Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1266
Milestone House, 86 Hurst Road, Horsham, West Sussex, RH12 2DT

DESCRIPTION:
Erection of single storey side and rear extensions for proposed veterinary surgery (Use class E(e)).

RELEVANT PLANNING HISTORY:

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

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

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

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 Arboriculturalist: The application requires excavations for new foundations within the minimum recommended root protection of an off-site Cedar tree within the Richmond Road Conservation Area. In order to ascertain viability of construction at the proximity proposed and/or to re-consider design options recommend trail excavation in accordance with the relevant design standard recommendations - BS5837: 2012 – Trees in relation to design, demolition and construction and submission of additional information in respect of specialist foundations and associated utility services connections proposed.

HDC Conservation: Milestone House is recognised as a locally listed building within the Richmond Road Conservation Area. The property is a substantial building located in a corner location bordered by Hurst Road to the front and Pinehurst to the west. The building has an attractive form with the typically steeped pitched gable roofs, and decorative brickwork of the late Victorian period. The proposal would retain the frontage of the property with the main additions to the rear. It is unfortunate that the single storey has a flat roof which detracts from the character of the building. It would be suggested that further thought is given to the detailing of this element through a parapet for example so that it is more reflective of the quality of the building.

HDC Environmental Health: No objection, however, there are some residential properties in close proximity, therefore the applicant will need to ensure that neighbouring residents are not unduly troubled by noise from barking dogs and associated activities. Conditions are recommended.

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.

Parish Comments:

Horsham Denne Neighbourhood Council objected to the proposal and commented concerns:

1) How many parking spaces are allocated to staff and for people attending appointments with their pets?
2) How many staff will be on site at any one time?
3) Are there any safety issues regarding the loss of the external staircase?
4) What are the arrangements for the removal of dead animals?
5) Will there be large waste bins on site and do they require allocated space?
6) Will there be space allocated for cycle storage?
7) It is likely that a Veterinary surgery will use more water than previously when the building was used as offices, as frequent cleaning will be required during clinical work.

Representations:

1 Representation was received that neither supported nor objected to the proposed

- Highway Access and Parking
- Other

“From the plans it is unclear what provision is being made for the existing foul sewer. It appears that the existing foul sewer from our property, and the others in Pinehurst, will conflict with the proposed extension. You will be aware that parking in Pinehurst is limited so is the provision on site sufficient for both staff and visitors”

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:

Policy 7 of the HDPF advocates for Economic Growth. Sustainable employment development will be achieved in a number of ways including:

- Redevelopment, regeneration, intensification and smart growth of existing employment sites.
- Development of small, start-up and move-on businesses, as well as home working and home based businesses, by encouraging provision of small units through development proposals
- Encouraging appropriate workspace and ICT infrastructure including high speed broadband to support flexible and homeworking
- Retention of key employment sites and identifying additional employment sites
- Promotion of district as an attractive place to stay and visit to encourage tourism and value of tourism economy
- Expansion of higher education facilities; R&D; employment training facilities.

Policy 9 of the HDPF relates to Employment Development. This aims to safeguard and enhance employment development by prioritizing the retention and appropriate redevelopment of existing employment sites. Key employment areas should maintain their role as employment hubs. Alternative uses will be supported if site's integrity is retained. For sites outside key areas, redevelopment must prove that employment use is no longer viable. Relocation of businesses must follow a sequential approach, resolve site issues, and secure appropriate reuse of vacated sites. The policy also supports expanding existing premises where necessary and encourages the provision of small and start-up business units to foster growth.

The principle of development is for the extension of the side and rear of Milestone House which would be associated with the intended use of the site as a veterinary practice, ref: DC/23/1117. The proposed extension would support the use of the site as a veterinary surgery, which would bring a previously vacant building back into a meaningful and lawful use. The principle of extending the property is therefore considered acceptable and in accordance with the above policies.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks 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.

The existing building is considered to be a non-designated heritage asset, with Paragraph 216 of the NPPF (2024) stating that, "*The 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*".

The proposed development sees the rear and side of the building extended. The extensions consist of works that are partially to the ground floor (side) plus first floor and second floor (both rear). The works consist of creating a gable end extension for the first and second-floor elevation which is slightly below the ridgeline of the existing roof. The ground floor side extension and part of the works to the first floor consist of a flat roof element.

While the proposal would entail flat-roofed forms they would be sited away from the principal Hurst Road elevation and would not negatively impact on the appearance of the building from Hurst Road. As part of the application process amended plans were received to revise the detailing of the proposed extensions. The amended plans are considered sufficient to ensure the extensions respond appropriately to the character of the existing building, appearing as subservient additions and of an acceptable scale, form, design and siting. It is considered that the visual impact of the proposal would accord with the above policies.

Trees and Landscaping:

Horsham District Council Arboriculture Officer assessed the proposal and recommended "[a] trail excavation in accordance with the relevant design standard recommendations - BS5837: 2012 – Trees in relation to design, demolition and construction and submission of additional information in respect of specialist foundations and associated utility services connections proposed".

In respect of this, the Council recognises that there is already a large amount of hardstanding already present in the development area. As such it is considered that the addition of a rear extension in this location would be unlikely to affect trees and landscaping considering the existing arrangement.

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 not considered that the works would negatively affect the neighbouring amenity. With the use class already established at this site, it is not considered that the proposal would have any unacceptable impacts on neighbouring amenity, particularly given the separation between neighbouring buildings. The amenity impacts of the proposal are therefore considered acceptable and in accordance with the above policies.

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.

A statement was submitted that detailed the water usage for the site which uses baseline calculations for the use of the property as a House of Multiple Occupation (HMO). The use of the site as an HMO is not officially recognised by the Council, with the last use of the site recognised as an office. It was requested that the water statement was amended to reflect the baseline which reflected the usage of the property as an office and take that as a baseline. No further amendment has been received by the council that reflects an amended baseline and calculation and thus no report has been submitted to Natural England.

The proposed calculations for the anticipated water consumption resulting from the proposed use are though accepted and it is considered that water neutrality can be secured through an appropriate Grampian-style pre-commencement condition. This approach has been agreed by the applicant, and would enable the proposal to be determined while ensuring that the proposal delivers offsetting via SNOWS or achieves neutrality through a bespoke water mitigate scheme.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site. The proposal is considered to meet a specified exemption and as such BNG would not be required.

Other Considerations

It is noted that concerns have been raised which relate to the future use of the building, and related impacts which include parking and refuse arrangements. While these concerns are noted this application does not entail a change of use. The proposed extensions would not by themselves be considered to generate a need for parking on the site or for details of waste arrangements, or indeed for consideration of other matters raised within the consultation responses.

In respect of the impact on drainage / sewer infrastructure this matter would be addressed through separate non-planning legislation and does not require further consideration as part of this planning application.

Conclusions:

It is considered that the proposal meets the relevant policies and is 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**:

a) No development shall commence until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or

ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation.

b) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2024), and enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Regulatory Condition**: The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and 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/24/1266

(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
Details plan	Parapet Details	310	07.11.2024
Location plan	Existing and proposed	001	20.08.2024
Tree plan	Existing	003	20.08.2024
Tree plan	Proposed	005	20.08.2024
Floor plan	Existing basement	101	20.08.2024
Floor plan	Existing	102	20.08.2024
Floor plan	Existing first	103	20.08.2024
Floor plan	Proposed basement	301	20.08.2024
Floor plan	Proposed	302	20.08.2024
Supporting Statement	Planning	NONE	20.08.2024
Floor plan	Proposed first	303	20.08.2024
Elevation plan	Existing and proposed front	305	20.08.2024
Elevation plan	Existing and proposed side	306	20.08.2024
Elevation plan	Existing and proposed rear	307	20.08.2024
Elevation plan	Existing and proposed side	308	20.08.2024

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 07.03.2025