DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1210
Southwater Business Park, Jubilee House , Worthing Road, Southwater, West Sussex, RH13 9JB

DESCRIPTION:
Installation of a fence around the perimeter of the property.

RELEVANT PLANNING HISTORY:

DC/19/2325	Siting of a 40 foot shipping container on ground adjacent to the car park at Lifespring's office in Southwater	Application 07.05.2020	Refused on

DESCRIPTION OF THE SITE
The proposal seeks planning permission for the installation of a fence around the perimeter of the property.

DESCRIPTION OF THE APPLICATION

The application site is a corner plot situated on the eastern side of Worthing Road, the northern side of Southwater Business Park and the southern side of Bakers Close. The site is located within the built up area of Southwater. The main property is a modern office block which is one and a half storey high. It is understood that the continuous use of the site comprises of a mixed B1 and D1 use. The south of the site is adjacent to Southwater Countryside Park and the north west of the site is surrounded by residential properties.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 9 - Employment Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 43 - Community Facilities, Leisure and Recreation

Southwater Neighbourhood Development Plan (2019 – 2031)
SNP16 – Design

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 30: Enhancing Existing Employment

Parish Design Statement:
Southwater Parish Design Statement 2011

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:
NatureSpace (District Newt Licencing): No Objection (suggested informative)
It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent.

PUBLIC CONSULTATIONS:

Representations:
1 no. letters of Objection have been received objecting to the application on the following grounds:

- Fencing around an area in a residential street scene is not appealing. The area around this entrance to this industrial estate is opposite a period cottage in worthing road which is by nature a residential built up area.
- This fencing contradicts this ethos and previous planning appearances.
- It will make the area look more industrial. There is already a very attractive post and rail fence in position why do you need another fence?
- This building looks for all intents and purposes like a residential building.
- It is vitally important that we dont allow a panelled fence to reside there. This area is a safe place.

Parish Comments:
Southwater Parish Council: Raised No Objection

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

Design and Appearance:

Policy 32 of the HDPF requires developments to be of a high quality and inclusive design based on a clear understanding of the context for development. Policy 33 of the HDPF relates to development principles and requires development, amongst other matters, to recognise any constraints that exist, to not cause unacceptable harm to the amenity of surrounding occupiers, 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.

The proposal would involve the installation of a fence around the perimeter of the property. During the course of the application concerns were raised in respect of the height of the replacement fence, particularly adjacent to the highway. A justification letter was provided explaining the intended use of the site as a children's nursery. Therefore, high level fencing is required to secure the environment for the children. Whilst the height of the proposed fence has now been justified however, in order to soften the visual impact of the proposal further amendments were negotiated by including low level hedgerow in front of the fence, given the prominent position of the site adjacent to the highway.

In light of the intended use of the site and the provision of hedgerow in front of the fence, on balance it is considered that the proposal would not harm the visual amenity of the wider area.

Highways and Amenity Impacts:

Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.
The scale and siting of the fence does not raise any concerns in respect of highway safety and no unacceptable impacts are envisaged.

Residential Amenity:

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.

Given the nature of the proposal, it is considered that the siting and layout of the proposal and the resulting relationship with adjacent properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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 site 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.

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 as the total area of habitat affected is less than 25 square metres or 5 metres in linear length. The proposed works would be located entirely on previously developed or landscaped land with negligible ecological value.

Conclusions:

The application is considered acceptable and complies with relevant local and national planning policies.

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 **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).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all hard surfacing materials and finishes
(d) Details of all boundary treatments
(e) Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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/25/1210

Schedule of plans/documents **approved**:

Plan Type	**Description**	**Drawing Number**	**Received Date**
Location plan		NONE	23.07.2025
Location & Block plan		P01 REV C	06.11.2025
Elevation plan	Proposed	P03 REV B	06.11.2025
Elevation plan	Existing	P02 REV A	04.09.2025
Floor plan	Proposed	P04 REV B	06.11.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 06.11.2025

Authorising Officer sign/initial RHERMITAGE Date: 07.11.2025