13 - 14

Applications for determination by Committee:

6. **DC/20/0789 - Former B and W Building, Elm Grove Lane, Steyning** 15 - 38

Ward: Steyning and Ashurst
Applicant: Mr John Bacon

7. **DC/20/0660 - Land at Montpelier Gardens, Washington** 39 - 52

Ward: Storrington and Washington
Applicant: Mr J Maple

8. **DC/20/0049 - Senlac, Shoreham Road, Henfield** 53 - 76

Ward: Henfield
Applicant: Mr Sean Preston

9. **DC/20/1357 - Mill Stream Veterinary Group, North Street, Storrington** 77 - 88

Ward: Storrington and Washington
Applicant: Horsham District Council

10. **Urgent Business**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

Agenda Annex

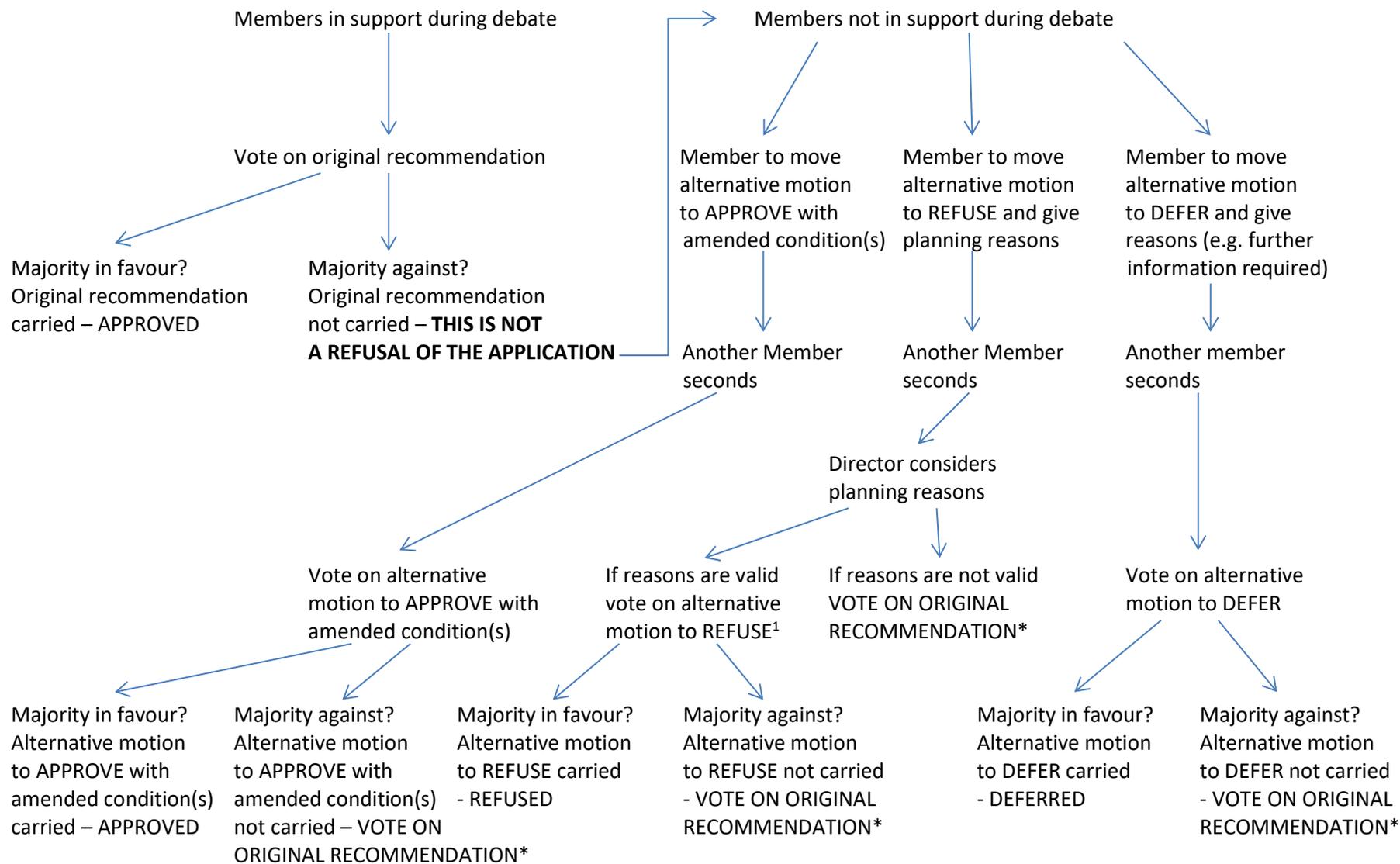
GUIDANCE ON PLANNING COMMITTEE PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Committee	Members must address the meeting through the Chair. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop.
Minutes	Any comments or questions should be limited to the accuracy of the minutes only.
Quorum	Quorum is one quarter of the total number of Committee Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next committee meeting.
Declarations of Interest	Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.
Announcements	These should be brief and to the point and are for information only – no debate/decisions .
Appeals	The Chairman will draw the Committee's attention to the appeals listed in the agenda.
Agenda Items	The Planning Officer will give a presentation of the application, referring to any addendum/amended report as appropriate outlining what is proposed and finishing with the recommendation.
Public Speaking on Agenda Items (Speakers must give notice by not later than noon two working days before the date of the meeting)	Parish and neighbourhood councils in the District are allowed 5 minutes each to make representations; members of the public who object to the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes; applicants and members of the public who support the planning application are allowed 2 minutes each, subject to an overall limit of 6 minutes. Any time limits may be changed at the discretion of the Chairman.
Rules of Debate	<p>The Chairman controls the debate and normally follows these rules but the Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the planning application under discussion or a personal explanation or a point of order (max 5 minutes or longer at the discretion of the Chairman) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment to a motion o To move a further amendment if the motion has been amended since he/she last spoke o If the first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of original motion

	<p>has a right to reply at end of debate on original motion and any amendments (but may not otherwise speak on amendment). Mover of amendment has no right of reply.</p> <ul style="list-style-type: none"> ○ On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. ○ Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final. <ul style="list-style-type: none"> - Amendments to motions must be to: <ul style="list-style-type: none"> ○ Refer the matter to an appropriate body/individual for (re)consideration ○ Leave out and/or insert words or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
Alternative Motion to Approve	<p>If a Member moves an alternative motion to approve the application contrary to the Planning Officer’s recommendation (to refuse), and it is seconded, Members will vote on the alternative motion after debate. If a majority vote against the alternative motion, it is not carried and Members will then vote on the original recommendation.</p>
Alternative Motion to Refuse	<p>If a Member moves an alternative motion to refuse the application contrary to the Planning Officer’s recommendation (to approve), the Mover and the Secunder must give their reasons for the alternative motion. The Director of Planning, Economic Development and Property or the Head of Development will consider the proposed reasons for refusal and advise Members on the reasons proposed. Members will then vote on the alternative motion and if not carried will then vote on the original recommendation.</p>
Voting	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>
Vice-Chairman	<p>In the Chairman’s absence (including in the event the Chairman is required to leave the Chamber for the debate and vote), the Vice-Chairman controls the debate and follows the rules of debate as above.</p>

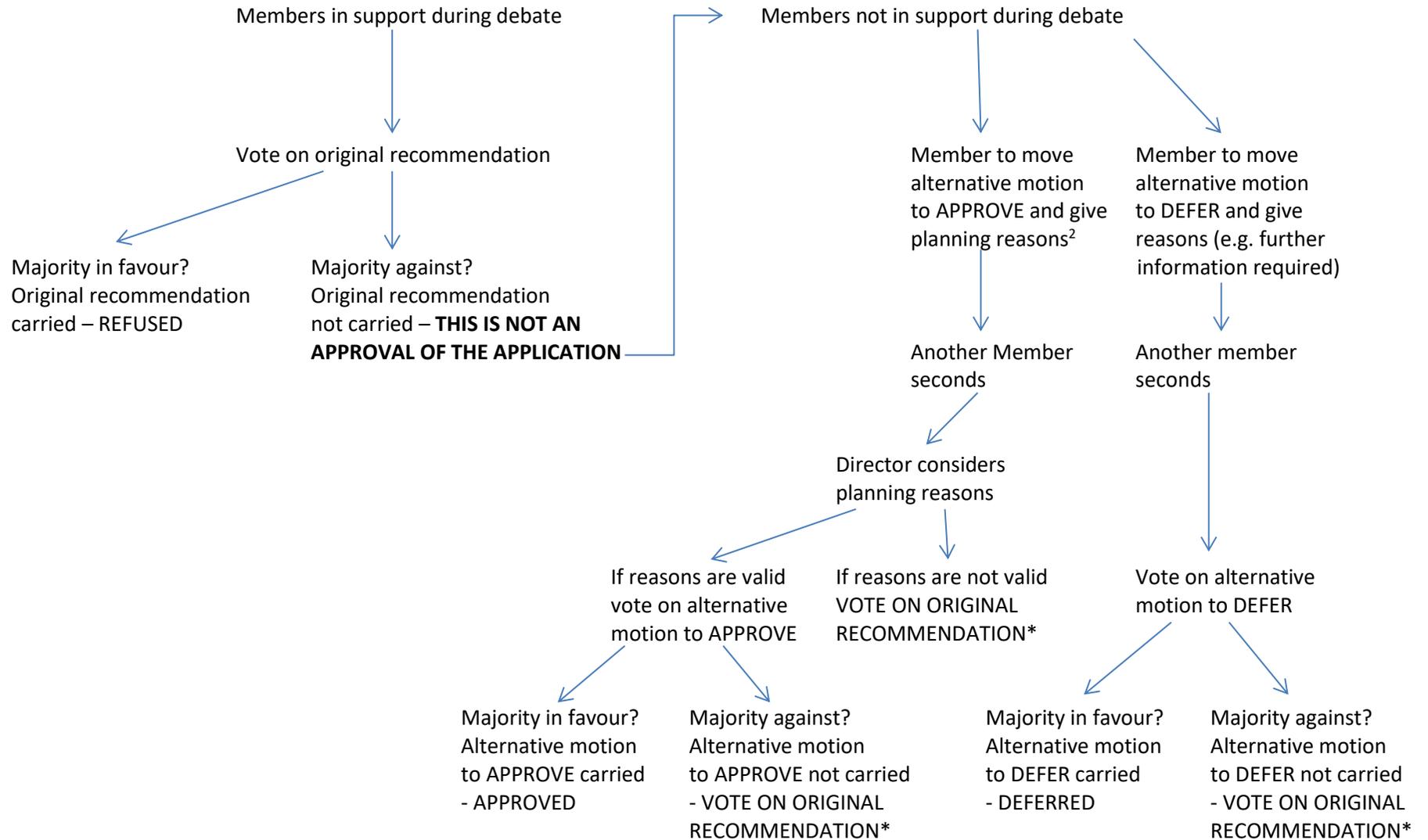
Original recommendation to APPROVE application



*Or further alternative motion moved and procedure repeated

¹ Subject to Director’s power to refer application to Full Council if cost implications are likely.

Original recommendation to REFUSE application



*Or further alternative motion moved and procedure repeated

² Oakley v South Cambridgeshire District Council and another [2017] EWCA Civ 71

Planning Committee (South)
22 SEPTEMBER 2020

Present: Councillors: Brian Donnelly (Chairman), Tim Lloyd (Vice-Chairman), John Blackall, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Nigel Jupp, Lynn Lambert, Mike Morgan, Roger Noel, Bob Platt, Josh Potts, Kate Rowbottom, Jim Sanson, Diana van der Klugt, Claire Vickers and James Wright

Apologies: Councillors: Jonathan Chowen and Liz Kitchen
Absent: Councillors: Chris Brown and Jack Saheid

PCS/24 **MINUTES**

The minutes of the meeting of the committee held on 18 August were approved as a correct record and would be signed by the Chairman at a later date.

PCS/25 **DECLARATIONS OF MEMBERS' INTERESTS**

DC/20/0025 –Councillor Roger Noel declared a personal interest because his wife was on the Parish Council in which the site was situated.

DC/20/0025 – Councillor Tim Lloyd declared a personal interest because he was acquainted with one of the public speakers.

PCS/26 **ANNOUNCEMENTS**

There were no announcements.

PCS/27 **APPEALS**

The list of appeals lodged, appeals in progress and appeal decisions, as circulated, was noted.

PCS/28 **DC/20/0837 - THREALS FARM, THREALS LANE, WEST CHILTINGTON**

The Head of Development reported that this application sought permission for the demolition of agricultural buildings and the erection of two 4-bedroom and three 5-bedroom detached dwellings. There would be 20 parking spaces. Landscaping would include tree planting and new hedgerows.

An existing agricultural building on the site benefited from consent for its conversion into four 2-bedroom and one 4-bedroom units. The demolition of all agricultural buildings would lead to a reduction in built form and hard standing across the site.

The application site was just outside the built-up area at the southern end of Threals Lane and accessed from West Chiltington Common.

A second public consultation had followed submission of revised design and layout of the proposal.

Both Thakeham and West Chiltington Parish Councils had objected to the original and revised application. A total of six representations from five households had been received objecting to the application. There had also been five representations supporting the proposal.

The applicant and the applicant's agent both addressed the Committee in support of the proposal. A representative of the Parish Council spoke in objection to the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; character and appearance; highways and rights of way; ecology; land contamination; sustainability and energy use; and the size of the dwellings. Members noted the significant weight that the existing Class Q consent carried.

RESOLVED

- i) That a legal agreement be entered into to secure a contribution towards improvements to Bridleway ROW2291.
- ii) That on completion of i) above, planning application DC/20/0837 be granted, subject to appropriate conditions.

PCS/29 **DC/20/0326 - LAND ON THE SOUTH SIDE OF HILL FARM LANE, CODMORE HILL, PULBOROUGH**

The Head of Development reported that this application sought permission for the erection of livery stables with associated facilities and two units of grooms accommodation above, a machinery store and covered horse walker. A new access track and parking area with a capacity for 36 vehicles were also proposed.

The application site was located in a countryside location west of Codmore Hill and south of Hill Farm Lane. There were two Grade II Listed Buildings in the vicinity. The site was an established equestrian centre.

Since publication of the report, a consultation response from the South Downs National Park (SDNP) had been received stating that, although the site was approximately one kilometre east of the national park, it was likely to be visible from the public pathway that followed its boundary as the intervening land was relatively flat and open. However there were other agricultural and equestrian developments in the vicinity so the SDNP considered any impact would be minor.

The SDNP had also recommended that consideration be given to the International Dark Skies Reserve. A further condition regarding dark skies impact was therefore recommended to secure suitable lighting prior to occupation.

An informative was also recommended advising the applicant that, should the public right of way need to be diverted due to the impact of the development, a separate consent would be required.

Two representations had been received objecting to the proposal; Members were advised that one of these had subsequently been withdrawn.

The Parish Council objected to the application. There had been 18 representations from 17 households supporting the application, and one of comment. The applicant's architect addressed the committee in support of the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; its scale and impact on the character and visual amenities of the countryside; the amenities of neighbouring and future occupiers; parking and highway safety; and sustainability.

Members were broadly in favour of the scheme but expressed a number of concerns including: inadequate onsite parking provision for horseboxes, particularly during large events; traffic generation; the impact on the public right of way; and the impact of lighting, including the proposed rooflights.

RESOLVED

That planning application DC/20/0326 be deferred to allow for further assessment and consultation regarding:

- i) impact on the public right of way, in consultation with West Sussex County Council;
- ii) impact on the SDNP International Dark Skies Reserve;
- iii) impact on parking and traffic generation, in consultation with West Sussex County Council regarding tracking for the manoeuvring of horse boxes.

PCS/30 **DC/20/0025 - GARAGE BLOCK, BLACKSTONE RISE, BLACKSTONE LANE, BLACKSTONE**

The Head of Development reported that this application sought outline permission for the demolition of eight garages and the erection of three dwellings with all matters reserved except access. Indicative plans showed a terrace of three 2-bedroom dwellings. The new access would allow for a one way in-out arrangement. The applicant's intention was to sell the site with outline permission.

The application site was located on the west side of Blackstone Lane, outside the built up area and adjacent to the small settlement of Blackstone to the south. The garages were owned by Horsham District Council. There was hedging on three of the boundaries and a line of trees to the south. There were a number of other dwellings in the vicinity, with farmland to the north and west.

The Parish Council objected to the application. There had been 25 representations, from 16 households, objecting to the application. Three members of the public spoke in objection to the application and a representative of the Parish Council also spoke in objection to it.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; loss of parking; design, appearance and the character of the area; impact on residential amenity; access; ecology and sustainability.

Members discussed concerns regarding parking provision for neighbouring and nearby residents in the context of the current informal arrangement for on-site ad hoc parking. It was noted that the development would provide some CIL payments for infrastructure improvements within the parish.

RESOLVED

That planning application DC/20/0025 be granted subject to the conditions as reported.

PCS/31 **DC/20/1019 - OLD DAIRY EAST COTTAGE, BLACKSTONE GATE FARM, HENFIELD ROAD, ALBOURNE, HASSOCKS**

The Head of Development reported that this application sought permission for the conversion of stables to a 3-bedroom holiday let, together with construction of stables to replace a smaller stable building, which would be demolished.

The site is located outside the built-up area in a countryside setting on the western side of the Henfield Road. It comprised a cluster of stable buildings including a riding arena and horsewalker. The site was screened by vegetation from the neighbouring property to the north. Further residential properties lay to the east and southeast.

The Parish Council raised no objection subject to conditions. There had been two representations supporting the application.

Members considered the officer's planning assessment which indicated that the key issues for consideration in determining the proposal were: the principle of development; design and appearance; impact on neighbouring amenity; highways; and sustainability.

RESOLVED

That planning application DC/20/1019 be granted subject to the conditions as reported.

The meeting closed at 4.32 pm having commenced at 2.30 pm

CHAIRMAN

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Planning Committee (SOUTH)

Date: 20th October 2020



Report on Appeals: 10.09.2020 – 07.10.2020

1. Appeals Lodged

Horsham District Council have received notice from the Planning Inspectorate that the following appeals have been lodged:

Ref No.	Site	Date Lodged	Officer Recommendation	Committee Resolution
DC/20/0720	Bramble Barn Bramble Lane Horsham Thakeham RH20 3DZ	16-Sep-20	Application Refused	N/A

2. Appeals started

Consideration of the following appeals has started during the period:

Ref No.	Site	Appeal Procedure	Start Date	Officer Recommendation	Committee Resolution
DC/20/0214	Bentons Cottage Bentons Lane Dial Post Horsham West Sussex RH13 8NP	Written Representation	22-Sep-20	Application Refused	N/A

3. Appeal Decisions

HDC have received notice from the Ministry of Housing, Communities and Local Government that the following appeals have been determined:

Ref No.	Site	Appeal Procedure	Decision	Officer Recommendation	Committee Resolution
DC/19/1461	National Westminster Bank High Street Henfield West Sussex BN5 9HQ	Written Representation	Appeal Allowed	Application Refused	N/A

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TO: Planning Committee South

BY: Head of Development

DATE: 20 October 2020

DEVELOPMENT: Demolition of existing buildings and erection of a residential building comprising 9no. houses and apartments and a B1¹ commercial office building with associated vehicle parking, cycle parking, bin storage and landscaping

SITE: Former B and W Building Elm Grove Lane Steyning West Sussex BN44 3SA

WARD: Steyning and Ashurst

APPLICATION: DC/20/0789

APPLICANT: **Name:** Mr John Bacon **Address:** 304 Portland Road Hove BN3 5LP

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received citing a contrary view to the recommendation of the Head of Development;

By request of Steyning Parish Council.

RECOMMENDATION: To approve Planning Permission, subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The proposal is for the demolition of the existing 780m² B1/B2/B8 commercial buildings on site, and the erection of a residential building containing nine units, plus a new standalone 87m² office building.
- 1.2 The proposed residential accommodation would sit on the southern section of the site and comprise two 1-bed flats, four 2-bed flats, and three 3-bed houses. The residential building would be 2-storey with a third floor accommodated in the sloping roofspace. The building would measure 10.5m in height, and 5.4m to eaves.
- 1.3 The office building would be located in the northern section of the site and would measure around 7.8m to ridge, and 4m to eaves. The office would be located at first floor level, with dedicated office parking for 3 cars underneath. The office building would be in the vicinity of a new parking area for the residential accommodation which would provide 12 residential parking bays (including 1 disabled bay). In total, 15 on-site parking spaces are proposed.

¹ Although B1 uses now fall under Class E of the Use Classes Order, transitional arrangements dictate that for applications submitted before 1 September 2020, decisions should be made using the former Use Classes.

- 1.4 The proposal subject to this report is a revision of the originally submitted scheme. The original plans proposed the same number of residential units (9no.) but the building was around 1.5m higher (measuring up to 12m to ridge) and included protruding bay window features, balconies and additional dormer windows on the southern and eastern elevations, as well as clay roof tiles. The office building was previously proposed to comprise 2 separate offices at 65m² each (total 130m²) spanning 2 floors. The office building was around 2m higher (measuring up to 8.9m to ridge), and included a large gable roof feature on the west elevation. The previously proposed scheme included 11 parking bays in total which is 4 less than the revised scheme.

DESCRIPTION OF THE SITE

- 1.5 The application site is located close to Steyning High Street and is accessed via Elm Grove Lane which is a narrow lane with a quiet rural character. The 0.15Ha site is divided in two by an existing private access road, with the existing commercial building to the south and an associated car park to the north.
- 1.6 The site is part-located with the Steyning Conservation Area (CA), with the existing commercial building wholly within the CA, and the associated car park located just outside the CA. The site lies opposite a terrace of 2-storey cottages (1-6 Elm Terrace) which are not listed but located within the CA. The site is also opposite Nos. 1-4 Elm Grove Cottages, which are also 2-storey cottages located with the CA, and of which, Nos. 3 and 4 are Grade II listed. To the north of the site (and outside the CA) is Croft Meadow care home (which extends to 3-storeys and is partly visible from the site), and to the north of this building is Steyning Health Centre which also extends to 3-storeys.
- 1.7 The existing 780m² building is vacant but has most recently been in a flexible B1/B2/B8 commercial use. The building extends from one storey at the Elm Grove Lane end, to two full storeys further within the site, and is largely of brick construction with little architectural merit. The site is located within an Archaeological Notification Area (for Steyning Historic Core and associated Early Medieval and Medieval Occupation).

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework (NPPF, 2019)

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Supplementary Planning Guidance

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Steyping Conservation Area Appraisal and Management Plan (2018)

2.3 RELEVANT NEIGHBOURHOOD PLAN

Steyping Parish was formally designated as a Neighbourhood Development Plan area in May 2018. In July 2020, the Parish Council published a (Regulation-16) Draft Submission Plan for an 8 week period of public consultation, ending 11 September 2020. Despite the publication of the Regulation-16 draft neighbourhood plan, very limited weight can currently be given to the Neighbourhood Planning process in Steyping at this time. Notwithstanding the limited weight that can be given to the policies in the submission plan, it is considered that principle and aims of Policy SNDP3 (Contribution to Character) is relevant to this application. In addition, the Steyping Character Appraisal (2019) that was undertaken to inform the regulation 16 version of the Steyping Neighbourhood Plan, also has relevance.

2.4 PLANNING HISTORY AND RELEVANT APPLICATIONS

None recent of relevance

3. OUTCOME OF CONSULTATIONS

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

Due to the submission of revised plans received 26 August 2020, a full re-consultation was undertaken. Where relevant, the summaries below show comments received pursuant to both consultation periods.

3.1 INTERNAL CONSULTATIONS

HDC Senior Conservation Officer: No Objection (subject to conditions)

[Summary of comments on revised plans]: The buildings will have an impact on the character of the lane. Due to the scale and proportions they will not fully resemble traditional buildings. Although they will not enhance the character of the conservation area, with sympathetic detailing they will not fail to preserve the character. Equally they will compete with the listed buildings opposite but in this village centre context that is not unexpected. I am satisfied the level of harm is at the lowest end of the scale of less than substantial, and I am willing to accept the public benefit of additional village centre dwellings outweighs that low level of harm. Standard heritage conditions suggested.

[Summary of comments on original plans]: I am satisfied the proposal will fail to preserve or enhance the character of the Conservation Area and will harm the setting of the adjacent listed buildings, nos. 3 & 4 Elm Grove Cottages. This harm amounts to less than substantial but towards the higher end of that scale. I am satisfied the site has development potential without harm to the character of the Conservation Area or the setting of the adjacent listed buildings.

HDC Economic Development: Comment

[Summary of comments on revised plans]: The amended plans show a reduction in office floorspace, which is of concern. The applicant suggests that the office space is let to a Steyning based business but we consider it very unlikely that this will be possible, unless they can evidence that they are aware of a specific Steyning demand.

[Further comments on original plans]: Information has been provided on how the site has been marketed and the level of interest in the site which shows the difficulties in attracting a tenant. This development would lead to the loss of existing commercial floorspace, but the build would increase the amount of new higher-quality office space. Overall, Economic Development support this application for the provision of the new B1 office space provided that associated office parking is provided.

[Summary of comments on original plans]: The development will result in an overall loss of commercial floorspace, contrary to the Council's Economic Strategy. The supporting statement does not explain how the site has been marketed, nor does it give detail on the level of interest. Notwithstanding this, the proposed provision of new "high-quality" office accommodation is welcomed. The new office space would generate around 20 full-time jobs, whereas the current site is vacant with no employees. However, if the site continued to be used commercially there would be the potential for even more jobs, and this potential would be reduced by the proposed residential build. Overall, Economic Development support the provision of the new B1 office space, but object to the residential build due to the loss of overall commercial floorspace, unless additional details or evidence can be presented to justify the loss.

HDC Environmental Health: No Objection (conditions suggested)

[Summary of subsequent comments]: If asbestos is believed to be present in the building then this will need to be removed before demolition. Conditions suggested for asbestos removal (pre-demolition), and to secure an intrusive site investigation scheme (after demolition).

[Summary of initial comments]: An environmental noise assessment is suggested in order to demonstrate that the commercial uses of nearby buildings will not adversely impact the amenity of future occupiers of the dwellings. Given the commercial use of the existing building, information relating to ground contamination is required, and a Preliminary Risk Assessment should be provided.

HDC Drainage Engineer: No Objection (subject to conditions)

[Summary of subsequent comments]: No adverse comments. The drainage strategy is in line with the policy recommendations previously mentioned. Apply usual drainage conditions.

[Summary of initial comments]: No drainage information has been submitted to make any relevant comments. Although the location is in an area with a low probability of flooding, there should be a surface water drainage strategy which provides a 50% betterment of existing run off rates as well as reflecting the current SuDS policies and advice. If this development is permitted, suitable drainage conditions should be applied that show full details of the measures to dispose of the surface water.

3.2 OUTSIDE AGENCIES

WSCC Highways: No Objection (subject to conditions)

[Summary of subsequent comments]: The required car parking demand for the office accommodation (based on 87m² office floorspace) is 3 spaces, so the demand is met. The proposed residential units require 18 unallocated spaces but the proposal only shows 12 spaces. Whilst this is a shortfall in 6 x spaces the LHA does not consider that overspill parking

would take place in locations that would be detrimental to highway safety. The developer should confirm that all resident spaces will remain unallocated and mark up the disabled bay appropriately (with access hatching). Electric vehicle charging infrastructure should be provided, though details of this can be secured via condition. Cycle storage provision is acceptable. Conditions recommended include: (1) Cycle Parking; (2) Construction Management Plan; (3) Car Parking Spaces; (4) EV Spaces.

[Summary of subsequent comments]: Additional information has now been provided in a Transport Report. A review of the TRICS data suggests that trip generation resulting from the proposed development could be reduced over the existing, therefore no concerns is raised over road network capacity. The reduction in car parking on site, and reduction in trips, may result in less use of the access. The access appears to have been operating without highway safety concern and given the lightly trafficked, low speeds anticipated, the LHA could not insist on widening of the access citing highway safety reasons. Car parking provision (12x spaces) is still below the required levels, but considering the proximity to local services and amenities and regular bus services from High Street, the reduced parking level is considered acceptable. The LHA would not raise a concern with a nil parking provision for the office element of the scheme. Electric Vehicle parking provision should be considered.

[Summary of initial comments]: The LHA require further information (including TRICS, visibility splays) before a full assessment of the highway safety and capacity impacts of the scheme can be made. 11x car parking spaces are proposed (one per dwelling and two for the offices), but the WSCC Car Parking Demand Calculator requires a total of 24 parking spaces. The LHA may accept some reduction in parking levels due to the site's central location and proximity to bus services.

Ecology Consultant: No Objection (subject to conditions)

[Summary of subsequent comments]: The bat emergence survey was undertaken late in the season, but given the mild conditions and the fact that no roosting bats were recorded emerging from the building to be demolished, we are satisfied that there is sufficient ecological information available for determination. The mitigation measures identified in the Walkover and Bat Assessment and the Bat Emergence Survey should be implemented in full. We support the proposed biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity. In summary, impacts will be minimised such that the proposal is acceptable subject to recommended conditions.

[Summary of subsequent comments]: The Walkover and Bat Assessment identifies the existing building as having 'low' potential to support roosting bats and as such as single bat emergence survey is recommended.

[Summary of initial comments]: No ecological documents have been submitted. MAGIC maps identifies that a Great Crested Newt Class Survey licence was returned less than 1km from the site, and there are several Priority habitats within 1km of the site. It is recommended that a Preliminary Ecological Survey and Preliminary Roost Assessment for bats is undertaken to assess the impacts of the development on designated sites, protected and Priority species and habitats. This report should also include any appropriate precautionary mitigation measures and propose reasonable enhancements for biodiversity.

Archaeology Consultant: No Objection (subject to conditions)

[Summary]: Cartographic evidence indicates the presences of former buildings on the site in the nineteenth century. The historic settlement of Steyning has its origins in the early medieval period and is recorded in the Domesday Book of 1086. There is therefore the potential for both medieval and post-medieval deposits being located on this site. A condition is recommended to secure a Written Scheme of Investigation (WSI) and a post-investigation assessment prior to commencement of any development.

Southern Water: No Objection

Steyning Parish Council: Objection

[Summary of comments on revised plans]: No comments received

[Summary of comments on original plans]: Strong objection. Over development of the site. Scale and massing is out of keeping, and has a detrimental effect within the Conservation Area. Lack of parking spaces shown. Failure to provide 20% affordable housing. Contrary to HDPF. Elm Grove Lane is narrow and not suitable for increased traffic. Loss of privacy and light to neighbours. Request for the application to go to HDC Planning Committee for discussion.

The Steyning Society: Objection

[Summary of comments on revised plans]: No comments received

[Summary of comments on original plans]: Strong objection. The proposal is contrary to HDPF Policies (including 32, 33, 34) in terms of design, scale, character, amenity etc. No reference made to the Sussex Extensive Urban Survey's Historic Character Assessment Report (2004), and no account of the Steyning Conservation Area Appraisal and Management Plan 2018. Contrary to the draft Steyning Neighbourhood Plan's policies and vision and does not respect the character of the Conservation Area. No traffic and transport assessment, and no statement regarding marketing or whether commercial use of existing buildings is non-viable. There has been no pre-application consultation with the LPA nor community engagement with local residents and stakeholders.

3.3 PUBLIC CONSULTATIONS

A total of 20 letters of representation (from 13 different households) have been received in connection with this application, all objecting the proposals. During the initial round of public consultation 13 letters of objection were received, and a further 7 letters were received during the re-consultation on the amended plans. The main (summarised) reasons cited for objection include:

- Inappropriate scale and design;
- Parking undersupply;
- Traffic and access issues;
- Pedestrian safety;
- Overlooking/ loss of privacy;
- Unsympathetic to character of the conservation area;
- Disruption during demolition/construction;
- Impact on adjacent listed buildings;

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

Principle of Development:

- 6.1 Given the site's location within the Built-Up Area Boundary of Steyning, and the current developed nature of the site; the proposed mixed-use (residential and commercial) re-development is considered to be acceptable in principle in accordance with Policy 3 of the HDPF. The acceptability of the development in overall terms will however, depend on its appropriateness in terms of other development management principles including: design, scale, heritage impact, parking, landscaping, drainage; as well as its impact on ecology, the local highway network, and local amenity. In addition, given the proposal involves the loss of a proportion of existing employment floorspace, this loss must be justified, and for the application to be acceptable this must be considered acceptable in the planning balance. These considerations will be explored within subsequent sections of this report, and a final Officer recommendation is provided in the 'conclusion' section.

Economic Impact:

- 6.2 In order to retain a strong, diverse and resilient economy, the HDPF places great emphasis on the appropriate retention and expansion of existing commercial premises and employment floorspace. The proposal involves the demolition of an existing 780m² B1/B2/B8 commercial facility (which has been vacant for over 12-months) and its replacement with a residential and office mixed-use development. Whilst the development proposes a new 87m² B1 office building, the overall quantum of employment floorspace on this site will be significantly reduced. Whilst the delivery of a high quality office facility is welcomed, the overall loss of employment floorspace on this site is contrary to the aims of the Council's Economic Strategy, as well as the overarching aims of HDPF Policy 9 (Employment Development). Part 2 of Policy 9 does however allow for the redevelopment of sites outside Key Employment Areas, provided it can be demonstrated that the site is no longer needed or viable for employment use.
- 6.3 Marketing information provided by the applicant for this site has been submitted, which explains the poor level of interest in the site (for rental or purchase) as a commercial venture, and hence the difficulty they have had in attracting a tenant. The marketing information has been reviewed by the Councils' Economic Development Team and has been accepted. Economic Development officers have advised that one of the biggest threats to securing inward investment is the high amount of outdated, low quality employment accommodation within the District. As such, whilst the overall reduction in employment floorspace is disappointing, the marketing information supports the conclusion that the site as existing is not viable in its current form. As such, Economic Development colleagues welcome the inclusion of a new high-quality and purpose build office space on this mixed-use site, and this will help to compensate for the overall loss.
- 6.4 Whilst the applicant's commitment to let the office space to Steyning based businesses cannot be secured or guaranteed, this commitment is nevertheless welcomed and if achieved, will help to fulfil the sustainable principle of enabling people to live close to their workplace. It is also considered that in residential amenity terms, an office use on this site is more appropriate than the existing (lawful) commercial use which has the potential to attract unwelcomed increase in industrial vehicular movements as well as the potential for undesirable noise disturbances. Overall therefore, the proposal is considered to accord with the requirements of HDPF Policy 9, and to a large degree, fulfils the aims of the Council's Economic Strategy which seeks to attract inward investment and to create new jobs (Priority 3).

Highways/Access/Parking:

- 6.5 The site is located along a narrow unclassified road (Elm Grove Lane), which given its location just off the main High Street is well-used by pedestrians for access to local schools and the nearby health centre. Concerns about the impact of the proposed development upon pedestrian safety along Elm Grove Lane was a theme raised in several objection received during the public consultation. As is typical for a historic lane such as this, much of the length of Elm Grove Lane is not wide enough for two-way vehicular traffic, and it has constrained visibility at its junctions (particularly at the High Street end). Despite this, it is a road open to vehicular traffic (albeit for access only), and has been used for many years by local residents and employees of the former B+W Loudspeakers company who appeared to use the associated 30-space car park and access road without reported issues. The restricted width and visibility means that traffic speeds in this location are usually well-below the 30mph stated limit.
- 6.6 WSCC Highways have confirmed that no recorded injury accidents in the vicinity of the site have occurred within the last 5 years, which indicates that the junction and road (despite its limited visibility) is not operating unsafely. Similarly, whilst the private access road leading to the site's proposed car park is not wide enough for 2 vehicles to pass, WSCC Highways have advised that this is an existing situation with no evidence of any highway safety concerns. Similarly, the application proposes that servicing would take place from Elm Grove Lane, which is understood to be existing practice, and is not considered by WSCC Highways to result in any addition highways safety concerns.
- 6.7 In terms of impact on capacity of the local highways network, the TRICS database has been used by the applicant to assess the anticipated vehicular trip generation. The submitted Transport Report estimates that when it was in use, the existing B1/B2/B8 industrial use had the capacity to generate around 43 vehicular trips per day (based on the existing floorspace). However, the Transport Report notes that the existing car park of around 30 spaces and the 37 employees is likely to have resulted in higher traffic movements than estimated by TRICS.
- 6.8 It should be noted that whilst it appears that the B+W facility didn't attract a significant amount of industrial traffic, an alternative industrial use on this site (which would be lawful given its existing B1/B2/B8 use) may have the potential to generate significantly more industrial traffic (potentially up to 70-80 movements per day), including an intensification of movements by larger delivery vans/lorries. The proposed residential use, by contrast, is estimated to generate around 28 movements per day, with the associated office use (87m²) generating even less. In summary therefore, WSCC are of the view that the trip generation is likely to be reduced, and no concern is raised in relation to the capacity of the local highway network as a result of the proposed development.
- 6.9 The development proposes 15 car parking spaces, comprising 12 spaces for the residential element (including 1x disabled bay) and 3 spaces for the offices. The 3 office spaces would be available for residential or visitor parking overnight between 7pm and 7am. The 12 residential spaces allow for 1 space for each of the six smaller flats, and 2 spaces for each of the three larger townhouses.
- 6.10 For the offices, the WSCC Parking Standards Calculator requires 1 space per 30m² floorspace, so the 3 spaces proposed adequately meet the standards. For the residential element, the parking demand (if all spaces were unallocated) would be 18 spaces. Whilst the proposal only offers 12 spaces (therefore a shortfall of 6 if left unallocated), WSCC Highways does not consider that any overspill parking would take place in locations that would be detrimental to highway safety, and therefore raises no objection to the proposed parking provision in highway safety terms. In order for this to be achieved, the spaces must be left unallocated, and the requirement for this has been secured by condition.

- 6.11 Whilst the shortfall in residential parking provision against the latest WSCC Standards is acknowledged, on balance this is considered to be justified in this instance by virtue of the central location of the site and several convenient bus routes along the High Street which is likely to encourage less car use. This coupled with the site's immediate proximity to a large public car park (Newmans Gardens) which could be used by visitors (as well as the overnight use of the 3 office spaces), as well as the lack of objection from WSCC Highways, leads to an acceptance by Officers of the proposed parking provision.
- 6.12 All 15 spaces would be provided with electric vehicle charging points which exceeds the minimum standards set out in the WSCC Parking Guidance (2019), and is welcomed. WSCC have confirmed that the proposed cycle parking provision is acceptable.

Design and Heritage:

- 6.13 The site is partly located within the Steyning Conservation Area, and there are several listed buildings located close to the site (namely Nos 3 and 4 Elm Grove Cottages located opposite the site). Other buildings opposite the application site are mainly two-storey cottage style houses linked in small terraces. A larger scale commercial building (Grove House) is located to the immediate west of the application site. The Elm Grove Lane area and is described in the Steyning Conservation Area Appraisal (2018) as part of the twentieth century infill character area, although the Council's Conservation Officer advises that by the mid-nineteenth century the western part of the lane was established as a residential and light industrial area. Whilst Elm Grove Lane is located close to the modern centre of the village, historically this lane would have been a peripheral part of the settlement, and despite various twentieth century influences, retains the character of a rural lane. This character helps to maintain some appreciation of the historic village layout and its historic relationship in the landscape beyond. The existing commercial building that occupies the site has little architectural interest and its demolition is not considered to be a detrimental loss to the character of the Conservation Area.
- 6.14 The proposed development would be laid out in two 'sections'. The residential element would be positioned to the south of the site (where the existing B+W commercial facility stands), and the parking and office building would be located on the northern side of the site where the existing (currently unused) car park is located. By virtue of the nearby listed houses as well as other attractive cottages in the vicinity, the most sensitive frontage on this site is considered to be the eastern elevation (facing onto Elm Grove Lane). Since the original submission, the design has been amended to address concerns raised by the Conservation Officer, and a full public re-consultation on the amended plans took place.
- 6.15 The amended plans show that overall ridge height of the residential block has been lowered by 1.3m and the eaves lowered to better respect the domestic scale of nearby properties. The overall height of the residential building is now 10.5m. In order to better respond to the tradition character of the wider setting, the previously proposed dormer windows, balconies and protruding bay windows on the Elm Grove Lane (south) elevation were been removed, which has simplified the design along this key frontage, and has allowed the building to be set back further from Elm Grove Lane to provide enhanced opportunity for soft landscaping and the creation of a private amenity space for Unit 5. The removed dormer windows on the southern elevation have been replaced with conservation area roof-lights at the suggestion of the Council's Conservation Officer. Other dormer windows along the eastern elevation have been retained, which gives this expanse of roof some welcomed articulation and interest.
- 6.16 The removal of the balconies and the setting back of the footprint to the southern (Elm Grove Lane) elevation with the introduction of intervening landscaping helps to reduce the sense of overlooking and helps to protect the amenities of residents opposite. The introduction at this elevation of front doors to each of the ground floor units enlivens the street scene and creates a rhythm which compliments the rhythm and form seen at the cottages opposite. The roof

now proposes gable ends at a 45 degree pitch which is a characteristic feature of the terraces opposite the site and is a welcomed change from the previous clay tile and barn-hip roofs.

- 6.17 Materials proposed along this key frontage have been kept to a limited palette, and as suggested by the Council's Conservation Officer include slate roof with leaded ridge detail (a characteristic seen on many buildings that sit back from the High Street), and flint facades with brick quoining detail around the windows. Ebony weatherboard is proposed to be used along the (less sensitive) north, east and west elevations; and this alongside a 'hay barn' window feature on the east elevation (as suggested by the Conservation Officer) will give the building a sense of old industrial character in line with what would have been seen along Elm Grove Lane in the nineteenth and early twentieth centuries. A multi-stock brick is proposed to be used which reflects the patterns and imperfections of the brick seen in the wider Conservation Area.
- 6.18 A 600mm boundary wall is proposed along the Elm Grove Lane elevation which ties in with other existing low level stone boundary walls in the vicinity. It is proposed that the details of this boundary wall are conditioned to ensure that it uses stone to match other existing walls in the area. Specific material details would also be conditioned for subsequent approval.
- 6.19 The office building has also undergone design changes during the application process, and the advice given to the applicant by the Council's Conservation Officer has largely been taken on board. The office building has been simplified in design to better reflect the character of a traditional hay barn. The undercroft parking helps to achieve this hay barn character which has the added benefit of increasing parking provision within the site. The overall height of this building also been reduced (by around 2m), and like the residential building, the roof has been amended to create gable ends with attractive flint and quoining detail at side elevations. The building would be positioned in front of an existing attractive 2m high flint wall that spans a large length of the north side of Elm Grove Lane, and this will help to obscure some of the bulk of the building from view. Conservation roof lights are also proposed which will allow light and ventilation in to the office building, whilst minimising overlooking opportunities towards houses opposite. Materials to be used on the office building would match those used for the residential building the details of which have been secured by condition.
- 6.20 Section 72 of the Town and Country Planning (Listed Building and Conservations Areas) Act requires that development should preserve or enhance the character or appearance of the [conservation] area. Section 66 requires that development preserve the setting of listed buildings. The Conservation Officer advises that whilst the buildings would not *enhance* the character of the Conservation Area, they would *preserve* its character, thereby meeting the tests of Section 72. The Conservation Officer also notes that whilst the proposed building will compete with the smaller-scale listed buildings opposite this competing relationship is not unexpected or unusual. Whilst some harm has been identified by the Conservation Officer by virtue of the building's scale, the Conservation Officer is satisfied that the level of harm identified is at the lowest end of the scale of 'less than substantial harm', and that the public benefit of additional dwellings in this village centre location would outweigh that harm.
- 6.21 Whilst it is accepted that the proposed residential building is of a larger scale than the surrounding built environment, its footprint is no larger than the existing commercial building on site and the design has been carefully considered in consultation with the Council's Conservation Officer to ensure it complements the sensitive surrounds of the Conservation Area and listed building opposite, as well as reflecting the historic industrial and residential character of this part of the village. The aesthetics of the proposed building are considered to be an improvement on the design of the existing commercial building, which does little to reflect the special architectural and historic character of the wider Conservation Area. As such officers are of the view that the proposals would help appropriately sustain and enhance its heritage setting compared to the existing building and its use, in compliance with Policy 34 of the HDPF.

- 6.22 Whilst the Council's Conservation Officer considers the scale of the building to result in harm, this harm is at the lowest end of the scale of 'less than substantial harm'. Applying paragraph 196 of the NPPF, it is the view of Officers that the public benefit of additional windfall housing and high-quality office accommodation in a central and highly sustainable location such as this, allied with it being a more appropriate use of the site in amenity terms, outweighs this low level of harm. The proposal is therefore considered to accord with the provisions of HDPF Policy 34 and Chapter 16 of the NPPF, and Sections 66 and 72 of the Act. Conditions have been suggested by the Conservation Officer which are considered necessary and reasonable, and have been drafted at the end of this report.

Amenity Impact:

- 6.23 It is acknowledged that the proposed development (particularly the residential building) represents an increase in height and mass over the existing commercial building. Whilst the mass has increased, the footprint of the structure has not increased, and in key locations (including the frontage onto Elm Grove Lane) the built form has been set back further than existing. Given the proximity of existing houses along Elm Grove Lane (opposite the site) the east elevation of the residential building is considered to be the most sensitive in amenity terms. The design changes that have occurred during the consideration of this application are considered to have not only resulted in improvements in character terms, but also in amenity terms. The removal of the balconies protruding bay windows and dormers on the eastern elevation help to reduce the sense of direct overlooking. Whilst windows along the east elevation are still present, the set-back position and resulting separation distance between the new building and the existing houses opposite is considered to result in an acceptable arrangement that is unlikely to cause significant harm with regard to overlooking or privacy. The introduction of soft landscaping in this location also helps to obscure this frontage. The arrangement of buildings opposite one another along a narrow lane is (in the context of a central and historic urban environment) not uncommon, and is reflective of the historic character that would have been present in this area in the past.
- 6.24 The proposed office building has been orientated to face away from Elm Grove Lane, thereby reducing opportunity for overlooking or disturbances from future occupiers. The proposed Conservation roof lights on the rear elevation of the office building will let light and ventilation into the offices, but will not allow ready opportunity to overlook. The office building is also acts as a barrier between existing houses along Elm Grove Lane and the proposed parking area which will help to reduce noise disturbances from parking cars.
- 6.25 When compared with the existing (lawful) flexible B1/B2/B8 use of the site, the proposed use for residential and office space is considered on the whole to be an improvement to the wider amenity of the local area. Whilst it appears that the former B+W facility did not cause significant disturbances to local residents while it was operational, the existing industrial use that the site has the lawful benefit of, means that an alternative commercial company could (if not redeveloped) occupy the site resulting in the potential for undesirable noise and/or odours, as well as an increase in noisy traffic movements. By contrast, a residential/office use (as proposed) is more appropriate in the wider residential setting.
- 6.26 In respect of future occupiers, despite the loss of balconies, outdoor amenity space has been provided for all residents. All the amenity spaces (save for unit 4) are located on the southern and western elevations meaning maximum gain from natural sunlight. The larger townhouses (units 1,2,3) each have a private rear garden with patio as well as a small front amenity strip which would be landscaped. The ground floor flats (units 4,5,6) each have a private ground floor external amenity space, and the first and second floor flats (units 7,8,9) have use of a shared outdoor amenity space to the rear of the building. This outdoor amenity space, whilst small, is welcomed.

Other Matters:

Drainage

- 6.27 A Drainage Strategy has been submitted which notes that there is a reduction in the impermeable area on the site of about 40% which will lead to a reduction in existing run-off rates. As existing, run-off rates are around 17.5l/s, and as a result of the development would reduce to around 10.6l/s. All run-off will be disposed of by infiltration within the boundary of the site. The drainage modelling has been undertaken to take into account a 1 in 100 year storm event plus an allowance of 40% for climate change, and 10% for urban creep. Foul water from the development will be disposed of via an existing connection to the public foul water sewer located in Elm Grove Lane. Southern Water have reviewed the proposal and have raised no objection. The Council's Drainage Engineer has also reviewed the proposal and confirmed no objection to the strategy proposed, subject to the application of standard drainage conditions as detailed below.

Ecology

- 6.28 The submitted 'Walkover and Bat Assessment' identified that the existing building has a 'low' potential to support roosting bats (due to crevices) and as such a single bat emergence survey was recommended. This survey was undertaken and noted that no bats were seen to emerge or re-enter the building. This has led to the conclusion that the site is not likely to support an active bat roost, and therefore no further survey was required. The Council's Consultant Ecologist has reviewed the bat emergence survey and agrees to the conclusions, and has recommended that conditions are imposed to secure the following: (1) All mitigation measures to be carried out; (2) Submission of a biodiversity enhancement layout; (3) Submission of a wildlife sensitive lighting design scheme. The suggested conditions have been drafted, and the enhancement measures are considered to enable the site to demonstrate a net gain in biodiversity as required by NPPF Paragraph 170(d).

Archaeology

- 6.29 The site is located within an Archaeological Notification Area (for Steyning Historic Core and associated Early Medieval and Medieval Occupation). The Council's consultant Archaeologist was consulted and has confirmed that there is the potential for both medieval and post-medieval deposits being located on this site. As such, a condition is recommended to secure a Written Scheme of Investigation (WSI) and a post-investigation assessment prior to commencement of any development. This condition has been drafted.

Ground Contamination

- 6.30 Given the site's most recent and historic use as a commercial/industrial facility, a Preliminary Ground Contamination Risk Assessment Report has been submitted. The Report notes that an asbestos survey (undertaken by others) has identified the presence of asbestos within the fabric of part of the building. A condition has therefore been drafted to ensure the asbestos is removed by an appropriately licenced contractor prior to demolition of the building. The report also notes that the historical industrial use of the site and associated potential pollutant linkages leads to the need for an intrusive ground investigation to be undertaken. This should focus primarily on the southern part of the site, but given the building cover, it is recommended in the Report that this investigative work should be undertaken after demolition and clearance of the site has taken place. A condition to this effect has been drafted.

Sustainability / Climate Change

- 6.31 Policies 35, 36 and 37 of the HDPF require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk,

reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. In response to this the following measures to build resilience to climate change and reduce carbon emissions are proposed:

- Secure and covered cycle storage;
- Household recycling facilities;
- Reduction of impermeable hard surfacing;
- Improved ecological value of the site (additional planting).

6.32 In addition to these measures, conditions have been drafted to secure the following measures:

- Securing of a sustainable surface water drainage systems;
- Dedicated cycle parking facilities;
- Biodiversity mitigation and enhancement;
- Water use limitation of 110L per unit per day;
- Electric vehicle charging installed across all 15no parking spaces.

Subject to these conditions it is considered that the proposed development will suitably mitigate its impact on climate change in accordance with local and national planning policy.

Conclusions:

6.33 Given the central location of the site within Steyning, and an acceptance that a reduction in overall employment floorspace is justified in this case; the principle of a mixed-use (residential and office) development in this location is acceptable. The 9 new residential units would be located in a sustainable and convenient location, and would add to the Council's tally of windfall dwellings which is welcomed. The office building would be purpose-built and of high quality, and its location enables the potential of future users to live close to their workplace. The proposed 12no parking spaces for the residential units is an under provision (against the WSCC Calculator) of 6 spaces, but the Highways Authority have not raised an objection on highway safety grounds, and it is considered on balance that provided the spaces remain unallocated, the provision of 12 spaces for 9 units in this central location is acceptable given the availability of parking on the street and in the immediately adjacent public car park.

06.34 By virtue of the site's location partly within the Steyning Conservation Area and opposite a pair of listed buildings, the design and scale of the building has been assessed in great detail. Negotiations between the applicant, Officers and the Council's Senior Conservation Officer resulted in the submission of amended plans which lowered the overall height of the building and simplified its external appearance to better accord with the sensitive character of the surrounds. These revisions are considered to have helped address the issues initially identified, and have resulted in a much improved scheme. Whilst the Council's Conservation Officer considers the scale of the building to result in harm at the lowest scale of 'less than substantial' harm, Officers are of the view that the building is overall an improvement in appearance over the existing. When weighing this harm against the public benefits of the scheme, Officers are of the view that the harm is outweighed by the clear benefits of new housing and office accommodation in a sustainable village location.

6.35 Other matters relating to impact on highway safety and capacity, access, neighbouring amenity, drainage, ecology, archaeology, ground contamination, and energy/climate change have been assessed by Officers in consultation with the relevant specialists, and no significant issues with regard to these matters have been identified. As such, subject to the conditions listed in this report, the application for Full Planning Permission is recommended by Officers for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
			Total Gain
			Total Demolition

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

7. RECOMMENDATIONS

7.1 To approve planning permission subject to conditions.

Conditions:

1. Plans List

2. **Regulatory (Time) Condition:** 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. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved details shall be adhered to throughout the construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction;
- the method of access and routing of vehicles during construction;
- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the siting of welfare units/site offices (including site plan);
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
- details of public engagement both prior to and during construction works.

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

4. **Pre-Commencement Condition:** No relevant works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority. The works must not be executed other than in complete accordance with these approved details:
- a) Drawings to a scale not smaller than 1:5 fully describing:
 - i) Roof details including sections through:
 - roof ridge
 - eaves
 - verges
 - verges and bargeboards
 - dormer roof perimeters and cheeks
 - ii) Porches
 - b) Samples or specifications of external materials and surface finishes.
 - c) A sample panel of masonry, not less than 0.8 sq m, constructed on site. Before any further masonry is undertaken, the panel must be inspected and approved in writing by the local planning authority. All masonry must be executed in accordance with the sample panel, which shall remain on site until the works are complete and the condition discharged.

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

5. **Pre-Commencement Condition:**

- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

6. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels 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).

7. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved site plan [drawing number 002 Rev P7], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works 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.
- Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement Condition:** No development (including demolition) shall commence until the following components of a scheme to deal with the risks associated with asbestos, have been submitted to and approved in writing by the Local Planning Authority:
- (a) An intrusive pre-demolition and refurbishment asbestos survey (in accordance with HSG264);
 - (b) A verification report prepared by a competent person which confirms all asbestos or suspected asbestos containing materials have been removed

Reason: 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).

10. **Pre-Commencement Condition:** No development (other than works of demolition) shall commence until the following components of a scheme to deal with the risks associated with contamination of the site, have been submitted to and approved in writing by the Local Planning Authority:
- (a) An intrusive site investigation scheme, (based on the submitted Preliminary Ground Contamination Risk Assessment Report, reference R14295) 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.
 - (b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and an options appraisal.
 - (c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. 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).

11. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

12. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Walkover and Bat Assessment (The Ecology Partnership, July 2020) and the Bat Emergence Survey (The Ecology Partnership, September 2020) shall be submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

13. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

14. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained;

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;
- Details of all hard surfacing materials and finishes;
- Details of all boundary treatments (including the use of flint walls in key locations);
- Details of all external lighting, including a sensitive scheme of lighting for biodiversity/wildlife;
- A Landscape Management and Maintenance Plan for all communal landscape areas;
- Ecological enhancement measures set out in Chapter 5 of the Bat Emergence Survey by The Ecology Partnership [dated September 2020].

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

15. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, the provision for the storage of refuse and recycling shall have been made for that use (both residential and offices) in accordance with drawing number [002 Rev P7]. These facilities shall thereafter be retained for use at all times.

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

16. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a plan showing the detailed layout of the proposed provision of car parking spaces for vehicles shall have been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the parking spaces associated with it have been provided in accordance with the approved details. Details to be shown shall include hatching around the disabled bay, and details of signage to indicate the availability of office bays to non-offices uses between 7pm and 7am. The residential bays shall be marked as unallocated at all times. The areas of land so provided shall thereafter be retained for the parking of vehicles.

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).

17. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, all 15no. car parking bays as shown on plan reference [002 Rev P7] shall be installed with fast charge electric vehicle charging points. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved electric vehicle charging points for all bays have been fully implemented and made available for use. The means for charging electric vehicles shall be thereafter retained as per the approved details.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

18. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use 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).

19. **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce 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).

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

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

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

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

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

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

23. **Regulatory Condition:** No new plumbing, pipes, soil stacks, flues, vents, ductwork or the like, shall be fixed to any external face of the building other than as shown on the drawings hereby approved.

Reason: To ensure that the significance of the designated heritage asset, and the character, appearance and integrity of the building, is not prejudiced, thereby preserving the special

architectural or historic interest which it possesses, and to comply with Policy 34 of the Horsham District Planning Framework (2015).

24. **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Walkover and Bat Assessment (The Ecology Partnership, July 2020) and the Bat Emergence Survey (The Ecology Partnership, September 2020) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

25. **Regulatory Condition:** 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 commercial premises hereby permitted shall be used for office use only (Class B1a) and for no other purposes whatsoever, (including other uses falling within the B use class) 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) 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 in order to protect surrounding residential amenity, under Policy 33 of the Horsham District Planning Framework (2015).

26. **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order, no development falling within Class F of Part 7 of Schedule 2 (extensions to offices) of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and the need to retain required car parking provision in accordance with Policy 33 of the Horsham District Planning Framework (2015).

27. **Regulatory Condition:** The residential development hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The water limiting measures shall be retained at all times.

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

28. **Regulatory Condition:** All site clearance debris and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste.

Reason: 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. **Regulatory Condition:** 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Informatives:

Conditions to be Discharged

Please be advised that there are conditions on this notice that will require the submission of details to be submitted for approval to the Local Planning Authority. To approve these details, you will need to submit an "Application for approval of details reserved by condition" with an application form and pay the appropriate fee. Guidance and the forms can be found at www.planningportal.gov.uk/planning/applications/paperforms

Bats

The applicant is advised that it is an offence both to intentionally or recklessly destroy a bat roost, regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD, Tel: 0345 1300 228, email: enquiries@bats.org.uk, <http://www.bats.org.uk/>

Southern Water

Please note that Southern Water require a formal application for connection to the water supply in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire (tel: 0330 303 0119) or www.southernwater.co.uk

Landscape Details

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc.) Such details to include cross sections where necessary;
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers;
- Tree pit and staking/underground guying details;
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment;
- Hard surfacing materials - layout, colour, size, texture, coursing, levels;
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials;
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

Landscape Management and Maintenance Plan

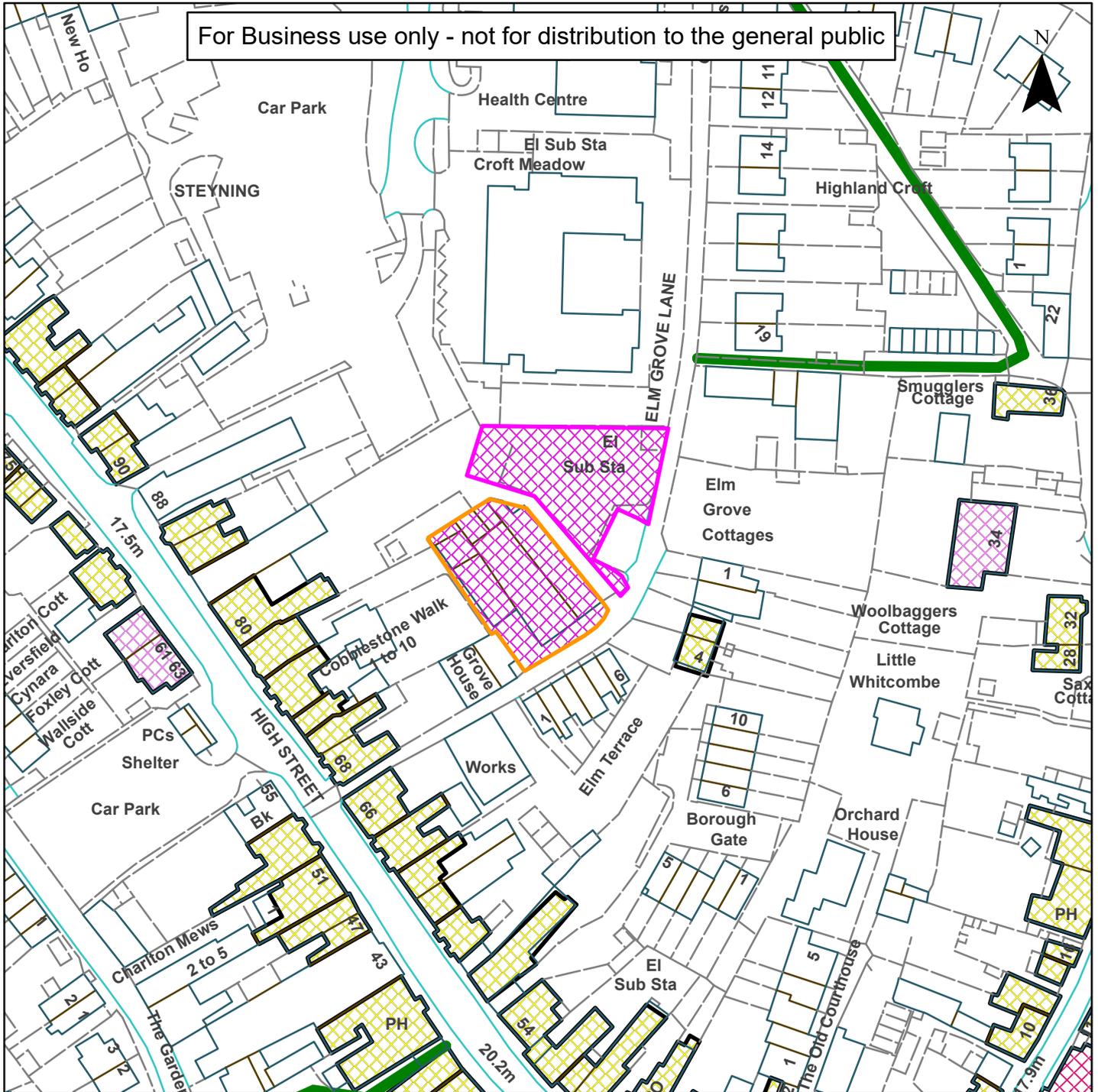
A Landscape Management and Maintenance Plan is a site-specific strategy that demonstrates how the site will be managed and maintained in order to fulfil the original intentions of the applicant and guarantees that the scheme and the retained landscape and ecology structures are maintained and improved for the lifetime of the development. A guidance note to content and layout can be found using the following link <https://www.horsham.gov.uk/planning/development-management>

Background Papers:
DC/20/0789



Former B and W Building, Elm Grove Lane, Steyning

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Organisation	Horsham District Council
Department	
Comments	
Date	07/10/2020
SA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 20 October 2020

DEVELOPMENT: Erection of 3 dwellings with associated car parking and landscaping.

SITE: Land at Montpelier Gardens Washington RH20 3BW

WARD: Storrington and Washington

APPLICATION: DC/20/0660

APPLICANT: **Name:** Mr J Maple **Address:** C/O ECE Planning Ltd

REASON FOR INCLUSION ON THE AGENDA: More than 8 letters of representation have been received within the consultation period citing a view contrary to the recommendation of the Head of Development

RECOMMENDATION: To approve Planning Permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks planning permission for the erection of 3 no. 3-bedroom dwellings with associated car parking and landscaping, comprising a single detached dwelling and a pair of semi-detached dwellings on land currently used as allotments. The dwellings have a hipped roofline and are set partially cut in the land which rises to the rear/west. Tiered retaining walls (1.4m-2m in height) with fences above are shown to the side and rear of the site to address the sloping land levels. The proposed materials would comprise brick and tiles characteristic of the area.
- 1.3 Each dwelling is shown to have tandem parking for two vehicles alongside. Two cycle parking spaces are proposed within secure sheds within the rear gardens, along with provision for refuse and recycling. Each unit would be set back from the road frontage by approximately 2.5- 3m.
- 1.4 The current proposals are an amendment from the originally submitted scheme, which was for four dwellings set in two pairs of semi-detached houses.

DESCRIPTION OF THE SITE

- 1.5 The application site (approx. 0.07ha) sits within a cluster of residential and business properties to the west side of the Old London Road, immediately west of the A24 and approximately 360m north of the Washington Roundabout. The site forms an irregular shaped parcel of land that slopes up from the east to the west, with properties on Montpelier Gardens immediately adjoining to the west. The site is currently used as an informal allotment and is owned by the applicant. The site is bounded by a mix of hedge planting to all boundaries, with a Cherry Tree set back from the site frontage. There are no trees subject to any TPO's.
- 1.6 Montpelier Gardens is characterised by 1930's red brick post war two- storey semi-detached residential dwellings with off street parking, with the wider area comprising a mix of architectural styles. Mixed industrial use commercial units are located approximately 90m to the west.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District 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 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- 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
- Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

Storrington & Sullington and Washington Parishes Neighbourhood Plan (2019):

- Policy 1 A Spatial Plan for the Parishes (Inset Plan 4 relevant as identifies allocated site)
- Policy 14 Design
- Policy 15 Green Infrastructure & Biodiversity

PLANNING HISTORY AND RELEVANT APPLICATIONS

No relevant planning history

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No Objection subject to conditions

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** No Objection subject to conditions
- 3.4 **Ecology Consultant:** No Objection subject to condition
- 3.5 **Southern Water:** No Objection

- 3.6 **South Downs National Park:** Comment

The South Downs National Park is a designated International Dark Sky Reserve and dark skies and tranquillity are a special quality of the National Park which need to be protected. Paragraph 180(c) of the NPPF 2018 outlines that development should limit the impact of light pollution on intrinsically dark landscapes and nature conservation. The site is located close to the National Park boundary, and whilst there is likely to be pre-existing lighting associated with the residential and employment uses in the locality, the SDNPA would encourage any new development to have a sensitive approach to lighting which conforms the Institute of Lighting Professionals for lighting in environmental zones, and tries to achieve zero upwards light spill in all respects.

Any lighting should also take into account the biodiversity sensitivities of the site and not disturb or harm wildlife, given the priority woodland habitat and likelihood that bats could be present or forage in the area. The Council's biodiversity officer should be able to advise further on this.

- 3.7 **Washington Parish Council:** Objection

- Overdevelopment of a small site
- Potential to loss of privacy to those living close to the site.

PUBLIC CONSULTATIONS

- 3.8 16 letters of Objection and 4 letters of Support have been received.

Reasons for Objections:

- Parking and Highway Safety
- Density
- Lack of public transport and sustainable transport opportunities
- Topography of site
- Overlooking

- Over shadowing
- Garden lengths
- Overdevelopment
- Number of objections received
- Extent of recent residential development in the area
- Impact on the character of the cul de sac
- Noise
- Lack of local amenities
- Loss of established hedges
- Ecology impact
- Impact on the existing character of the area
- Infill development not in keeping with open nature of surrounding area
- No street lighting
- Loss of trees
- Loss of sunlight
- Impact of construction and related noise on a child with Autism who lives close to the application site and is very sensitive to both noise and change.

Reasons for Support:

- Characteristic of family housing and sympathetic to surroundings
- Provides adequate car parking
- In accordance with the Neighbourhood Plan

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

Principle

- 6.1 Paragraph 2 of the National Planning Policy Framework (NPPF) states that the starting point for decision making should be the development plan and that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of planning applications.
- 6.2 The Horsham District Planning Framework (HDPF) and Storrington, Sullington and Washington Neighbourhood Plan (SSWNP) form the development plan for this part of the district.
- 6.3 The site forms a housing allocation under Policy 1 of the SSWNP which states that:
'Development proposals outside the Built up Area of Washington will be supported on any allocated site(s) and within the area within and around Montpelier Gardens / Luckings Yard as shown on Inset Plan 4 or if it results in the reuse of previously developed land on land outside the South Downs National Park provided the proposal accords with other policies in the Development Plan.'

- 6.4 The application site falls within the boundaries of the land shown as allocated for housing development within Plan 4, therefore the principle of housing development on this site is considered acceptable, subject to compliance with all other policies as discussed below.
- 6.5 It is noted that the site is currently used as allotments by the local community, therefore their loss runs contrary to policy 43 of the HDPF. In this instance however, their loss is considered acceptable given both the Neighbourhood Plan housing allocation that covers this site, and the fact that their informal status is permitted at the discretion of the applicant as the land owner. Occupants are not identified via any parish-wide waiting list, and the Parish Council have not objected to their loss. Furthermore, it is noted that the houses in the area all have gardens capable of use to grow produce as an alternative to this informal community allotment.

Design and Appearance

- 6.6 The proposed dwellings, as revised, form a detached house and a pair of semi-detached houses with pitched and hipped roofs, along with two storey projections to the rear. The overall size, form and material finish to the dwellings complements those on Montpelier Gardens and is considered acceptable. The plans illustrate that the units are well separated from the plot boundaries and from each other, and provide off street parking spaces for each dwelling. The garden sizes reflect the smaller gardens found to the western end of Montpelier Gardens and as such are considered appropriate within the context of the site.
- 6.7 The dwellings have been set towards the east side of the site fronting the Old London Road as the topography of the site slopes and the land levels are lower at this point. The rear garden areas are terraced to take account of this sloping land, and provide a buffer to the existing properties on Montpelier Gardens which sit on higher land to the west. Given the topography of the site, the ridge heights of the proposed dwellings would therefore be perceived as lower when viewed from the west towards the east and therefore visually less imposing than if built immediately adjacent to the existing dwellings in Montpelier Gardens at the higher western side of the site.
- 6.8 The proposed dwellings are set back between approximately 2.5m -3.5m from the main road frontage, to reflect the set back of other terraced dwellings (Montpelier Cottages) on Old London Road, with the small front gardens to include a small pathway gate and landscaping to help integrate the proposed dwellings in with the existing properties opposite.
- 6.9 The size and scale of the proposed dwellings derived from their three dimensional mass (height, depth and footprint) are therefore considered acceptable along with the overall layout and set back of the dwellings within the street frontage. The proposals are considered to comply with policies HDPF 32 and 33 within the HDPF and appropriately reflect the design requirements in Policy 14 of the Neighbourhood Plan.

Setting of South Downs National Park

- 6.10 The site is located approximately 130m east of the South Downs National Park (SDNP) boundary which encompasses Washington Common. Washington Common is an area of Accessible Woodland and deciduous woodland priority habitat, which has been the subject of a number of woodland grant schemes. The development would be located in an area where there is pre-existing residential development, and as a result it is considered that there would be minor impacts on the setting of the National Park. The SDNPA makes no comment on the principle of development, however would recommend that consideration be given to the International Dark Night Skies Reserve and dark night skies, which are a special quality of the National Park. To achieve this, the proposals detail no rooflights to the dwellings, whilst a condition is attached restricting the use of external lighting, With this and the above

in mind, the Local Planning Authority are satisfied that the proposal would not amount to adverse harm to the setting of the SDNP.

Amenity Impacts

- 6.11 It is not considered that the proposed dwellings would not lead to an unacceptable loss of amenity for neighbouring occupiers by way of loss of light, outlook, or privacy, or though levels of noise or disturbance above that normally expected for residential use. There is good separation distance between the proposed dwellings and those to the east and west within Montpelier Gardens, and other properties within the locality.
- 6.12 The nearest affected dwellings are at Nos 2 and 4 Montpelier Gardens, set at an angle to the northwest and fronting the rear gardens to the proposed dwellings. These properties are on higher land such that their front windows would potentially look into the rear gardens and rear windows of the new dwellings.
- 6.13 The most affected property would be Plot 3 of the proposed development which sits 17m from the front of Nos 2 and 4 Montpelier Gardens at its closest point. Given the angle of Nos 2 and 4 Montpelier Gardens to this Plot it is not considered that the extent of overlooking or impact on outlook would be sufficiently harmful for future occupiers as to warrant the refusal of permission, with the rear fenceline providing a suitable degree of privacy to the rear garden. The level change between the properties is such that the first floor windows to the proposed dwellings broadly align with the ground floor windows to Nos 2 and 4 Montpelier Gardens. This, combined with the 17m minimum separation, is such that occupiers of Nos 2 and 4 Montpelier Gardens would not be unduly overlooked.
- 6.14 The separation distances to the other properties adjacent to the site are larger and as such there would be no harmful impacts as described above. In view of the above considerations, it is not considered that the proposals would result in any significant or appreciable harm to visual or private amenities of existing or future occupiers, in accordance with policies 32 and 33 of the HDPF and Policy 14 of the SSWPNP.
- 6.15 The application site is located approximately 66m to the west of the A24 (London Road) and is separated by a belt of dense trees and hedgerow. The Design Access and Noise Statement refers to nearby developments to the application site that have been approved where potential noise from the A24 (London Road) has been a consideration of the application process, and where a noise condition has been imposed requiring further details be submitted for consideration. An analysis of the noise levels affecting the proposed development has been made through an assessment of previously approved applications within close vicinity to the application site and contend that noise levels would not be as extreme for the application site given existing mitigation such as the existing dense tree and hedgerow separating the site from the A24. It is also advised that the potential noise impact could be mitigated through the use of trickle ventilators in the external facades with double glazed and openable windows for the provision of purge ventilation. The use of mitigation measures would ensure that the noise level did not exceed the guidelines as set out by WHO and BS8233. A condition is recommended to secure a noise report and any necessary mitigation prior to works above ground floor slab level commencing. This approach has been agreed with Environmental Health officers and would ensure the dwellings provide for a suitable standard of amenity for future occupants.

Highways

- 6.16 WSCC Highways were consulted on the revised scheme for 3 dwellings and have not raised any objections to the proposal, subject to the recommended conditions attached to this permission. The proposals include 2 off-street parking spaces per dwelling which meets the standards required by the latest WSCC Parking Calculator, whilst the applicant's submission has demonstrated that there is sufficient street parking capacity in the area should the need

arise. The comments of the WSCC Highways officer relating to the side fencing potentially obstructing visibility splays is noted, and can be managed by way of condition. On this basis the proposals are considered to accord with Policies 40 and 41 of the HDPF.

Ecology

- 6.17 The applicants have submitted a Preliminary Ecological Appraisal dated 01/07/2020 and subsequently, following initial comments by the Consultant Ecologists, further information has been provided by way of an additional report by Arbtech in respect of Reptile Surveys dated 22/09/2020. The Councils Ecology Consultants have advised that they have reviewed the information submitted and the likely impacts of development on Protected & Priority habitats and species, particularly bats and identification of proportionate mitigation. It is noted that the Reptile Presence/Likely-absence Surveys report (ArbTech, Sept 2020) concluded that as no records of reptiles or any other vertebrate fauna were found on site during the surveys, as such it is considered highly unlikely that the development will have any impact on reptiles and no further surveys or mitigation is required relating to reptiles on site.
- 6.18 In terms of biodiversity net gain, the proposed enhancements include the following measures that are to be secured by condition.
- Bat friendly planting will be included in the landscaping scheme to provide additional foraging opportunities. Each new building will incorporate one integrated bat box. These will be placed high up close to the eaves away from artificial light.
 - Each new building will provide built in nest boxes for swifts and house sparrows.
 - Retention and creation of rough grassland and scrub habitats will be detailed within the mitigation plan, and consideration should be given to the additional of a small wildlife pond on site.
 - Gaps left in all new fencing to allow hedgehogs to move freely through the garden habitats.

The Councils Ecologists are satisfied that there is sufficient ecological information available for determination with regards to Policies 24 and 25 of the HDPF and Policy 15 of the SSWPNP.

Climate Change:

- 6.19 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- Dedicated refuse and recycling storage capacity
 - Opportunities for biodiversity gain
 - Cycle storage
- 6.20 In addition to these measures conditions are attached to secure the following:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Biodiversity mitigation and enhancement
 - Cycle parking facilities
 - Electric vehicle charging points

- 6.21 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Flood Risk / Drainage

- 6.22 The Environment Agency’s (EA) online flood maps show that the site is located wholly within Flood Zone 1, meaning that the land is in a ‘low probability’ flood zone, and has a ‘less than 1 in 1,000 annual probability of river or sea flooding’. In addition, no water courses run through the site.

Other Matters

- 6.23 The representation referring to a resident with autism who may be affected by construction works is noted. Whilst this matter is not reason to refuse permission, in order to help minimise any impacts conditions are recommended to limit construction hours and require a Construction Environment Management Plan which includes details of public engagement during works.

Conclusions

- 6.24 The proposal for three dwellings, as amended, comprises land allocated for housing development under Policy 1 of the SSWNP and is considered to be acceptable in terms of both scale and design within the site and its wider context. The proposal would not have an adverse impact in the amenities of existing or future occupiers, on the setting of the South Downs National Park, the safe operation of the public highway, or on the ecological value of the site. In this respect, the development proposals are considered to accord with the relevant policies of the HDPF and SSWNP.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	343		343
		Total Gain	343
		Total Demolition	0

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

7. RECOMMENDATIONS

- 7.1 To approve Planning Permission subject to the following conditions:

Conditions:

1. PLANS
2. **Standard Time Condition:** 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. **Pre-Commencement Condition:** The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:

- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
- ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
- iii. the anticipated number, frequency and types of vehicles used during construction,
- iv. the method of access and routing of vehicles during construction,
- v. the erection and maintenance of security hoarding,
- vi. details of public engagement both prior to and during construction works.

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels 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).

5. **Pre-Commencement Condition:** 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) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.
- (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements

for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. 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).

6. **Pre-Commencement Condition:** No development shall commence until a Great Crested Newt Mitigation Plan has been submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework.

7. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a scheme for protecting the proposed development from external noise shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented prior to the occupation of the building and shall be retained at all times.

Reason: In the interests of neighbouring residential amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (ArbTech, June 2020) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."

Reason: To enhance protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework.

10. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been

submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments
- Details of all external lighting (including biodiversity bat sensitive lighting scheme with provision of appropriate lighting contour plans, Isolux drawings and technical specifications)

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

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 and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015).

11. **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.

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

12. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with drawing number WLD/006/19/10 Rev B. These facilities shall thereafter be retained for use at all times.

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

13. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number WLD/006/19/10 Rev B. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

14. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the parking, turning and access facilities (including visibility across the site frontage) for that dwelling have been fully implemented. The parking, turning and access facilities shall thereafter be retained as such.

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

15. **Pre-Occupation Condition:** No dwelling shall be first occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

16. **Regulatory Condition:** No external lighting or floodlighting other than that approved under Condition 10 shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and to protect the dark skies of the South Downs National Park in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17. **Regulatory Condition:** 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

18. **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (ArbTech, June 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Development Framework.

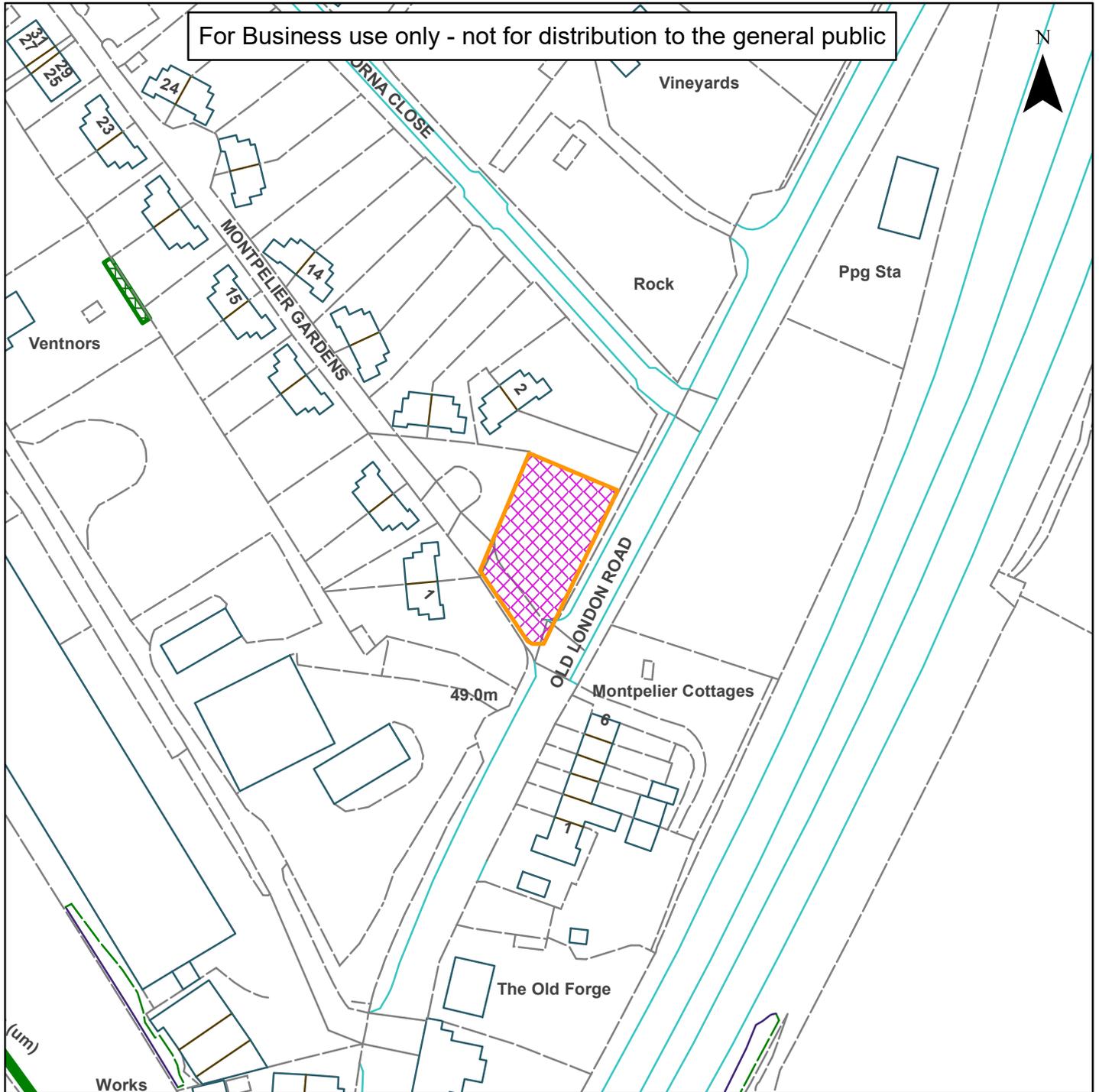
19. **Regulatory Condition:** The dwellings hereby permitted shall be completed to comply with the optional requirement of Building Regulation G2 to limit the water usage of each dwelling to 110 litres per person per day.

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



Land at Montpelier Gardens, Washington

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	07/10/2020
ISA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 20 October 2020

DEVELOPMENT: Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(a) and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works.

SITE: Senlac Shoreham Road Henfield West Sussex BN5 9SE

WARD: Henfield

APPLICATION: DC/20/0049

APPLICANT: **Name:** Mr Sean Preston **Address:** Senlac, Shoreham Road Henfield BN5 9SE

REASON FOR INCLUSION ON THE AGENDA: The application if permitted would represent a departure from the development plan.

RECOMMENDATION: To approve Planning Permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks the demolition of existing unoccupied dwelling, kennels, cattery, animal hospital, grooming parlour and office (comprising a total of 413sqm) and the erection of two buildings for commercial use on the wider site, together with a new vehicular access, associated parking and landscaping, and associated highway works.

1.3 Building 1 comprises a mix of B1(a)¹, B1(c), B2 and B8 uses (total 895sqm) and measures 21.6m by 43.9m with a ridge height of 7m. The proposed palette of materials include a brick plinth with metal seam clad elevations and roof in anthracite grey. The eastern elevation comprises larch cladding to the walls instead of steel cladding. Fenestration including doors

¹ Although B1 uses now fall under Class E of the Use Classes Order, transitional arrangements dictate that for applications submitted before 1 September 2020, decisions should be made using the former Use Classes.

will be anthracite coloured aluminium. The south elevation roof facade includes solar photovoltaic panels with individual panels each measuring 1.6m x 0.99m.

- 1.4 The external area surrounding Building 1 is to be enclosed by 1.2m high Palisade fencing to secure the building, with existing landscaping to be supplemented with new native planting to provide a landscape buffer and soften the building's appearance. The vehicular access will have a macadam surface as will pedestrian footpaths which will also have a spray tar and chip finish. Parking bays are to be surfaced with permeable block paving with concrete surfacing for ingress and egress through the vehicle service bays. It is proposed that the outside storage area will be limited to 2.5m in height to protect the wider landscape.
- 1.5 A soft landscaping scheme and planting plan has been submitted to support the application proposals which includes provision of amenity grassland to the south, long grass and wildflower to the front (east) and back (west) together with new shrub and woodland planting mix to the north west corner of the site.
- 1.6 Building 2 (total 935.1sqm) provides a mix of 2 x B1(a) units (163.9sqm each) and 2 x B8 units (278.5sqm and 328.8sqm respectively) as start-up units for sale or lease. Building 2 measures 20m x 49.6m with a ridge height of 7m. The proposed palette of materials include a brick plinth with vertical larch cladding to the walls and metal seam in anthracite to the roof. The workshop doors, windows and pedestrian doors will be aluminium and anthracite in colour.
- 1.7 The scheme proposes a total of 50 car parking spaces comprising 35 standard parking spaces, 10 electric hook up parking spaces, 5 disabled parking spaces, along with an additional 16 rigid truck and trailer parking spaces. A covered cycle rack is proposed for 12 bicycles. The majority of the car parking spaces and the lorry parking spaces are located along the southern side of the site. Two steel powder coated (anthracite) height barriers are proposed, one to the west of the site approx. 9.2m x 5.05m and one to the east of the site approx. 6.7m x 5.05m.
- 1.8 The existing vehicular access from the A2037 Shoreham Road will be blocked off and a new vehicular access installed further to the south. Additional highway works are proposed as part of the scheme that include a footpath to the bus stops on Shoreham Road, a pedestrian crossing point, and a ghosted right hand turn lane into the site.
- 1.9 External lighting is proposed with 27 x 6m high LED lighting columns some having back shields to redirect any light spillage. Details of the lighting scheme is set out within the MCA Consulting Engineers Ltd Lighting Design Report, Lighting Schedule and External Lighting Plans. The lights will be sensor and time controlled in order to reduce the lighting impact on the surrounding area.
- 1.10 The application proposes that Southdown Engineers (Building 1) core operating hours will be 07:00 hours – 18:00 hours Monday to Friday and 07:00 hours to 13:00 hours on Saturdays with no works on Sundays. Lorries will on occasion need to enter and leave the site between the hours of 06:00 – 07:00 hours and 18:00 – 20:00 hours Monday to Friday. Building 2 (start-up units) will also have hours of use of 07:00 hours – 18:00 hours Monday to Friday and 07:00 to 13:00 hours on Saturday with no works on Sundays.
- 1.11 The application has been subject to an Environmental Impact Assessment screening opinion that has established that it does not constitute development requiring an Environmental Statement. The proposal exceeds the criteria outlined in Schedule 2 of the EIA Regulations, and is therefore necessary to consider whether the development would be likely to have significant effects on the environment. In making this assessment the Council has taken into account Schedule 3 of the EIA regulations paying attention to the development characteristics, location and nature of the impacts. The proposed development does not adjoin any nature conservation or landscape designations. Whilst it is considered that there

are likely to be impacts which arise from the development, particularly those on ecology, transport and construction works, it is considered that there are no significant impacts and as such no issues which need to be dealt with outside from the normal planning application processes.

DESCRIPTION OF THE SITE

- 1.12 The application site (approximately 1.4 hectares) is located 2kms south of the village of Henfield and outside of any defined settlement areas. The topography of the site is flat and comprises an area of brownfield land some 2,7500sqm in size with a larger proportion of the site being undeveloped grassland. The existing buildings /structures occupy a very small parcel of land within the wider site, which has a predominantly rural character, with the majority of land being laid to grass, along with mature trees and planting to the site boundaries.
- 1.13 The site is occupied in part by buildings previously used for purposes of an animal hospital, kennels, cattery, grooming centre, office and storage which are no longer occupied having been vacated in 2017. The buildings / structures in situ are clustered together to the west of centre along the northern boundary of the site. The existing dwelling (located east of the animal hospital and kennels etc.) has been vacated and was last occupied by a private tenant in May 2020.
- 1.14 The site is accessed from and sits west of the A2037 Shoreham Road, which runs along a north / south axis adjacent to the eastern boundary of the site. To the north of the site are a mosaic of fields divided by tree / hedgerow boundaries; to the east of the site is Henfield Business Park, occupied by various commercial businesses; to the west of the site is woodland; and to the south is the former brickwork site which is also a business park/distribution depot/industrial site with established and authorised use rights.
- 1.15 The site is identified as falling within Flood Zone 1 (0.1% chance of flooding in any year or 1:10000 year chance), it is noted that approximately 564m to the south lies land that falls within Flood Zones 2 and 3 where risks of flooding are higher. The Council's Drainage Engineer has informally advised that the Environment Agency has not identified the site as being within a Critical Drainage Area (CDA). Planning records date back to approximately 1959 when permission was granted for replacement of wooden kennels with concrete staff accommodation, permission was subsequently granted for replacement kennels, trimming parlour and kitchen and latterly permission was granted for an animal hospital in 1971.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework
Planning Practice Guidance

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
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 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 34 - Cultural and Heritage Assets
- 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

Supplementary Planning Guidance:
CIL Charging Schedule 2017

2.2 RELEVANT NEIGHBOURHOOD PLAN

The **Henfield Neighbourhood Development Plan (2019-2031)** has been through examination and the Examiner published his report of the 11 May 2020. The HDC Final Decision Statement was published on the 22 June 2020. Whilst the neighbourhood plan is not yet 'made', as a post-examination Plan it carries significant weight in decision making. Relevant policies are as follows:

- Policy 1: A Spatial Plan for the Parish
- Policy 3.1: Employment Development Site Allocations
- Policy 3.2: Development of New and Existing Employment Uses
- Policy 4: Transport, Access and Car Parking
- Policy 10: Green Infrastructure and Biodiversity
- Policy 12: Design Standards for Development

Due to the Covid-19 pandemic, the Government has advised that the referendum required under the Localism Act in order for the Plan to be formally "made" (which requires that more than 50% of people voting agree to accept the plan) cannot be held before May 2021.

PLANNING HISTORY AND RELEVANT APPLICATIONS

HF/15/82	4 kennels and new dwelling. Comment: Outline. (From old Planning History)	Application Refused on 14.08.1982
HF/16/71	Erection of veterinary surgery and staff accommodation. (From old Planning History)	Application Refused on 19.03.1971
HF/17/64	Site for caravan. (From old Planning History)	Application Permitted on 08.04.1964
HF/2/61	Rebuilding of existing kennels, erection of 4 additional kennels. (From old Planning History)	Application Permitted on 08.02.1961
HF/27/71	Erection of veterinary surgery. (From old Planning History)	Application Refused on 21.05.1971
HF/38/73	Erection of single storey construction. (From old Planning History)	Application Refused on 01.06.1973

HF/50/59	Replacement of wooden kennels with concrete staff accommodation. (From old Planning History)	Application Permitted on 02.12.1959
HF/61/71	Erection of new building for hospitalisation of sick animals. (From old Planning History)	Application Permitted on 12.11.1971

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** No Objection subject to condition
- 3.3 **HDC Environmental Health:** Comment

The noise assessment indicates the daytime noise levels from site will be close to the measured daytime background. However the character of the noise from the site will be significantly different and will be readily discernible. If the application is to be approved, significant controls will be required on activities at the site:

- Hours of operation restricted to 06:00-20:00 hours only Monday to Friday, 08:00-1300 on Saturdays and at no times on Sundays and bank holidays
- No activities other than arrival or departure of vehicles associated with the B2 use shall take place between 06:00-0700 and between 18:00-20:00
- No use of hand tools, power tools, welding and shot blasting to take place in the open air
- Vehicle fabrication, repair, servicing or refurbishment to take place only between 08:00-18:00 hours Monday to Friday, 08:00-1300 on Saturdays and at no times on Sundays and bank holidays
- Doors to all units to be kept closed except for when access for people and vehicles is required
- Vehicle reversing alarms not to be used unless they are broadband
- No externally located plant to be installed or operated without noise assessment approved by LPA.
- No delivery or dispatch from before 08:00 or after 18:00.

Some of these restrictions could be obviated if an imperforate boundary treatment was used e.g. replacement of palisade fencing with acoustic barrier fencing such as Jakacoustic or similar. Given the size of the vehicles using the site this would need to be 2.4 m-3m high to be effective. There may well be landscape issues with such an installation.

- 3.4 **HDC Economic Development:** No Objection

OUTSIDE AGENCIES

- 3.5 **WSCC Highways:** Comment
(Summary) From the point of view of the CHA, significant officer time has been put into consideration of the highways components contained in the scheme – particularly highways access, sight lines and associated works and delivery thereof. In this respect, if the LPA, in full knowledge of the highway position made in this response about such matters, decides to grant planning permission, it must be conditional on delivery of the highway works in advance of any works starting on site. A Grampian style condition is recommended, this condition

would ensure that there could be no other development under the permission permitted unless and until such works are completed. With regard to other highways requirements relevant to any planning permission, these too should be secured by appropriately worded planning conditions to address matters relating to highway safety during construction, vehicle and cycle parking; access, and sustainable transport as recommended.

3.6 **WSCC Minerals & Waste Planning Authority (MWPA):** No Objection

3.7 **WSCC Lead Local Flood Authority:** No Objection

3.8 **Ecology Consultant:** No Objection subject to condition

3.9 **Southern Water:** No Objection

3.10 **South Downs National Park:** Comment

The development site is located outside the National Park approximately 500m north of the National Park boundary, between Small Dole and Woodmancote. The development is not likely to be visible from publicly accessible areas within the National Park. The SDNPA makes no comment on the principle of development, however would recommend that consideration be given to dark night skies.

Any lighting should also take into account the biodiversity sensitivities of the site and not disturb or harm wildlife.

3.11 **Henfield Parish Council:** No Objection

PUBLIC CONSULTATIONS

3.12 There is 1 letter of comment and 18 letters of Support received (four from the same two households)

Comments:

Generally supportive of the application however concerns regarding the following:

- Proximity of new entrance to the existing entrance at the Old Brickworks and safety concerns
- Visibility Splays
- Traffic movements and deliveries by third parties and comparison between existing and proposed uses which ceased 5 years ago
- Location of bus stop adjacent to field entrance owned by neighbouring business (SweepTech) and concerns regarding safety of ingress and egress to the field
- Surface water drainage arrangements
- Site identified as employment site in the draft Henfield Neighbourhood Plan along with Southgrounds and Land to the north of the Old Brickworks. The Neighbourhood Plan states that the three sites would benefit from working together to create a joint access; the current application does not do this and created a potential hazard for the existing accesses which serve the other sites and as such does not allow for comprehensive planning of these allocated sites.

Support has been given for the following reasons:

- Provides start-up units and opportunities for small business
- Redevelopment of brownfield site and relocation and expansion of existing business
- Opportunities for local employment
- Would support the local economy
- Location appropriate for type of commercial development

- Support application in general but traffic speed limit should be reviewed to 40mph
- In accordance with Neighbourhood Plan
- Up to date efficiency standards in support of CO2 output and FW usage with waste water recycling and noise abatement systems.
- Henfield is a growing community and needs a growing industrial community

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

Background

- 6.1 The agent has advised that Southdown Engineers was established in 1991 and has been based at Firsland Industrial Estate in Woodmancote since 1992 (27 years). The company has been actively looking for a new site for over 10 years as the business has outgrown its current site and expansion plans are being restricted by site constraints. In addition to this, it will be illegal to continue to rent commercial buildings that do not comply with EPC rating of 'E' or better from 1 April 2023. The majority of the building stock rented by Southdown Engineers at Firsland Industrial Estate (being a reinforced concrete and asbestos clad shed and a re-purposed wooden/asbestos chicken/mushroom shack) are nowhere near a standard that could achieve EPC rating E and no longer fit for modern day purposes. The applicant is therefore eager to find alternative accommodation in order to re-locate and expand the existing company, which currently employs 18 full time staff, the majority of whom live within the district within an average distance of 5 miles. Details of alternative sites the applicant has previously considered since 2011 have been put forward along with the reasons for discounting them, including distance to travel for employees, rural locations and road network suitability, financial cost and size of site, and availability. It is advised that the applicants are looking to expand both the company and the workforce on a new site and that all jobs created will be permanent positions which will prove attractive to local people.
- 6.2 Senlac Kennels and Animal Hospital came on the market in 2018 and the Applicant bought the site as it meets the needs of Southdown Engineers in terms of good access onto an 'A' road, room for the company to expand and invest, future security for the business through owning the site, it had some commercial / employment uses already on site and is adjacent to other commercial and industrial uses. In order to make the proposals financially viable for the applicant, the scheme includes B1 and B8 start up units for lease or sale. The Applicant appointed Stiles Harold Williams to carry out an Employment Market and Needs Assessment for the southern part of Horsham District and this was carried out in January 2020. The report concluded that *'there is currently little or no available stock to allow companies to relocate to the area let alone for existing companies to expand and there are no new developments in Henfield to accommodate this demand'*.

Principle

- 6.3 Paragraph 80 of the NPPF states that Planning Policies and Decisions should help to create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity. Policy 7 of the HDPF seeks

to achieve sustainable employment development in the Horsham District including the redevelopment, regeneration, intensification and smart growth of existing employment sites.

- 6.4 The site is located in the countryside outside a defined Built up Area Boundary (BUAB) and is not allocated for development within the HDPF or a 'Made' Neighbourhood Development Plan. Furthermore, the proposed development of the site for B1, B2 and B8 uses would not contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside, contrary to HDPF Policy 10 Rural Economic Development. It would also not be contained within the confines of, or involve the smart growth of, an existing estate as otherwise permitted under Policy 7, and is not essential to its countryside location contrary to HDPF Policy 26 Countryside Protection.
- 6.5 Development in this location at this time therefore conflicts with the sustainable development principles set out in Policies 1, 2, 4, 7, 10 and 26 of the HDPF therefore the grant of planning permission on this site would represent a departure from the development plan.
- 6.6 The NPPF states in paragraph 12 that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. However Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 6.7 In this instance there are significant material considerations that justify the grant of planning permission. The principal material consideration is the allocation of the site for employment development within the Draft Henfield Neighbourhood Plan ((HNP). The Draft HNP has reached Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 and the Examiners Report, the Decision Statement, and the Neighbourhood Development Plan have all been published. The Examiner has recommended that the HNP proceeds to Referendum stage, therefore given this position the draft HNP and the policy allocation of this site is considered to be of significant weight. The final Referendum Stage has however been delayed to May 2021 as a result of the current restrictions surrounding Covid 19.
- 6.8 Policy 3.1 of the Draft Henfield Neighbourhood Plan (Employment Development Site Allocations) allocates three adjoining sites for employment development, Sites E – Southgrounds, Shoreham Road; F – Land north of The Old Brickworks; and G – The Old Kennels, Project Enterprise. This application site forms Sites G only, with Sites E and F remaining undeveloped to the north for now.
- 6.9 The supporting text states that Sites E, F and G would complete a new business area around Henfield Business Park. This would allow this area to become a key sustainable employment site in accordance with HDC policy. Business sites E, F and G would benefit from working together to create a joint access which would be desirable for these sites. The Plan would support the comprehensive development of the three sites which could bring business efficiencies, reduce development costs and assist in providing comprehensive boundary and landscape treatments. In this scenario the criteria that apply to each of the three sites would also apply to the comprehensive development of the three sites.
- 6.10 The issue of a joint access has been raised with the applicants. The agent has advised that the Applicant has made contact with Sweeptech Environmental Services Ltd via email, to establish whether the adjoining land owner would be interested in sharing the access and that these discussions are ongoing as Sweeptech's plans are still in the early stages. The agent has advised that the Applicant's own timescales to vacate his current premises means they will pursue the current proposals in order to meet this deadline. It has been confirmed however that the Applicant is happy for the proposed access to potentially become a joint access, if and when required subject to separate planning consents.

- 6.11 Policy 3.1.5 provides the detailed policy requirements for this application site, and requires that the proposal meets all of the following criteria:
- a. The design of the proposal has regard to its countryside location in respect of building scale.
 - b. The design for the proposal demonstrates an understanding of the landscape character which contributes to the character of this part of the neighbourhood area and these inform the design and layout of the site.
 - c. The proposal has regard for visibility from the surrounding countryside and provides for appropriate boundary treatments incorporating landscaping in particular provides screening on the western side.
 - d. The proposal maintains and enhances as much as is practicable of the site's rural character, retaining existing field boundaries and tree belts where appropriate and enhancing with native species
 - e. The proposal makes provision for suitable access and appropriate associated infrastructure works to the A2037.
 - f. The proposal has regard to the amenities of nearby residential properties.
 - g. The proposal includes an adequate number and positions of electric vehicle charging points to enable businesses to choose to use electric vehicles.
 - h. Any external lighting is designed to minimise light pollution and supports the dark skies policy of the South Downs National Park Authority.
- The compliance of the proposal with these criteria is discussed separately below.

6.12 In addition to the draft policy allocation, it is recognised that the site is, in part, a brownfield site which although no longer operative has previously been in use as a 'business enterprise' arising from D2 and Sui Generis activities. This historic use of the site for employment purposes, albeit on a much smaller scale to the current proposal, is a material consideration in favour of development.

6.13 It is acknowledged that the current proposals would result in a significantly more intensive use of the land and degree of built form than the previous use resulting in a more consequential and appreciable impact on the character of the countryside when compared to the previous business use on site. However, the site's location adjacent to the existing Henfield Business Park and close to the Former Brick Works site which has permission for B8 storage, along with it being identified within the Draft Henfield Neighbourhood Plan which is close to being 'Made' must be balanced against this.

6.14 Furthermore, it is noted that there has been a high level of local support for the application proposals, including from the Parish Council, as demonstrated by the number of letters received during the consultation period. The proposal would also retain a local business in the area as well as providing opportunities for smaller start-up businesses within the second building.

6.15 On this basis, whilst the proposed development is considered to be a departure from established policies within the HDPF, it is considered that the significant weight should be afforded to the Draft Henfield Neighbourhood Plan given its advanced stage and the site's inclusion as an identified Allocated Employment Development Site. The weight to be attributed to this draft allocation, in addition to the further material considerations set out above, is such that officers recommend that the principle of development be accepted, subject to all other considerations as set out below.

Design and Appearance

6.16 Pre-application advice was sought from the Council prior to the submission of the application and as a result of that the applicants have amended their design and the site layout on submission of the current proposals to reduce the visibility of the built form on the site within the context of the surroundings. Building 1 (B1, B2 and B8 use) has been moved away from the northern boundary of the site and now sits centrally within the site boundaries to the rear

of Building 2 (B1 and B8 use), this unit is located parallel to but set back from the public highway. There is an access route into the site off of the A2037, internal access routes run through the site to the rear of both buildings; parking for both cars and lorries is located along the southern boundary of the site and to the front of the start-up units in Building 2. Outside storage areas are located adjacent to Building 1 (B1 and B8 use) that are well screened by existing and additional landscaping. Dimensions of the building are as set out in the description of development (paragraphs 1.3 -1.10), as are details relating to the proposed materials, solar panel details; and external lighting details for the 27 no. 6m high LED lighting columns.

- 6.17 The design and use of materials including timber frame upper elevations, brick plinth, and Scottish Larch vertical boarding with powder coated roller doors and composite roof panels would provide a softer aesthetic appearance than that of more modern aluminium sheet clad structures within the rural character of the site's peripheral location. The scale of the development as a whole (arising from the three dimensional mass, taking into account the proposed height, depth and footprint) would however intrinsically change the character of this site to an extent that its appearance would result in significant visual change to the visual amenities of the wider site and countryside location. Notwithstanding this, the units, at a maximum ridge height of 7m, have been designed to include shallow pitched roofs which would help to reduce their visual prominence. The use of timber cladding on the external walls would also help to soften the stark elevations.
- 6.18 Overall, the proposed scheme is considered to be of a high quality design and appropriate in terms of both scale and mass that sits comfortably within its site. The buildings are not considered to be overly prominent features in the landscape. In this respect, the development proposals is considered to accord with Policies 32 and 33 of the HDPF, and Policy 12 of the Draft Henfield Neighbourhood Plan.

Landscape and Trees

- 6.19 The area sits within the landscape character area D2 Henfield and Small Dole Farmlands of the Horsham District Landscape Character Assessment. Key characteristics include small to large size regular and irregular fields with a variable hedgerow pattern. Landscape condition overall is declining, particularly through loss of hedgerows in many parts, and urban intrusion along the A2037. Overall sensitivity to change is considered high and key sensitivities include industrial development that would alter the mostly rural character of the area. However in this instance, the site's immediate context is already one of industrial influence and the site itself previously used as a business, albeit at a much smaller scale than what's being proposed. Planning and land management guidelines include to conserve and manage existing hedgerows, especially where they surround small scale irregular field patterns, and restore hedgerow, hedgerow tree planting and plant small woodlands on farmland north of Tottington and Edburton.
- 6.20 The Council's Landscape Officer has been consulted and as a result of comments made the Armco Barrier from the southern boundary of the site has been removed. One of the main concerns raised relates to the site access, which owing to the amount of hedgerow removal to meet the required visibility splays, will expose the site to view considerably and add to the urban intrusion along the A2037. However, new planting is being proposed which in time will soften the appearance of the development, albeit it will not be able to fully mitigate the removal of a well-established landscape feature and opening of the site to view.
- 6.21 A list of proposed trees is provided within the plan, but a planting schedule that includes numbers, sizes, spacing's (for hedgerow planting), etc. is also required. Additional oak trees are required to be planted along the southern boundary in the gap between existing. The applicants have confirmed that additional trees will be provided in accordance with the Landscape Officers comments (one at the end of the parking spaces near the A2037 to reinforce the planting along the western boundary and two additional oak trees along the

southern boundary) and that a planting schedule which includes numbers, sizes and spacing's will be provided. A timber knee rail has also been recommended by the Landscape Officer in place of the proposed Armco barrier and the landscape plan has been amended to show a timber barrier to reflect this. This will be secured through the imposition of a landscaping condition to include boundary treatment requiring additional information to be submitted should planning permission be granted.

- 6.22 Subject to these detailed matters the proposals are supported in principle and are considered broadly in accordance with Policy 25 of the HDPF and Policy 10 of the Draft Henfield Neighbourhood Plan.

Impact on neighbouring amenity

- 6.23 The nearest residential dwellings to the site are noted as being Paddock Wood (181.5m) located south east of the site, and New Barn Bungalow (263m) located north east of the site. There are also a number of dwellings located to the west of the site the nearest being Tower and Aranjay (181m to 248m respectively). Although these are some distance away, given the nature of the proposed use of the site which includes some B2 use, it is considered likely that occupants may experience noise impacts from the proposed development given the B2 uses proposed. It is noted that the site sits immediately opposite Henfield Business Park to the east and the Sweeptech and Edburton Contractors (Civil Engineering) commercial sites to the south therefore noises from industrial/commercial activity are already prevalent and familiar in the area.
- 6.24 A noise assessment has been submitted with the application which calculates the baseline noise levels experienced at the site and the actual noise levels from Southdown Engineers' current site. The assessment concludes that the noise impact of the development, operating at the hours set out at paragraph 1.10 above, would have an acceptable impact on the amenities of the nearby properties subject to mitigation that requires a suitable building fabric and service doors to remain shut except for access.
- 6.25 The Councils Environmental Health Department have been consulted and note that the daytime noise levels from the site will be similar to the existing background noise levels, albeit noting that the character of any noise events would be different and potentially readily discernible. The Environmental Health officer has requested that building 2 be re-located to better act as a noise barrier however this has not been forthcoming. Notwithstanding this, the Environmental Health officer has recommended conditions that align with the submission and applicant's noise assessment and these are attached to this recommendation. These include restricting hours of operation and outside activities.
- 6.26 Subject to these conditions the development would not result in harm to the amenities of adjacent occupiers, in accordance with policies 32 and 33 of the HDPF.

Highways

- 6.27 The application proposes to close the existing site access and open a new access further to the south. Alongside this, an extension to the existing right-hand turning lane that serves Henfield Business Park is proposed, as are short sections of footway providing pedestrian access to the two bus stops found both north of the site and opposite it. A pedestrian refuge is also proposed on Shoreham Road north of the Henfield Business Park access, as are associated refuge areas (widened sections of hardstanding) for both bus stops.
- 6.28 WSCC Highways have been consulted and have advised following a site inspection that the proposed access dimensions, right-hand turning lane and central refuge can operate appropriately and therefore can be supported. This is following WSCC Highways officers agreeing appropriate departures from standard with the applicant on the extension of the right-hand lane and the installation of the refuge, and the submission of a Stage 1 Road Safety Audit. Furthermore, no concerns have been raised over the trip generation of the proposal having an adverse impact on the operation or safety of the public highway, with the applicant's transport assessment calculating 149 trips per-day with 19 in both the AM and PM peak respectively, a daily increase of 43 trips compared to the existing uses.
- 6.29 In respect of parking, a total of 39 car parking spaces are required to meet WSCC Highways Parking Standards, (this includes 18 spaces for the proposed B1 (Business) use, 13 spaces for the proposed B2 (General Industrial) use and 8 spaces for the proposed B8 (Storage) use. It is noted that 50 spaces are proposed which is 11 spaces over-provision. With regard to lorry parking, it is also noted that the applicant is seeking to provide a total of 16 lorry spaces comprising 10 spaces for the applicant's existing lorries plus 2 additional spaces to cater for potential future growth, and a further 4 lorry spaces to be provided for the eastern unit.
- 6.30 Electric vehicle (EV) parking is also proposed totalling 10 spaces which is less than the 14 spaces (28%) as required to accord with WSCC Parking Guidance. Appropriate EV parking for 14 spaces can be secured through the imposition of an appropriate condition. Additionally 12 secure and covered cycle spaces are proposed (found to south of Building 2). *Travel Plan* - a Travel Plan Statement is also provided to promote and encourage sustainable travel for occupiers. A travel plan is required for the development and an appropriate condition has been imposed to secure the details. No concerns are raised with the level and quality of on-site parking being proposed.
- 6.31 The principal matter of concern has been whether it is possible to achieve the necessary visibility splays to the new access given that small parts of the southern splay passes over two areas of third party land, one of which is unregistered land of unknown ownership that falls outside of the accepted public highway. These are shown as green and yellow wedge on the applicant's plans. Appropriate notices of the Application have been served and displayed in relation to this land but have elicited nothing by way of response.
- 6.32 The applicant, WSCC Highways officers and HDC planning officers have been in detailed discussion to resolve this matter. WSCC officers have confirmed that they cannot use their powers under Section 228 of the Highways Act 1980 to adopt the unregistered land as it does not form part of a private street.
- 6.33 WSCC Highways officers and the applicant have agreed that in the event ownership cannot be proved, then as part of any submission for highway works an appropriate Defective Title Indemnity Policy would have to be provided, indemnifying the County Council from third party claims in the event that someone does claim rights in the future. The Applicant has confirmed and shown sight of a secured Indemnity Policy in accordance with the advice given by WSCC Highways department in order to satisfy this requirement.

- 6.34 In respect of the second small area of third party land, this falls under the ownership of the Sweeptech Environmental Services Ltd site adjacent and currently appears to be largely laid to grass. Whilst the applicant and Sweeptech have been in discussions, they have yet to reach agreement on this land to enable it to form part of the visibility splay. This will ultimately be dealt with through Section 38 element of any eventual Highway Agreement (the works within the existing highway being covered by the Section 278 element of the Agreement) however the onus is upon the developer to obtain the landowner's agreement to dedicate or transfer the land accordingly.
- 6.35 The visibility splays shown on the plans represents the absolute minimum dimensions based on speed survey data and design advice therefore it is paramount that the splays are properly provided and maintained as such. In this case, the applicant, WSCC Highways officers and your Officers have agreed that a 'Grampian Condition' could be used to ensure that the highway works are secured prior to the development commencing. If such a condition were to be imposed, there could be no other development under the permission permitted unless and until such works were completed.
- 6.36 Government guidance on the use of conditions on land not under the control of the applicant suggests that a "Grampian condition may be used i.e. prohibiting development authorized by the planning permission or other aspects linked to the planning permission (e.g. occupation of premises or commencement of development) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission." In this instance all parties agree that there is suitable prospect of the third party land being resolved to allow development to take place therefore an appropriate Grampian condition (condition 4) is included in the recommendation below.
- 6.37 On this basis the application is considered compliant with Policies 40 and 41 of the HDPF and Policy 4 of the Draft Henfield Neighbourhood Plan.

Ecology:

- 6.38 The Councils Ecology Consultants have been consulted and they have advised that having reviewed the Preliminary Ecological Appraisal (CT Ecology, June 2019), the Reptile and Bat Survey Report (CT Ecology, August 2019) and the Bat Roost Characterisation Survey Report (CT Ecology, September 2019) as well as the lighting documents (MCA, 2019), they consider the ecological information to be sufficient to assess impacts on protected and Priority species and habitats. This provides certainty of likely impacts on protected and Priority species and habitats, with appropriate mitigation measures secured through the imposition of appropriate conditions, the development can be made acceptable. It is advised that reasonable biodiversity enhancements should also be secured by a condition on any consent to deliver measurable net gain.
- 6.39 In terms of biodiversity net gain, the enhancements including the following measures proposed will contribute to this aim.
- Biodiverse Planting: new tree and hedgerow planting to the eastern boundary of the site
 - Bird Boxes: Additional bird nesting provision could be incorporated into new design proposals. These could be external bird boxes installed on mature boundary trees.
 - Bat Boxes: Bat roosting opportunities could be provided through the incorporation of bat boxes into the new buildings or on suitable mature boundary trees around the site.
 - Post Development Lighting: Subject to the imposition of conditions to secure the above, there are no objections raised.
 - It is recommended that an update habitat survey is undertaken if more than 12 months have elapsed between the survey and the point at which any development decisions have been made at the site.

In this respect, the development proposals is considered to accord with Policy 31 of the HDPF.

Climate Change:

- 6.40 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- Dedicated refuse and recycling storage capacity
 - Cycle storage
 - Biodiversity mitigation and opportunities for biodiversity gain
 - At least 20% of the most effective roof areas to be equipped with PV solar panels
 - 28% of car parking spaces to be equipped with charging points for EV's
 - Captured roof run off water ('Grey' water) to be employed for W.C flushing functions across the site.
 - Surface water attenuation to be employed to return as much groundwater into the hydrological cycle as is practical
 - Real time environmental monitoring reducing waste through intelligent environmental controls
 - Suppliers and contractors as well as going through standard commercial tendering processes will have their merits judged have following criteria -
 - i) Evidence that their plant, machinery and processes meet or exceed the latest environmental standards
 - ii) Evidence that their staff well trained, well-motivated and it can demonstrated that they employ sustainable methodology whilst carrying out their duties.
 - iii) Consideration will be given to the potential carbon footprint for attending staff and material/equipment deliveries
- 6.41 In addition to these measures conditions are attached to secure the following:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Refuse and recycling storage
 - Biodiversity mitigation and enhancement
 - Cycle parking facilities
 - 14 Electric vehicle charging points
 - Travel plan

- 6.42 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Air Quality

- 6.43 The site lies outside of any identified Air Quality Management Areas, and as part of the EIA screening opinion it was concluded that there are no areas of the site where quality standards such as AQMA's have been exceeded and that there are no significant and or residual environmental impact anticipated as a result of the proposed development.

Contamination

- 6.44 A Ground Contamination Risk Assessment Report (Ashdown Site Investigation Ltd REF R13829) dated the 8th November 2019 was submitted with the application details (to read in conjunction with the Preliminary Ground Contamination Risk Assessment Report previously

prepared for the site by Ashdown Site Investigation Ltd dated 31st July 2019). An appropriate condition has been imposed in respect of any unexpected contamination found during construction phase.

Drainage

- 6.45 A Flood Risk Assessment has been prepared by GTA Civils and Transport dated August 2019 and has been submitted with the application. It is advised that the surface water drainage will be dealt with by cellular attenuation tanks placed under the ground which will release controlled flows to the existing drain in the south west corner of the site. Grey water harvesting tanks (one for each of the two buildings) will remove water as close to source as possible. The water will be used primarily for WC flushing and reduce the demand for potable water. Foul drainage will be dealt with by an onsite sewage treatment plant, indicative details have been provided which show a Clearwater sewage treatment system which uses an aerobic biological process for the treatment of sewerage produced by the site. A condition has been imposed to secure this as part of a satisfactory foul and surface water drainage scheme.

Conclusions and Planning Balance

- 6.46 The proposed development falls within the countryside on a site not allocated within the HDPF or in a 'made' Neighbourhood Plan, and does not constitute employment development compliant with policies 7 and 10 of the HDPF. Notwithstanding this conflict with the established development plan for the district, the site is allocated for employment development within the draft Henfield Neighbourhood Plan which has passed successfully through examination. This allocation carries significant weight in the determination of this application. The proposal would also enable an existing employer in the area to relocate to new premises, and would include new employment floorspace suitable for use by smaller start-up businesses. This carries further weight in favour of development.
- 6.47 Subject to conditions the proposal in all other respects accords with the requirements of Policy 3.1.5 of the draft Henfield Neighbourhood Plan and all other relevant policies of the HDPF. Whilst there have been issues in establishing whether a complaint visibility splay can be provided for the new site access, it is agreed between parties that this can be suitably controlled by way of a Grampian condition that will restrict development commencing until the necessary splays are provided. On this basis the proposal is recommended for approval as a departure from the development plan.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

All Other Development	1830	1830
	Total Gain	1416.44
	Total Demolition	413.56

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

7. RECOMMENDATIONS

7.1 To approve Planning Permission subject to the following conditions:

Conditions:

1. PLANS LIST

2. **Regulatory (Time) Condition:** 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. **Pre-Commencement Condition:** The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:

- i. Detailed site logistics arrangements, including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), and storage of plant and materials (including any stripped topsoil)
- ii. Details regarding parking or site operatives and visitors, deliveries, and storage;
- iii. The method of access to and from the construction site
- iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination
- v. Locations and details for the provision of wheel washing facilities and dust suppression facilities

The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** No development shall commence until such time as the vehicular access including visibility splays of 2.4 metres by 125m (leading traffic direction – looking south from the access) and 130m (trailing traffic direction – looking north from the access) and all other associated highways works serving the development have been constructed in accordance with the details shown on the drawing titled 'Proposed Right Turn Lane' and numbered 10457/101 Revision N. Once provided, the visibility splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policies 40 and 41 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** No development shall commence pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing (un-numbered) within the Arboricultural Impact Assessment (Brindle and Green dated 17 January 2019 report ref: BG18.200), as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works 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.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement Condition:** 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) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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).

- 8 **Pre-commencement Condition:** The following works to demolish Building 7 shall not in in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 authorizing the specified activity/development to go ahead; or

- b) a method statement supplied by an individual registered to use a Low Impact Class Licence for Bats; or
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

- 9 **Pre Commencement Condition:** No development shall commence until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 10 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (CT Ecology, June 2019), the Reptile and Bat Survey Report (CT Ecology, August 2019) and the Bat Roost Characterisation Survey Report (CT Ecology, September 2019), has been submitted to and approved in writing by the local planning authority.
The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

12. **Pre-Occupation Condition:** Prior to the first occupation of any building within the development hereby permitted, provision for 14 charging of electric vehicles by way of fast charging points shall have been installed in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document and shall include a plan of all charging points, their specification and means for their long term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- Details of all existing trees and planting to be retained
 - Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - Details of all hard surfacing materials and finishes
 - Details of the management of the landscaping within the site
 - Boundary treatment (including a timber 'armor' knee rail to the southern boundary)

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

The approved external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and to protect neighbouring amenity in accordance with Policies 31 and 33 of the HDPF.

14. **Pre-Occupation Condition:** Prior to the first occupation of the development, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to each premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policies 10 and 37 of the Horsham District Planning Framework (2015).

15. **Pre-Occupation Condition:** No part of the development shall be occupied until such time as the existing vehicular access onto Shoreham Road has been physically closed to vehicular traffic in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** No part of the development shall be occupied until the road(s), footways, parking and turning areas serving the development have been constructed, surfaced, and drained in accordance with the approved details as shown on plan 19039 2.01 rev M and shall be thereafter retained as such

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

- 16 **Pre-Occupation Condition:** No building hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 19039 2.01 rev M. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 18 **Pre-Occupation Condition:** Prior to the first occupation (or use) of any part of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

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

- 19 **Pre-Occupation Condition:** No building hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that building (or use) in accordance with the Site Waste Management Plan (un-numbered) submitted with the application details dated 21st August 2019. These facilities shall thereafter be retained for use at all times.

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

- 20 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (CT Ecology, June 2019), the Reptile and Bat Survey Report (CT Ecology, August 2019) and the Bat Roost Characterisation Survey Report (CT Ecology, September 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. No other external lighting shall be installed without prior consent from the local planning authority. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework.

- 21 **Regulatory Condition:** 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 22 **Regulatory Condition:** The premises shall not be open for trade or business except between the hours of 07:00 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 **Regulatory Condition:** No activities other than arrival or departure of vehicles associated with the B2 use shall take place between 06:00-0700 and between 18:00-20:00 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 adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 24 **Regulatory Condition:** Doors to all units to be kept closed except for when access for people and vehicles is required and vehicle reversing alarms not to be used unless they are broadband (beep or white noise sound).
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 25 **Regulatory Condition:** No externally located plant to be installed or operated other than with the permission of the Local Planning Authority by way of formal application.
- Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).
- 26 **Regulatory Condition:** No industrial activities other than loading or unloading shall be undertaken in the open air and no externally located storage of any materials or waste is permitted except as shown on the submitted plans at any time.
- Reason: To safeguard the amenities of neighbouring properties in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).
- 27 **Regulatory Condition:** 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), Building 1 shall only be used for uses falling within Classes B1(a), B1(c), B2 and B8 and for no other purposes, and Building 2 shall only be used for uses falling within Classes B1(a), and B8 and for no other purposes (including those 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) 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 due to the unknown and potentially harmful impacts on local amenity under Policy 33 of the Horsham District Planning Framework (2015).

28 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

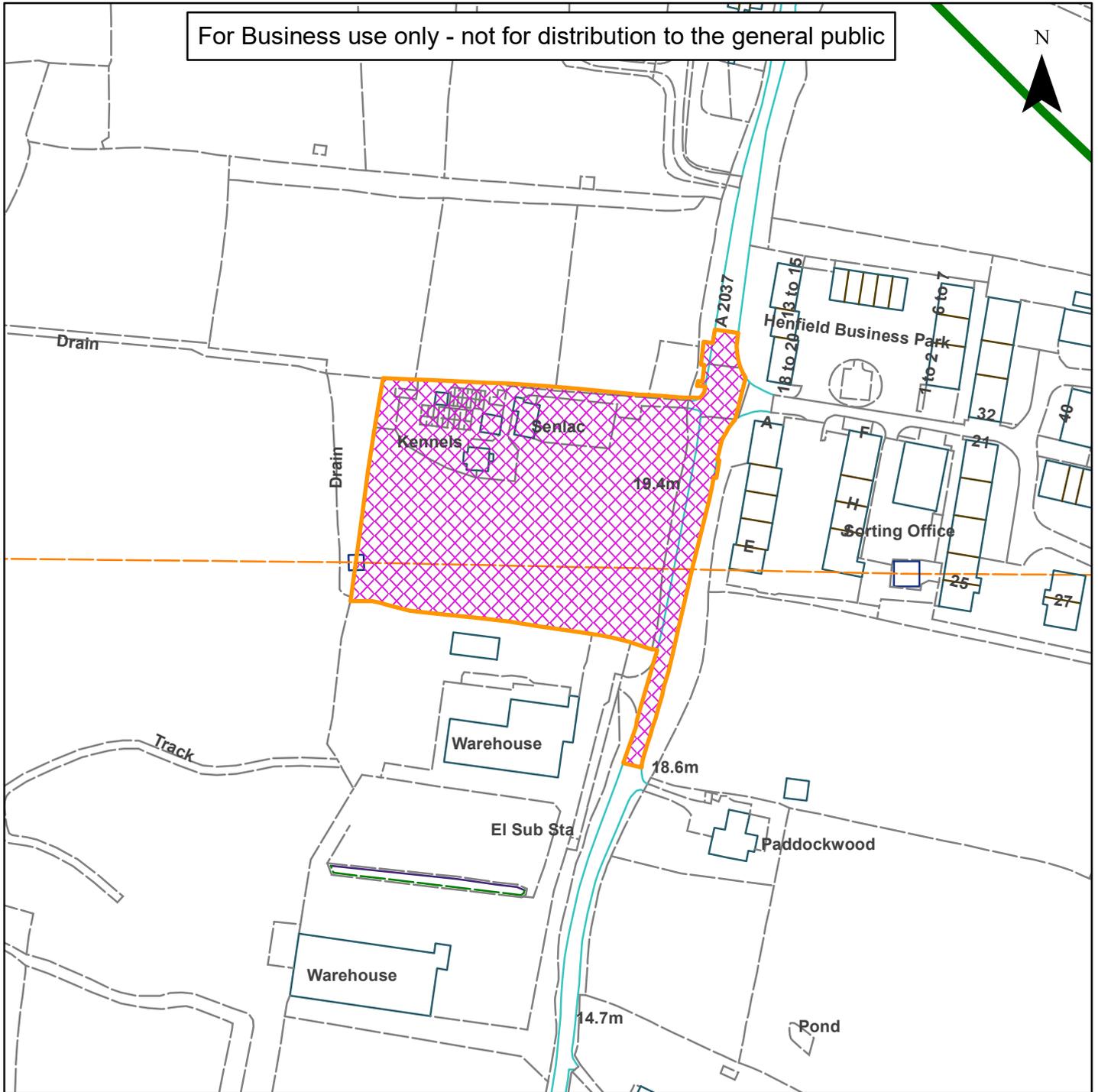
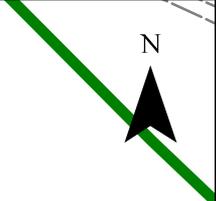
Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/20/0049



Senlac, Shoreham Road, Henfield

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Organisation	Horsham District Council
Department	
Comments	
Date	07/10/2020
MSA Number	100023865

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**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 20 October 2020

DEVELOPMENT: Erection of a two storey side extension and a single storey rear extension. Alterations to existing parking layout.

SITE: Mill Stream Veterinary Group North Street Storrington RH20 4DH

WARD: Storrington and Washington

APPLICATION: DC/20/1357

APPLICANT: **Name:** Horsham District Council **Address:** Parkside Chartway Horsham RH20 1RL

REASON FOR INCLUSION ON THE AGENDA: Horsham District Council is the Applicant

RECOMMENDATION: To grant planning permission subject to 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 a part-single part-two storey extension to the northern side of the building, and alterations to existing parking layout.
- 1.2 The proposed extensions would incorporate a combined floor area of 148 square metres, and comprise rooms for a CT scanner with control room, dentistry room, isolation room, plant room, storage room, ultra-sound room, theatre, hydro and physio suites. At first floor level, the extension is for additional ancillary office accommodation.
- 1.3 The two storey extension would incorporate a gable matching the form of the existing whilst the single-storey extension to the western rear elevation of the building would incorporate a dummy pitched roof. The proposed extensions would incorporate brick elevations, roof tiles and fenestration, all to match the existing building.
- 1.4 The proposals include the reconfiguration of the car park to provide an additional 2 staff customer parking spaces at the expense of 3 customer bays, a net loss of 1 parking space across the site from 19 to 18 spaces.
- 1.5 During the consideration of this application amended plans have been received to show the retention of the existing planting along the western boundary of the site and the installation of one electric vehicle charging point adjacent to the staff parking bays.

DESCRIPTION OF THE SITE

- 1.6 The application site comprises a modern two storey building which is currently occupied by a veterinary clinic with the adjacent car park to the east of the building. The building is brick with a barn style clay tiled roof.
- 1.7 The site is located within the built up area boundary and is situated at the north end of the Storrington Library Car Park (North Street) which comprises a total of 171 spaces, eight of which are disabled spaces. The car parking area is split into two distinct sections. The first, and major part of the Car Park, lies between the Storrington Chapel and Storrington Library buildings. The secondary parking area lies between the Library to the south and the Veterinary Surgery to the north. This secondary car parking area has a total of 29 parking spaces.
- 1.8 To the north and east of the site lies an area of dense trees. To the west, lies Ryecroft Lane which has two storey residential development on its western side. The Storrington Conservation Area is located approximately 25 metres to the south-east of the site and 50 metres to the south-west of the site.
- 1.9 The application building is owned by Horsham District Council and is approximately 30 years old. It was originally designed for use as a medical practice. Planning permission (DC/17/1066) was granted in 2017 for the change of use from Class D1 medical centre to a veterinary surgery.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
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 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

Storrington, Sullington & Washington Neighbourhood Plan (2019):

Policy 1: A Spatial Plan for the Parishes
Policy 14: Design
Policy 15: Green Infrastructure & Biodiversity

Policy 17: Traffic & Transport
Policy 18: Car Parking

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/17/2091	Removal of existing canopy, removal of 1x ground floor window to north elevation, removal of glazed screens to south elevation and replace with brickwork, internally infill 3x ground floor windows to south elevation and 2x ground floor windows to west elevation and installation of new glazed entrance.	Application 10.11.2017	Approved	on
DC/17/1066	Proposed change of use from D1 medical centre to veterinary surgery	Application 21.07.2017	Approved	on

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

3.2 INTERNAL CONSULTATIONS

HDC Environmental Health: No Objection.

Conditions recommended relating to control of construction activities and which require Council approval for any new mechanical ventilation, air conditioning systems, security lighting or illuminated signage.

3.3 OUTSIDE AGENCIES

WSCC Highways: No Objection.

The LHA does not anticipate that this proposal would give rise to a significant material intensification of movements to the site or cause any highway safety concerns.

One car parking space will be lost as a result of this development, from 19 spaces to 18. The parking provision will be split evenly, with nine spaces for staff and nine spaces for visitors. The LHA anticipates that the proposed parking provision will be sufficient for the anticipated needs of the site. There is a large public car park adjacent to the site available for use if required.

The LHA notes that four of the staff car parking spaces will be arranged in tandem. Therefore, some shifting/moving of cars may be required in order for them to exit the site. From inspection of the plans, there is sufficient space for vehicles to turn and exit in a forward gear.

Storrington & Sullington Parish Council: No Objection.

The Parish Council agree that there's no obvious need for charging points for clients' cars but would suggest that there is for staff, subject to guidance.

There is no mention in the supporting documents of the vehicular right of way through the parking area.

3.4 PUBLIC CONSULTATIONS

Two letters of neutral representation have been received from the occupiers of 7 and 9 Ryecroft Lane. Comments made by these occupiers request that no cutting of the trees in

the adjacent allotments or on the vet site are cut down, including the hedge between Ryecroft Lane and the Mill Stream Veterinary hospital.

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

Principle

- 6.1 The application site is located within the built up area of Storrington, which is classed under Policy 3 of the Horsham District Planning Framework (2015) as a 'larger village', which are characterised by a good range of services and facilities and strong community networks, together with reasonable access to public transport. The development would support the expansion of the existing veterinary surgery facility located within the building. The proposed development is considered appropriate to the scale and function of the settlement, with the proposal therefore considered acceptable in principle subject to detailed considerations as set out below.

Design & Appearance

- 6.2 Policies 32 and 33 of the HDPF state that development should be of a scale, massing and appearance that is of a high standard of design and layout, which relates sympathetically to the built surroundings, landscape, and open spaces of the surroundings. Proposals should complement locally distinctive characters and heritage of the District, and should contribute to a sense of place in the buildings themselves and in the way they integrate within their surroundings and historic landscape to which they sit. Development should reinforce the special character of the historic environment through appropriate siting, scale, form and design, and should preserve and ensure clear legibility of locally distinctive vernacular.
- 6.3 Policy 14 of the Storrington, Sullington & Washington Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.
- 6.4 The proposed extensions would extend to the northern side and western rear elevations of the building in an area of existing hardstanding which currently provides five staff parking spaces. The proposed extensions are considered to be sited in an appropriate location at the northern end of the building and are of a scale, form and material finish that would appropriately relate to the overall design and appearance of the building in accordance with policy 14 of the Neighbourhood Plan and policies 32 and 33 of the HDPF. No visual harm is identified in respect of the re-configured car park.

Impact on Neighbouring Amenity

- 6.5 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.6 The residential properties that would be most affected by the proposed extensions are located to the west of the site and comprise 7 and 9 Ryecroft Lane. The proposed single storey extension would be located 15 metres from the dwelling comprising 9 Ryecroft Lane and 3.9 metres from the rear garden serving this neighbouring property. The proposed single storey extension would be located 10.5 metres from the dwelling comprising 7 Ryecroft Lane and 3.8 metres from the rear garden serving this neighbouring property. No windows are proposed within the western rear elevation of the proposed single storey extension. The proposed single storey extension would therefore cause no loss of privacy to the neighbouring properties to the west of the application site.
- 6.7 Within the letters of representation received from the occupiers of 7 and 9 Ryecroft Lane, requests were made regarding the retention of the hedge planting along the western boundary. Whilst it is noted that the proposed single storey extension would not include any westerly facing windows, the retention of the planting in conjunction with the proposed development is considered important to maintain privacy between the external area to the west of the veterinary clinic and the neighbouring properties to the west. During the consideration of this application an amended site layout has been submitted which shows that the existing hedge planting along the westerly boundary of the application site would be retained. A condition will be included which requires the retention of the hedge along the western boundary in conjunction with the submitted plan.
- 6.8 The proposed two storey extension would be further distanced from the neighbouring properties in comparison to the single storey extension, with a distance of 13 metres between the three first floor windows in the western elevation of the proposed extension at the closest point. These would be similarly distanced to the neighbouring gardens and properties to the west as the existing first floor windows in the western elevation of the existing building. The proposed two storey extension would therefore not result in any further overlooking between the veterinary site and the residential properties to the west.

Noise

- 6.9 At ground floor level the proposed extensions would predominantly include additional facilities for the examination and treatment of animals (CT room, dentistry room, ultra-sound room, hydrotherapy room and surgical theatre) and storage facilities. There would be an isolation room located in the north-west corner of the ground floor extension which would incorporate a floor area of six square metres. The position of the kennels within the building remains unchanged in the south-west corner of the building. Officers have asked for further information in relation to the intended use of the isolation room. The Agent has advised this room would be for storage of single animals that need to be isolated from other animals otherwise stored in the kennels. It has also been confirmed that the hospital is nursed 24 hours a day in order to care for the animals and reduce any distress to them.
- 6.10 The isolation room would be distanced 15 metres from the nearest neighbouring property, 9 Ryecroft Lane and would not incorporate any windows. Given the lack of window openings, the limited size of the isolation room and the supervised nature of the veterinary clinic, it is considered that the proposal would not cause any harmful increase in noise that would disturb the neighbouring residential properties located to the west.

Access & Parking

- 6.11 Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
- 6.12 Policy 17 of the Storrington, Sullington & Washington Neighbourhood Plan states that development proposals will be supported provided they can demonstrate that their residual traffic impacts on the local road network are not severe. Policy 18 of the Neighbourhood Plan states that development proposals that will result in the net loss of public car parking facilities in Storrington village centre will be resisted. Proposals that will result in additional public car parking facilities to support the village centre will be supported.
- 6.13 The site is accessed through an existing public car park, with an established access situated on North Street. There would be no changes to the existing access arrangements and there are not considered to be any apparent visibility issues at the access onto the maintained highway network. The County Council Highways Authority does not anticipate that this proposal would give rise to a significant material intensification of movements to or from the site.
- 6.14 Whilst it is acknowledged that the proposal would result in the reduction of parking spaces by one space, it is noted that the Highways Authority anticipates that the proposed parking provision would still be sufficient for the anticipated needs and use of the site. The use of tandem spaces for staff is considered to be acceptable given this can be managed by the practice. There is also a large public car park adjacent to the site available for use if required. It is not anticipated that the reduction of parking spaces by one space would have any harmful impact on the available parking provision in the area.
- 6.15 The Highways Authority have also confirmed that there is sufficient space for vehicles to turn and exit in a forward gear from the new parking spaces. The proposal would therefore provide safe and adequate access and parking in accordance with Policy 41 of the Horsham District Planning Framework (2015).

Trees & Planting

- 6.16 Policy 33 of the HDPF states that development should relate sympathetically with the built surroundings and landscape, and should presume in favour of the retention of existing important landscape and nature features, and use high standards of landscaping where appropriate.
- 6.17 In order to construct the proposed extensions, it is likely that some of the branches of the trees to the north which overhang the car parking areas within the site would require cutting back. The trees to the north of the site are not covered by a Tree Preservation Order and are not within a Conservation Area. The Council's Arboricultural Officer has raised no objection to the cutting back of these trees to accommodate the construction of the proposed extensions. The existing planted borders to the front of the building are shown on the submitted plans and would appear to be maintained. The proposal would therefore maintain the existing natural features in accordance with policy 33 of the HDPF.

Climate Change

- 6.18 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

- 6.19 The Parish Council have commented that there is no obvious need for electric vehicle charging points for customer parking but suggests that there could be a requirement for electric vehicle charging for staff parking. Amended plans have been submitted which show an electric vehicle charging point adjacent to staff parking spaces 4 and 5. The Applicant has confirmed that the Council would provide ducting for the tenants to install the electric vehicle charging point, so that the building is future proofed.
- 6.20 The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:
- Retention of green infrastructure to manage flood risk
 - Dedicated refuse and recycling storage capacity
 - Facilities for one electric vehicle charging point

The development would therefore provide suitable provisions to reduce the impact of the development on climate change in accordance with local and national policy.

Conclusion

- 6.21 The proposed development would support the expansion of the existing veterinary surgery facility located within the built up area of Storrington. The proposed extensions are considered to be appropriate in terms of their scale, design and appearance with the existing building and the surrounding area. The proposal would not cause any adverse impacts to neighbouring properties and adequate parking provision would be provided in conjunction with the development. The proposal would therefore accord with the requirements of the relevant policies within the NPPF, Horsham District Planning Framework and the Storrington, Sullington & Washington Neighbourhood Plan.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development. At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
	535	387	148
	Total Gain		
	Total Demolition		0

Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

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

7. RECOMMENDATIONS

Conditions:

1. Approved List of Plans
2. **Regulatory (Time) Condition:** 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. **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
 - ii. provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles
 - iii. the provision of wheel washing facilities (if necessary) and dust suppression facilities
 - iv. a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - v. delivery, demolition and construction working hours.

The approved details shall be adhered to throughout the construction period.

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

4. **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, the car parking spaces shall have been constructed in accordance with the approved details as shown on plan 1597/19/P/01/C and shall be thereafter retained as such.

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

5. **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, details of all hard surfacing works shall have been completed in accordance with details that have been submitted to and approved, in writing, by the Local Planning Authority. The hard surfacing shall be retained as such thereafter.

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).

6. **Pre-Occupation Condition:** Prior to the first use of any part of the development hereby permitted, the ducting and electricity to serve an electric vehicle charging point shall be installed in accordance with details shown on plan 1597/19/P/01/C and shall be thereafter retained as such.

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

7. **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

8. **Regulatory Condition:** 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 extensions hereby permitted shall be used for a veterinary surgery, and associated ancillary uses, and for no other purposes whatsoever, (including those falling within Class D1 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) 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 due to the potential transport and amenity impacts under Policy 33 of the Horsham District.

9. **Regulatory Condition:** The planting along the western boundary of the site shall be retained at all times in conjunction with the development hereby permitted.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10. **Regulatory Condition:** No external plant for mechanical ventilation or air conditioning systems shall be installed without prior consent from the Local Planning Authority by way of formal application.

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

11. **Regulatory Condition:** No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

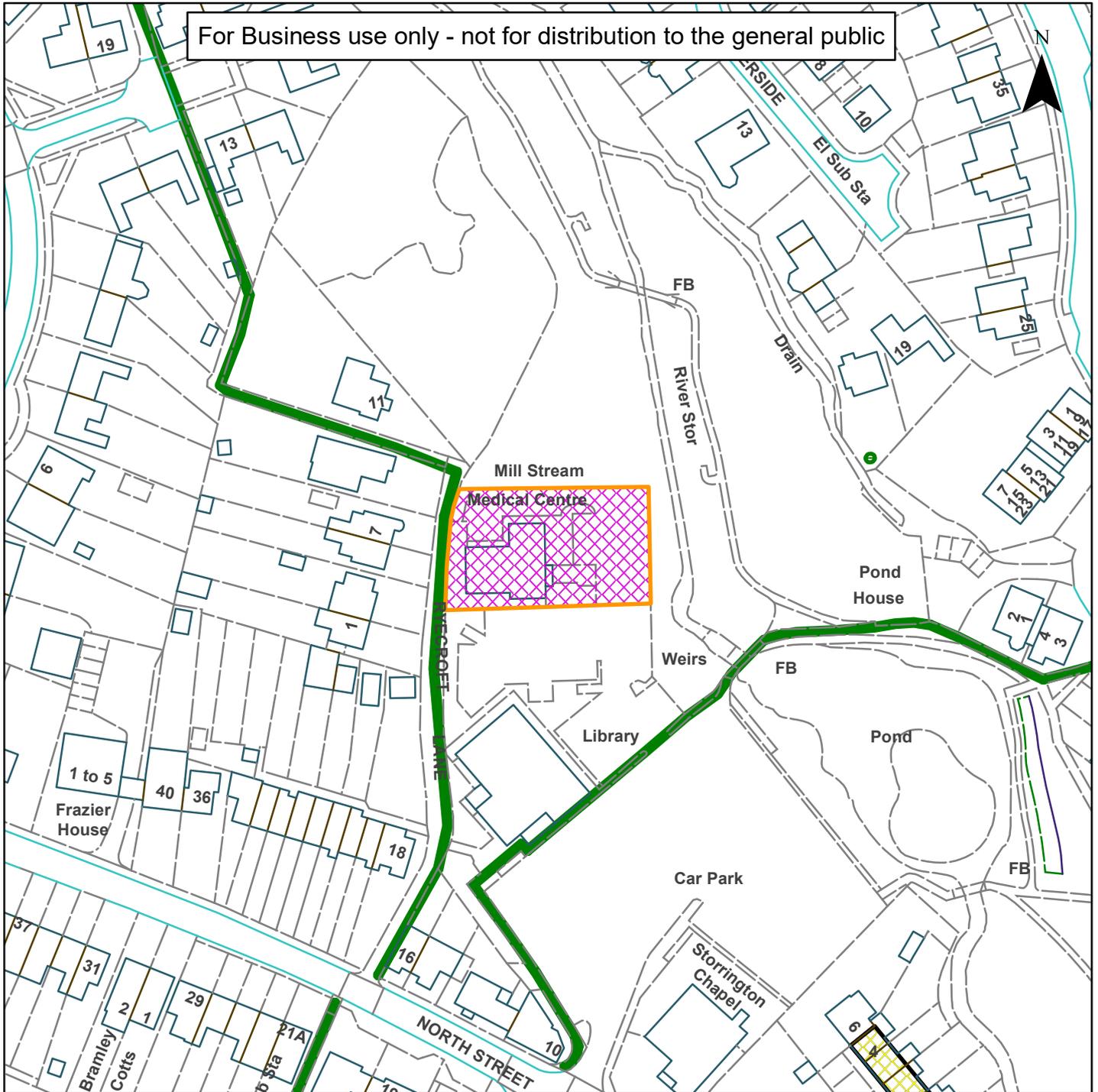
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Mill Stream Veterinary Group, North Street, Storrington

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Scale: 1:1,250

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Organisation	Horsham District Council
Department	
Comments	
Date	07/10/2020
SA Number	100023865

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