Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0393
The Bedford, Station Road, Horsham, West Sussex, RH13 5EY

DESCRIPTION:
Installation of galvanised steel extract ductwork to rear elevation.

RELEVANT PLANNING HISTORY:

HU/92/85	Conversion of crate store to bar area. (From old Planning History)	Application 30.05.1985	Permitted	on
HU/278/97	Extension to car park Site: The Bedford Station Road Horsham	Application 05.11.1997	Permitted	on

DESCRIPTION OF THE SITE

The Bedford is a three-storey Victorian Public House on the corner of Station Road, within the built-up boundary of Horsham. The site is situated within a residential area next to a convenience store. The proposed development consist of two factors: the installation of the new kitchen extract system with external ductwork on the rear elevation, and the consequential blocking up of an existing first-floor window.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Horsham Blueprint Business Neighbourhood Forum is a designated body of the Unparished Area of Horsham Town. The Forum comprises of representatives from Denne Neighbourhood Council, Forest Neighbourhood Council and Trafalgar Neighbourhood Council. The Horsham Blueprint Business Neighbourhood Forum's Neighbourhood Plan area has been designated.

Relevant policies:
Policy HB3: Character of Development
Policy HB4: Design of Development

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 12: Air Quality
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:

HDC Environmental Health:
To this end, this Service OBJECTS to the Application due to the potential for cooking odours to cause a loss of amenity to neighbouring domestic properties and the therefore the additional design details will need to be submitted incorporating effective active odour control. A guidance sheet is attached detailing the required information this Service will require to adequately assess any revised designs.

Additional documents, alongside conditions agreed, were received and the objection was removed.

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

The galvanised steel extract ductwork to rear elevation will be connected to the kitchen to remove light-duty kitchen fumes from a single cookline within the kitchen. The system will only disperse of the cooking fumes externally. As per the planning statement submitted as part of the application, "the works will include the installation of one internal extraction canopy situated above the cookline, equipped with grease filtration baffle filters. An externally mounted fan will be installed to facilitate the dispersal of the light-duty cooking fumes."

Design 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 HB3 of the Horsham Blueprint Business Neighbourhood Plan states that development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Policy HB4 continues that development is expected to demonstrate a high quality of design, which responds and integrate well with its surroundings.

Amended design of the external extract ductwork were requested, changing the colour from stainless steel to matt black. This is to ensure the works fit in with its surrounding setting. The works are then less noticeable on the overall street scene. The applicant agreed and amended plans were received showing this change.

The proposal is considered to reflect the character and external appearance of the existing Public House and would sit comfortably in the context of the wider street scene. The proposal is therefore considered to accord 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.

The Council's Environmental Health Officers initially objected to the proposal based on insufficient information relating to the control of odour emissions from the proposed flue. Further information was received following this consultation detailing the proposed filtration system to mitigate against and potential amenity harm from odours. The submitted information was considered satisfactory to mitigate against potential harm.

In terms of noise, the submitted ventilation specification states that '*The noise produced by the fan including the fans housing which will add a degree of noise dampening is 38dB(A) at 4m which is roughly equivalent to low volume speech or daytime background noise in a town*.' Provided that the equipment is maintained and installed in accordance with the submitted schedule, the proposed ventilation system would not adversely impact on neighbouring amenity. A condition for the maintenance of the equipment both of noise and odour control is attached below.

Overall, it is considered that the siting external extract ductwork and the resulting relationship with neighbouring properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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 dwelling 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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:
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 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the proposed 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).

4 **Regulatory Condition**: The proposed extraction and ventilation equipment hereby approved shall be installed and maintained (including regular cleaning and servicing) in accordance with the Extraction System Report (prepared by ‘cesco’, received 14.03.2025), unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: In the interest of neighbouring residential amenity and 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/25/0393

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Extraction system report	NONE	14.03.2025
Floor plan	Existing	24.132.SG.G 100	14.03.2025
Elevation plan	Existing and proposed	24.132.SG.G 102	08.04.2025
Location & Block plan	Proposed	24.132.SG.G 104 A	15.05.2025
Location & Block plan		24.132.SG.G 103	15.05.2025
Supporting Statement	Planning	NONE	21.03.2025
Floor plan		24 - 342 D3 REV A	15.07.2025

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 06/08/2025

Authorising Officer sign/initial RHERMITAGE Date: 08.08.2025