



**TO:** Planning Committee

**BY:** Head of Development and Building Control

**DATE:** 8<sup>th</sup> June 2021

**DEVELOPMENT:** Change of use from mixed use light-industrial / storage to micro-brewery with an ancillary brewery shop and tap room/tasting area (Class B2).

**SITE:** Unit 3 Blatchford Close Horsham West Sussex RH13 5RG

**WARD:** Roffey South

**APPLICATION:** DC/21/0426

**APPLICANT:** **Name:** Mr Rohan Hill **Address:** 23 The Gables Wimblehurst Road  
Horsham West Sussex RH12 2EE United Kingdom

**REASON FOR INCLUSION ON THE AGENDA:** This site is owned by Horsham District 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 This application seeks planning permission to change the use of the unit from mixed use light- industrial and storage to a micro-brewery with an ancillary shop and tap room/ tasting area (Use class B2). The application proposes no external changes to the unit and has two designated parking spaces and communal parking.
- 1.2 The proposed brewery will produce both cask and bottled real ale for distribution both locally and further afield. An ancillary tap room/ tasting area is included in the proposal allowing onsite sales of beers to consume off-site and sampling of the products rather than to form a drinking establishment. The brewery would employ two people and the opening hours for the tap room/ tasting area are proposed to be limited to Thursday and Friday 5pm-9pm and Saturdays 10am-5pm.

### DESCRIPTION OF THE SITE

- 1.2 The site is situated within the Built Up Area of Horsham and is located towards the end of the Blatchford Way cul-de-sac. It forms one unit in a parade of small industrial 'start up' units owned by Horsham District Council with associated car parking located in front of the units. The surrounding units are occupied by a variety of businesses including electrical contractors, IT Services, Sign Makers, bathroom fitters, The Cake Tasting Club and Bangers Galore.

## 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 3 - Strategic Policy: Development Hierarchy

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 33 - Development Principles

Policy 41 - Parking

Policy 41 - Community Facilities, Leisure and Recreation

#### **HORSHAM BLUEPRINT BUSINESS NEIGHBOURHOOD PLAN**

This plan has now been examined and will be taken to Referendum as soon as possible.

Policy HB9: Protecting Existing and encouraging new commercial premises and land

#### **PLANNING HISTORY AND RELEVANT APPLICATIONS**

HU/258/63	Ten additional workshop/ factories	on 10.09.1963
HU/46/80	9 Industrial Units	On 19.02.1981

## 3. OUTCOME OF CONSULTATIONS

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

### INTERNAL CONSULTATIONS

#### **HDC Environmental Health: No Objection**

Due to the nature of the area this Department have no adverse comments to make regarding this application.

### OUTSIDE AGENCIES

#### **WSCC Highways: No Objection**

The proposal is for a small scale Micro-brewery development within and existing industrial unit development. The brewery is intending to employ 2 people and will include on-site sales and a tasting area (as opposed to a drinking establishment). No external changes are proposed and the existing access to the industrial area from the public highway is acceptable. A total of 2 parking spaces are available for the units use which is acceptable for the day to day operation but additional parking demand may be required for the tastings/sales. Given there is additional parking in the area which is likely to be available outside normal working hours the level of parking available is acceptable.

The Local Highway Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

#### **PUBLIC CONSULTATIONS**

Forest Neighbourhood Council: No Objection

#### **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 Policy 9 of the Horsham District Planning Framework seeks to ensure that there is flexibility in accommodating business needs in terms of commercial floorspace and allows for the development of small businesses which play an increasingly important part in creating a sustainable local economy. The provision of small, start up and move-on business units is supported to enable businesses to meet their full potential.
- 6.2 The unit is located within a defined 'Key Employment Area' of Blatchford Road where a range of employment uses- industrial and commercial occupy the small units under lease from Horsham DC. This Employment Area is proposed to continue to be defined as such in the Emerging new Local Plan where draft Policy 7 will seek to protect these units for B1, B2 and B8 uses in the first instance.
- 6.3 The proposed use is considered acceptable and compatible with other employment uses in the parade of units and the principle of a B2 use in this unit is considered to be acceptable.

##### **IMPACT ON NEIGHBOURING AMENITY**

- 6.4 Policy 33 of the HDPF states that development should, amongst other things, respect amenities of neighbouring properties and the locality.
- 6.5 The application proposes the main use of the unit to be a micro-brewery with a small tasting and tap area to the front of the unit
- 6.6 The proposed use and related operating hours, taking into account the location of the site and size of the premises, is not considered to result in a level of activity that would result in any significant or appreciable harm to neighbouring amenity, particularly with regards noise and disturbance to local residents. The application site is within a predominately commercial area of Horsham with the nearest residential properties lying around 60 metres away behind the West Sussex Strawford Day Centre to the west of the site. It is considered that due to the nature of the proposed use, appropriate conditions are applied to any grant of permission

to include the use of the premises not as a drinking establishment and the associated operating hours.

- 6.7 It is noted that the business will need to apply for a Premises Licence for the sale of alcohol. Licensing Conditions will be applied to the Licence to ensure the unit is a brewery and not a drinking establishment. It is common for micro- brewers to have facilities for tasting and this is often done through applying for Temporary Events Notices in consultation with Environmental Health and Licencing at the Council. It is noted that any future complaints could be investigated under separate Environmental Health legislation if necessary.

### **HIGHWAYS IMPACT**

- 6.8 Policies 40 and 41 of the Horsham District Planning Framework state that development should provide a safe and adequate access, suitable for all users.
- 6.9 The brewery is intending to employ 2 people and will include on-site sales and a tasting area (as opposed to a drinking establishment). No external changes are proposed and the existing access to the industrial area from the public highway is acceptable. A total of 2 parking spaces are available for the units use which is acceptable for the day to day operation but additional parking demand may be required for the tastings/sales. Given there is additional parking in the area which is likely to be available outside normal working hours the level of parking available is acceptable.

### **CONCLUSION**

- 6.10 The proposal would introduce a new sustainable employment use into a small industrial unit in the District that will compliment the existing uses within the defined Employment Area. The B2 use with ancillary tasting/ tap area is not considered to give rise to any neighbouring amenity concerns and does not raise any concerns relating to highways safety or car parking provision. For the reasons outlined the proposal is considered to accord with Policies 7, 9 and 33 of the HDPF.

## **7. RECOMMENDATIONS**

- 7.1 That the application is approved subject to the following conditions:

### Conditions:

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

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

- 3 **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 premises hereby approved shall be used only for a 'micro-brewery with an ancillary brewery shop and tap room/tasting area' or for purposes within Use Class B2- General Industrial (as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)) and for no other purpose 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 constraints of the site and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The premises shall not be used for purposes relating to a tasting/ tap area except between the hours of 17:00 and 21:00 Monday to Friday and 10:00 and 17:00 on Saturdays and at no time on Sundays or Public and Bank Holidays.

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

- 5 **Regulatory Condition:** No vehicles, plant or machinery shall be operated, no process or maintenance activities carried out and no deliveries taken or dispatched from the site outside the following times:-

0800 hours and 1800 hours on Mondays to Fridays  
0800 hours and 1300 hours Saturdays inclusive,  
No working on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policy 33 of the Horsham District Planning Framework (2015)

Background Papers: