PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	19 August 2025
DEVELOPMENT:	Change of use from community use (Use Class F2(b)) to mixed community use (Use Class F2(b)) and Pre-School (Use Class F1(a)).
SITE:	Church Centre Causeway Horsham West Sussex RH12 1HE
WARD:	Denne
APPLICATION:	DC/24/0075
APPLICANT:	**Name:** James Cross **Address:** Suite 68897 PO Box 6945 London W1A 6US

REASON FOR INCLUSION ON THE AGENDA: The application was deferred at Committee on 04.02.2024 to seek additional information with respect noise to neighbouring property

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application following the deferral of the application at the Committee on 04.02.2024.

1.2 This Report should be read together with the previous Committee Report contained at Appendix A.

2. OUTCOME OF CONSULTATIONS

2.1 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

2.2 **HDC Conservation:** No additional comments

2.3 **HDC Environmental Health:** Comment

Having read all the responses and the acoustic surveys undertaken with greater than expected noise levels, would not expect noise nuisance to the neighbouring property.

Expected noise levels from a nursery is between 60dB to 70dB. Decibels are measured on a logarithmic scale so if comparing the difference by taking the highest nursery level against

the lowest greater than expected level (15dB) the expected noise level from the nursery would be 5 times lower than surveyed. The noise levels measured from the greater than expected levels in the Barn (85dB to 96dB) in the kitchen of 31 Causeway were 40dB to 55dB. Background noise levels are not provided, however, expected background noise levels in a domestic kitchen are typically between 35dB to 40dB without equipment running. This can increase to 70dB to 90dB if washing machines etc are being used. Using the lowest expected background noise level of 35dB against the highest surveyed level of 55dB in the kitchen of 31 Causeway giving a difference of 20dB. This would provide a likelihood of nuisance and complaints. However, this is a worst-case scenario and considering expected noise levels of 15dB lower from the nursery reducing expected noise levels to 40dB (expected background level) without acoustic insulation to the Barn, complaints and nuisance are unlikely. With the introduction of noise insulation, a reduction of 5 to 10dB is obtainable which will reduce noise levels in 31 Causeway to between 35dB to 40dB which is expected background noise levels, therefore complaints or nuisance is unlikely. This is confirmed by the occupants of 31 Causeway.

OUTSIDE AGENCIES

2.4 **WSCC Highways:** No additional comments received

PUBLIC CONSULTATIONS

2.5 Representations:

6 letters of Objection have been received from 5 addresses, objecting to the application on the following grounds:

- Traffic pressure
- Poor access for emergency vehicles
- Additional pollution from traffic
- Noise pollution
- Absence of sound insulation and assessment

2.6 Horsham Denne Neighbourhood Council Comments:

No Objection in principle but still concerned that at times when parents are dropping off or picking up children, there is potential for congestion, inconsiderate parking, and danger to children. Suggest that a member of staff should be on duty outside to manage appropriate and safe arrival and departure.

2.7 Member Comments:

None received

3. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

3.1 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.

3.2 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.

4. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

4.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

5. PLANNING ASSESSMENTS

6.1 The application was deferred at Planning (North) Committee on 04 February 2025 to request additional information, in the form of a Noise Assessment, to address potential amenity impact to the adjoining neighbouring property.

6.2 The Acoustic Attenuation Proposal Report dated 9 June 2025 outlines that in the Autumn of 2022 a trial installation of noise mitigation in the Barn was carried out. The input comprised very loud music amplified using the in-house AV amplification system to levels of 85 and 96 dB(A). It is outlined that these noise levels are very much higher than any noise generated by Pre-School children, and replicate the noise produced during other permitted community uses in the evenings and weekends, such as parties, barn dances, and concerts.

6.3 The Report outlines that noise levels measured in the ground and first floor rooms of 31 Causeway were 40 to 55 dB(A). After installation of the trial panel, the noise level was reported to be no higher than 35 dB(A) in the same rooms of the neighbouring property. It is advised that the trial panel reduced sound transmission to the neighbouring property by at least 5 dB(A) and possibly as much as 10 dB(A).

6.4 The Report includes reference to noise mitigation measures that could be installed, including a noise mitigation panel to the southern wall and the insertion of noise mitigation panels to the eaves of the southern roof slope. It is outlined that this would exceed the acoustic attenuation characteristics from the trial installation.

6.5 HDC Environmental Health have been consulted on the additional information, where no objection to the proposal has been raised. Expected noise levels from a nursery is between 60db and 70db. Decibels are measured on a logarithmic scale so comparing the difference by taking the highest nursery level against the lowest greater than expected level (15dB) indicates that the expected noise level from the nursery would be 5 times lower than surveyed. Expected background noise levels in a domestic kitchen are typically between 35dB to 40dB without equipment running. The worst case scenario as surveyed would be result in an increased noise level of 20dB, where the Environmental Health Officer considers that this would provide a likelihood of nuisance and complaint. However, it is noted that noise levels from the nursery are anticipated to be 15dB lower than the surveyed noise levels, which would reduce expected noise levels to 40dB. The Environmental Health Officer considers that this would unlikely result in noise complaints or nuisance. It is also noted that the suggested noise insulation measures would further reduce the noise levels by 5 to 10dB, where noise complaints and nuisance are unlikely to occur.

6.6 The Acoustic Attenuation Proposal Report dated 09 June 2025 has demonstrated the existing noise levels experienced by lawful activities within the Barn, where the proposed nursery would not exceed these experienced noise levels. No objection has been raised to the proposed use by the Environmental Health Officer, where it is concluded that the anticipated noise levels would unlikely lead to noise nuisance. On this basis, it is considered that sufficient information has been provided to demonstrate that the proposed use would not result in harm to the amenities of neighbouring residential properties.

6.7 While it is recognised that additional noise mitigation measures have been suggested, given the conclusions of the Environmental Health Officer, it is not considered that these mitigation measures are necessary to overcome amenity harm. Therefore, while such measures may

improve the situation, it is not therefore considered that such measures would be necessary to make the development acceptable.

6.8 For the reasons outlined above, the development is not considered to result in harm to the amenities of nearby residential properties.

6.9 As concluded within the previous Committee Report (attached at Appendix A), the proposed development would provide an additional community facility within Horsham Town, and would provide a complementary service to the existing community facility. The proposal is not considered to result in a material intensification in levels of activity and movements to and from the site, with the proposal not considered to result in harm to the amenities of neighbouring residential properties and users of land, nor harm to the safety and function of the public highway network. The proposed development has demonstrated water neutrality and as such, there is no evidence to suggest that the proposal would have a likely significant effect on the protected Arun Valley sites. For these reasons, the proposed development is considered acceptable, in accordance with all relevant local and national planning policies.

6. RECOMMENDATIONS

6.1 To approve the application subject to the following conditions:

Conditions:

1 **Approved Plans**

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 development hereby permitted shall be undertaken in full accordance with the water neutrality strategy received 15.07.2024. The installed measures as referred to within the water neutrality statement shall be retained as such thereafter.

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 185 and 186 of the National Planning Policy Framework (2023), and to allow 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 premises hereby permitted shall be used for the purposes of a day nursery (Class E(f)) and meeting place for the local community (Class F.2(b) only, and for no other purpose.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the relationship with nearby residential properties under Policy 33 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The day nursery hereby permitted shall operate between the hours of:

- 08:30 to 15:30 Monday to Thursday;
- 08:30 to 12:30 on Fridays;
- At no time on Saturday and Sunday.

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

6 **Regulatory Condition**: No externally located plant or equipment shall be installed or operated without the prior written approval of the Local Planning Authority by way of formal application.

Reason: To safeguard the amenities of the adjacent residential properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

Background Papers: DC/24/0075 Committee Report dated 04 February 2025