Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2285
5 High Street, Storrington, West Sussex, RH20 4DS

DESCRIPTION:
Installation of extraction unit and chimney/flue system (Retrospective).

RELEVANT PLANNING HISTORY:

DC/21/2010	Change of Use from former bank to retail (Class E) and residential (Class C3) to form 3no flats.	Withdrawn on 25.01.2022
DC/22/0906	Conversion and extension of former bank to retail (Class E) and residential (Class C3) to form 1no flat at ground floor level.	Withdrawn on 02.08.2022

SITE AND SURROUNDS
The application site is located on the northern side of the High Street. The main property is a single storey flat roof building. The building is designated as a locally listed building.

The site lies within the Storrington Conservation Area with a number of listed buildings noted within the vicinity. The site also lies within an Air Quality Monitoring Area.

DETAILED DESCRIPTION
The proposal relates to installation of a galvanised extraction unit and chimney/flue system (Retrospective). Details show the flue would reach a height of some 4.7m above the flat roof upon which it is located, and an overall height of 7m above relative ground level.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets

Neighbourhood Plan:
Storrington, Sullington & Washington Neighbourhood Plan 2018-2031
Policy 14: Design

Parish Design Statement:
Storrington Conservation Area Appraisal and Management Plan (2018)

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

Consultations:
HDC Conservation: Objection - The flue should be removed and an appropriate solution sought.

HDC Environmental Health: Objection – No details relating to noise have been submitted. No specific model details are provided of the proposed electrostatic precipitation Unit (ESP), nor its deployment within the system. Potential for noise and odour from the installation to cause disturbance to neighbouring properties.

Following additional details being submitted (rec'd 13th June 2024), comprising an activated carbon cell block and fan plant with acoustic surround, the EHO are of the view that these details are of little consequence outside of viewing the entire system as a whole.

Parish Comments: Members are keen to support local businesses and welcome this new enterprise to the village. However, while they appreciate that this extraction unit and flue system does not impact the High Street, the height does have a detrimental effect on Brewers Yard, which lies within the conservation area. Members question whether an alternative could have been installed that did not encroach upon the setting as much.

Representations:
8 representations were received objecting to the proposal for the following reasons: -

- Design
- Loss of general amenity
- Privacy light and noise
- Chimney flue complete eyesore and out of character
- Noxious kitchen and dust emissions would pollute Brewers Yard airspace
- Overshadow
- Invasive
- Ugliness dominates skyline
- Blight monstrosity
- Noise and smell overpower environment
- Overdevelopment of the conservation area
- Visual impact in conservation area

Two representations were received in support of the proposal, making the following comments: -

- Restaurant will boost local economy
- A much needed restaurant

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

Principle of Development:
Policy 7 of the Horsham District Planning Framework 2015 (HDPF) seeks to ensure that sustainable employment development in Horsham District would be achieved by the redevelopment of existing employment sites and the retention of key employment areas for employment uses.

It is acknowledged that the application site is currently vacant and undergoing refurbishment works for use of the premises as a restaurant. The proposal relates to installation of apparatus required for the premises to operate as a restaurant. The proposal would contribute to a vacant premises being brought back into use, which could be supported by the above policy.

Design and Appearance:
Paragraph 205 of the NPPF states that "when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)." Paragraph 206 continues to state that "any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or from development within its setting), should require clear and convincing justification.

Policy 34 of the HDPF requires proposals to retain and improve the setting of heritage assets, including views, public rights of way, trees and landscape features, including historic public realm features, and ensuring that development in conservation areas is consistent with the special character of those areas.

Policies 32 and 33

The application site comprises a locally listed building, which is considered in the NPPF to constitute a heritage asset. The site also lies within the Storrington Conservation Area and is close to a number of listed buildings. The flue has an industrial form and appearance which creates a poor contrast with the historic character of this part of the village and results in harm to the setting to the surrounding heritage assets. The submitted application documents consider the impact of the flue from the High Street but fails to consider the wider impact, such as in views from Brewers Yard, from where the flue is clearly visible. It is noted that a suggestion has been received indicating that the flue could be painted black. This would not though alter the siting or height of the flue and the above visual impact would remain.

The flue system would therefore result in an incongruous feature to a locally listed building and within the Storrington Conservation Area. The system represents an unsympathetic and intrusive addition which is out of keeping with the historic character of the site surroundings, represent a discordant and harmful feature. This impact would result in less than significant harm and it must therefore be considered whether this would be outweighed by any public benefit. This is considered in a later section of this report.

Amenity Impacts:
Policy 33 of the Horsham District Planning Framework 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.

There are concerns that the installed apparatus would have a detrimental impact on neighbouring amenity. It is considered that the installed equipment, in the absence of information to demonstrate otherwise, would have a detrimental impact on the neighbouring residential properties within Brewers Yard at the rear of the site which are located in very close proximity, contrary to Policy 33 of the HDPF. While noted that revised / additional details having been submitted during the application process this has not overcome the concern set out above.

Water neutrality
The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

Whilst the proposal falls within the Sussex North Water Supply Zone, there is no evidence to suggest that the proposed development, comprising the flue extract system, would result in a greater level of water abstraction than the site presently generates. The proposed development is therefore not considered to result in any significant impact on the Arun Valley SAC, SPA and Ramsar sites. In the event of permission being granted, there would be no adverse impact on the integrity of these sites or otherwise lead to a conflict with policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Planning Balance and Conclusions:
The proposal would result in less than substantial harm to heritage assets. Paragraph 208 of the NPPF 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. The proposal would create public benefit in the form of contributing to a vacant commercial unit being brought back into use. It is has not though been demonstrated that the same public benefit could not be derived from a more sensitive scheme which addresses the concerns raised elsewhere in this report. The public benefit is not therefore considered to identified harm.

In addition, there is insufficient information to demonstrated that the development does not result in unacceptable harm to neighbouring amenity by way of noise and odour nuisance.

The application is therefore recommended for refusal for the reasons set out below.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The flue system would result in an incongruous feature to a locally listed building and within the Storrington Conservation Area. The system represents an unsympathetic and intrusive addition which is out of keeping with the historic character of the site surroundings, represent a discordant and harmful feature. There is no public benefit which would outweigh the identified harm. The development is therefore contrary to Policies 33 and 34 of the Horsham District Planning Framework (2015), Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan and the National Planning Policy Framework.

2. The development is sited in close proximity to adjacent residential properties and, in the absence of sufficient information to indicate otherwise, would result in a significant detrimental impact on the living conditions thereof by way of noise and odour, contrary to Policy 33 of the Horsham District Planning Framework (2015), and paras 180 and 191 of the NPPF (2023).

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/23/2285
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Heritage	NONE	20.12.2023
Elevation & Floor plan	Roof	DS/KNIGHT/01	14.12.2023
Location plan		DS/KNIGHT/02	14.12.2023
Block plan		DS/KNIGHT/03	14.12.2023
Supporting Statement	SITESAFE CARBON FILTERS	NONE	14.12.2023
Supporting Statement		NONE	14.06.2024
Supporting Statement	ESP FILTER UNIT TECHNICAL AND OPERATIONS MANUAL	NONE	14.06.2024

DELEGATED

Case Officer sign/initial Nic Pettifer Date: 19.09.2024

Authorising Officer sign/initial Guy Everest Date: 20.09.2024