DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0799
Coop, Lintot Square, Fairbank Road, Southwater, Horsham, West Sussex, RH13 9LA

DESCRIPTION:
Installation of replacement mechanical plant in the rear yard area, including absorptive panel cladding and protection rail around the proposed a/c units.

RELEVANT PLANNING HISTORY:

DC/21/1456	Installation of replacement mechanical plant in rear yard area.	Application Permitted on 14.10.2021

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 24- Environmental Protection
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Southwater Neighbourhood Plan
SNP16- Design

Southwater Parish Design Statement

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:
Environmental Health Officer: (*Original Comments*) The maximum noise levels must be conditioned in order to protect the amenity of residential neighbours. This is achieved going forward by properly maintaining the units in line with the manufacturers instructions.

The premises is located in the mixed commercial and domestic centre of Southwater village, with dwelling flats directly above and overlooking the location of the proposed plant. In addition, further domestic properties are sited in a separate block less-than 10 metres to the north, which also overlook the single storey height courtyard wall which will house the new plant.

This Service accepts the conclusions drawn in the noise impact assessment produced by Acoustical Control, namely that – based on the operational noise data supplied by the manufacturers to the consultants, that has been unable to independently verify – it is unlikely that the new plant will cause an increase in the noise environment experienced by the closest domestic properties. However, the report highlights the designer's intention to install sound absorbing panels to the walls of the courtyard

containing the new plant, although details and performance data of these have not been submitted. Specifications of the panels will therefore need to be submitted for consideration before the development takes place and the new compressors begin operation, with a view to then secure their installation and ongoing maintenance in line with the provider plans.

(*Additional Comments*) Following the provision of additional information, accept servicing the units twice a year as a reasonable response to ensuring an ongoing servicing and maintenance regime.

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:
No objection

Representations:
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

Character and Appearance

Policies 32 and 33 of the HDPF seek 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 SNP16.1 of the NP seeks that development must be of high-quality design. The policies also seek to ensure proposals limit clutter and light pollution, along with suitable materials and provide good levels of security.

The proposed equipment is located in a rear service yard area where the presence of such an installation would not be unexpected. The installation would primarily be seen against the backdrop of the main building, which is considerably greater in scale. As such, given the existing character and appearance

of the rear of the site it is considered there would be no adverse visual impacts, in accordance with the above policies.

Impact on Neighbouring 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.

Policy SNP16.1 of the NP follows the same line as policy 33, requiring that developments not result in unacceptable harm on amenity for existing and proposed buildings.

A noise impact assessment has been submitted which indicates that the plant would be unlikely to cause an increase in the existing noise environment. This conclusion includes a recommendation to fix sound absorbing panels to the wall of the courtyard and no data has been provided in this regard. The overall methodology of the assessment is though accepted and there are no reasons to believe the proposal would result in unacceptable noise or disturbance in this location. A condition is recommended to secure details of post-installation noise testing, to confirm predicted sound levels have been met, with a further condition recommended to limit the maximum noise output. This approach is considered sufficient to protect neighbouring residential amenity from unacceptable harm, in accordance with the above policies.

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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

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 **Post-Operation Condition**: Within 3 months of the first use of the plant hereby permitted, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that plant noise levels for daytime operation do not exceed levels of 36dB for daytime noise and 36dB for night-time noise. The assessment shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice and shall include full spectrum analysis to confirm that there is no tonality or other acoustically distinctive features present in the noise. Any additional measures required to mitigate noise shall be detailed and implemented, as necessary. The details as approved shall thereafter be permanently retained.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the neighbours of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The noise from the new plant hereby permitted shall not exceed levels of 36dB for daytime noise and night-time noise, as measured at the fascia of the closest domestic dwelling.

Reason: In the interests of protected residential amenities by ensuring an acceptable noise level for the neighbours of the development, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is advised that the units hereby approved should be serviced and maintained at least twice each calendar year.

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/24/0799
(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
Location & Block plan		3623.12 REV A	23.05.2024
Elevation & Floor plan	Details, as proposed	3623.11 REV A	23.05.2024
Supporting Statement	Acoustic Impact Assessment	B5399 2021-05-25 R	23.05.2024
Supporting Statement	Correspondence		08.07.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 22/07/2024

Authorising Officer sign/initial Guy Everest Date: 30.07.2024