



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Development Manager

DATE: 7 February 2017

DEVELOPMENT: Partial redevelopment, conversion and change of use of numbers 1-17 Piries Place, the former Waitrose service area for mixed uses comprising A1, A2, A3, A4, A5, C1, D2 uses, new Piries Place public realm extending to Park Place, Carfax and widening to Copnall Way

SITE: Piries Place Horsham West Sussex

WARD: Denne

APPLICATION: DC/16/2506

APPLICANT: REEF ESTATES/ARCUS-PCD

REASON FOR INCLUSION ON THE AGENDA: Horsham Denne Neighbourhood Council have requested that the application be considered by Committee, as they wish to address Members at the meeting

RECOMMENDATION: To delegate authority to the Development Manager to grant planning permission subject to the completion of a S106 agreement, and appropriate conditions.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the partial redevelopment of Piries Place to provide a new five storey 92-bedroom hotel, a 237 seat three-screen cinema, refurbished office units, and a mix of retail, restaurant and drinking establishments. The application also proposes to refurbish and extend the public realm from the Carfax to the west through the site to Park Place to the east, and to widen Copnall Way to provide new loading/unloading bays and a shared cycle lane/footway.

1.3 The plans detail that the easternmost buildings are to be demolished to make way for the new hotel building, with the former Waitrose building adjacent to be extended and upgraded to form the three screen cinema including a new façade to Copnall Way and first floor terrace. The buildings to the west and south side are to be refurbished to include a small front extension to the south building (units 4-7) with terrace above, and new shopfronts.

- 1.4 The application proposes a mix of A1 (retail), A2 (professional services), A3 (restaurants) & A4 (drinking establishments) uses at ground and part-first floor levels around the square including terraces and outside seating. Existing B1 office floorspace is to be retained at first floor level. The existing canopies that project into the square are to be removed. The Piries Donkey statue is to be retained in the square alongside a new tree centrepiece.
- 1.5 The proposed mix of units and uses comprise:

95sqm (2 units)	Either A1 or A2 (refurbished)
1,655sqm (6 units)	Either A1 or A3 (new and refurbished)
200sqm (1 unit)	Either A1, A2 or A3 (refurbished)
1,000sqm (2 units)	Either A3 or A4 (refurbished)
1,100sqm (1 unit)	D2 cinema (new build extension)
3,400sqm (1 unit)	C1 Hotel (including restaurant at ground floor)
350sqm (3 first floor units)	B1 offices (refurbished)
500sqm (1 first floor unit)	Either A3, A4 or B1 (refurbished)

- 1.6 The application proposes that deliveries for the hotel, commercial units and cinema within the northern buildings be made from a new layby on Copnall Way, requiring amendments to the kerb layout and the routing of the cycle lane contraflow. Servicing for the remaining units will be via a loading area on the shared surface linking Park Place to Copnall Way. It is intended that delivery/service vehicles etc access this area one way via Park Place, exiting onto the Copnall Way/Park Way junction, with bollard restrictions to prevent other vehicular access. Cycle parking for 30 bicycles is to be provided opposite Piries Place car park.

DESCRIPTION OF THE SITE

- 1.7 The application site comprises Piries Place, a modern open triangular shaped square of retail and other commercial uses set immediately east of the Carfax in Horsham Town Centre. The site includes all the existing buildings that face into the square, including the former Waitrose building abutting Copnall Way. The site also extends to include the access alleyways/twittens linking Piries Place to the Carfax, and the pedestrianised public realm abutting the multi-storey car park to the east up to Park Place.
- 1.8 Unit 9 within the westernmost buildings (B52s) and the two alleyways/twittens connecting Piries Place to the Carfax sit within the Horsham Conservation Area. The northernmost alleyway is set between a run of four Grade II listed buildings whilst the southern alleyway sits adjacent to a further run of Grade II listed buildings to its south side. No listed buildings sit within the application site, however four of the aforementioned listed buildings do directly abut the site boundary beside the alleyways. The western half of the site closest to the Carfax sits within a Site of Archaeological Importance.
- 1.9 The buildings facing into Piries Place all form primary retail frontage within the Horsham Town Centre Primary Shopping Area as identified in the Horsham District Planning Framework.
- 1.10 Piries Place was in the main constructed circa 1990 and comprises a mix of two storey red brick and render retail units with pitched roofs and glazed canopies that project over much of the open square. The largest building on the site comprises the former Waitrose store to the north side which has a rear elevation fronting Copnall Way and service bays to the east side facing the multi-storey car park. Surrounding development is again largely two storey in scale, bar the 4-5 storey Royal Sun Alliance office building (St Marks Court) set opposite Copnall Way to the north.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

2.2 The National Planning Policy Framework (March 2012), sections 1, 2, 4, 7, 10 and 12.

2.3 Planning Practice Guidance (March 2014).

RELEVANT COUNCIL POLICY

2.4 The following policies in the HDPF are considered to be relevant:

Policy 1: Strategic Policy: Sustainable Development
Policy 2: Strategic Policy: Strategic Development
Policy 3: Strategic Policy: Development Hierarchy
Policy 5: Strategic Policy: Horsham Town
Policy 7: Strategic Policy: Economic Growth
Policy 9: Employment Development
Policy 11: Tourism and Cultural Facilities
Policy 12: Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13: Town Centre Uses
Policy 14: Shopfronts and Advertisements
Policy 24: Strategic Policy: Environmental 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 39: Strategic Policy: Infrastructure Provision
Policy 40: Sustainable Transport
Policy 41: Parking
Policy 42: Strategic Policy: Inclusive Communities

2.5 Local Development Framework: Supplementary Planning Document:

- Planning Obligations (2007)
- Horsham Town Plan (2012)

RELEVANT NEIGHBOURHOOD PLAN

2.6 The site is within the Horsham Blueprint Neighbourhood Plan Area, which was designated a Neighbourhood Plan Area on the 5th June 2015. To date, no further stages of the neighbourhood plan formation and adoption process have commenced.

PLANNING HISTORY

DC/13/2304	Change of use from Offices (Class B1) to a health and weight loss centre (Class D2) at Suite D, 13 Piries Place	PER
------------	---	-----

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

3.1 **HDC - Strategic Planning (Summarised):** Comment.

The overall principle of the proposed development is considered acceptable given its location within the Horsham Town Centre.

Given that the proposal, as it stands, may not provide any retail floorspace as part of the redevelopment, the proposal would not strictly meet **Policy 13 (1 & 2)**. It is noted that the applicant may be able to demonstrate that the proposal would contribute towards the vitality and viability of the town centre and that they would meet **Policy 13 (3)**. However, a significant retail 'offer' would still be required as part of such a redevelopment scheme, particularly as it would offer residents a reason to enter into Piries Place during the morning period and would lessen the conflict with **Policy 13** of the HDPF.

The Horsham Town Retail & Leisure Study (2016) at page 25 (summary) does highlight that both Piries Place and Bishopric both suffer environmentally, and have a poor retail mix and low footfall. This document recommends that the redevelopment and/or investment in these areas – 'leading to a stronger retail/town centre mix' – would strengthen east/west connectivity in-line with the north/south axes, which is performing well as the 'core anchor'.

Piries Place is considered to form part of the 'Quarter' within the Horsham Town SPD and the proposal is therefore subject to **Site Specific Guidance 2**. The aim of this specific guidance is to create a more prominent key location for the eastern side of the town centre and confirms that opportunities to create further active frontages in this area for independent niche and boutique retail, market based activities, high quality restaurants and a night time economy offer should be seized. It is noted that the proposal would provide a new high-end cinema complex, a hotel and restaurant/bar opportunities in this location and would largely meet the objectives of this SPD; however, as discussed above, it is considered that a sizable retail element should still be retained as part of this 'offer', and indeed further information relating to what units would be provided as 'retail' should be sought.

The requirement for the provision of retail floorspace (both comparison and convenience goods) has recently been evidenced within the Horsham Town Retail & Leisure Study (2016). Although the redevelopment of Piries Place is supported in principle, it is suggested that the current proposals do not support the wider town centre needs, particularly in relation to retail.

3.2 **HDC – Technical Services (Drainage):** No objection subject to condition.

3.3 **HDC – Refuse Collections Supervisor (summarised):** No Objection

3.4 **HDC – Environmental Health (summarised):** No Objection.

Environmental Health officers do not see any fundamental reason why odour or noise from the installation of kitchen extract-ventilation systems in the proposed units could not be adequately controlled through conditions. Similarly noise and vibration from any externally located chiller/freezer compressor- and/or HVAC-plant can be suitably controlled by condition.

Environmental Health officers recommend that hours of operation for the A3 and A4 premises on the site be limited by condition to 08:00am to 23:00pm Sunday to Thursday inclusive, and 08:00am to 00:00am Fridays and Saturdays. Further conditions are recommended restricting construction activities, requiring a Construction Environment Management Plan, and contaminated land assessment.

3.5 **HDC – Design and Conservation (summarised)**: Comment.

The application site is located adjacent to the Horsham Conservation Area, and is situated behind several grade II listed buildings.

Piries Place has fallen into a rather tired and shabby condition with redundant street furniture and empty shops detracting from the public realm and the once vibrant space is currently lacking any 'sense of place'.

The views from Carfax looking towards the direction of Piries Place include the grade II listed War Memorial, the Bandstand and nos. 25, 26, 26a, 27 Carfax. The proposed development which would retain the existing façade to the former Waitrose building, would extend south-east with the bulkier hotel sited furthest away from the Carfax; however, whilst there would be some distance between the hotel and the listed buildings, there would be an emerging view of the hotel above the listed buildings which are modest in scale and of local vernacular style and character.

The Horsham Town Design Statement SPD 2008 explains that "the central Carfax is an attractive feature of today's Horsham and gives a heart to the town" (pg 5) further stating that "despite the considerable mix of styles of design and many alterations it still retains, for the most part, a uniformity of scale" (pg 7). The low key buildings fronting the eastern side to the Carfax do set the tone of the space they shape; Carfax is a vibrant space and the scale and form of the listed buildings positively contribute to ones understanding of the evolution of the market town with the skyline set by the local vernacular buildings allowing one to appreciate the historic building form and scale along this stretch of the street.

For the above reason, the presence of the proposed development within significant views from the Carfax would harm the setting of the heritage assets. The submitted Heritage Assessment sets out that the "...effect of the proposed development to the significance of this part of the conservation area would be best characterised as slight adverse, in that the change may cause some momentary and limited distraction in specific circumstances, however this would not result in any meaningful harm or loss of significance to the overall significance of the area" (para 3.17, pg 12). It is agreed that the harm would be less than substantial, however, any level of harm to the significance of heritage assets must be given considerable weight in accordance with s66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 which sets out that LPAs "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Paragraph 134 of the Framework sets out that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." The proposed development would potentially offer tangible public benefits such as the regeneration of a significant area of the town core which is currently in a state of neglect.

Whilst it is considered that the proposed development, and in particular, the proposed hotel building would cause harm to the setting of the Horsham Conservation Area and the setting of the listed buildings (namely nos. 25, 26, 26a, 27 Carfax, the War Memorial and the Bandstand), the public benefits of the development would offset the harm in introducing sustainable and vibrant uses to Piries Place. Further, while the scale and massing of the hotel –required for the scheme to be economically viable- is far from ideal, the introduction of a hotel would introduce activity to the place and a level of passive surveillance.

Overall, the proposed design of the development which has been the subject of much pre-application discussion between the LPA and the agents, is considered to be high quality. The scheme has clearly been carefully considered to produce an innovative and inspired

response to problematic constraints such as the treatment of the space required to house the cinema screens and associated services and the requirements for the number of hotel rooms required for the overall development to be economically viable.

Given the constraints of the proposed uses, the current proposal is considered to respond well to the site; the scheme would promote a vibrant and sustainable use for Piries Place which would give it a 'sense of place'. The success of the scheme would of course weigh heavily on the use of high quality materials and craftsmanship.

3.6 **HDC- Community Safety:** No Objection

3.7 **HDC- Town Centre Manager (summarised):** Comment

The absence of a major retail destination has had a detrimental effect on surrounding retail businesses which have already seen a 30-40% decline in turnover in the last year. The Restaurants, Cinema and Hotel footfall are likely to have minimal daytime impact on daytime shopping footfall especially midweek.

Whilst there is no doubt as to the town's need for more hotel spaces and that the expansion of the A3/A4 and cinema leisure offer will offer visitors' more choice, the development potentially removes a significant element of independent retail which has hitherto been a strength of the town. This increasing shift in the nature of town usage i.e. night time leisure, needs to be accounted for both strategically and operationally by HDC and partners, particularly on this side of the town. There is little mention of the office provision that will remain within the scheme at first floor level but this is supported and any provision for co-working type space is particularly welcomed as part of the Council's Economic Development Strategy.

OUTSIDE AGENCIES

3.8 **West Sussex County Council – Flood Risk Management Consultant (summarised):** No Objection.

3.9 **West Sussex County Council - Highways (summarised):** No Objection.

No objections are raised in principle to this redevelopment proposal. The site is in a very sustainable location being within the town centre and easily accessible by foot, bicycle and public transport. There are also a number of public car parks nearby. According to trip rate data, the development would generate less impact in traffic generation terms than the current uses on site, particularly in the busier AM and PM peak hours.

In response to concerns over the Copnall Way layby and cycle lane interaction, amended drawings have been submitted which address the highway authority's concerns. The contraflow cycle lane has been retained and widened to 2m and the carriageway of Copnall Way slightly widened on its northern side to allow an additional margin of safety for cyclists between eastbound HGV's and buses using Copnall Way and any HGV's that may be parked in the service layby. Swept path diagrams have been submitted in support of the latest submitted scheme which demonstrates that there would be no encroachment into the contraflow cycle lane other than by service vehicles crossing the cycle lane to use the service layby.

As regards the need to restrict the use of the layby, this can be dealt with through a traffic regulation order (TRO) which would be consistent with other existing service TRO's in the Carfax, as part of the S278/38 road agreement process to construct the service layby.

A second service layby is located within Piries Place which is a privately maintained area and not adopted highway. Park Place is an adopted road and the turn into Piries Place is very tight, especially if other vehicles happened to be parked in this road. Park Place has also suffered surface damage from large service vehicles which has become a regular

maintenance issue for WSCC. The TA states that it is intended that service vehicles of up to 12m would access the Piries Place layby using Park Place, but this type of vehicle is too large and would be unacceptable to WSCC on safety grounds. The swept path analysis clearly shows that 12m vehicles would have some difficulty making this manoeuvre and would rely on the full width of Park Place being available to negotiate the turn which would put pedestrians and cyclists at some risk. In the circumstances, WSCC would only accept Park Place being used by 7.5 tonne box vans, refuse vehicles or by large Transit type vans of maximum 8m in length. This should be more than adequate to service the bars, restaurants, retail and business units at the southern end of the site. Those larger service vehicles would have to use the layby in Copnall Way and service management arrangements co-ordinated with other users. Furthermore, in the interest of pedestrian safety, deliveries from Park Place would have to take place at times avoiding peak pedestrian movement together with the introduction of collapsible bollards and CCTV. In the TA, the applicants propose restricting servicing to between 7am-12pm mid-day which seems reasonable as the proposed uses would most likely generate greater pedestrian activity in the afternoon and evening. However, there would still be some pedestrian movement through Piries Place from the Carfax to Park Place during this period, hence the need to restrict the size of vehicle using this route.

3.10 **Horsham District Cycle Forum (summarised):** Comment

The Forum is pleased to note that the contraflow cycle lane in Copnall Way is to be retained and consider this to be the preferable option. The Forum maintains the need for a designated cycle route through the site from Copnall Way to Park Place.

3.11 **Southern Water:** No Objection

3.12 **Sussex Police:** No Objection

3.13 **Archaeology:** No Objection

3.14 **Access Forum:** Comment

The Forum would very much like to encourage the applicant to consider installing a Changing Places facility as part of this redevelopment. This enhanced accessible toilet would be used by many disabled people and their families who cannot use a regular accessible toilet.

A Changing Places facility, has a height adjustable bench, hoist, toileting facilities and a larger space so that carers can support the disabled person more easily. The Horsham district has an ageing population and also has various schools for disabled children in the near area. Provision of this facility will increase the footfall of the Piries Place area.

PUBLIC CONSULTATIONS

3.15 **Horsham Denne Neighbourhood Council (summarised):** Objection.

HDNC generally approve of the design but raise objection on the following matters:

- The scale, massing and appearance of the hotel building is not sympathetic to the surroundings, including its impact on the skyline. More precise information is required as to how visible the building will be from the War Memorial area in The Carfax.
- No details of signage have been provided. Any signage, including the roof level Everyman sign shown on the visual should not be visible from The Carfax. Wayfinding signage should complement the recently installed HDC signage.
- More information on the twitten entrance proposals is required. The proposed projections and appearance of an illuminated tunnel are totally out of character with the streetscene of The Carfax
- The quantity of public seating is insufficient
- CCTV needs to be installed and monitored to discourage crime and disorder
- Bins must be concealed from view

- Landscaping needs to consider persons with dementia
- Hours of operation need to consider adjacent residents
- Potential of construction disturbance and operational disturbance from deliveries
- There is no mention of weight limits for service vehicles which could damage the road surface on Park Place and Copnall Way
- Contributions should improve The Carfax roadway including removing road humps and creating flat crossing points for persons with mobility issues
- Inadequate cycle parking spaces
- There is no indication of construction worker numbers or how they will park. A condition should secure their off-site parking
- A restriction should be applied to the hours construction vehicles are allowed to access the site
- Confirmation is required that the Piries Place name will remain

3.16 **Horsham Society (summarised)**: Objection.

- No in principle objection however concerned with the overbearing nature of the hotel
- Excessive massing, height, bulk and block form of the hotel will have an adverse effect on the established buildings on Park Street, East Street, North Street, and be clearly visible from the Carfax
- Uncompromising nature of the square hotel block inappropriate for this historic town centre location. The skyline and roofscape needs to be improved and softened either by introducing a mansard or reducing the number of storeys
- The palette of materials should be sourced locally
- The loading bay will conflict with cyclists

3.17 **1** letter of support has been received, stating:

- Since Waitrose moved the area has become rundown and a blot on Horsham. The plans are excellent.

3.18 **2** letters of comment have been received, stating:

- Whilst supporting the plans, concerns over the proximity of the development to remaining business premises and how the works will affect trade and access
- The development must include a Changing Places Public toilet with an Adult Changing bench and overhead ceiling Hoist for those without independent mobility.

3.19 **7** letters of objection have been received from local residents and business owners. The grounds of objection are as follows:

- The development will not attract people to this end of the town until the early evening
- The Carfax is the centre of Horsham Town and this development will push the centre further away and the market town environment will be lost forever
- Blackhorse Way and the Carfax are both unsuitable for large delivery vehicles. The addition of large vehicles trying to navigate through these narrow roads and sharp bends will cause gridlock.
- The majority of occupiers in the development will be drawn from the developer's preferred network of corporate national retail tenants making the offering to Horsham indistinct from many other towns. This will do nothing to protect and enhance Horsham's unique characteristics and historic character
- There should be a commitment to retain a proper balance of existing and new local business together with an appropriate range of national retailers, preferably no less than the number already trading
- Necessity for yet more restaurants, usually chain restaurants with profits being sent out of town and employing agency staff not local people
- Potential loss of established local business (B52s) to the detriment of the vibrant evening economy

- The glass canopy removal should be delayed until the end of the development as it serves customers of B52s.
- The design appears to be a plain box stuck on top of the supermarket, not in keeping with the historic buildings surrounding the development, some of which are listed
- All plant should be moved away from neighbouring properties to avoid nuisance to neighbours
- Plant is proposed near to residential flats approved under application DC/13/0228 and residents will complain about noise, vibration, foul odours etc
- The close proximity of plant may prejudice the redevelopment of the Kings Hotel car park.
- Existing inadequately muffled plant units will impact on the accuracy of the noise surveys
- Access to the shop at 25 Piries Place must be retained at all times. It is unclear whether the resurfacing will cause flooding to 25 Piries Place.
- Access to Piries Bar should be retained at all times during works from both directions to avoid impacting on the business and emergency routes. The demolition of part of the Waitrose building and linking archway to create an open seating area is unnecessary given the volume of seating proposed elsewhere and will impact on access etc during works.
- The brick extension to B52s will reduce light and visibility of Piries Bar in the street.
- The entrance detailing to the twittens is out of keeping with the area
- A large number of licensed premises will likely result in law and order issues

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

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

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

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

6. PLANNING ASSESSMENTS

- 6.1 This application is assessed against the relevant policies of the HDPF and the national planning policies contained in the National Planning Policy Framework (NPPF).
- 6.2 The main issues for the Local Planning Authority to consider in the determination of this application for planning permission are the principle of the proposed development in land use terms on the vitality and viability of Horsham Town Centre; the impact on the appearance of Piries Place and the wider area; the impact on the historic character, appearance and setting of the Carfax, Horsham Conservation Area and adjacent listed buildings; the impact of the development on the amenity of neighbouring occupiers; the impact of the development on highway and pedestrian safety; whether appropriate provision can be made for refuse storage/collection; and drainage/flooding.

Principle of Development

- 6.3 The site as existing comprises an open public square surrounded by 25 units most of which are in retail use. Five of these units sit outside of the application site either side of the two twitten entrances from the Carfax. Of the remaining 21 units that fall within the application site, 9 are currently vacant, including the largest retail unit on the site previously occupied

by Waitrose. Office units sit above the retail units at first floor on the south side of the square. General footfall in the square is low, with the majority passing through from Piries Place Car Park to the Carfax.

- 6.4 A Marketing and Viability Study (Crickmay) has been submitted with the application which identifies that the loss of the anchor store within Piries Place (Waitrose) has resulted in significant loss of footfall rendering the remaining retail units less viable, with vacancy rates increasing. Despite marketing of the former Waitrose unit for over a year on flexible terms no occupiers have been found. The Study concludes that without an anchor store the area is not viable.
- 6.5 Horsham Town Centre is identified in the HDPF as being the primary retail centre of the District. Piries Place sits within the identified Town Centre boundary and forms primary retail frontage, with only the six easternmost retail units beneath the oversail section comprising secondary retail frontage.
- 6.6 Policy 12 of the HDPF seeks to secure positive measures to improve Horsham town centre as the primary retail centre, and to promote and encourage activities in town centres so they continue to be the prime focus for community life in the District by (amongst others):
- Maintaining a diverse range and choice of suitable uses including retail, leisure, entertainment, sports and recreation, arts, culture, business and commercial uses as well as residential use.
 - Providing a well designed and maintained attractive public realm.
 - Respecting historic character and good urban design principles.
 - Providing for a convenient, cohesive and concentrated primary area which contains a high proportion of retail (A1) uses where this has reasonable prospects for remaining viable.
 - In the larger centres encouraging variety in the “offer”, which for Horsham town centre has meant the identification of distinct “quarters” that define character and ambiance.
 - Providing for a vibrant and regulated evening economy compatible with adjoining uses.
- 6.7 The Horsham Town Plan SPD identifies Piries Place as falling within an area called ‘The Quarter’. Within the SPD, General Guidance 3 sets out that proposals that will enhance the restaurant offer and night time economy should be concentrated on ‘The Quarter’, and that one or possibly two hotels would be considered favourably in the town centre. The subtext to this guidance sets out that Horsham has ‘a clear deficit’ in hotel provision and that the council is actively promoting the potential of hotels in the town. This deficit of hotel accommodation is confirmed within the Horsham District Hotel & Visitor Accommodation Study 2016. The SPD provides more detailed site specific guidance for ‘The Quarter’ within Site Specific Guidance 2, identifying that this area would benefit from the strengthening of the quality of independent niche and boutique retail, high quality restaurant and night time economy offer, and the strengthening of accessible and legible connections.
- 6.8 Policy 13 of the HDPF provides detailed retail protection policy, identifying that changes from A1 use at ground floor level within the designated primary frontages will be allowed provided that the proposal is of an A2 or A3 use and would result in no more than 30% of the retail frontage length being taken up by non-retail use. The policy allows for alternative uses only if it can be demonstrated by the applicant that the use would contribute to the vitality and viability of the town centre.
- 6.9 The application, as amended, proposes 11 units for flexible A1, A2 or A3 use. Two of these units (units 1 & 9 to the Carfax side of the site) would also permit A4 use, whilst two of the smaller units (units 10 & 11 to the Carfax side of the site would be for A1 or A2 use only). The proposal would therefore have the potential to comprise uses across the square varying from 100% A1 retail to 100% non-retail use. It is understood that the applicants wish this to be a restaurant-led scheme with limited retail use, and the application has been

considered on this basis. Considered as a majority A3 restaurant development, the length of non-retail frontage in the square would sit significantly above the 30% maximum required under Policy 13, and the number of units within Piries Place would significantly reduce, from 19 as existing to 11.

- 6.10 The three existing B1 office suites at first floor level to the southern building comprise 680sqm. Of the three suites, only one above proposed units 10 & 11 to the Carfax side is occupied. The application proposes to retain this suite, and that above proposed unit 5 to the Park Place end, with the central suite to be either B1 office space or additional space for the proposed A1/A3 units 6 & 7 below. Assuming the central suite becomes A1/A3 space, there would be a net reduction of 344sqm of B1 office accommodation across the site. A Marketing and Viability Study (Crickmay) has been submitted which identifies both a lack of interest in letting these units and an oversupply of similar sized vacant units in Horsham Town Centre. Accordingly it is considered that the loss of part of the B1 accommodation can be accepted given this evidence, thereby not conflicting with the requirements of Policy 9 or otherwise harming the availability of office accommodation in the town centre.
- 6.11 The proposed 3-screen cinema is to be set above the A1, A3 and A4 units on the western part of the site, accessed by a glazed foyer at ground floor level. The cinema and restaurant units comprise 'main town centre' uses as defined within the NPPF, and their inclusion within the development accords with the 'town centre first' strategy set out in Policy 13. The introduction of the cinema to this part of the town centre alongside associated and complimentary restaurant uses would serve to provide for a diverse and vibrant evening economy, whilst also providing use during the daytime. This accords with the strategic objectives of Policy 12, which amongst other provisions includes encouraging variety in the Horsham Town Centre 'offer' through the creation of distinct quarters. It also complies with the specific guidance for the area as set out in the Horsham Town Plan SPD.
- 6.12 The proposed 92 room hotel would be set in a new building adjacent to the cinema, with two A1/A3 units at ground floor level turning the corner into Park Place. The provision of a new hotel accords with the general guidance set out in the Horsham Town Plan SPD and HDPF Policy 11 and the accompanying Hotel & Visitor Accommodation Study 2016 (which identifies an immediate potential for an 80-100 bedroom hotel within Horsham Town), and would bring additional footfall to this part of the town centre. The inclusion of commercial uses at ground floor level would further retain and enhance the active frontages through and around Piries Place.
- 6.13 Although the retail offer within Piries Place would appreciably shrink contrary to Policy 13, it is considered that this would be offset by the substantial benefits of the proposal. Taken in their entirety the comprehensive nature of the proposal would serve to significantly remodel, improve and re-invigorate Piries Place creating a new distinct character and ambiance to this currently underperforming 'quarter' of the town centre in accordance with the strategic objectives of Policy 12. Furthermore, the proposals would bring new restaurant uses and a new evening economy identity that would improve the wider overall offer of this quarter of the town centre, as specifically aspired for within the Horsham Town Plan SPD. The proposals are therefore considered in compliance with Policies 11 & 12 of the HDPF and the specific guidance and aspiration for the area as set out within the Horsham Town Plan SPD.
- 6.14 Design and Appearance
The application seeks a mix of demolition, new build elements and the refurbishment and enhancement of existing buildings within Piries Place. The principle demolition works are detailed to be to the former eastern part of the Waitrose retail unit and adjacent smaller retail units, service yard and sub-station along the northern side of the site. The oversail section that provides access from Piries Place car park is also to be removed to create a

more open linkway into the square. Within the square, the existing canopies that project into the square are to be removed and new shopfronts and facades introduced throughout. These works include a new curved frontage to the southern retail units.

- 6.15 The hotel will sit within a new five storey building in the northeast part of the site, with its main entrance from Piries Place. The building is to be completed in a light buff brick with a flat parapet roofline and projecting brickwork detailing. A plant enclosure is detailed at roof level, set a minimum 2.7m from the nearest main elevation and 5.5m from the west elevation facing The Carfax-. This is sufficient to ensure it would not be a dominant rooftop structure in sensitive views. The adjacent former Waitrose building is to be remodelled with a new light and dark brick elevation to Copnall Way and new roofline no higher than the existing, pitched to the west side to respect views from The Carfax. The elevation fronting Piries Place is to be completed in a light buff brick to match the adjacent hotel with bronze coloured shopfronts. The areas of detailing throughout both buildings are also to be bronze coloured bringing continuity throughout.
- 6.16 The buildings to the southern and western sides of Piries Place are to be refurbished broadly as existing, with large bronze coloured shopfronts introduced to match those to the new north buildings.
- 6.17 The design of the buildings and use of materials throughout is considered a significant improvement on the existing presentation of Piries Place. The use of light and dark brickwork complements the brick finishes that predominate in the area, whilst the use of bronze colour detailing to the shopfronts throughout brings a consistency to the square as a whole. In particular the plans detail significant improvements to the Copnall Way elevation, and create a more welcoming and legible entranceway from Piries Place car park. Furthermore the extent of the ground floor shopfront elevations and outside seating will provide for a more open feel with high levels of natural surveillance reducing opportunities for crime or anti-social behaviour. Final details of the materials to be used throughout can be appropriately secured by condition.
- 6.18 Landscaping
The entire surfacing throughout the site is to be lifted, cleaned and re-laid with additional grey paving to add interest. The surfacing is to extend through to Park Place to create a more cohesive public realm. Contemporary lighting columns and wall mounted lighting is proposed, along with public seating, cctv, a replacement tree centrepiece, and the retention of the Piries Donkey statue. New and retained planting is proposed along Copnall Way. In terms of access, the resurfacing will allow for level thresholds throughout, whilst although outside the application site, a new accessible changing area is proposed to be secured within the adjacent car park. Overall the works to the public realm represent a significant improvement on the existing, in accordance with Policies 32 & 33. Final details of the surfacing, lighting, cctv and changing area can be secured by condition.
- 6.19 Impact on Heritage Assets
The application site directly abuts the Horsham Conservation Area, with the twittens and existing unit 19 (B52's) falling within the conservation area. The site is within the setting of Grade II listed buildings and structures, including nos.25, 26, 26a, 27 & 33 Carfax, the Carfax War Memorial, and the Carfax Bandstand. The listed buildings at 25, 26 & 33 Carfax directly abut the twittens within application site.
- 6.20 The Design and Conservation Officer considers the scheme to be of a high quality design overall, but has identified that the scale and bulk of the hotel building would have an impact on the setting of the listed buildings at 25, 26, 26a, 27 Carfax, the War Memorial and the Bandstand in views from the Carfax, as well as the setting of the Horsham Conservation Area. This is owing to the scale of the hotel building appearing above the roofline/top of these structures. This harm is categorised as 'less than substantial' under

paragraph 134 of the NPPF, which advises that such harm should be weighed against the public benefits of the development.

- 6.21 In this instance the development offers a number of significant public benefits including the regeneration of a significantly underperforming, underused and deteriorating area of the town centre, with a high quality and sustainable development including new cinema, restaurant and hotel facilities that would improve the town's offer and economy. Furthermore, the development will improve linkages through the site to Piries Place Car Park and Park Street creating a more vibrant public realm and a greater sense of place to this part of the town centre. The provision of a Changing Places facility also carries weight as a public benefit of the development. These public benefits are considered of significant weight and sufficient to satisfy paragraph 134 of the NPPF.
- 6.22 Whilst paragraph 134 of the NPPF has been satisfied, nevertheless the identification of harm to the setting of listed buildings immediately leads to a presumption against the grant permission under s66 of the Planning (Listed Buildings & Conservation Areas) Act 1990. This presumption can though be outweighed by material considerations of sufficient power. Such considerations in this case include the public benefits identified above, as well as an assessment of the degree of impact which has resulted in the identification of harm.
- 6.23 In this regard, it is noted that the hotel building is set back 54m from the Carfax entrance to the northern twitten, between the listed buildings at 25 & 26 Carfax. Section drawings calculate that the hotel would become visible above the roofline to these listed buildings at approximately 24m further into the Carfax. Within this 24m buffer the scale, form and skyline to the listed buildings would be unimpeded and would continue to be appreciated as existing. Visuals of the development have been provided including two 'worst case' views from in front of the War Memorial within the Carfax. These show the hotel visible above the roofline to the listed buildings at 25, 26 and part 26a Carfax, but to no appreciably greater height than the existing, closer, Waitrose roofline. The use of lighter buff brickwork would help serve to recess the hotel building in longer views.
- 6.24 Furthermore, the number of trees and variety of street furniture within the Carfax is such that clear unobstructed views of the listed buildings and the eastern edge to the conservation area are limited, being in the main around the 24m frontage buffer referred to above. When walking west-to-east through Carfax, either on the inner or outer curve, the hotel would continually creep into and out of view behind trees (both in summer and winter), street furniture, and other buildings/structures. Consequently, whilst causing limited harm, the hotel would not be continually dominant or oppressive in the wider experience of the Carfax or in the closer appreciation of the appearance and setting of the listed buildings and structures.
- 6.25 Overall it is considered that the harm caused to the setting of the listed buildings and conservation area, whilst carrying considerable importance and weight in the planning balance, is sufficiently outweighed by the significant identified benefits of the proposal and the limited manner in which the impact and consequential harm would be experienced from within the Carfax.

Impact on the Amenity of Neighbouring Occupiers

- 6.26 The buildings within and around Piries Place are in the main in commercial/business use throughout. The nearest residential properties are located immediately rear of proposed Unit 5 in the southeast corner of Piries Place. The eight properties are set in a single block fronting Stans Way, a pedestrian route leading from East Street into Piries Place. The proposals include no increase in building height or volume adjacent to these properties, therefore their light and outlook will remain as existing. Concern has been raised by Piries Bar over loss of light to, and visibility of, their premises from the extension proposed rear of

Unit 9 (B52s). Given that the extension is similar in scale to the existing conservatory (albeit solid rather than predominantly glazed as current) and retains a separation to Piries Bar, it is not considered the impact would be so significant as to detrimentally impact on the amenities and viability of this business.

- 6.27 Further residential units are located on Park Place in excess of 50m from the nearest unit within the development, and on the upper floors along East Street approximately 30m from the site. There is also an extant planning permission for the conversion of a building abutting the southwest corner of the site at 25 Piries Place/35 Carfax from hotel use to residential use (DC/13/0228). No residential units directly face into the square, although consideration should be had to potential disturbance to occupiers of the hotel.
- 6.28 Within this context the proposed development would have limited potential to cause undue disturbance to residents. The greatest risk of impact would be from extract and plant located on the rear flat roof to Units 6 - 8 within the southern building, from increased numbers of delivery and servicing vehicles accessing the site from Park Place, and from increased evening footfall and use of outside seating.
- 6.29 A Planning Noise Report has been submitted with the application to address likely impact from plant and use of the commercial units and outside seating areas. The Report has calculated existing background ambient noise levels at two points within the site, one of which is directly adjacent to the residential properties on Stans Way, and taken the lowest readings as the baseline.
- 6.30 In terms of extract and plant, the proposals include provision in two locations, one fronting Copnall Way to the rear of unit 2 at third floor level serving units 1-4, the other to the rear of unit 7 within the existing south building at first floor level serving units 6-10. Units 5 & 9 would retain their existing extract systems. A further area of plant for the cinema is set at second floor level fronting the square, with plant for the hotel at roof level within a centralised compound. No final details of extracts and plant have been provided as this is a matter for each occupier to be covered under separate applications. The Noise Report does not raise concern that any extract systems or plant installed in these locations would result in disturbance that could not be otherwise reasonably attenuated, and this is agreed by Environmental Health officers. With regard the hotel, the Report calculates the minimum glazing specification required for all facades, to sit alongside the provision of mechanical ventilation, to ensure occupiers are not unduly disturbed. This can be secured by condition.
- 6.31 The Noise Report also includes a calculation of likely noise from use of the proposed outside seating areas, identifying the greatest likely impact to be from those associated with units 4 & 5 at the east side of the site adjacent to the properties on Stans Way (Nb it is noted that at the time this Report was written Unit 5 included potential A4 and A5 use). The report identifies that the existing massing of the buildings along the south side of Piries Place will significantly reduce potential noise disturbance to these neighbouring properties from use of the outside seating. However, the report recommends that outside seating to Units 4 & 5 is limited to 22:30 to minimise any potential harm given their proximity. This restriction across all outside seating can be secured by condition, including the seating provided by the terraces.
- 6.32 In terms of hours of operation, the application forms request opening hours for the A3 & A4 units to be 07:00 to 02:00 daily, with the cinema open 08:00 to 01:00 daily. Following discussions Environmental Health officers have agreed that the restaurant establishments should be restricted to 08:00 to 00:00 Monday to Saturday inclusive, and 08:00 to 22:30 Sundays in the interests of protecting neighbouring amenities, with the two A4 units open to 01:00 Mondays to Saturdays beyond these times. This can be satisfactorily secured by condition. The opening hours for the cinema are considered acceptable, and would not bring undue disturbance given the nature of their operation.

- 6.33 Environmental Health officers have raised no objection to the proposals, subject to a condition securing a detailed Construction Environment Management Plan [CEMP] and hours of operation for the A3 and A4 units. The CEMP would include provisions to manage stakeholder consultation and liaison throughout works, details of contractor parking, measures to minimise noise, vibration and dust/dirt amongst others. Hours of construction activity can also be restricted by condition to protect neighbouring businesses and residents. Subject to these conditions the proposals would not unduly disturb the amenities of residents in the local area in accordance with Policy 33 of the HDPF.

Highway Impact, Access, Parking and Servicing

- 6.34 The development proposes no onsite vehicular parking, with parking for 30 bicycles in stands located adjacent to Units 4 & 5. Servicing laybys are detailed along Copnall Way and adjacent to Units 4 & 5 off Park Place. As amended to reflect WSCC Highways and the Horsham District Cycle Forum concerns, the layby along Copnall Way is to retain the cycle lane contraflow so it runs outside the layby, widened to 2m to improve visibility. The application details that access to the Park Place layby is to be bollard-restricted via Park Place and for service vehicles up to 12m in length only. No alterations are proposed to the access or exit arrangements for Piries Place Car Park. A Transport Assessment has been submitted with the application along with a Stage 1 Road Safety Audit.
- 6.35 WSCC Highways have raised no objection in principle to the development, noting that the site is in a very sustainable town centre location easily accessible by foot, bicycle and public transport, and with a number of nearby public car parks. WSCC Highways have identified using trip rate data that the development would generate appreciably less traffic than the current uses onsite (based on full occupancy rather than current occupancy), particularly during the am and pm peak hours. Whilst no onsite parking is proposed, visitors would likely use the 330 capacity Piries Place car park (open 24hrs a day) which has been surveyed as being operating currently under capacity, and would remain under capacity following completion of the development. There is no evidence that the proposed development would generate unacceptable levels of visitor/patron parking demand or associated highway safety issues.
- 6.36 In terms of cycle provision, the widening of the Copnall Way contraflow is necessary to avoid conflicts between service vehicles using the layby and cyclists and is considered a safe arrangement supported by WSCC Highways and the Horsham District Cycle Forum.
- 6.37 Concerns have been expressed as to how servicing, including deliveries and refuse collection, are to be managed. The proposals include a new 15.5m lay-by along Copnall Way accessed via the Carfax with vehicles exiting onto Albion Way. The supporting documentation states that this layby is to be used primarily by the hotel, cinema and units within the northern (former Waitrose) building, with a cumulative 9 deliveries per day anticipated, the longest of which would be 30-40mins. WSCC Highways have raised no objection to this arrangement. Concerns have been raised at the impact of additional large service vehicles on the surfacing and safety of the Carfax, however it is not considered that isolated deliveries by large vehicles up to 14.6m in length would be so frequent, damaging or disruptive on a main thoroughfare as to warrant restriction.
- 6.38 The second layby is set outside the eastern entrance to Piries Place between and beside proposed Units 4 & 5 on an unadopted and privately maintained shared surface roadway. The application proposes that the units within the southern buildings are serviced from this layby, with approximately 10 deliveries per day via vehicles up to 12m in length entering via Park Place and exiting via Copnall Way. To avoid this route becoming a 'rat run', the application proposes that collapsible bollards be installed and servicing restricted to be between 07:00 and 12:00 (midday).

- 6.39 WSCC Highways have raised concern over the proposed use of up to 12m servicing vehicles given the narrow access from Park Place and regular damage that has been occurring to the road surface on Park Place from similarly large vehicles. WSCC Highways are objecting to the use of 12m vehicles on safety grounds given the narrow turn required to enter the site, recommending the use of 7.5 tonne box vans, refuse vehicles or large transit vans no greater than 8m in length. The applicants have confirmed that this is acceptable to them. All matters relating to the servicing of the development from Park Place can be secured within a Service Management Plan by condition prior to first occupation. The Plan would include details of the bollards and servicing plan to avoid vehicles arriving at the same time, and how refuse collections will be managed.
- 6.40 In terms of managing construction traffic, a condition is recommended for a Construction Environment Management Plan. The Transport Assessment identifies that the routing of heavy goods vehicles will be away from the Carfax and deliveries etc restricted to outside of peak hours. These measures would be secured within the CEMP, along with further measures set out in the recommended conditions to ensure adjacent businesses and residents are not unduly impacted during works. Subject to these conditions the scheme complies with Policy 40 of the HDPF and paragraph 32 of the NPPF.

Other Matters:

Access

- 6.41 The plans include improved level access to the units, including new lifts within the cinema and hotel buildings. The applicants, in discussion with HDC accessibility officers, have provided a commitment to upgrade the disabled wc facilities within Piries Place Car Park to provide for a Changing Places fully accessible disabled toilet and changing facility. Horsham does not currently have a fully compliant public Changing Places facility therefore this commitment represents a significant benefit for the town. The commitment is by way of a financial contribution of £60k secured within a s106 agreement for the Council to undertake the necessary alterations and extensions to the wc facilities in Piries Place car park.

Contamination

- 6.42 Environmental Health officers have recommended a condition to ensure potential land contamination that may be uncovered during works is suitably identified and mitigated, to accord with Policy 24 of the HDPF. This can be secured by condition.

Nature Conservation, Ecology and Biodiversity

- 6.43 A Preliminary Ecological Appraisal has been submitted with the application to identify, mitigate and enhance the sites' ecological interest. The Appraisal identifies that buildings at the site have the potential for use by bats, however a survey has found no evidence of roosting. The surveys did though demonstrate that several bat species pass over or through the site, and that three species in particular may roost within close proximity.
- 6.44 The Appraisal recommends that further survey work be carried out if development occurs after March 2017, and that demolition works are carried out either avoiding the bird breeding season or with prior checks carried out by an ecologist. The Appraisal recommends that 10 integrated bat boxes are installed on the site along with fifteen bird boxes, and that planters, street trees and/or green walls are included in the development. These measures can be secured by condition.

Flooding and Drainage

- 6.45 A Flood Risk Statement has been submitted with the application which identifies that the site is located within Flood Zone 1 where there is a low probability of flooding. The

Statement proposes that SuDS will be incorporated into the overall drainage design, with restricted discharge to the main sewer. The WSCC Flood Risk Management officer has raised no objection to this proposal, identifying that it would in principle meet the requirements of the NPPF, PPG and associated guidance documents. The WSCC Flood Risk Management officer has recommended conditions requiring full details of the finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, and the associated maintenance and management of the approved SuDS system be submitted for approval. This will ensure that surface water run-off rates across the development as a whole will be an improvement on existing in accordance with the requirements of the NPPF and to the objectives of Policy 38.

Renewable Energy

- 6.46 A sustainable energy strategy report has been submitted with the application that suitably addresses Policies 35, 36 and 37 of the HDPF. The report identifies that the hotel will include an air source heat pump as part of a series of measures to achieve a 30% reduction in CO2 emissions over Part L of the Building Regulations. A BREEAM Pre-assessment also calculates that the hotel will meet BREEAM 'very good'.

Refuse Collection

- 6.47 The plans detail dedicated bin stores for the hotel and cinema, and shared bin stores for Units 1 & 2 within the northern building. All three stores would be serviced via the Copnall Way layby. As HDC refuse vehicles traverse the Carfax daily, these stores would not result in additional lorry movements in the area.
- 6.48 A further bin store is set adjacent to Unit 5 to serve units 5, 10, 11 and the offices. Collections from this store would be via refuse lorries using Park Place. Units 6, 7 & 8 would likely be serviced via East Street as existing. HDC Waste Services have raised no objection to this arrangement. Final details of all servicing including refuse collection can be secured by condition within a Service Management Plan.

Section 106 Agreement

- 6.49 A section 106 agreement is required for this development to secure the applicants contribution towards providing the Changing Places facility within Piries Place Car Park, to secure a contribution to install a wayfinding sign opposite Piries Place Car Park, and to install the public realm works outside Piries Place Car Park. A separate s278 agreement between the applicants and WSCC is required for the Copnall Way footway, cycle lane and loading bay arrangements.

Conclusions and Planning Balance

- 6.50 The proposed development is considered a high quality design that would serve to re-invigorate Piries Place in accordance with the aspirations of Policy 12 and the Horsham Town Plan SPD. The proposal would though cause some harm to the setting of the Horsham Conservation Area and the setting of Grade II listed buildings including the Carfax War Memorial and Bandstand, albeit in part offset by the significant setback of the hotel element of the development.
- 6.51 It is considered the scheme offers significant benefits that on balance outweigh the harm identified. These include a high quality design that would serve to reinvigorate and regenerate Piries Place with hotel, cinema and restaurant uses in accordance with the requirements and aspirations of HDPF Policies 11 & 12, the Hotel & Visitor Accommodation Study 2016, and the Horsham Town Plan SPD for the area. Such uses and associated activities would significantly improve this deteriorating and underused part of the town centre to the benefit of the wider town centre 'offer' and economy.

Furthermore, the development will improve linkages through the site to Piries Place Car Park and Park Place creating a more vibrant public realm and a greater sense of place to this part of the town centre. The commitment to providing a Changing Places facility also carries weight as a benefit of the development.

- 6.52 For these reasons taken as a whole the proposed development is considered acceptable having regard the relevant policies of the HDPF as detailed above and the provisions within s66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

7. RECOMMENDATIONS

- 7.1 To delegate authority to the Development Manager to grant permission subject to the completion of a S106 agreement, and appropriate conditions:
1. A condition listing the approved drawings
 2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 3. The A3 premises hereby permitted shall not be open for trade or business except between the hours of 08:00 and 00:00 Monday to Saturday inclusive, and 08:00 to 22:30 Sundays. The A4 premises hereby permitted shall not be open for trade or business except between the hours of 08:00 and 01:00 the following day Monday to Saturday inclusive, and 08:00 to 23:30 Sundays. The cinema shall not be open for trade or business except between the hours of 08:00 and 01:00 the following day, daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 4. The outside seating ground floor level as detailed on drawing no. A-00-120 Rev K received on 9 January 2017 shall not be used except between the hours of 08:00 and 22:30 daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 5. The first floor terraces to the cinema and the southern building as detailed on drawing no. A-00-121 Rev I received on 4 November 2016 shall not be used except between the hours of 08:00 and 22:30 daily.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).
 6. No servicing of the development hereby permitted shall take place from Park Place except between the hours of 07:00 and 12:00 (noon) daily.
Reason: In the interests of highway safety and to protect the amenities of adjacent occupiers to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).
 7. The development hereby permitted shall be carried out in full accordance with the ecological mitigation measures set out in Chapter 7 of the Preliminary Ecological Appraisal (SLR ref:406.01455.00007 no:1 dated October 2016) received on 4 November 2016.
Reason: As this matter is fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015).

Pre-commencement:

8. No development shall commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should clearly demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented and thereafter maintained in accordance with the approved designs.

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

9. 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 in consultation with the sewerage undertaker. 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 complies with the current Building Regulations as well as Policy 38 of the Horsham District Planning Framework (2015).

10. No development shall commence unless and until full finished level and gradient details of the new Copnall Way service layby and the adjacent buildings (as shown on Glanville drawing no. 8160544/6101revB) have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in full accordance with the approved details.

Reason: As this matter is fundamental to ensure that finished highway gradients are satisfactory and that there is no significant level difference between the highway and service entrances to ensure that the road surface and footway development is properly drained and to comply with Policies 38 & 40 of the Horsham District Planning Framework (2015).

11. 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 targeted for retention, as well as those off-site whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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

12. No development, other than works of demolition, shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the new, altered and extended buildings hereby permitted have been submitted to and

approved by the Local Planning Authority in writing and all materials used 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).

13. No development shall take place, including any works of demolition, until a Construction Environment Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement and Plan shall be strictly adhered to throughout the construction period. The Statement shall provide for, but not be limited to:
- i. An indicative construction and demolition programme
 - ii. Details on how access to existing businesses will be maintained throughout works
 - iii. The arrangements for stakeholder as well as public consultation and liaison during the construction works
 - iv. Details of construction traffic routing
 - v. Locations for the parking of vehicles of site operatives and visitors
 - vi. Location of the site office
 - vii. Locations for the loading, unloading and storage of all plant and materials used throughout the construction of the development
 - viii. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - ix. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - x. Locations and details of the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - xi. Locations and details for the provision of wheel washing facilities
 - xii. Details of measures to control the emission of dust and dirt during construction
 - xiii. Details of a scheme for the recycling/disposing of waste resulting from demolition and construction works

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

14. 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 have been submitted to and approved in writing by the Local Planning Authority:
- (a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
- The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.
- (b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
 - (c) The intrusive site investigation results following (b) and, based on these, a detailed method statement, giving full details of the remediation measures required and how they are to be undertaken.
 - (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 hereby permitted is to be carried out in accordance with the approved details. Any changes to these components require the express written 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).

15. If contamination, including presence of asbestos containing materials, not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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

16. No development, other than demolition works above ground level, shall take place until a written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition below ground or development shall take place other than in accordance with the agreed WSI, which shall include:

- the statement of significance and research objectives, and
- the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- the programme for further mitigation, post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

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)

Pre-occupation:

17. Prior to its installation, full details of the canopy to the southern twitten entrance from the Carfax shall have been submitted to and approved in writing by the Local Planning Authority. The canopy shall be installed in full accordance with the approved details. No canopy shall be installed to the northern twitten.

Reason: To control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policies 33 & 34 of the Horsham District Planning Framework (2015).

18. Prior to the first occupation of any unit within the development hereby permitted, full details of the hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The submitted details shall include:

- i. Details of all hard surfacing materials and layouts
- ii. Details of all planting
- iii. Provision for 10 integrated bat boxes and 15 bird boxes comprising a minimum of 5 integrated Swift boxes and 5 integrated sparrow boxes
- iv. Details of all public seating
- v. Provision for the retention of the Piries Donkey statue
- vi. A detailed lighting scheme for all external areas
- vii. Details of cctv provision

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policies 31 & 33 of the Horsham District Planning Framework (2015).

19. Prior to the first occupation of any unit within the development hereby permitted, the refuse and recycling storage facilities indicated on the approved plans shall have been fully implemented and made available for use. 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. Prior to the first occupation of any unit within the development hereby permitted, the cycle parking facilities shown on the approved plans shall have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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).

21. The hotel shall not be occupied until the glazing and mechanical ventilation measures as set out within the Planning Noise Report (Sandy Brown ref:16292-R02-B dated 12 October 2016) have been fully implemented. The glazing and mechanical ventilation shall be retained at all times thereafter.

Reason: In the interests of the amenities of occupiers of the hotel to accord with Policy 33 of the Horsham District Planning Framework (2015).

22. Prior to first occupation of any unit within the development hereby permitted, a detailed Service Plan for all units within the development shall have been submitted to and approved in writing by the Local Planning Authority. The Service Plan shall include the following details:

- An 8m maximum length of service vehicle servicing the site from Park Place.
- Servicing restricted to between 7am-12pm mid-day from Park Place.
- The installation of collapsible bollards at the boundary of Park Place to prevent service access outside the agreed servicing times.
- The introduction of CCTV to monitor the service access
- A scheme to ensure the efficient and co-ordinated servicing between units

All units shall thereafter operate in strict accordance with the agreed Service Plan.

Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).

23. Prior to first occupation of any unit within the development hereby permitted, a Green Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. All units shall thereafter operate in strict accordance with the agreed Green Travel Plan.

Reason : To encourage sustainable transport modes to accord with Policy 40 of the Horsham District Planning Framework (2015).

24. Prior to first occupation of any unit within the development hereby permitted, the Copnall Way service layby and cycle path diversion shall have been designed, laid out and constructed in full accordance with details that have been submitted and approved by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy 40 of the Horsham District Planning Framework (2015).

Informatives:

1. The applicant is advised that compliance with planning conditions does not necessarily prevent action from being taken by the Local Authority or members of the public to secure the abatement, restriction or prohibition of statutory nuisances actionable under the Environmental Protection Act 1990 or any other statutory provisions.
2. The applicant is advised that they will be required to enter into a S38/278 road agreement with WSCC for the construction of the new Copnall Way service layby and fund any necessary associated Traffic Regulation Order.
3. The applicant is advised that this permission does not grant consent for any plant or extract systems required.

Background Papers: DC/16/2506