



Planning Statement

Safeguard Europe Limited, Unit 2,
Redkiln Close, Horsham

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Variation of condition to amend operating hours
at
Safeguard Europe Ltd, Unit 2, Redkiln Close, Horsham.

Planning Supporting Statement
on Behalf of
Safeguard Europe Limited

June 2026

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Appendices

Appendix A - Copy of committee report for approved planning application HU/92/03

1. Introduction

- 1.1 This Planning Statement is written on behalf of Safeguard in support of the submission of a variation of condition application to enable a minor change to the current operating hours of Unit 2, Redkiln Close. The application is made in accordance with the Planning and Compulsory Purchase Act 2004.
- 1.2 This Statement considers the site and surrounding area, planning history, the scheme itself, relevant planning policy and provides an appraisal of the scheme in light of these considerations. It concludes that the proposal is a carefully considered scheme that meets guidance contained in the Development Plan and the National Planning Policy Framework.

2. The Site and Surroundings

- 2.1 The application site is located within the industrial and commercial estate at Redkiln Close, which is a cul-de-sac of industrial and commercial properties comprising of approximately 14 units.
- 2.2 Unit 2 is currently occupied by Safeguard, a family-owned business based in Horsham. Safeguard has operated continuously from Redkiln Close since 1983, starting initially at Unit 6 initially, and then from Unit 2 since 1997. Safeguard manufactures and supplies building protection products to the UK, Europe and the world. Safeguard therefore operates as a storage and distribution use (B8 use class).
- 2.3 The Application Site itself is broadly rectangular in shape and currently comprises of a single building of industrial scale and appearance and an outside uncovered yard area. The external open yard area is shared by Safeguard and Brewers (Unit 1) located to the east of the application site, and both businesses operate as a B8 use class.
- 2.4 The site is located at the northern end of the Industrial and Commercial Estate of Redkiln Close. The surrounding uses are also primarily commercial, with Brewers Decorating Trade Centre to immediately to the northeast, beyond this is Redkiln Way and an Esso Petrol Station with Tesco convenience store, and Jewsons Building Merchants. To the south and east are the neighbouring commercial and industrial buildings within Redkiln Close.
- 2.5 Whilst the surrounding area generally consists of industrial and commercial properties located within Redkiln Close, there are some residential properties in the vicinity of the site with a relatively recently constructed housing development of 55no sheltered apartments located some 4m to the north, and detached residential dwellings located to the northwest and west over 40m away.
- 2.6 The application site is within the defined built-up-area of Horsham and the Unit is located in the defined 'Key Employment Area' of Blatchford Road where a range of employment uses are contained in the wider area.
- 2.7 Horsham is defined as the main town of the District and is which is the top tier category of the settlement hierarchy in the District as set out in the Horsham District Planning Framework (2015). Horsham therefore is the most sustainable settlement in the District.
- 2.8 The context of the application Site can be seen in the satellite image below.



Approximate Site Location shown outlined in red (image courtesy of GoogleMaps_

- 2.9 The application Site currently benefits from vehicular access onto Redkilyn Close which leads to Redkilyn Way. The application does not propose any changes to the existing access arrangements or layout.
- 2.10 The Site is not within any protected landscapes (such as AONB or National Park).
- 2.11 The application Site is situated wholly within Flood Zone 1 and as such is considered at low risk of flooding from fluvial and tidal sources. The site is not considered to be a significant risk of flooding from surface water.
- 2.12 There are no Listed Buildings within the Site nor is it located within a Conservation Area. There are no Scheduled Monuments or Historic Battlefields which will be impacted by the proposed development.

3. Planning History

Application Site

- 3.1 In October 2002 planning permission was granted for a change of use from light industrial to storage and distribution (ref: HU/206/02). This permission was subject to the following conditions:

Condition 2 – No vehicles, plant or machinery shall be operated on the premises except between the hours of:

08:00-18:00 on Mondays to Fridays inclusive

08:00 – 13:00 on Saturdays

No working shall take place on Sundays or Public Holidays

Condition 3 – The loading doors located on the northeast elevation of the building shall only be used by electronically powered forklift trucks.

- 3.2 In June 2003 planning permission (ref: HU/92/03) was granted for the removal of condition 13 of HU/78/86 restricting use and allowing use with Class B1 & B2 (ref: HU/92/03). This application was to enable the unit to be occupied by a company named E R Edwards and Sons Ltd. This permission was subject to the following conditions:

Condition 2 – No vehicles, plant or machinery shall be operated on the premises except between the hours of 08:00 and 18:00 Monday to Friday inclusive, 08:00 and 13:00 on Saturdays and no working Sundays or Bank Holidays.

Condition 6 – The daytime specific noise level, as defined in BS 4142 1997, due to operational activities undertaken by the occupants of Unit 2, and undertaken within the building confines of Unit 2, shall not exceed 47Db laeq 1 hour at a location positioned anywhere along the boundary fence between the rear garden of adjoining residential properties and the north west elevation of Unit 2. Demonstration of the above compliance with the above limit shall be undertaken in accordance with the principles outline in BS 4142 using where necessary analysis techniques to isolate the specific noise source from other noise sources in the vicinity.

Condition 7 – The roller doors in the northeast elevation of Unit 2 shall remain closed other than for the purposes of access and egress and shall only be used by electrically powered forklift trucks.

- 3.3 The committee report for application HU/92/03 (attached at Appendix A) confirmed that the principle of the mixed B1/B2 use was acceptable but noted that E R Edwards conducted engineering activities including metalworking and other general workshop activities, as such imposing conditions relating to noise limitation and hours of working were considered necessary to ensure no harm to the amenity of neighbouring residential properties. However, E R Edwards

have never occupied the unit, as such this planning permission and the mixed B1/B2 use was never implemented on site. Given that the noise restrictive condition was imposed solely because of the proposed use and operations of E R Edwards, it is considered that this noise restriction is not relevant to the operations of Safeguard at the unit and are consequently not enforceable.

Other relevant applications

- 3.4 There have been a number of previous planning applications in the vicinity of the Site. These primarily concern the commercial / industrial development located within Redkiln Close and Redkiln Way. In order to provide context to the proposed change of hours of operation on the application site, relevant planning permissions with conditions which restrict hours of operation at neighbouring commercial/industrial units have been set out below.

Brewers (3 Redkiln Way)

- 3.5 In February 1995 planning application **HU/5/95** was approved, this allowed the use of the building for retail sales with associated warehousing and new vehicular access. This approval was subject to the following condition: *No work shall be undertaken on the site, nor shall the premises be open to the public, except between the hours of:*
08:00 – 18:00 Monday – Friday inclusive
08:00 – 17:00 Saturdays
No work shall be undertaken on Sundays or Public Holidays

- 3.6 **HU/140/95** – in July 1995 planning permission was granted for a variation of working hours to 07:00 – 18:00 Monday to Fridays and 07:00-17:00 Saturdays.

Redkiln Close Unit 1

- 3.7 **DC/16/1779** – Use of unit for showroom and sale of donated household goods with workshop and offices. This planning permission was not subject to any conditions which restricted hours of use, work or operation.

Unit 2B

- 3.8 **DC/13/0957** – Use of unit for showroom and sale of cycles with workshop and storage facilities. This approval was not restricted by any hours of use/work/operation condition.

Unit 3

- 3.9 **DC/15/2313** – Change of Use from engineering/manufacturing premises to car storage and Class 4 MOT centre. This approval was subject to the following condition:

No vehicles, plant or machinery shall be operated and no process carried out and no deliveries taken or dispatched from the site outside the following times:- 0800 hours and 1800 hours on Mondays to Saturdays inclusive; No working on Sundays, Bank or Public Holidays.

Unit 4 & 5

- 3.10 **DC/25/0803** - In March 2026, planning permission was granted for the demolition of warehouse building and associated structures and the construction of two no. self-contained warehouse units for storage (Class B8). This permission was subject to the following condition regarding hours of operation: *Other than for administrative purposes only the premises shall not be open for trade or business including deliveries, collection of trade waste and dispatches except between the hours of 07.00 - 20.00 Monday to Friday, 08.00 - 17.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.*

Unit 6

- 3.11 **DC/21/2027** – In July 2022 planning permission was granted for the erection of an extension to unit 6. The permission was subject to the following condition: *No plant or machinery shall be operated on the premises except between the hours of 07:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank Holidays or Public Holidays.*

- 3.12 Unit 8

- 3.13 **DC/16/2766** – In February 2017 planning permission was granted for the use of the unit as a micro-brewery with ancillary brewery shop and tap room/tasting area. This permission is subject to a condition which restricted hours of operation to between the hours of *08:00 and 20:00 Monday – Friday, and 08:00 and 13:00 on Saturday and at no time on Sundays and Bank Holidays.*

- 3.14 **DC/20/2246** – In January 2022 planning permission was granted for a variation of the above hours of operation condition on DC/16/2766, this application sought to vary the condition to allow for extended opening hours. The permission was subject to the following new hours operation condition: *The premises shall not be open for trade or business except between the hours of 08.00 and 22.00 on Monday to Saturday (inclusive), between the hours of*

11.00 and 21.00 on Sundays, and between the hours 10:00 and 16:00 on Bank and Public Holidays (excluding Christmas Day).

Units 11 & 12

- 3.15 DC/25/1244 - In November 2025 planning permission was granted at Redkirk Close for the change of use of building (Units 11 & 12) from light industrial to sui generis function space in connection with the neighbouring brewery at Unit 8. This permission was subject to a condition which restricted the hours of operation at the unit to: *18:00 – 23:00 Monday to Friday, 12:00 – 00:00 on Saturdays, and 12:00 – 23:00 on Sundays and Bank Holidays.*

4. The Scheme

- 4.1 The application site is currently occupied by Safeguard Europe, it is used for storage and distribution purposes and benefits from an existing planning permission for such under application ref: HU/206/02. This permission was subject to regulatory conditions, one of which, condition 2 restricted the hours of operation of vehicles, plant and machinery at the unit to the following:

No vehicles, plant or machinery shall be operated on the premises except between the hours of:

08:00-18:00 on Mondays to Fridays inclusive

08:00 – 13:00 on Saturdays

No working shall take place on Sundays or Public Holidays

- 4.2 This application seeks to vary condition 2 of planning permission HU/206/02 to extend the current operating hours of the unit to 06:00 and 18:00. This would represent an extension of 2 hours to enable work to take place from 06:00 to 08:00 Monday to Saturdays, an extension of 5 additional hours from 13:00 to 18:00 on Saturday, and to enable work to take place on a Sundays and bank holidays inside Unit 2.
- 4.3 The application also seeks a minor extension to the hours of work on the external yard area. It is noted that the red line boundary for the site in application HU/206/02 covers half of the yard area and as such this half of the yard area is restricted by the same hours of use condition set out above. This application seeks to amend the permitted hours to enable use of this half of the yard to enable work to take place between the hours of: 13:00 and 17:00 on Saturdays.
- 4.4 Brewers occupies Unit 2 and is subject to operating hours which were restricted via condition under application ref: HU/140/95, this application covered unit 2 and all the yard area between Brewers and Safeguard. It is noted that Brewers operating hours are currently 07:00 to 18:00 Monday to Fridays and 07:00 to 17:00 Saturdays, and these hours were permitted under application ref: HU/140/95 which covered the unit and all the yard area. The application does not intend to vary these working hours on the remaining half of the yard area, rather it would enable Safeguards hours of operations on the yard to match Brewers permitted hours of operation.
- 4.5 Safeguard Europe's success has seen the company grow its employment base year-on-year and currently employs 75 colleagues. The company plays a growing role in the local economy particularly due to their ecommerce operations and partnerships with national platforms such as Amazon, Screwfix, Toolstation, and Wickes.
- 4.6 Due to Safeguard's growth, and the Service Level Agreements they have with National merchants and eCommerce platforms, these partnerships require high

service level agreements operating 7 days per week. As such, there has been a need to increase their working hours by implementing two shifts of a “4-on 4-off” shift pattern, which allows Safeguard to operate safely and meet their targets. The two shifts alternate so that one group is working a 4-day rotation whilst the other enjoys 4-days off. The shifts operate between the hours of 6am to 6pm.

- 4.7 In order to continue this working arrangement and maintain the current levels of staffing they would like to be able to extend their operating hours within Unit 2 to Monday - Sunday 06:00 to 18:00 including bank holidays. It should be noted that the proposed amended hours would only be required for work within Unit 2 and not the yard area.
- 4.8 Safeguard are mindful of the open nature of the yard and the potential for noise and disturbance through any increased use of this half of the yard, as such this application proposes amending the hours of use for the yard area to: Monday – Friday 08:00 – 18:00, and 08:00 – 17:00 on Saturdays. The proposed hours of use of the yard would match Brewers permitted hours of operation on the same yard on Saturdays, with no work to take place on Sundays or Bank Holidays.
- 4.9 The proposal therefore seeks to amend the wording of condition 2 of HU/206/02 to the following:
- No vehicles, plant or machinery shall be operated within the Unit except between the hours of:*
06:00-18:00
No vehicles, plant or machinery shall be operated within the external yard area except between the hours of:
08:00 – 18:00 on Mondays to Fridays
08:00 – 17:00 on Saturdays.
No working shall take place on Sundays or Public Holidays
- 4.10 No changes are proposed to the existing layout of the yard or the unit, and the type of work which takes place on site would also remain as existing.

5. Planning Policy Context

5.1 A key role of the planning system is to regulate the development and use of land in the public interest. At the heart of the planning framework are statutory Development Plans which seek to guide the decision-making process. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where the Development Plan contains relevant policies, an application for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

5.2 In this case, the Development Plan comprises of the following:

- (i) The Horsham District Planning Framework (HDPF), which was adopted November 2015
- (ii) The National Planning Policy Framework (NPPF) (As amended December 2024)
- (iii) The application proposal must also be considered against national planning guidance where such guidance is material to the consideration of the application.

Horsham District Planning Framework (2015) (HDPF)

5.3 The HDPF was adopted by the Council in November 2015. This document provides the strategic planning policy framework for the District over the plan period 2011- 2031. The HDPF is now more than 5 years old, as such, the decision maker must consider the weight to its policies according to its consistency with the NPPF.

5.4 The HDPF identifies 6 priority themes for the Council, the first one of which is 'Economic Development: Plan for a successful local economy with high levels of employment.'

5.5 The following policies of the HDPF are considered to be relevant to the proposed scheme:

5.6 **Policy 1** (Strategic Policy: Sustainable Development) this policy states that the Council will take a positive approach to development which reflects the presumption in favour of sustainable development.

5.7 **Policy 2** (Strategic Development). This policy sets out the Council's strategic approach to development which generally encourages new development to take place within built up area boundaries in sustainable locations in accordance with the Settlement Hierarchy.

5.8 **Policy 7** (Strategic Policy: Economic Growth) seeks to achieve sustainable economic growth for the district, it notes that there is a shortfall of

employment space to meet the future needs of the district over the plan period, and sets out measures to address this, one of which is by seeking to ensure that Key Employment Areas are retained for employment uses and enable the redevelopment, regeneration, intensification and smart-growth of existing sites.

- 5.9 **Policy 9** (Employment Development) seeks to protect valued employment and commercial sites to ensure that there are sufficient local employment opportunities to meet the needs of the District, it also seeks to ensure that there is flexibility in accommodating business needs and allows for the development of small businesses. It also states that redevelopment in the Key Employment Areas must not result in the overall loss of employment floorspace.
- 5.10 **Policy 24: Strategic Policy: Environmental Protection** expects developments to minimise exposure to and the emissions of pollutants including noise, odour, air and light pollutions and ensure that they address land contamination by promoting the appropriate re-use of sites and requiring the delivery of appropriate remediation.
- 5.11 **Policy 32** (The Quality of New Development) states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape,
- 5.12 **Policy 33** (Development Principles) states that development proposals should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 5.13 **Policy 35** (Climate Change) requires that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes.

National Planning Policy Framework (NPPF) (December 2024)

- 5.14 The NPPF sets out the national framework for plan making and decision making, it forms part of the development plan.
- 5.15 Section 2 sets out the purpose of the planning system as being the contribution to achieving sustainable development. This sets out that at a high-level, the objective of sustainable development is to meet the needs of the present, without compromising the ability of future generations to their needs. In achieving sustainable development, there are three, interdependent objectives: an economic objective; a social objective; and an environmental objective. Whilst these objectives should be used to guide development towards sustainable solutions, local circumstances should be considered to reflect the character, need and opportunities of each area.

- 5.16 Paragraph 11 of the NPPF states that that development proposals that accord with the development plan are to be approved without delay. It also requires that where policies are out of date, that the presumption in favour of sustainable development applies.
- 5.17 Paragraph 11 sets out the presumption in favour of sustainable development, or the 'tilted balance'. At part (d) it states:
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 5.18 Section 6 (Building a strong, competitive economy) of the NPPF confirms that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.19 The NPPF (2024) confirms at paragraph 85 that "Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."

Other relevant planning policy

Emerging Policy: Horsham District Local Plan Review (HDLPR)

- 5.20 The emerging Local Plan was submitted for examination in July 2024 and following the first three days of hearings in November 2024, the Inspector cancelled further hearings scheduled for December 2024 and January 2025, and on 7 April 2025 the Inspector sent his Initial Findings Letter (IFL) to the Council recommending that the Council withdraw the Local Plan from examination due to his view that the Duty to Cooperate had not been met.
- 5.21 An exploratory/procedural meeting was due to take place in February 2026 between the Inspector and the Council; however this was cancelled. In the interim, the Planning Inspectorate has written to the Council to advise that a new Inspector has been appointed to carry out the examination, and that the first of the initial hearings took place on the 21st April 2026.

- 5.22 As such, whilst the examination of the Local Plan remains ‘live’, it is still at an early stage. The initial view of the Inspector and any required further work to be undertaken by the Council is unknown at this stage, and there are a number of stages to be undertaken prior to the conclusion of this examination which will take some time to progress and complete.
- 5.23 As such, at the time of writing, the Review of the Local Plan is not considered to be advanced enough to enable the policies therein to be afforded any weight in the decision-making process. At this stage, the Council is effectively therefore in a suspended state between a now out-of-date Local Plan with out-of-date housing policies and a Local Plan Review which is not sufficiently advanced in the process towards adoption to be afforded very limited weight in decision making.
- 5.24 Nonetheless, it is considered prudent to set out the relevant strategies and policies within the draft Local Plan Review document in relation to this site and the proposal. The Local Plan Review document continues to be based on a settlement hierarchy and seeks to continue directing development in and adjoining the most sustainable villages and towns of the District, including through the re-use of previously developed land.
- 5.25 The settlement hierarchy continues to classify Horsham as the Main Town of the District in the Local Plan Review document.
- 5.26 The Local Plan Review Document sets out a number of spatial objectives which will help the Local Plan to achieve its vision over the plan period. Spatial Objective 1 seeks to deliver a balance between economic, social and environmental priorities. Spatial Objective 7 seeks to meet employment needs and create opportunities to foster economic growth.
- 5.27 The Local Plan Review contains a Chapter on Economic Development and this sets out that ‘A key objective of the Council’s Economic Strategy is to make the District a first choice business destination.’ This chapter also identifies a number of issues, one being that 40% of the working age population commute outside the District to work, in order to reduce this figure there is a need to provide suitable high-quality space for businesses that want to locate in the District.
- 5.28 Whilst the Local Plan Review document indicates the proposed direction of travel that the Council are intending to take, it should be noted that the policies and strategy are not established and as such the policies therein should only be afforded limited weight in the decision-making process.

The Council Plan 2023-2027

- 5.29 The Council Plan sets out the focus for the Councils activities and priorities to the period 2027. This Plan sets out four key goals. The third is to ‘build a

thriving local economy', the plan seeks to ensure that the "District is known as an easy place to do business."

Government consultation document: Revisions to the NPPF (December 2025)

- 5.30 In December 2025 the Government consulted on their proposed reforms to the NPPF and other changes to the planning system. This consultation is scheduled to run until 10th March 2026.
- 5.31 Whilst this document does not yet form planning policy it does indicate the direction of travel and priorities of the Government, and as such it is considered prudent to set out the policies and parts which are thought to be relevant to this scheme.
- 5.32 Chapter 7 of this document confirms that economic growth is the number one mission of this government.
- 5.33 Policy E2: Meeting the need for business land and premises is a proposed new policy which seeks to provide clarity on the relevant planning considerations for business development proposals, it proposes that substantial weight should be given by the decision-maker to the economic benefits of proposals for commercial development.

6. Appraisal of Scheme against Planning Policy

- 6.1 The site is in an established industrial location and is within a designated Key Employment Area (Blatchford Road) as set out in Policy 9 of the HDPF.
- 6.2 Policy 7 of the HDPF relates to economic growth in the district and sets out how sustainable development in the District will be achieved. Point 2 of this policy is particularly relevant to this application which states that economic growth in the District will be reached through the 'redevelopment, regeneration, intensification and smart growth of existing employment sites. Policy 9 of the HDPF seeks to ensure that there is flexibility in accommodating business needs.
- 6.3 In essence, the minor extension to the current permitted operating hours at the unit, and the extension of the operating hours at half of the yard area to match that permitted on the rest of the yard area under application ref: HU/104/95, would accommodate the needs of a local business and employer, and enable the continued operation and growth of an existing business sited within a Key Employment Area in the District. It is therefore considered to comply with the objectives set out in Policies 7 & 9 of the HDPF .
- 6.4 As set out above, the site is in an established industrial/commercial site located within an area which is largely characterised by other industrial and commercial sites. The proposal would enable an existing employment-generating commercial use to expand and grow its current operations at a small scale and sustainable level, as such it is thought that the principle of the proposal is supported through policies 7 & 9 of the HDPF.
- 6.5 However, it is acknowledged that the site is in close proximity to neighbouring properties to the north of the site boundary, as such, the application is supported by an Acoustic Report (Acoustic South East) to establish if the proposed change in hours of operation would have any potential adverse impact on the occupiers of this property. It is important to note however that the commercial use of the site and the existing industrial estate has been in situ for a number of years, and pre-dates the residential development to the north.

Noise

- 6.6 The submitted Acoustic Report advises that noise measurements were taken inside Unit 2 over a number of days (19th to 30th September 2025) and deliberately included a weekend. The measured data shows that a worst-case hour was 69dB LAeq,1 hour and a worst case 12 hour working day was 65dB LAeq,12 hour.
- 6.7 Both the 69dB LAeq and 65dB LAeq, values were used to ascertain how sound is likely to propagate out of the Unit 2 structure. To ensure a robust

assessment, the noise modelling measured the roller shutter door open and closed. The results of the noise modelling software were compared to the condition which the LPA attached to planning permission HU/92/03 which limited the daytime specific noise level to not exceed 47Db laeq 1 hour. It is noted that the use permitted under HU/92/03 never occurred at the site, as such the permission was not implemented and therefore the condition is not valid, nonetheless it is considered in the Acoustic Report as being a useful yardstick to consider noise predictions against.

- 6.8 The results of the assessment showed that even with 8 receptor positions placed at the nearest boundary (of Manton Court) none of these exceed 47dB LAeq, 1 hour with the door open or closed, when considering a worst-case hour (69dB LAeq, 1 hour) or a worst case 12 hour working day. It is therefore logical and proven that the noise impact from internal working within Unit 2 is not having any detrimental effect on the neighbours amenity. Accordingly, an extension of hours to permit Saturday afternoon and Sunday working would not have any impact on the nearest residential properties.
- 6.9 The Acoustic Report also confirms that the proposed extension of hours of the yard (13:00-17:00 hours) on a Saturday to match the Brewers use of the same yard is therefore felt to be appropriate also. It is reasonable to be able to share the same hours of use of the external yard as the neighbours Brewers. The extension of hours to match Brewers use of the site for a Saturday afternoon of 13:00-17:00 is therefore considered to be appropriate.
- 6.10 Notwithstanding this, Safeguard Europe Limited are aware of their positioning with assisted living quarters located to the north of the site and the desire to be a good neighbour. Therefore, a noise management plan has been submitted in support of this application to ensure that all staff members are conscious of the fact that residents live nearby. This is especially relevant for staff members arriving in the morning and evening periods and this is also covered off within the noise management plan.
- 6.11 It is considered that the proposal is in compliance with the objectives of Policy 24 of the HDPF to minimise exposure to and the emissions of pollutants including noise, odour, air and light pollutions, and Policy 33 of the HDPF which seeks to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

BNG

- 6.12 It should be noted that the proposal is not subject to BNG regulations as the original planning permission was granted before 12/02/24. The NPPG confirms that BNG does not apply to section 73 applications relating to an original permission which was approved before 12th February 2024. This S73 (variation of condition) application relates to the original planning application HU/92/03, which was granted permission in October 2002.

7. Conclusions

- 7.1 The proposal would enable an existing commercial employment-generating site to function more effectively and accommodate the changing work hours pattern required to enable the applicant to operate safely and meet their targets. In essence, the proposal would help to support a long-established business and an employment generating use in the town.
- 7.2 It is considered that the variation of the current hours of operation within the unit at this site would be small-scale in nature, the change would represent an additional 2-hours each morning 6am -8am, Saturday afternoons 1pm-6pm, and operations on Sundays and Bank Holidays 6am-6pm. It has been demonstrated in the Acoustic Report that these changes would not have any material impacts on the residents of the surrounding residential properties.
- 7.3 The variation of hours to allow the operation of the yard area, would also be small-scale in nature, representing a change of 4 hours to enable work to take place between the hours of: 13:00 and 17:00 on Saturdays. This change would enable Safeguard to utilise the yard during the same hours which Brewers are currently permitted to use the same yard. In essence, the proposal would enable Safeguards hours of operations on the yard to match Brewers permitted hours of operation, which is considered to be a logical and sensible variation.
- 7.4 The proposal would enable the improved and continued use of the site for an employment generating long established business in the town, it has been demonstrated that there would not be any adverse impacts through noise generation on neighbouring residents, nor would the proposal have any impact on the character of the area. It is respectfully suggested the planning permission be granted.

Appendix A



**Horsham
District
Council**

DEVELOPMENT CONTROL REPORT

TO: Development Control Committee North

BY: Director of Planning

DATE: 3rd June 2003

DEVELOPMENT: Removal of condition 13 of HU/78/86 restricting use and allowing use within Class B1 and B2

SITE: Unit 2 Redkiln Close, Horsham

WARD: Roffey South

APPLICATION: HU/92/03

APPLICANT: Safeguard Chemicals

RECOMMENDATION - It is recommended that planning permission is granted subject to conditions.

1. THE PURPOSE OF THIS REPORT

The purpose of this report is to consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 The proposal is for the change of use of the existing property from light industrial (B1) to a mixed use of Class B1 and Class B2 (General Industrial). The existing occupiers are Safeguard Chemicals and the proposed occupier is E R Edwards and Son Ltd who wish to relocate from their existing premises in Redkiln Close and Blatchford Road. An acoustic report has been submitted with the application. The agent advises that relocation to unit 2 provides the company with the opportunity to operate its business from a single building of modern construction.

DESCRIPTION OF THE SITE

- 1.2 The application building is situated on the western side of Redkiln Close, a short cul-de-sac of commercial properties. The site comprises of a large industrial building of 1,450 sqm situated close to the north west boundary. This boundary also forms the end of the rear gardens of several properties in Kings Road.

- 1.3 There are two loading doors on the building, one on the south east elevation fronting Redkiln Close and the other on the north east elevation adjacent to a paved service yard. Employee parking takes place on the south west side of the building.

PLANNING HISTORY

- 1.4 Planning permission was originally granted for this building and the adjoining (Unit 1) in 1986 (HU/78/86) with a condition limiting the use to within B1 (Light Industrial).
- 1.5 It is apparent from the planning history that a loading door on the north east elevation of the building was installed contrary to the original approved plans. An application was therefore submitted to regularise the door along with a facing door on unit 1 (HU/289/87). At that time, the buildings were to be occupied by one occupier who needed to operate forklift trucks between the two buildings.
- 1.6 Planning permission was granted for the retention of the doors, however additional conditions were imposed requiring amongst other matters, that the doors only be used by electrically operated forklift trucks and that should the buildings ever be occupied independently, the doors should be removed.
- 1.7 An appeal was lodged against the condition requiring the doors to be obliterated should the units be occupied separately. In determining the appeal, the Inspector considered the effect of commercial activity in the service yard outside the loading doors on the amenities of adjoining residents. He concluded that, taking into account the reasonable needs of the business for flexibility in its arrangements and balancing the level of additional inconvenience likely to be suffered by neighbours against the somewhat limited advantage to them of this condition, that there was insufficient justification for the retention of the condition. He did however consider that other conditions (including the one relating to the use of electrically operated forklift trucks) to be appropriate.
- 1.8 A planning application for the removal of the hours of work condition was withdrawn in 1995 (HU/132/95) as the application was to be recommended for refusal.
- 1.9 More recently, two applications have been submitted, HU/205/02 was to remove the hours of work condition but has been withdrawn.
- 1.10 Application HU/206/02 for the change of use from light industrial to storage and distribution (B8) was considered by the Committee on the 1st October 2002 with permission being granted subject to conditions relating to hours of work, the doors being used by electrically powered forklift trucks and relating to storage.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 Relevant Government Policy includes PPG1 and PPG4.

RELEVANT COUNCIL POLICY

- 2.3 Relevant Council policy includes Local Plan Policies G1, G3, G5, EDC4, EDC13, EDC19, E1, E2 and TU5.

3. OUTCOME OF CONSULTATIONS

INTERNAL CONSULTATIONS

- 3.1 The Chief Environmental Health Officer considers that the Acoustic Report appears satisfactory and would indicate that there should not be a noise issue. He suggests that a condition relating to background and ambient noise levels be imposed together with conditions relating to the closure of the roller door, positioning of presses and fitting of anti-vibration mounts.

PUBLIC CONSULTATIONS

- 3.2 Five letters of objection have been received to the application on the grounds that a B2 use would give rise to noise and disturbance for residential properties, problems caused by previous metal engineering company occupying the premises, lack of sound insulation within the building, whether conditions relating to the closure of the doors would be realistic and enforceable, and noise and disturbance from deliveries.

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

Article 8 (right to respect of a private and family life) and Article 1 of the First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of Human Rights forms part of the planning assessment below.

5. PLANNING ASSESSMENT

- 5.1 The site is located in an established industrial area and has been in use for industrial purposes prior to the erection of the subject building. Given the existing industrial uses in the locality and the range of B1 industrial uses which could be undertaken in this unit, the main issue in the determination of this proposal is whether the proposed B1/B2 use would be materially more harmful to the amenities of adjoining occupiers than the existing authorised B1 use or the approved B8 use.
- 5.2 The potential for increased noise disturbance from the proposed mixed use would be from the nature of activities undertaken within the building together with the movements of items in and out of the loading doors adjacent to the residential boundaries and the effect of noise and fumes from lorry movements within the adjoining service area.

- 5.3 The workshop use is to be undertaken inside the building with no work outside and no external alterations or additional openings are proposed. The proposed occupier, E R Edwards, conduct light precision engineering activities within their existing workshops which includes metalworking (cutting, bending, welding and finishing) and other general workshop activities. One of their current units houses two pressing machines, one used intermittently for the rapid cutting of large sheet metal and the other for continuous punching out of small precision components from sheet metal. Currently the latter press is housed in a full enclosure (walls and roof) formed from a hardboard/mineral wall sandwich construction. The former press which is normally used for only single cuts is not enclosed. The workshop that houses these two presses has an additional panelling system on the roof.
- 5.4 Other typical noise sources inside both workshops include material handling, welding equipment, grinders, drills, planers, hand held tools and other typical workshop machinery.
- 5.5 It is considered that the principle of the B1/B2 use of this building in this location in Redkirk Close is acceptable but that the imposition of conditions are appropriate and reasonable relating to noise and pollution control together with hours of working to ensure that material harm is not caused to residential amenity.
- 5.6 The acoustic report submitted in association with the application indicates that the roller doors in the north east elevation of the unit should remain closed during the operation of activities such as presses, material handling and other mechanised operation. All are fitted with an automatic self-closing facility. It also recommends that the presses be located away from the north west and north east elevation within the unit (away from the residential properties) and that the punch press should have an enclosure to ensure no material increase to workshop noise levels. It is also recommended that acoustic ceilings are provided or replaced to the existing emergency fire door surrounds, particularly in the north west elevation of the unit to minimise noise break out. The report also recommends that the provision of vibration isolating bearings for both presses. Such measures would be required to be submitted for approval pursuant to a condition. A noise limiting condition is suggested giving decibel limitations at the boundaries of the site.
- 5.7 This matter has been the subject of discussions with the Chief Environmental Health Officer who recommends that these conditions be incorporated into the permission.
- 5.8 With regards to the concerns about increased traffic and activity, it is considered that the re-imposition of a condition regarding the use of electrically operated forklift trucks and a restriction on the hours of working would control any problems from the use of the service yard area.

6. RECOMMENDATION

- 6.1 It is recommended that planning permission be granted subject to the following conditions:

- 01 C1C Full Permission
- 02 No vehicles, plant or machinery shall be operated on the premises except between the hours of 0800 hrs and 1800 hrs on Mondays to Fridays inclusive, 0800 hrs and 1300 hrs on Saturdays and no working shall take place on Sundays or Public Holidays.
- Reason: In the interests of amenity.
- 03 C16L Details of Alterations
- 04 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas at any time approved by the Local Planning Authority.
- Reason: To safeguard the amenities of neighbouring properties.
- 05 Prior to the occupation of the building, precise details of measures for noise control and ventilation shall be submitted to and approved by the Local Planning Authority and the approved works shall be carried out prior to the occupation of the building.
- Reason: To protect the interests of nearby residents.
- 06 The daytime specific noise level, as defined in BS 4142 1997, due to operational activities undertaken by the occupants of Unit 2, and undertaken within the building confines of Unit 2, shall not exceed 47 dB laeq 1 hour at a location positioned anywhere along the boundary fence between the rear gardens of adjoining residential properties and the north west elevation of Unit 2. Demonstration of compliance with the above limit shall be undertaken in accordance with the principles outlined in BS 4142 using where necessary analysis techniques to isolate the specific noise source from other noise sources in the vicinity.
- Reason: In the interests of residential amenity.
- 08 The roller doors in the north east elevation of Unit 2 shall remain closed other than for the purposes of access and egress and shall only be used by electrically powered forklift trucks.
- Reason: In the interests of residential amenity.