Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1762
Milestone House , 86 Hurst Road, Horsham, West Sussex, RH12 2DT

DESCRIPTION:
Demolition of a small section of existing wall, installation of a brick pier and the creation of staff parking and exit.

RELEVANT PLANNING HISTORY:

DC/24/1236	Prior Notification for internal change of use from Class E (g) (i) Offices to C3 2nd floor apartment.	Prior Approval Required and REFUSED on 10.12.2024
DC/23/1117	Change of use from Class E(g)(i) offices to Class E(e) medical or health services and internal alterations (Lawful Development Certificate - Proposed)	Application Permitted on 31.07.2023
DC/24/1266	Erection of single storey side and rear extensions for proposed veterinary surgery (Use class E(e)).	Under Consideration

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 9 - Employment Development
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 41 - Parking

Horsham Blueprint Business Neighbourhood Plan (HBBNP) 2019 - 2036:
Policy HB3 - Character of Development
Policy HB4 - Design of Development
AIM2 - Conserving Heritage Assets

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 11: Environmental Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking

REPRESENTATIONS AND CONSULTATIONS RESPONSES
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
HDC - Arboriculturalist: (*Final Comments*) No objection, subject to implementation of appropriate tree protection methods and an agreed form of above ground construction specification. The revised layout for new hardstanding and proposed use of a no-dig form of construction in accordance with the relevant design standard BS5837: 2012 – Trees in relation to design, demolition and construction.

HDC - Conservation: (*Final Comments*) No objection, it is noted that the parking spaces have been reduced to the front increasing the available landscaping. This is welcomed provided appropriate landscaping can be provided and retained to sensitively soften the parking.

OUTSIDE AGENCIES
Natural England: Standing Advice: -

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

WSCC Highways: The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Parish Comments:
Object, for the following reasons: -

- All vehicles are to access the site from Pinehurst, but only the three cars using the staff parking spaces at the front will be using the proposed exit in Hurst Road. Query if the proposed Hurst Road exit is necessary at all as all the other vehicles parked at the rear of the building will exit into Pinehurst.

- There is currently no dropped kerb on the Hurst Road side so a licence from WSCC Highways would be required.

- Notes the concerns of the HDC Arboricultural Officer which need to be addressed.

Representations:

1 Representation received which objected to the proposal concerning the impact on trees and the impact of parking on the street scene.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
This application is for the demolition of a small section of existing wall, installation of a brick pier and the creation of staff parking and exit at Milestone House, 86 Hurst Road, Horsham, West Sussex. Milestone House is described in the Horsham Town Local List (2011) as Large house facing on to Hurst Road. Double fronted, two and a half storeys. Brick with slate roof. Asymmetrically designed large gables with bargeboards, main bay windows surmounted by cornices. Group value with 23, 25, 84 and 88 Hurst Road constructed c.1890. Milestone Hurst sits on a corner of Pinehurst and Hurst Road. There is a mix of architectural style present on Hurst Road with no overriding style to the area.

Design and Appearance:

Policy 32 and 33 of the HDPF seek to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy HB3 and HB4 of the HBBNP cover the design and character of development within Horsham which is supported by the neighbourhood councils of Forest, Denne and Trafalgar. It advocates for high quality design and construction that integrates with its surroundings whilst minimising impact on natural environments. It should reflect the character and architectural forms of the area in order to protect against inappropriate design.

Policy 34 of the HDPF seeks to conserve, sustain and protect the cultural and heritage assets that are within the district. It ensures that development within conservation areas is consistent with the special character of buildings and areas of which they are located within. Areas and buildings that fall under conservation, Listed Building designations or are approximate to them will be protected from inappropriate development which will harm the character and setting of the area / building.

Paragraph 216 of the NPPF states “[t]he effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.

AIM2 of the HBBNP is to protect and conserve the historical interest and character of Horsham. Horsham has many buildings of historic interest and conservation areas which purpose is to protect buildings from being harmed by development that is not in character to the area.

The proposal entails demolition of a small section of existing wall with the erection of a new brick pier to create a new vehicular access and on-site car parking. The new opening would be approximately 3.2m in width, with a section of 0.9m high wall demolished between an existing retained pier and the new matching pier on the other side of the new access.

There are numerous examples of on-site parking to the frontage of neighbouring properties and their presence is an established part of the street scene. It is considered that in this context the proposal would not adversely impact on the Conservation Area, subject to detailed layout considerations.

The proposal would retain the majority of the existing front boundary wall with the new pier creating symmetry to the proposed opening. The frontage of the site includes a number of tree specimens which make a positive contribution to the character of the area. As part of the application process additional information has been received which sets out a series of measures during construction which would minimise the potential impact of the development (on these trees). It is considered that subject to the implementation of these measures the future health of the trees would not be adversely impacted. The retention of the remaining wall and protection of existing vegetation to be retained on the site would suitably soften the appearance of the new parking, such that the new opening and the loss of central soft (grassed) landscaping would not appear intrusive.

It is therefore considered that the proposal would not adversely impact on the setting of surrounding heritage assets, the character and appearance of which would be preserved, with the visual impact of the proposal is acceptable and would accord with the above policies.

Amenity Impacts:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

It is considered that the siting and layout of the proposed and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Highways Impacts:

Policy 41 of the HDPF seeks to find the right balance between ensuring that adequate parking is provided and that it is suitably located and does not conflict with other uses.

The dropped kerb would provide access to 3 on-site parking spaces. The Local Highway Authority (LHA) has advised that there are no apparent visibility concerns at the point of access on Hurst Road, and given a similar arrangement exists in the immediate vicinity without causing apparent harm there are no reasons to take another view. The parking spaces are of a sufficient size and some on-site manoeuvring space is available.

It is considered that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, and that there are no transport grounds to resist the proposal.

Water Neutrality:

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Other Considerations:

It is noted that the on-site parking is annotated as being for staff use in association with future use of the building as a veterinary surgery. The use of the premises in this manner is not subject of this current application and does not therefore require further consideration.

Conclusions:

The application is considered to meet the relevant policies listed above and is recommended approval.

Recommendation: Application Permitted

Conditions:

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

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

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

- All trees on the site shown for retention on approved drawing number [AMS and TPP by Trevor Heaps Consultancy ref: TH 4760B (29/01/2025)], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

4 **Pre-Commencement Condition**: Notwithstanding previously submitted information, no development shall commence, including ground clearance, or bringing equipment, machinery or materials onto the site, until details of the proposed specialist above ground parking bay construction has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

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

5 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page: http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers for-driveways-licence/

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1762
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement	Heritage	NONE REV 01	14.11.2024
Supporting Docs	Context Study	NONE	14.11.2024
Supporting Statement	Water Neutrality	NONE REV 01	14.11.2024
Supporting Docs	Arboricultural Impact Assessment	TH 4760	14.11.2024
Block plan	Existing and Tree Survey	003 REV A	20.11.2024

Block plan	Proposed and Tree Survey	004 REV B	24.01.2025
Elevation plan	Existing and Proposed Wall	309	14.11.2024
Location plan		002	20.11.2024
Supporting Statement	AMS and TPP by Trevor Heaps Consultancy TH 4760B		29.01.2025

DELEGATED

Case Officer sign/initial J.Burrowes Date: 04.03.2025

Authorising Officer sign/initial Guy Everest Date: 05.03.2025