Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/1931
2 Worthing Road, Horsham, West Sussex

DESCRIPTION:

Replace the main entrance doors, installation of 4No. internally illuminated fascia signs to the exterior, and installation of AC condensers to external rear wall.

RELEVANT PLANNING HISTORY:

DC/23/1932	Installation of 4No. internally illuminated fascia signs	Pending Decision
DC/14/1873	Removal and replacement of shop front, new facade treatment and front extension at ground and first floor level to the former McDonalds and Rag Doll units, 2 Worthing Road and 1-3 Bishopric, Horsham	Application Permitted on 02.12.2014
DC/14/1872	Removal and replacement of a shop front to the former McDonalds and Rag Doll Units, 2 Worthing Road and 1-3 Bishopric at ground floor level	Application Permitted on 02.12.2014
DC/11/0051	Installation of 1 No. wall sign for Argos (above McDonalds Restaurant)	Application Refused on 20.04.2011
DC/13/2126	Part demolition and redevelopment of Bishops Weald House, Albion Way including change of use of part of ground and first floor to provide A1/A2/A3/A5 uses, D2 and C3 uses comprising 53 apartments, and demolition and redevelopment of part of Lifestyle Ford site, Bishopric to provide 17 residential units (Development affects the setting of a Listed Building)	Application Permitted on 15.01.2015

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

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 Blueprint Business Neighbourhood Plan (HBBNP) 2019 - 2036:
Policy HB3 - Character of Development
Policy HB4 - Design of Development
Policy HB7 - A Welcoming Public Realm (Advertisements)

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

INTERNAL CONSULTATION

HDC Environmental Health:

After requesting more information on 17/11/2023, Environmental Health raised no concerns after receiving and assessing an updated noise assessment plan.

OUTSIDE AGENCIES

Natural England (Standing Advice): Objection

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.

West Sussex County Council Local Highways Authority: Comment

In conclusion, 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 111), and that there are no transport grounds to resist the proposal.

Parish Comments; Objection

Noted the AC condensers and in view of the close proximity to residential accommodation and objected until further information is provided.

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

This application is for the replacement of the main entrance doors, installation of 4No. internally illuminated fascia signs to the exterior, and installation of AC condensers to external rear wall at 2 Worthing Road, Horsham, West Sussex. The application site is within the town centre of Horsham. It is primarily identified as a commercial / retail area and has undergone remodelling under DC/13/2126.

Principle of Development:

Policy 12 of the Horsham District Planning Framework (HDPF) states that retail centres will be supported and enhanced through a well designed and attractive public realm. Policy 14 of the HDPF continues that applications for new and replacement shop fronts will be supported where the proposal respects the architectural style, character and form of the buildings or location of which they form a part, including appropriate use of materials, colours and illuminations.

As laid out in the Design and Access statement, the proposed development is crucial to enhance the aesthetic appeal, functionality, and energy efficiency of the building. The replacement of the main entrance doors and installation of fascia signs will improve accessibility and visibility with installation of AC condensers is essential for ensuring a comfortable indoor environment.

The proposed development is considered acceptable in principle, subject to all other material considerations.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks 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 and HB4 of the HBBNP cover the design and character of development within Horsham which is supported by the neighbourhood councils of Forest, Denne and Trafalgar. It advocates for high quality design and construction that integrates with its surroundings whilst minimising impact on natural environments. It should reflect the character and architectural forms of the area in order to protect against inappropriate design.

Policy HB7 of the HBBNP states proposals that have the potential to provide public realm improvements should consider and address those opportunities as part of their scheme. In particular, proposals should seek to: reinforce the concept of legible “character areas” / “quarters” with distinct identities, as described in the Town Centre Vision. Within the Plan area, proposals for an advertisement and/or signage will be supported where it would not be obtrusive in appearance, cause visual clutter or lead to a proliferation of signs, appear dominant or overbearing in the street scene, or cause significant harm to the appearance of any building on which it would be displayed because of its siting, size, design, illumination, construction or materials.

The proposed development is to replace the main entrance doors, installation of 4No. internally illuminated fascia signs to the exterior, and installation of AC condensers to external rear wall. It will see the installation of a new automatic door, replacing the existing entrance manual doors. 4 internally illuminated ‘Specsavers’ logo signs of illuminance level 300cd/m^2 will be erected on the external walls. 2 signs are positioned on the front elevation whilst the other 2 are on the side elevation. The signs on the entrance block on front and side elevations are at 3.4m. The other two signs are lower at 2.4m on both front and side elevations. The front elevation signs will utilise the brackets that are in place, whilst the side elevations will match that placement with new brackets. A/C condenser units are positioned on the rear elevation where the existing units are already placed.

The proposed development would reflect the character of the Town Centre locality, with the additions considered to be of a scale, nature and form that appropriately reflects the character and visual amenity of the immediate surroundings. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Amenity Impacts:

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 Applicant has submitted an Environmental Noise Assessment which assesses the activities associated with the store, and specifically plant noise on the nearest existing noise sensitive receivers. The Assessment suggests that mechanical plant be chosen that is quieter than the currently proposed units. Alternatively, mitigation could be provided through the replacement of the existing louvres with sound reducing louvres.

It is noted that an objection was received from the Neighbourhood Council in respect of the impact of the A/C units on the nearby residential properties. Following consideration of the updated Noise Assessment, it was confirmed that the A/C units will not operate overnight, where Environmental Health have raised no objection to the units.

Subject to the mitigation techniques and that there would not be an adverse impact on the neighbouring amenity. It is however considered reasonable and necessary to impose a condition to ensure that the units are operated in accordance with these mitigation measures and the Noise Assessment. Subject to this condition the proposal is not considered to result in 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

It is considered that the proposal would be satisfactory of the relevant policies laid out and therefore the application is 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 and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The air conditioning units shall only operate within business hours associated with occupying commercial business at 2 Worthing Road.

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

5 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the mitigation measures outlined within section 7.7 of the Environmental Noise Assessment reference 10665/PJW Version 1.0 Rev A by Acoustic Consultants Ltd and dated 28.02.2024.

Reason: In the interest of the neighbouring amenity 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/23/1931
(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 Statement	Environmental Noise Assessment by Acoustic Consultants Ltd and dated 28.02.2024	10665/PJW Version 1 Rev A	29.02.2024
Location & Block plan	Location & Site Plan Drawings	260/107	19.10.2023
Elevation plan	Proposed Elevation Drawing	260/105	02.11.2023
Elevation plan	Proposed Side Elevation Drawing	260/106	02.11.2023
Floor plan	Ground Floor Proposed Layouts	260/112 Rev H	19.10.2023
Floor plan	First Floor Proposed Layouts	260/113 Rev H	19.10.2023

DELEGATED

Case Officer sign/initial J.Burrowes Date: 09/04/2024

Authorising Officer sign/initial TDale Date: 18/04/2024