



**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 03 July 2018

**DEVELOPMENT:** Temporary welfare and management facilities (including site hoarding with local information signage) associated with, and for the duration of, the construction activities in relation to previously approved application DC/17/2511

**SITE:** The Corner of Piries and Park Place On The Highway Adjacent To Piries Place Car Park Copnall Way Horsham West Sussex

**WARD:** Denne

**APPLICATION:** DC/18/0729

**APPLICANT:** **Name:** Kier Construction Southern **Address:** House, Sussex Manor Business Park Gatwick Road Crawley RH10 9NH

**REASON FOR INCLUSION ON THE AGENDA:** Planning application made on behalf of the Council

**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 approval for the temporary erection of welfare / management offices, and site hoarding associated with the construction activities in relation to the demolition and rebuild of the Piries Place car park. It is proposed that the facilities are required for a 14 month period from June 2018 to August 2019 when the car park works are due to be completed.

1.3 The application proposes the siting of four site huts/containers to provide temporary worker welfare and management accommodation to include site offices, canteen facilities and a drying room. The proposed huts would be located in Park Place opposite retail units at Nos. 6-12, and would require the extension of the permitted car park construction site boundary by approximately 5m into Park Place. The containers themselves would be located just outside the original site boundary, with access to the containers provided for within the extra land. Each of the huts proposed would measure 7.3m wide x 2.8m deep and 2.4m high. The huts would be double-stacked in two 'blocks', therefore the overall height of each block would be approximately 5.3m from ground floor level. Each of the two blocks would include an enclosed external staircase at the front elevation (1.3m wide) for access to the upper units. The huts would all feature windows at each of the side elevations (with 'privacy film' at first floor to obscure views), and an access door at the front

elevation (facing the shops). The rear elevation (facing the car park site) would have no openings.

- 1.4 Site hoarding is proposed around the application site and would link to the hoarding to be erected around the car park (associated with the planning approval under DC/17/2511). The proposed 2m high hoarding would allow for a minimum 1.2m wide pedestrian access along Park Place, as required by WSCC. Existing street lighting and bollards would be retained. An information board and local shop signage is proposed to be erected on the hoarding on the approach from Park Place.

## DESCRIPTION OF THE SITE

- 1.5 The application site is located in Park Place which is sited to the south of the existing Piries Place car park in Horsham town centre. The main access into Park Place is via East Street, and currently enables vehicles and pedestrians to access retail units at Nos. 1 - 12 Park Place. Currently vehicles are also able to turn left from Park Place to access informal parking along the south-west boundary of Piries Place car park. At the car park end of Park Place, pedestrians are able to turn right at Burtons Court onto Park Way.
- 1.6 The majority of Park Place is located within the Horsham Conservation Area, and the application site straddles land within and outside of the Conservation Area. There are no listed buildings in close proximity to the application site. Street furniture including decorative lighting columns and bollards, as well as block paving feature along Park Place.
- 1.7 Park Place is land owned by WSCC Highways, and is largely defined by a mix of 'A' use retail units to the ground floor, and residential units to the upper floors. Parkway House is located close to the application site, and provides 7x residential flats at first floor level. Burtons Court is located adjacent to the existing car park, and also accommodates residential flats. The existing Piries Place car park is located immediately to the north of the site, and planning permission has recently been granted for the demolition and replacement of the existing car park – hence the reason for this application.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 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:

#### **The National Planning Policy Framework (2012)**

#### **Horsham District Planning Framework (2015):**

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres

Policy 13 - Town Centre Uses

Policy 14 - Shop Fronts and Advertisements

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 37 - Sustainable Construction

### 2.3 SUPPLEMENTARY PLANNING GUIDANCE

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Horsham Town Plan SPD (2007)

## 2.4 RELEVANT NEIGHBOURHOOD PLAN

Denne Neighbourhood Council forms part of the Horsham Blueprint Business Neighbourhood Forum which is the designated body of the un-parished area of Horsham Town. The Forum area was formally designated in June 2015 and comprises representatives from Denne Neighbourhood Council, Forest Neighbourhood Council and Trafalgar Neighbourhood Council. The Forum have not reached Regulation 14 draft plan stage yet, therefore the weight that can be afforded to the Neighbourhood Planning process in this location at present is very limited.

## 2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/0843	Non-material amendment to previously permitted application DC/17/2511 (Demolition of existing split-level car park deck and replacement with new Ground floor + 4 deck (G+4) level open sided, naturally ventilated public car park structure incorporating new lighting, electrical services and new public conveniences. Parking spaces totalling 531no. including Accessible Bays, Parent and Child Bays and provision for future Electric Vehicle charging). Revision to the orientation of stair core 2 including the position of egress doors, signage and landscaping and omission of egress routes from Burtons Court through the Car Park.	Application Permitted on 05.06.2018
DC/17/2511	Demolition of existing car park deck and replacement with new Ground floor + 4 deck (G+4) public car park incorporating new lighting, electrical services and new public conveniences. Parking spaces totalling 517no. including Accessible Bays, Parent and Child Bays and Electric Vehicle charging bays. (Regulation 3 Application)	Application Permitted on 07.02.2018

## 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)

### 3.2 INTERNAL CONSULTATIONS

**HDC Environmental Health:** Comment

Upper floors should be used for offices only, no mess room or toilets to be located on upper levels. Are the cabins going to be used by security staff overnight - if so how will they manage impacts? Exterior lighting should be limited to that necessary for safety and security purposes only.

### 3.3 OUTSIDE AGENCIES

**WSCC Highways:** No Objection

No objection is raised to the proposals however the applicant should ensure all relevant licenses are in place.

**Parish Council:** Comment

Horsham Denne Neighbourhood Council recognises the necessity for these facilities & considers that the location although not ideal is the best possible solution. However we are concerned about the proximity to premises in Park Place, potential overlooking & a negative effect on trade for the adjacent businesses. HDNC has no objection if the following conditions can be secured:

- 1) That any windows overlooking Park Place will have obscured glazing
- 2) That the signage denoting that existing shops in Park Place are open for business are of sufficient size & angle so that they are clearly visible from the East Street junction.

### 3.4 PUBLIC CONSULTATIONS

One letter of objection was received from a resident of Parkway House, regarding the blocking of vehicular access along Park Place (as a result of the hoarding), and the subsequent inability to access an area of informal car parking on private land.

## 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

### The Principle of the Development:

- 6.1 In accordance with the Council's local development strategy, it is generally considered acceptable in principle for development to take place within the defined built up area boundaries of the Horsham District. Given the application site is in Horsham town centre; development in this location is, in principle considered to be acceptable.
- 6.2 Due to the constrained nature of the site, the applicant has undertaken a feasibility study with the aim of determining the most appropriate location for the siting of the required welfare units. Alternative locations were explored including the utilisation of an existing empty shop unit (12 Park Place), locating the units on land forward of Fillippos Restaurant, and sharing existing office space with the adjacent developer in the main Piries Place shopping area. The 12 Park Place option was discounted due to being unavailable for rent, and the insufficient space it offered. The Fillippos option was also discounted due to the conflict/obstruction of the units with underground drainage and surfacing works, in addition to the inability to access this area due to the position of the site hoarding, skips and mobile cranes from the construction works at the Piries Place development site adjacent. Sharing existing site offices with the adjacent developer (Gilbert-Ash) was also not an option, as relevant parties were not able to reach agreements.
- 6.3 The option proposed in this application is therefore considered to be the most suitable option available to locate the required construction management and welfare offices. Given that the development proposed is temporary in nature (14 months), and is in direct relation to associated and permitted development of the car park site adjacent; the principle of the erection of temporary construction site offices in this location (and associated hoarding and advertising) is considered to be acceptable.

### Design and Appearance:

- 6.4 The proposed units are basic in appearance and are generally typical of welfare units on construction sites. Precise details of materials and colours to be used have not been provided at this stage, but these will be required to be submitted by condition prior to their erection on site. It is acknowledged that the location of this development straddles the Horsham Conservation Area, therefore it is accepted that the structures would have some harm to the setting and appearance of the special character of this part of the town. However, given the temporary and functional nature of the units', coupled with their position on the fringe of the Conservation Area, and a lack of alternative options; means that the benefits the development would bring are considered, on balance, to outweigh any temporary harm to the character of the Conservation Area. In addition to the impact of this development on the surrounding character; the scale and positioning of the containers form an important consideration with regard to impact on neighbouring commercial and residential amenity, and this is discussed further in the next section of this assessment.

Amenity and Trade Impacts:

- 6.5 The position of the proposed double-stacked welfare cabins (including the external enclosed staircases to each of the front elevations), would be set back from the shop fronts along Park Place by approximately 3m opposite Nos. 6-10, and 4m opposite No. 12. The proposed 2m hoarding would leave a minimum 1.2m pedestrian walkway fronting Nos. 6-12 (which is required by WSCC). The position of the hoarding is proposed to be angled so the pedestrian walkway widens from 1.2m opposite No. 10, to 2m opposite No. 6. At this point the hoarding cuts a corner to further increase the visibility of the shop units when approaching from Park Place.
- 6.6 Whilst it is acknowledged that the erection and proximity of 2m hoarding opposite the shop fronts may obscure views of the four commercial units at Nos. 6-12 Park Place, it is considered that the hoarding has been designed to enable the most open views possible, given the constrained nature of the site. It is proposed that a local information board is installed on the hoarding fronting Park Place, and individual local shop signage will also feature (details of which will be secured by condition). It is acknowledged that as a result of this development there may be some impact on passing trade to these units during the proposed 14-month period of construction, but given the temporary nature of the proposal, in addition to local signage proposed on the hoarding, it is considered on balance to be an acceptable impact on trade.
- 6.7 The four welfare cabins are proposed to be double-stacked to create two blocks at 5.3m in height. The impact of the two ground floor units is considered to be minimal as they will largely be obscured by the site hoarding, but the external staircases and upper floor units are considered to have a greater potential impact on the first floor flats above Nos. 6, 8 and 10 Park Place, and Flat 1 Parkway House (sited above the retail unit at No. 12 Park Place). The separation distance between the proposed staircases and first floor units is approximately 3m opposite Nos. 6-10, and 4m opposite No. 12. The staircases and entry doors are proposed to be enclosed therefore there will be no overlooking potential from the front elevation of the units. The side elevations are proposed to include windows which although would not face directly towards the upper floor flats, would enable some overlooking due to their height and proximity. These first floor windows will therefore be required to include a privacy film to obscure the glazing. It is considered that with obscured glazing and an enclosed staircase, the impact on amenity of residential flats in Park Place would be acceptable.
- 6.8 Other considerations with regard to neighbouring amenity include the potential impact of noise and external lighting emanating from the site. The plans submitted do not indicate that any external lighting is proposed on this site, therefore it is assumed that none is required. Notwithstanding this, a condition will be imposed to restrict the use of any external lighting, unless permission is expressly given by the Local Planning Authority. In

addition, a condition to restrict hours of use to coincide with the construction hours at the car park site is suggested to ensure that any noise emanating from the welfare units is contained to the controlled hours of working (i.e. 8-1pm Monday to Friday, and 8-1pm on Saturdays, with an additional 30-minute 'grace period' either side of these hours to allow for the set-up and close-down of the site).

#### Highways Impacts:

- 6.9 Consultation with WSCC Highways has confirmed that no highways issues are anticipated as a result of this temporary development. Notwithstanding this, vehicular access to a small area of private land (adjacent to the pedestrian entrance to Parkway House) will be obstructed by the proposed development, thereby blocking existing access for cars to be parked. This is considered to be a civil matter between the private land owner and WSCC (who own Park Place), and has no bearing on the planning merits of the proposed development.

#### Conclusions and Planning Balance:

- 6.10 Given the proximity to nearby commercial and domestic units, it is acknowledged that the proposed location for the required construction welfare offices and associated site hoarding is not ideal. However, it is considered that the applicant has satisfactorily explored all other available options, and the reasons for discounting the alternatives and proposing this location is accepted. The location of the double-stacked cabins is considered to have been proposed in the best possible location within the site, as far from the shop fronts as possible. The units will not allow for any overlooking at the front elevations due to the enclosed staircase and absence of windows. The upper floor side windows will be required by condition to have obscured glazing to further protect the amenity of residents in Park Place, and this is considered to be acceptable. In addition, any external lighting will require express consent, and hours of use will be controlled to coincide with permitted construction hours for the adjacent car park development.
- 6.11 The site hoarding has been proposed to accord with the minimum required pathway width of 1.2m, and this width increases to 2m to improve the visibility of the ground floor shop units when viewed from Park Place. Whilst it is accepted that the existing shops at Nos. 6-12 Park Place will suffer from some level of obstruction as a result of this temporary development, local shop information and advertisements on the site hoarding will help to identify these shops and direct customers to them. It is noted that none of the commercial units or residential dwellings affected by this proposal have objected to the scheme.
- 6.12 In summary, whilst some harm to neighbouring amenity has been identified, the proposed temporary development is considered on balance to be acceptable. It is considered that the necessity to site the required cabins in this location coupled with the mitigation measures proposed to protect amenity and promote the commercial units, results in a development that (subject to conditions listed below) would be acceptable for a 14-month period. It is therefore recommended to Members that this temporary development is approved.

## **7. RECOMMENDATIONS**

#### Conditions:

- 1 **Plans List**
- 2 **Standard Time Condition:** The buildings and hoardings hereby permitted shall be removed, and the land restored to its former condition, on or before 14 (fourteen) calendar months from the date of issue of this permission.

Reason: The proposed development is not considered satisfactory as a permanent measure in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 2 **Pre-Commencement Condition:** No development shall commence until a schedule of materials (including colours) to be used for external walls and staircase enclosures of the approved welfare units has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the units 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)

- 3 **Pre-Commencement Condition:** No development shall commence until precise details (including appearance and size) of the hoarding information board (as indicated on plan reference 1751-HNW-00-ZZ-DR-A-W901) have been submitted to and approved by the Local Planning Authority in writing. The approved signage shall be installed upon erection of the site hoarding, and maintained as approved in accordance with the time limitations of this permission.

Reason: To ensure the development satisfactorily promotes the presence of existing local shop premises in Park Place that would be affected by the development hereby approved

- 4 **Pre-Occupation Condition:** The buildings hereby permitted shall not be occupied until the first-floor windows on each of the side elevations have been fitted with obscured glazing. Once installed the obscured glazing shall be retained permanently thereafter.

Reason: To protect the privacy of nearby residential dwellings in accordance with Policy 33 of the Horsham District Planning Framework (2015)

- 5 **Regulatory Condition:** No external lighting or floodlighting shall be installed without express planning consent from the Local Planning Authority first being obtained.

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

- 6 **Regulatory Condition:** No occupation or use of the welfare units 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 (with an additional 30-minute 'grace period' either side of these hours), nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring residential and commercial occupants in accordance with Policy 33 of the Horsham District Planning Framework (2015). The 'grace period' is to allow for set-up and close-down of the site.

Background Papers:  
DC/18/0729