Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2029
Land at 511449 130746, Maydwell Avenue, Slinfold, West Sussex,

DESCRIPTION:
Erection of an office building (Use Class E) with associated parking.

RELEVANT PLANNING HISTORY:

DC/19/0533	Erection of a two storey building for part office and part clean manufacturing use (B1/B2 use)	Permitted on 28.11.2019

SITE AND SURROUNDS
The application site lies within the Maydwell Avenue / Slinfold Business Park. The Business Park adjoins the Downslink to the north site (PROW / Bridleway), residential properties along the eastern side and woodland to the southern side, where land levels rise. This adjoining woodland approx. 63m to the west is designated as Ancient Woodland. The Slinfold Business Park is a designated employment site, which is sited outside of the defined built up area boundary of Slinfold

Furthermore, the application site, and much of the wider area of the Business Park, falls within the Consultation Buffer Zone of a Major Hazard Site, as specified by the Health and Safety Executive (HSE).

The application site itself sits on the southern side of Maydwell Avenue, and is occupied by a large single building that is split into offices along the northern side and three light industrial / storage units to the rear. Staff and visitor parking is located to the west of the building, and there is a large open yard at the rear (south) for deliveries and HGV access. This yard has two sliding gates to provide access, from the east and west sides, with the western gate leading onto a service track that provides rear / service access to the units on the southern side of Maydwell Avenue.

The central unit of the three at the rear of the building, is currently occupied by a roller shutter door company, where manufactured parts are delivered, stored and then assembled into the finished product. The adjacent unit is also used as 'overflow' storage by the same company.

The adjacent warehouse to the east of the application site, occupied by AJ Walters, manufacturers of aviation parts, was granted permission in 2016 for a warehouse extension along its southern side, encompassing an area that currently forms open car parking to that unit (DC/16/0211). Works on this site are shortly to start on site, thus extending the built footprint of these industrial units beyond the existing building line.

Planning permission was granted under DC/19/0533 in November 2019 for the erection of a two-storey building for part office and part clean manufacturing use (B1/B2 use). This has been partially built, excluding the office section as this was considered unnecessary at that time. This amendment was reflected in DC/23/1014 (Non Material Amendment to previously approved application DC/19/0533 (Erection of a two storey building for part office and part clean manufacturing use (B1/B2 use)) for a smaller scale build falling back from the original parameters).

DETAILED DESCRIPTION

This proposal seeks to erect a two-storey office building (class E) to link to the recently completed B1/B2 unit on the site (DC/19/0533 refers). The building/extension would measure 11.3 metres by 15 metres and have a set back to the front of 5 metres. It would be to a maximum height of 6 metres, at least 1 metre lower than the ridge line of the main building. Parking would continue to be located to both the front and to the east of the building. The building would in effect replace the part of the approved building removed under the 2023 non-material amendment application, replacing it on the east side of the building.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
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

Slinfold Neighbourhood Plan (Made June 2018)

Policy 5: Development Principles
Policy 11: Existing Employment Centres
Policy 12: Economy and Enterprise

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.

Slinfold Parish Design Statement

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:
INTERNAL CONSULTATIONS
HDC Environmental Health: No Objection, given the location, nature of the area & current use of this site the proposals are unlikely to increase potential for any adverse impact.

HDC Trees: No Objection. The buffer from the site to the adjacent Hayeshill Copse Ancient Woodland to the West is sufficient to ensure no foreseeable direct/indirect impacts to the trees and associated understorey/ground flora within it.

OUTSIDE AGENCIES
WSCC Highways: No Objection: -

West Sussex County Council (WSCC), in its capacity as Local Highway Authority (LHA), have been consulted on the above full planning application (DC/23/2029), with regards to any highway safety or capacity implications of the proposed development. The application is supported by way of a Planning Statement.

The application site is The Business Park, accessed from Madewell Avenue, Slinfold, RH13 0AS. The development proposal is for the erection of a two-storey office building (Use Class E) with associated parking. The building was originally approved under application reference DC/19/0533.

The access into the business park is gained from Stane Street which is a publicly maintained highway subject to national speed limit of 60mph. The internal road Maydwell Avenue is a privately maintained track serving several business units within the business park. The access arrangements, internal layout and associated parking were agreed with the LHA under previously approved scheme. The development proposes to provide 14 nos. car parking spaces which is in line with WSCC's parking requirement of 1 space per 30sqm. Safe and secure parking provision for 3 nos. bicycles is made to encourage sustainable travel.

In terms of vehicular trip generation, although no estimated trip generation exercise is submitted with the consultation, the LHA from experience with similar site context, consider that the estimated trips from the proposed development would not cause capacity issues on the local highway network.

The Local Highway Authority (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 (NPPF), paragraphs 110 - 113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.
If the Local Planning Authority (LPA) mind to approve the application, conditions are recommended.

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

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 of Development:

Economic development is covered by Chapter 5 of the HDPF, which states that 'there needs to be opportunities for existing businesses to grow and expand and change to meet modern business demands'. HDPF Policy 7 (Economic Growth) goes on to say that sustainable employment development in Horsham district for the period up to 2031 will be achieved by the 'redevelopment, regeneration, intensification and smart growth of existing employment sites.'

The proposal is for the expansion of an existing business located within an established industrial estate on the outskirts of Slinfold. The existing industrial estate is adjacent to the Built-Up-Area Boundary of Slinfold. The industrial site is not allocated as a Key Employment Area, but it is within an area designated as an 'Existing Employment Site', where expansions of existing employment sites and premises is supported by HDPF policy 9.

In this instance, the proposal is considered appropriate development in a countryside location as the extensions are within the confines of an existing industrial / employment estate and would not detrimentally affect the appearance of the site or the surrounding area. Development within the confines of an existing employment site is in accordance with the requirement of Policy 9 of the HDPF. Additionally, the expansion of the existing business is encouraged and in line with the general principles of Chapter 5 of the HDPF.

The principle of development at this site has been established through the previous granting of DC/19/0533 and DC/23/1014 (Non Material Amendment), with the current application seeking to include an office building on the site to replace an office building removed under the aforementioned Non Material Amendment application. The principle of this development, which brings the office back into the proposal, continues to be acceptable.

Design and Appearance:

The proposed design is intended to mirror the external appearance of the host building and adjacent industrial units, which are large, utilitarian and reasonably unremarkable in their appearance.

The particular landscape character of the business park is that it is located within a former brickworks and depression in the land, with a significant treed area directly to the south. As a result, it is considered that the proposal would not appear unduly obtrusive within the site's overall context.

Trees and Landscaping:

The proximity of the site to Ancient Woodland is noted. The buffer from the site to the adjacent Hayeshill Copse Ancient Woodland to the West is considered to be sufficient to ensure no foreseeable direct/indirect impacts to the trees and associated understorey/ground flora within it.

Amenity Impacts:

The proposal would not affect any neighbouring residential amenities owing to the intervening distances and adjacent buildings and uses contained within the light industrial / commercial business park.

With regard to the adjoining business users, it is not considered that the proposal would detrimentally affect any amenities of adjoining users of land. Development is noted to be taking place to extend the adjacent warehouse to the east (AJ Walters), which is a large new warehouse development that is sited between the application site and neighbouring properties further to the east.

As a result of the location of the application site away from boundaries, it is not considered necessary to impose hours of use restrictions, which is commensurate with the approach taken within the wider business estate and recent development therein.

Highways Impacts:

Access to the site is already established via the link road from the A29 to the business park, Maydwell Avenue. A gated access defines the point where Maydwell Avenue turns from public highway to a private estate road within the business park. Therefore, the application site would be served from existing private estate roads, with established vehicular access to the rear service yard from the east and west sides currently possible.

Parking to the office and industrial building would not be affected, as this lies to the west of the gated rear yard, and includes sufficient provision for the site and its staff, and visitors (approx. 100 spaces). Furthermore, it is noted that additional parking provision is available within the wider estate without affecting the public highways network.

HGV’s would be able to access and exit the site without detriment to the public highway network, with manoeuvring space available within the site and on the service road, which is lightly trafficked, and currently used for such manoeuvres.

It is not considered that the proposed development would generate such a level of additional parking requirements that could not be accommodated within existing parking areas.

The development would enable the existing company to operate from a building that is fit-for-purpose, with no additional trips anticipated. The proposed development is not considered to lead to any adverse effects on the capacity and safety of the public highway network.

There are therefore no adverse impacts considered to occur as a result of the proposal, which would adversely affect the highway safety or capacity in the vicinity, and access and parking arrangements for all modes of transport are in general accordance with the provisions and requirements set out in Policy

41 of the HDPF. Furthermore, it is noted that the proposal would not conflict with para 115 of the NPPF (2023), or HDPF policy 40.

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 host building was constructed under application DC/19/0533, however a non-material amendment removed a section of the building from the west side owing to site constraints. This application seeks to re-locate the 'lost' part of the extant permission to the east side of the building. The applicants water neutrality strategy relies on using the water credits from the 'lost' part of the building to offset the water use of the new part of the building. Based on floor areas and use, this is considered to create a neutral position. A condition requires the development to be carried out in accordance with the new block plan, precluding the 'lost' part of the building from being built out.

There is therefore no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive use of the site necessitating an increased consumption of water (beyond the original planning permission on the site) 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 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

The commercial development is within an existing employment site and remains in accordance with HDPF policies 2, 7 and 9, which seeks to achieve sustainable economic growth and employment opportunities within the Horsham District.

The proposal is smaller than the original office building originally approved and further away from the Ancient Woodland buffer zone. The proposal would accord with the local and national planning policies and therefore is recommended for approval subject to the conditions shown.

The application pre-dates the statutory requirement for Biodiversity Net Gain.

<u>COMMUNITY INFRASTRUCTURE LEVY (CIL)</u>

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
E(g)	394.4	0	394.4
		Total Gain	**394.4**
		Total Demolition	**0**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

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 application form.

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 development shall be carried out in strict accordance with the block plan (drawing 4400-PL-02Ra dated 05/02/2024.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting that Order), the building hereby permitted shall be used for Class E(g) purposes only and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case to preserve the use of the site as a designated employment site under Policies 7, 9 and 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/23/2029
(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	Planning Statement	NONE	03.11.2023
Location plan	Location Plan	4310-PL-01Ra	05.02.2024
Block plan	Block Plan	4400-PL-02Ra	05.02.2024
Elevation & Floor plan	Existing Floor Plan and Elevations	4400-PL-03	05.02.2024
Elevation & Floor plan	Proposed Floor Plan and Elevations	4400-PL-04Ra	05.02.2024

DELEGATED

Case Officer sign/initial Adrian Smith Date: 19/09/2024

Authorising Officer sign/initial Guy Everest Date: 19.09.2024