DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1580
Fisher Clinical Services UK Ltd, Langhurst Wood Road, Horsham, West Sussex, RH12 4QD

DESCRIPTION:
New cryogenic storage facility in temporary portacabin structure.

RELEVANT PLANNING HISTORY:
There is an extensive planning history for the site, none of which is directly relevant to this current application.

DESCRIPTION OF THE SITE
Fisher Clinical Services UK Ltd is located on the west side of Langhurst Wood Road. The company operates from a number of industrial buildings along with offices associated with the business on the large site. There are parking areas within the site and the site is accessed via a security gate to the east of the main complex of buildings onto Langhurst Wood Road.

DESCRIPTION OF THE APPLICATION
The application proposes a new cryogenic storage facility in a temporary portacabin structure. The new structure would be fitted out as a cryogenic storage facility, which will allow prescription drugs to be stored at below freezing temperatures in bespoke vessels. The temporary structure is only required for 260 weeks.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 9 - Employment Development
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan
North Horsham has not been designated a Neighbourhood Plan area.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
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
Strategic Policy 30: Enhancing Existing Employment

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:
INTERNAL CONSULTATIONS
HDC Environmental Health: No Objection, due to the location and nature of the area this department have no adverse comments to make regarding this application.

OUTSIDE AGENCIES
Nature Space: No Comment, the proposed development is not considered to be relevant to the District Licencing Scheme in this case and we consider there would be no likely impact on great crested newts or their habitats.

WSCC Highways: The site is located off Langhurst Wood Road, the proposed use would not be anticipated to give rise to a significant material intensification of use of the existing access point.

The proposed building will be situated within an existing car park, resulting in the temporary loss of approximately 29 car parking spaces. The Planning Statement states that this car park is underutilised, and from inspection of the plans the site exhibits plentiful parking within the wider site, which would be considered suitable to serve the existing/proposed uses.

The LHA does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network.

Representations:
One representation was received, raising no objections in principle but raising concerns that there are no details relating to the drugs to be stored and any potential risk, including fire risk, if there were to be a leakage on the site.

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

The site is an existing employment site (Broadlands / Langhurst) where Policy 7 of the HDPF would support intensification and smart growth. The proposal is considered to accord with this Policy, supplementing the existing established use of the site.

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.

The application proposes a new cryogenic storage facility within a portacabin structure sited on an existing area of surface parking. While the structure is not of any particular design merit it would be sited alongside a large commercial building which forms part of a larger site, and it is this context in which it would be seen. This arrangement would largely mitigate any visual harm, with the site also largely screened from public views by the existing boundary treatment(s).

The proposed development is therefore considered to be of a design, form, and scale, which is appropriate to the existing character and appearance of the site and would have an acceptable impact on the wider surrounding area, in accordance with the above policies.

Residential Amenity:

Policy 33 states development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

There is considered to be limited impact on the neighbouring residential properties, as the location of the temporary structure sits within an established commercial site which is screened by mature trees and hedgerows.

It is considered that the modest scale of the development does not require conditions to control the nature of activities which can take place within the structure, and its use would not be expected to result in significant potential for harmful levels of noise or disturbance.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The structure would be located on an existing area of car parking, resulting in the loss of approximately 29 car parking spaces. There is though considered to be sufficient parking across the wider site to ensure that this loss of parking would result in any harmful displaced vehicles, and it is considered that no unacceptable impacts on the highway network or highway safety would result.

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 proposal would supplement existing activities on the site with the nature of the building and related use such that there would be no new water source (or additional consumption) required. There is no clear or compelling evidence to suggest the nature of the development would necessitate 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 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).

The development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. The development does not meet the threshold.

Other Matters:

- The proposal relates to the wider use of the site for related purposes and would not, in the context of the scale of this existing use, be expected to result in any safety risk, with separate non-planning site and safety regulations considered sufficient to ensure appropriate measures are put in place. It is noted that the wider site benefits from an existing fire protection pump house and water storage tanks, with part of this provision approved under planning permission ref: DC/11/2075.

- The application site falls within the red Impact Risk Zone for great crested newts and is located approximately 180m from a pond and 52m from a brook. Nature Space concluded that the proposed development would have no likely impact on great crested newts or their habitats.

Conclusions:

The proposal for a cryogenic storage facility in temporary portacabin structure is considered to be acceptable and accord with the relevant local and national planning policies. It is noted that the supporting information sets out that a temporary consent is sought for a period of 5-years. There are though considered to be no clear planning reasons as to why a temporary consent would be necessary, and no condition requiring removal are therefore recommended. It would instead be for the applicant to determine whether the portacabin should be removed in the future.

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 development hereby permitted shall only be used in connection with the use of the site (identified on the approved Site Location Plan) and shall not be occupied or used independently there from.

Reason: To enable the Local Planning Authority to control the development in the interests of amenity and in accordance with Policies 26 and 33 of the Horsham District Planning Framework (2015).

4 **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).

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/24/1580

(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
Supporting Docs	Planning Statement	NONE	17.11.2024
Site plan	Proposed	02-01 REV A	17.11.2024
Floor plan	Proposed	02-01 REV 01	10.10.2024
Elevation plan	Proposed	02-03 REV A	17.11.2024
Location plan		00-01 REV A	17.11.2024
Block plan		00-02 REV 01	10.10.2024
Site plan	Proposed Setup	00-03 REV A	17.11.2024
Site plan	Existing	01-01 REV A	17.11.2024
Elevation plan	Existing	01-02 REV 01	10.10.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 13.01.2025

Authorising Officer sign/initial Guy Everest Date: 14.01.2025