Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0503
St Marys Church of England School, Link Lane, Pulborough, West Sussex, RH20 2AN

DESCRIPTION:
Demolition of existing derelict school building and formation of new nursery and community building.

RELEVANT PLANNING HISTORY:

DISC/21/0313	Approval of details reserved by condition 3 on application DC/21/0904.	Application Permitted on 31.03.2022
DC/21/0904	Installation of a new path and trim trail equipment.	Application Permitted on 10.08.2021
DC/13/1231	Four single storey extensions, the erection of 1 x canopy and 6 x additional car parking spaces (County Consultation)	No objection to Consultation on 22.07.2013

DESCRIPTION OF THE SITE

The application site, namely St Marys Church of England (VA) Primary School, is situated within the built-up area boundary of Pulborough with residential development located to the northwest, west, south and east. The school complex is accessed from the northeast side of Link Lane and the building subject of this application can be found within the school grounds to the northside of the vehicle driveway, adjacent to the end of the hardstanding car parking area. The existing building is L-shaped, the northern element features a shallow pitched roof and the southern (front) part of the building being flat roofed. Mature trees and hedges populate the school's north boundary providing screening from nearby residential development (Cousins Way) to the north and northwest.

DESCRIPTION OF THE APPLICATION

Planning permission is sought to replace an existing school premises building with a replacement building over the same footprint. The planning statement and application form sets out that the existing building had been let to WSCC (and has been formerly used by Pulborough Youth Club) and upon the building being handed back it became apparent that there had been significant irreparable damage to the building, caused by a water leak over time and the building is now uninhabitable and needs to be demolished as it is no longer safe. Subsequently, WSCC have granted the School Section 106 funding to replace it, with the stipulation that the building is to have an element of community use, and the Diocese would like there to be an office within for the Parish Priest so that they are accessible to the wider community as there is no meeting space at the local Church. The planning statement states that both WSCC and the Diocese have expressed their desire for this development to provide a mixed-use building.

St Marys CE Primary School currently has a nursery element incorporated within the teaching areas, however, there is currently crossover between parents dropping off children and collecting them with different age groups mixing at the entrance. It is therefore proposed, with the important need for safeguarding of the children, that this existing teaching building on site, once it has been replaced as

proposed, is to be utilised as a dedicated nursery and with a Community Room and Parish Room associated for the Parish Priest to use when meeting members of the community.

The proposed replacement building is to be composed of facing brickwork and timber cladding to elevations, dual pitched main roofing, a balcony over the ground floor on the east elevation to provide an external covered area to an adjacent external fenced play area to the east side of the building. Aluminium double-glazed windows and doors. The nursery is to occupy the ground floor with food prep area and wc's. Staffroom and plant room also on ground floor and the first floor to provide a Parish office room, community space rooms 1 & 2, with servery, wc, and, store rooms.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Pulborough Neighbourhood Plan:
Pulborough Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations. The following policies are of significant weight subject to water neutrality being demonstrated: -
Policy 1 – A Spatial Plan for the Parish
Policy 15 – Design

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:

Great Crested Newts Consultant (Nature Space): No Objection,
informative advised

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.

PUBLIC CONSULTATIONS:

Representations:
None received.

Parish Comments:
Pulborough PC-Members voted to support the application providing the HDC consultation advice regarding great crested newts is adhered to.

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

Principle of Development:

The school has been extended since first built in the late 1960s to meet needs arising from the expansion of Pulborough. The supporting statement advises that the proposed facility is to be provided directly by the school and also community use. The school is within the built-up area boundary of Pulborough and the proposal would provide replacement updated accommodation without prejudicing future use of any neighbouring sports pitches and would directly support and enhance the teaching and community facilities provided on the campus. The application is therefore considered acceptable in principle, subject to detailed considerations.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves, and enhances the townscape character from inappropriate development. Proposal should consider landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

It is considered that the existing building is of no particular design merit, and the replacement building proposed would not, given the existing use of the site and existing extensions to the school, result in any demonstrable visual harm. Any views from the public domain would be largely limited by the separation distances and boundary screening and it is considered that the proposal would have a neutral impact, with the proposed building primarily seen against the backdrop of the main buildings and associated car park, playing field/playground. The proposal would not therefore appear an intrusive or incongruous addition to the site or wider surrounding area and the visual impact would be largely neutral. As such, in the absence of any wider visual harm there is considered to be no conflict with the requirements of the NPPF or relevant policies of the HDPF.

Residential Amenity:

Policy 33(2) 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.

The proposed building is set with a separation distance from adjoining properties and would not be expected to create a significant uplift in noise or disturbance beyond those arising from existing activities at the site. Though the increase in height would be noticeable over and above the existing arrangement, it would not be to a scale that would adversely impact on neighbouring intake of light to the north. In addition, windows have been omitted from the first-floor northern elevation to abate any potential sense of an increase in activity and direct overlooking.

A balcony is proposed to the first floor eastern elevation of the building, which would overlook the school playing field and the nursery garden on the floor below. The applicant has advised that the first floor use would not take place during school hours, therefore safeguarding pupils present on the site during school times (a condition is attached accordingly). As the balcony faces east, no direct neighbours would be faced from users. In addition, the glazing to the north would be at eaves height and fitting with obscure glazing further protecting neighbouring amenity.

No details of external lighting have been provided with the application. Whilst it is not unexpected for a building of this use to include external lighting, details of their location and luminance etc. should be provided upfront prior to their installation. As such, a condition is attached to ensure that this detail is received prior to any lighting being installed.

With the above in mind, the proposal is considered to accord with Policy 33(2) of the HDPF.

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.

The applicant has provided a water neutrality statement demonstrating that the proposed use would comprise a water demand lower than that of the existing. Whilst the proposed building would include an additional storey in addition to a community use, it would include more efficient fixture and fittings over and above the existing arrangement. Therefore, there is no clear or compelling evidence to suggest the proposed replacement building for use within the school campus would result in a more intensive occupation of the school campus 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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters:

<u>Great Crested Newts</u>
The development is located within a red Impact Risk Zone, as modelled by district licence mapping, the most suitable habitat, with a high risk of great crested newts. However, following consultation with the Councils advisors NatureSpace, it is considered that the proposed development is unlikely to have an impact on great crested newts and/or their habitats, the informative detailed below is though considered should be attached to planning consent.

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) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

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

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for 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 take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

(a) the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)

(b) the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Installation Condition**: Prior to the installation of any externally mounted lighting, a detailed lighting scheme shall have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations. The scheme shall be implemented in accordance with the approved scheme and thereafter retained as such.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The materials of the development hereby permitted shall strictly accord with those indicated on the approved plans.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: The glazed balcony to the northern elevation (as shown on plan 2221.25 – 05 B) shall be installed with obscured glazing. Once installed, the obscure glazing shall permanently remain in situ unless and until otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition:** The community use on the first floor shall only operate between the hours of:

- 16:00-21:00hrs Monday – Friday (term time)
- 08:00-21:00hrs Monday – Friday (outside of term time)
- 08:00-22:00hrs Saturdays
- 08:00-13:00hrs Sundays
- At no point during public / bank holidays

Reason: For safeguarding purposes and to protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

Great Crested Newts: Informative

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a 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/25/0503

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Existing	2221.25 - 01	09.04.2025
Elevation plan	Existing	2221.25 - 02	07.04.2025
Location & Block plan		2221.25-03 REV A	07.04.2025
Floor plan	Proposed	2221.25 - 04 REV C	26.09.2025
Elevation plan	Proposed	2221.25 - 05 REV B	26.09.2025
Supporting Statement	Planning	NONE	07.04.2025
Supporting Statement	Water Neutrality Statement	NONE	23.09.2025

DELEGATED

Authorising Officer sign/initial RHERMITAGE Date: 26.09.2025