



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development

DATE: 7 August 2018

DEVELOPMENT: Erection of a single storey timber viewing hide and discovery hub

SITE: Warnham Nature Reserve Warnham Road Horsham West Sussex RH12 2RA

WARD: Holbrook West

APPLICATION: DC/18/1127

APPLICANT: **Name:** Horsham District Council **Address:** Parkside Chart Way
Horsham RH12 1RL

REASON FOR INCLUSION ON THE AGENDA: Warnham Nature Reserve is owned by Horsham District 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 planning permission for the erection of a single storey hide and discovery hub at Warnham Nature Reserve and will take the form of a timber framed building, clad in Siberian Larch which will be allowed to weather naturally. The central octagonal section of the building will have steel stanchions and will have floor to ceiling one-way glass overlooking the Mill Pond.
- 1.3 The hide and discovery hub will be accessed from the existing visitor centre and café with a new entrance garden with a new gateway and more accessible paths be constructed. The garden will reflect elements of Shelly's poetry within its infrastructure.
- 1.4 The proposed building has a footprint of 112sq.m which includes the re-provision of the bird hide and an overall height of 3.97m. The scale of the building is smaller than the existing visitor centre which has a footprint of 151sq.m and an overall height of 5.7m with the existing hide having a footprint of 7sq.m.

DESCRIPTION OF THE SITE

- 1.5 Warnham Nature Reserve including Warnham Mill Pond is a Local Nature Reserve (LNR) located to the north-west of Horsham. The Nature Reserve is designated as a SNCI (Site of Nature Conservation Importance). The adjacent Warnham Mill to the east, is a grade II listed

building and is situated between the Mill Pond and Warnham Road. This is currently being used as a veterinary surgery. The Mill is designated as a heritage asset because of its historic and architectural significance, due to its important industrial heritage and aesthetic appearance. The nature reserve and mill forms an important feature in the landscape character of the area.

- 1.6 The proposed Discovery Hub and hide would be located to the west of the listed building being separated from it by the sluice and sitting on the south western edge of the Mill Pond will be incorporated within the existing landscape features.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy 11 - Tourism and Cultural Facilities

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 30 - Protected Landscapes

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets

Policy 40 - Sustainable Transport

Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

- 2.4 The un-parished part of "Horsham Town" (that being the Forest, Denne and Trafalgar Neighbourhood Council areas) were designated as a Neighbourhood Forum (Horsham Blueprint) on 5 June 2015. To date no neighbourhood plan has been developed for the area.

PLANNING HISTORY AND RELEVANT APPLICATIONS

- 2.5 The below applications are the most recent and relevant application relating to this site:

DC/13/1555	Remedial works to dam embankment and auxiliary spillway structures at Warnham Mill Pond Reservoir comprising installation of a sheet pile wall along the upstream face of the earth dam and placement of grass-crete on the auxiliary spill wall and minor works to reinforce the downstream face retaining wall and replacement of the flap valve control to the Mill water wheel. To include associated temporary construction access road and temporary construction compound (Full Planning)	Application Permitted on 15.10.2013
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DC/13/1556	Remedial works to dam embankment and auxiliary spillway structures at Warnham Mill Pond Reservoir comprising installation of a sheet pile wall along the upstream face of the earth dam and placement of grass-crete on the auxiliary spill wall and minor works to reinforce the downstream face retaining wall and replacement of the flap valve control to the Mill water wheel. To include associated temporary construction access road and temporary construction compound (Listed Building Consent)	Application Permitted on 15.10.2013
DC/17/1003	Proposed erection of two free standing non-illuminated entrance signs (Advertising Consent)	Application Permitted on 27.06.2017

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Landscape Architect:** No Objection – The proposal does not negatively affect either the Landscape Character or the visual amenity of the site, any concerns regarding the building itself has been picked up by the Heritage Team
- 3.3 **HDC Conservation:** No Objection in principle – The nature reserve and mid-nineteenth century building contributes positively to the historic character of the Mill Pond. The proposal building is acceptable in principle and as such will not harm the setting of Warnham Mill, or dilute the historic interest of the existing visitor centre. However concern is expressed regarding the design of the building which it is suggested will have a tiled roof, however, such a proposal would be difficult to accomplish as the roof is too shallow and it is suggested that an alternative material should be explored. Also the use of one-way glass should it have a mirror finish, could lead to harmful reflected sun-light. Therefore a condition should be attached to any grant of permission requiring submission of materials to explore suitable finishes to overcome these concerns.
- 3.4 **HDC Environmental Health:** No Comment
- 3.5 **HDC Economic Development:** No Comment

OUTSIDE AGENCIES

- 3.6 **WSCC Highways:** No Objection – The Local Highways Authority does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (Paragraph 32), and that there are no transport grounds to resist the proposal
- 3.7 **Ecology Consultant:** No Objection – Recommends conditions in respect of the submission and agreement of an ecological mitigation and management plan and restricting external lighting.
- 3.8 **Environment-Agency Flood Risk Management:** No Objection subject to a condition relating to flood mitigation measures

3.9 **Natural England:** No Comment to make on this application

PARISH COUNCIL

3.10 **Horsham Denne Parish Council:** No objection

PUBLIC CONSULTATIONS

3.11 **Horsham Society:** Support the application, but do have queries regarding the roof construction and information regarding trees

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

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

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

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

6. PLANNING ASSESSMENTS

6.1 The main issues in the determination of this application are:

- Character and Landscape
- Impact on the setting of the listed building
- Ecology
- Flood risk

Principle

6.2 The application seeks planning permission for the erection of a single storey hide and discovery hub at Warnham Nature Reserve. The main feature of the Discovery Hub is a panoramic floor to ceiling window which would open up views of the Warnham Mill Pond. The hub will provide extra visitor space and a learning centre to provide a striking interpretation of the story of the natural, industrial and community heritage of the Mill Pond. The provision of the Hub will facilitate and encourage a wider range of visitors to the centre and can be more easily used for exhibitions etc.

6.3 The NPPF seeks development to promote or reinforce local distinctiveness and, as detailed in paragraph 61, should secure high quality and inclusive design that goes beyond aesthetic considerations. This paragraph goes on to state that 'decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.' Of the three dimensions to sustainable development paragraph three 'an environmental role' requires development to ensure it will "contribute to protecting and enhancing the natural, built and historic environment" Also the 'a social role' of sustainable development requires proposals to create "a high quality built environment with accessible local services that reflect the communities needs and support health, social and cultural well-being".

6.4 Policy 43 of the HDPF which relates to community facilities, leisure and recreation supports the provision of new facilities where they meet the identified needs of local communities and

where they are well related to existing settlements when located outside of defined built-up area boundaries.

- 6.5 The proposal will provide expanded and improved facilities at Warnham Nature Reserve and will allow extra visitor space which will help to increase the range of visitors to the site. It is hoped that the hub will be an invaluable educational resource and will provide opportunities to extend educational activities for all ages. It is therefore considered that the principle of the development is acceptable as it would result in necessary improvements to the Warnham Nature Reserve.

Character and Landscape

- 6.6 Policies 32 and 33 of the HDPF require developments to be of a high quality and inclusive design based on a clear understanding of the context for development and to recognise any constraints that exist, to ensure that the scale, massing and appearance of the development is of a high standard of design and layout, are locally distinctive, favour the retention of important landscape and natural features and create safe environments.
- 6.7 The proposed discovery hub will take the form of a timber framed building, clad in Siberian Larch which will be allowed to weather naturally, with the central octagonal section having a floor to ceiling one-way glass overlooking the Mill Pond. It will have a footprint some 40sqm less than the existing visitor centre and a ridge height some 1.7m.
- 6.8 The overall visual impact and potential change in character to the visitor centre is considered to be minimal. The use of Siberian timber clad walls, which will over time 'weather' to a silver colour would not be considered to cause any adverse or material impact on the wider character and visual amenities of the locality. New reed-beds will be created on the west side of the structure integrating the 'hub' into the landscape, reducing its visual impact and softening its appearance. The reed-beds will form part of a new design for the 'Shelley Garden' which will provide a DDA compliant path and open up a distant view of the lake on the approach to the visitor centre.
- 6.9 No concerns have been raised to the proposal by the Council's Landscape Architect who has advised that the proposal does not negatively affect either the landscape character or the visual amenity of the site. It is not therefore considered that the proposal to construct a new visitor hub will have an adverse impact on the character and appearance of the locality and will comply with policies 32 and 33 of the HDPF.

Impact on trees

- 6.10 The proposal would result in the loss of a number of trees and vegetation, including a large Willow located at the pond edge, to make way for the structure. The trees to be removed, apart from the large Willow, a Silver Birch and a Rowan, are mainly self-seeded specimens. These trees are of a moderate size and are therefore considered to be of moderate value however they are generally only seen from within the nature reserve given their position. The trees identified for removal are not protected and therefore their loss, whilst regrettable, will not in the long term detract from the overall landscape character.

Impact on setting of listed building

- 6.11 The NPPF requires local planning authorities to take into account "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness". Policy 34 of the HDPF states that development affecting a listed building or its setting will not be permitted unless the proposal has no adverse effect on the special architectural or historic character and appearance if the

building or its setting, uses building materials that respect the building, is of appropriate scale and design and would ensure the continued preservation and use of the building.

- 6.12 The application building would be situated to the west of Warnham Mill which is grade II listed. The Council's Conservation Officer has advised that the existing visitor centre is a mid-nineteenth century building which positively contributes to the historic character of the mill pond and the proposal to building an extension is acceptable in principle. The Conservation Officer is satisfied that a building of the size proposed and in the location proposed will not harm the setting of Warnham Mill or dilute the historic interest of the existing visitor centre.
- 6.13 Concern has however been raised in respect of the proposed roofing material and the ability for this to function given the shallow pitch of the roof slope and the complexity of the roof plan and the appearance of the proposed one-way glass. A condition requiring details of the proposed materials form part of the recommendation.
- 6.14 Given that the proposed building will be sufficiently separated from Warnham Mill and given the use of natural materials and a low profile roof, it is considered that the proposal will not harm the setting of the adjacent grade II listed building and that the proposal accord with the requirements of Policy 34 of the HDPF.

Ecology

- 6.15 An Ecological Appraisal was undertaken in July 2018 and submitted to the Council for consideration. The report details that additional reports are being prepared following surveys undertaken in respect of Great Crested Newts and Bats. The report also recommends that a badger survey is undertaken prior to the commencement of works in case recent colonisation has occurred. The Council's Ecology Consultant supports the recommendations made in the report that further surveys/reports are required to fully inform the planning application.
- 6.16 Subsequently a Great Crested Newt Survey was undertaken and submitted to the Council for consideration. The results of the surveys recorded no Great Crested Newts within the Shelley garden pond or any of the surrounding waterbodies. Following the submission of this report, the Council's Ecology Consultant has raised no concerns in this respect. In addition, a bat survey was undertaken and submitted to the Council for consideration. The assessment undertaken has determined that this species is also likely to be absent on the site. In respect of reptiles, the Council's Ecology Consultant agrees that given the relatively small area of potential reptile habitat affected, a mitigation strategy based on pre-existing data is likely to be sufficient.
- 6.17 Following the submission of the additional surveys/reports, the Council's Ecology Consultant has recommended a number of conditions. These conditions relate to the submission of an ecological mitigation and management plan prior to any site clearance works and the restriction of external lighting (unless agreed by the Council).

Highways

- 6.18 Policy 40 of the HDPF aims to secure a sustainable transport system and supports proposals which promote an improved and integrated transport network and non-car modes of transport. Policy 41 aims to ensure that developments are served by adequate parking facilities including provision for cycle, motorcycle, low emission vehicles and the mobility impaired.
- 6.19 No changes are proposed to the existing access and parking arrangements and it is not anticipated that the proposal will generate a significant increase in vehicular activity to the site. WSCC as the Local Highway Authority has raised no objection to the application and

has advised that they do not consider the proposal would have a severe impact on the operation of the highway network.

Conclusion

- 6.20 The proposal will provided expanded and improved facilities at Warnham Nature Reserve and will allow extra visitor space which will help to increase the range of visitors to the site. Whilst a number of trees will be removed to allow for the development, these are not protected and their loss, whilst regrettable, along with the design of the proposal will not result in a significant adverse impact on the landscape character of the locality. The building of the size proposed and in the location proposed will not harm the setting of Warnham Mill or dilute the historic interest of the existing mid-nineteenth century visitor centre.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.21 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.
- 6.22 **It is considered that this development constitutes CIL liable development.** At the time of drafting this report the proposal involves the following:

Use Description	Proposed	Existing	Net Gain
All Other Development	106.64	0	106.64
Total Gain			
Total Demolition			0

- 6.23 Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.24 In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted subject to the following conditions:-

1. A list of the approved plans
2. **Standard Time Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3. **Pre-Commencement Condition:** Prior to any site clearance or works, the results of the baseline ecology surveys and recommendations should be used to inform a brief non-technical EMMP for use by site workers. This document should include details of habitat protection for retained habitats, avoidance measures with regards to protected and notable species, as well as enhancement measures and ongoing management for biodiversity. The EMMP should be submitted and agreed in writing by the Local Planning Authority. Any such measures shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

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)

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

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

5. **Regulatory Condition:** The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (May 2018) and the following mitigation measures detailed within the FRA:
 - Finished floor levels are set no lower than 41.91 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants as this matter is fundamental to control the development in detail in the interests of amenity and visual impact and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6. **Regulatory Condition:** No new external lighting for the site shall be installed unless an ecologically sensitive lighting scheme to reduce impacts on protected species has been prepared in consultation with the applicant's ecologist, and approved by the Local Planning Authority. Any such lighting shall thereafter be implemented in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with NPPF and Policy 31 of the Horsham District Planning Framework.