Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0916
Four Seasons Fuel, Coneyhurst Road, Coneyhurst, Billingshurst, West Sussex, RH14 9DG

DESCRIPTION:

Variation of conditions 1 and 3 of previously approved application DC/21/0294 (Erection of warehouse and boundary fence) to revise the access arrangements into the building.

RELEVANT PLANNING HISTORY:

DC/22/1533	Erection of 85 tonne and 75 tonne liquefied petroleum gas (LPG) storage tank at the site.	Withdrawn Application on 02.01.2024
DC/21/0293	Erection of two-storey office building and the provision of car parking facilities	Application Permitted on 28.05.2021
DC/23/0172	Erection of 85 tonne and 75 tonne liquefied petroleum gas (LPG) storage tank at the site.	Withdrawn Application on 02.01.2024
DC/23/1212	Erection of lean-to extension to existing office building (Retrospective)	Application Permitted on 18.09.2024
DC/23/1213	Variation of conditions 1 and 3 of previously approved application DC/21/0294 (Erection of warehouse and boundary fence) Variation sought to allow for a change to the location of the approved warehouse and associate parking area	Application Permitted on 05.10.2023
DC/24/0031	Hazardous Substance Consent for the storage of upto 49 tonnes of Liquified Petroleum Gas (LPG)	Pending Consideration
DC/24/0322	Erection of an agricultural storage building	Pending Consideration
DC/21/0294	Erection of warehouse and boundary fence.	Application Permitted on 28.05.2021

DESCRIPTION OF THE SITE

The application site is located to the south of Coneyhurst Road, outside of any designated built-up area boundary. The site is therefore located within a countryside location in policy terms. The site comprises an established commercial enterprise and includes an existing warehouse, a number of portacabins, and areas of hardstanding used for open-air storage and parking.

The site is bound to the south, east and west by mature vegetation, with agricultural fields located beyond this vegetation. A sporadic mix of residential and commercial units are located along Coneyhurst Road, with the nearest neighbouring properties located immediately to the east and west of the site boundaries.

DESCRIPTION OF THE APPLICATION

This application seeks to vary conditions 1 and 3 of previously approved application DC/21/0294 (Erection of warehouse and boundary fence) to revise the access arrangements into the building. The

access will be altered from the north-eastern elevation to the south-west elevation. As a result, the elevation with the personnel doors would be relocated from the south eastern elevation to the north-western elevation.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Neighbourhood Plan:
Billingshurst Parish Neighbourhood Plan
Policy Bill 1: Billingshurst Built-Up Area Boundary
Policy Bill 3: Energy Efficiency and Design

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31: Rural Economic Development

Parish Design Statement:
Billingshurst Design Statement

Planning Advice Notes:
None

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:

Newt Officer: *The type of development is not considered to be relevant to the District Licensing Scheme in this case. I therefore have no comments to make at this time. If the proposal changes, then please seek further advice from me if necessary.*

WSCC Highways: *No highway safety objections to the variation of condition application.*

HDC Arboricultural officer: *No arboricultural concerns*

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

None received

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 10 of the Horsham District Planning Framework (HDPF) 2015 aims to maintain that development in the countryside, which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle.

The application relates to the variation of conditions 1 and 3 attached to previous planning permission DC/21/0294 to revise the access arrangements into the approved building. Therefore, the principle of the development is considered acceptable in accordance with the above policy, subject to all the other material planning considerations set out below.

Design and Appearance:

Policy 32 and 33 of the Horsham Development Planning Framework (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.

Planning permission was granted on 28th May 2021 for the erection of a warehouse and boundary fence. There have been no material changes in circumstances since the planning application was originally approved and the principle of development remains acceptable. Following a site visit, it is confirmed that development has commenced, and the planning permission implemented.

The current application proposes to vary conditions 1 and 3 attached to planning permission DC/21/0294 to revise the access arrangements into the building from the north-eastern elevation to the south-west elevation. The building would not be enlarged and the minor alteration to the entrance would still ensure that the building remains visibly of an agricultural type and vernacular within the rural setting.

The proposal is therefore considered to represent an appropriate amendment to the approved scheme and would not have an adverse impact on either the character of the site or wider surrounding area. The visual impact of the proposal is therefore considered acceptable and in accordance with the above policies.

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.

It is considered that the proposal would not have a detrimental impact on neighbouring amenity beyond that of the previous approval. The amenity impacts are therefore considered acceptable and in accordance with the above policy.

Highways Impacts:

The variation of condition is sought to revise access to the building from the north-eastern elevation to the south-west elevation to allow better manoeuvrability of large vehicles within the yard, as well as for improved access to the building.

The car parking layout is proposed to be updated to reflect that approved under planning permission reference DC/23/1212 following the erection of the lean-to extension. No concerns to the parking layout were raised at this stage, and there are no reason to make an alternative conclusion at this time. No highways objections are therefore raised to the proposal.

Water Neutrality:

This application relates to varying conditions 1 and 3 of the approved planning permission DC/21/0294 granted prior to NE position statement being issued in September 2021, where this planning permission has since been implemented. Therefore, 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 application 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
All Other Development	748.45		748.45
		Total Gain	
		Total Demolition	

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

3 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved drawing number 21-01-01 rev E. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until visibility splays of 2.4 metres by 217 metres north-west and 2.4 metres by 120m south-east have been provided at the proposed site vehicular access onto Coneyhurst Road in accordance with the approved planning drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until cycle parking facilities serving it have been provided within the parking area of the development. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until means for the charging of electric vehicles by way of fast charging points have been installed in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document and include a plan of all charging points, their

specification, means of allocation, and means for their long term maintenance. The means for charging electric vehicles shall be retained as such thereafter.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the drawing reference 20-04-01 rev B.

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).

8 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the premises hereby approved shall be used only for storage purposes within Use Class B8 (as defined in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)) and for no other purpose without express planning consent from the Local Planning Authority first being obtained.

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 constraints of the site and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **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).

10 **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 nearby residential properties and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: No open storage of fuels and/or machinery shall take place outside of the hardsurfacing and security fencing hereby permitted without the prior written approval of the Local Planning Authority pursuant to an application for planning permission.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and to protect the appearance of the area in accordance with Policies 24, 26 and 33 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: No construction works to implement this permission, including any deliveries, shall take place except between the hours of 0800-1800 Monday to Friday and 0800-1300 Saturdays. No construction work shall take place on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring properties 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/24/0916
(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
Block plan	Block Plan	21-01-01 Rev E	12.06.2024
Elevation plan	Building Layout & Elevations	20-04-01 Rev B	12.06.2024
Location plan	Location Plan	NONE	12.06.2024

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 05.12.2024

Authorising Officer sign/initial Tamara Dale Date: 12.02.2025