Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0975
Graylands Estate, Unit 14, Langhurst Wood Road, Horsham, West Sussex, RH12 4QD

DESCRIPTION:
Change of Use from a Dance Studio (Class Use D) to a Veterinary Practice (Class Use E) with associated internal alterations, enhancements to the fenestration, and installation of new signage.

RELEVANT PLANNING HISTORY:

DC/10/2209	Change of use of laboratory (No.2) from B1 to D1 Dance studio	Application Permitted on 03.05.2011.

SITE AND SURROUNDS
The application site is situated within Graylands Estate, located outside of any designated built-up area boundary. The subject Unit is located to the north-west of the site, with the surrounding units comprising a mix of uses within Class E purposes, with the wider site containing several residential properties along with other Class D uses.

DETAILED DESCRIPTION
The application seeks to change the use of the building from a Dance Studio (Class Use D) to a Veterinary Practice (Class Use E) with associated internal alterations, enhancements to the fenestration, and installation of new signage.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 2 - Strategic Policy: Strategic Development
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan:
North Horsham Neighbourhood Plan area was designated, then the area voluntarily withdrew the designation.

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:

Natural England: No Objection, concur with the conclusion of your authority's HRA appropriate assessment, insofar that we have no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement, and subject to relevant pre-commencement conditions identified in the appropriate assessment being put in place, to achieve water neutrality.

WSCC Highways: Comment: -

This application seeks the change of use from Dance Studio to Veterinary Practice (Use Class E) with associated alterations. The site is located off Langhurst Wood Road, a C-classified road subject to a speed restriction of 40 mph.

No alterations are proposed to the existing vehicular access arrangements from Langhurst Wood Road. The proposed change of use to veterinary practice would not be anticipated to give rise to a material intensification of use of the existing vehicular access points on Langhurst Wood Road.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest the existing access points have been operating unsafely or that the proposals would exacerbate an existing safety concern.

The Planning Statement states that eight allocated spaces are available for use by this unit, although additional parking is available within the shared car park adjacent to the unit. Given the proposed number of staff and anticipated number of clients per hour, as outlined in the Planning Statement, the LHA is satisfied that the existing parking provision available will be suitable for the proposed use.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Environmental Health: Comment, due to the location and nature of the area this department have no adverse comments to make regarding this application.

Parish Comments:
No Objection.

Representations:
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 7 of the Horsham District Planning Framework (HDPF) states that sustainable employment development in Horsham District will be achieved by: allocating land for a high quality business park at Land North of Horsham; redevelopment, regeneration, intensification and smart growth of existing employment sites; the formation and development of small, start-up and move-on businesses by encouraging provision of small units through development proposals; encouraging sustainable local employment growth through Neighbourhood Development Plans; and identifying additional employment areas to meet the need for appropriate new business activity. In addition, Policy 9 of the HDPF states that the provision of small, start-up and move-on business units will be supported to enable them to reach their fullest potential.

Policy 10 of the HDPF states sustainable rural economic development and enterprise within the District will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities. In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must: contribute to the diverse and sustainable farming enterprises within the District or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside; and either be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities. It must be demonstrated that car parking requirements can be accommodated satisfactorily within the immediate surrounds of the building, or an alternative logical solution is proposed.

Policy 26 of the HDPF seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criteria includes supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas.

Unit 14 is currently subject of condition 2 under planning reference DC/10/2209 which restricts the use of the premises to a dance studio. The hours of use of the premises are restricted by condition 3 of the planning permission to between 17:30 and 21:30 Monday to Friday and 09:00 to 12:00 on Saturdays. Planning permission is required for the change of use to a veterinary practice with changes to its hours of operation and external appearance.

The application site is situated within Graylands Estate, located outside of any designated built-up area boundary. The site is therefore located within the countryside in terms of policy terms. The subject Unit is located to the north-west of the site, with the surrounding units comprising a mix of uses within Class E purposes, with the wider site containing several residential properties along with other Class D uses.

The change of use from Class D to Class E will retain an employment use within an established employment zone. While the proposal does not necessitate a rural location, it is acknowledged that the site forms part of an existing and established business park. The business is considered to support the varied and productive social and economic activity within the rural locality and is considered to operate at a level and intensity that results in sustainable rural economic enterprise.

The nature of the proposal is not considered to result in a greater level of activity than the existing use of the unit, with this considered to be comparable to other business within the established site. It is therefore considered that the change of use would be acceptable in principle, and in accordance with policy 7 and 9 of the Horsham District Planning Framework (2015).

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved, and enhanced, with proposals contributing to a sense of place through appropriate scale, massing, and appearance.

It is considered that the nature and extent of the proposed external alterations would be in keeping with the character and appearance of the host building and the wider surrounding area, such that no adverse visual harm would result and the proposal would accord with the above policies.

Amenity Impacts:

Policy 33 of the HDPF states that development should consider the scale, massing, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

The application site is located within the established business park, and is surrounded by a mix of uses, predominately comprising B1(a) Offices, but also including D1 uses. It is acknowledged that a number of C3 residential properties are located within the wider site. Given the surrounding context, it is not considered that the proposed use as a veterinary practice would result in harm to the amenities of the surrounding premises and users of land. No external plant and equipment are required, with the existing A/C units remaining. The proposal is therefore considered to comply with the above policy.

Highways Impacts:

Policy 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

As stated within the planning statement, Unit 14 has 8 allocated parking spaces within the car park on the wider industrial site. The full-time members of staff will be 5 to 6, so 8 parking spaces would be a greater number than the full-time staff for the veterinary practice. The planning statement does not anticipate having more than 6 new patients coming in every hour, with the shared car park considered to have ample parking for clients. WSCC Highways were satisfied that the existing parking provision available would be suitable for the proposed use. There are no alterations proposed to the existing vehicular access arrangements from Langhurst Road and the proposed change of use is not anticipated to give rise to a material intensification of use of the existing vehicular access points on Langhurst Wood Road. The proposal is therefore considered to accord with the above policy.

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 submitted Water Neutrality Statement outlines that the existing baseline water consumption of the unit is 1456 l/d, this has been calculated as accurately as possible using the make and model of the appliances and flow rate date from online purchase information of the same models. The proposed usage of the unit would have a water consumption rate of 256.9 l/d, as water efficient fixtures and fittings will be installed to reduce water consumption over the existing usage. The proposed development through incorporating water efficient fixtures and fittings will reduce the water consumption of the unit to a level below the existing usage. The proposal is therefore water neutral.

Natural England were consulted on the water strategy following the carrying out of an Appropriate Assessment by officers, and raised no objection, subject to the delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality. The information available and the mitigation measures proposed are considered to provide the necessary certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

Conclusion:

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-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement (EAS V4) received 30.08.2024). The use hereby permitted shall not commence until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures 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 179 and 180 of the National Planning Policy Framework (2021), 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**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the premises hereby permitted shall only be used for use as a Veterinary Practice within Class E and for no other purposes whatsoever, without express planning consent from the Local Planning Authority first being obtained.

Reason: Such that the proposal is acceptable in light of policies 32, 33 of the Horsham District Planning Framework (2015) and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 185 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations.

5 **Regulatory Condition**: The use hereby permitted shall not, except in the case of an emergency, be open for trade or business except between the hours of:

- 08:00 and 19:00 Monday to Friday, and
- 08:00 and 16:30 on Saturdays.

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

6 **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).

NOTE TO APPLICANT

The applicant is advised that this permission does not authorise the signage for advertising, for which separate consent is required under the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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/24/0975

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Proposed	PL.03	27.06.2024
Design & Access Statement	Planning	NONE	27.06.2024
Location & Block plan		PL.04	27.06.2024
Elevation plan	Existing	NONE	27.06.2024
Floor plan	Existing section	NONE	27.06.2024
Tree plan		NONE	27.06.2024
Floor plan	Proposed ground	PL.01	27.06.2024
Roof plan	Proposed	PL.02	27.06.2024
Supporting Statement	Water Neutrality Statement	NONE	30.08.2024

DELEGATED

Case Officer sign/initial	Bethan Tinning	Date:	23.09.2024
Authorising Officer sign/initial	Guy Everest	Date:	03.10.2024