Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0410
Shell Service Station, Old Guildford Road, Broadbridge Heath, Horsham, West Sussex, RH12 3NS

DESCRIPTION:
Removal of one pump island and canopy above and the erection of an EVC Hub, associated plant and associated works.

RELEVANT PLANNING HISTORY:

DC/07/0911	Change of use from former Little Chef Restaurant to car showroom/car sales to include various alternations to the building.	Application Permitted on 09.08.2007
DC/16/2484	Full site reconfiguration following demolition and removal of existing sales building, canopy, pumps, tanks and carwash.	Withdrawn Application on 14.12.2016
DC/16/2725	Fell x 1 Twin Stemmed Sycamore Tree and x 1 Silver Birch Tree.	Application Permitted on 30.01.2017
DC/16/2863	Full site reconfiguration following demolition and removal of existing sales building, canopy, pumps, tanks and car wash.	Permitted on 21.03.2017

SITE AND SURROUNDS
The application site is on West Sussex County Council owned land but the petrol service facility on the land is used and operated entirely by Shell UK and has no relationship with the Council.

The application site 'Shell Service Station', Old Guildford Road, is located on the Farthings Hill Roundabout, which can be accessed directly off of the A24, and is an established service station serving through and local traffic.

The service station currently comprises of a 4 pump island car forecourt, providing refuelling for up to 8 vehicles with an overhead canopy, single storey sales building, air and water bay, plant enclosure, and 6 visitor parking spaces.

The area surrounding the application site is predominately commercial in nature, with the nearest building being the adjacent to the south Hendy Ford and Mazda car dealership, with associated parking and vehicle display yard. There are no residential properties within the immediate vicinity of the application site, with the nearest being 60m to the west at Mulberry Gardens. None of these properties are exposed to views of the garage.

The site is located within the Broadbridge Heath Built Up Areas Boundary (BUAB), and well located with regards to the strategic road network and Horsham District. The application site is located within the Sussex North Water Supply Zone, Flood Zone 1, and an area of low risk of surface water flooding.

DETAILED DESCRIPTION
This application is for the removal of one pump island and the canopy part above and the erection of an Electrical Vehicle Charging (EVC) Hub, associated plant and works.

The EVC Hub is proposed to provide 8 high speed EVC bays located along the northern boundary of the site, adjacent to the east of the sales building. To facilitate this, the existing air/water bay and bin store will need to be reconfigured. The one pump island and section of existing canopy will also need to be removed.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (2023)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan
There is no 'made' plan.

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 limited 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.

Planning Advice Notes:
Electric Vehicle Strategy 2019-2030

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.
There are a number of residential neighbours in close proximity who could be disturbed by the works. Therefore, an hours of operation condition is proposed to protect their amenity.

OUTSIDE AGENCIES
WSCC Highways: No objection.
In summary, 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 115), and that there are no transport grounds to resist the proposal.

Parish Comments:
Broadbridge Heath Parish Council: No objection.

Support the addition of electric vehicle charging points within the village. Comment that the loss of 4 car parking spaces which may impact the function and useability of the garage forecourt compared to the current layout and usage.

Representations:
No letters of representation have been received.

Member Comments:
None received.

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 is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT
The main considerations material to this application relate to:
- Principle of Development
- Design and Appearance
- Amenity Impacts
- Highways Impacts
- Climate Change
- Water Neutrality

Principle of Development:

Policy 2(2) of the Horsham District Planning Framework (2015) (HDPF) seeks to maintain the district's unique rural character whilst ensuring the needs of the community are met through sustainable growth and suitable access to services through focusing development in and around the key settlement of Horsham in accordance with the settlement hierarchy set out in Policy 3. Policy 3 of the HDPF permits development within the defined BUAB of towns and villages and identifies Broadbridge Heath within the second settlement type: Small Towns and Larger Villages, which are settlements with a good range of services and facilities, acting as hubs for smaller villages. Broadbridge Heath is also located adjacent to Horsham. Accordingly, Officers are satisfied that the proposal by virtue of its location within the Broadbridge Heath BUAB adjacent to Horsham accords with the requirements of Policy 2(2) and is appropriately situated in accordance with Policy 3.

Policy 2(5) supports in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period and Policy 2(8) encourages the effective use of land by reusing land that has been previously developed. The proposal seeks to change one pump island into EV charging hub application site on currently hard surfaced land used a petrol service station within the BUAB of Broadbridge Heath. Accordingly, Officers are satisfied that the proposed development accords with Policy 2(5 and 8) in this regard.

Policy 7 of the HDPF is concerned with economic growth, and states that sustainable employment development in Horsham district should be achieved in part by the redevelopment, regeneration, intensification and smart growth of existing employment sites. The use of the site as a service station is long established and Officers consider the continued use of the site as a service station, with the diversification of the site to also provide an Electrical Vehicle Charging (EVC) hub, will continue to support the site as a sustainable employment site in accordance with Policy 7.

In view of the above, Officers are satisfied that the application site by virtue of its location within Broadbridge Heath BUAB and in close proximity to Horsham accords with the requirements of Policies, 2 3 and 7 of the HDPF. Furthermore, Officers considers that as the proposal comprises of the redevelopment of the site to facilitate the continued use of the site as a service station, with the addition of an EVC hub, the proposal accords with the requirements of Policies, 2 3 and 7 of the HDPF. Accordingly, Officers are satisfied that the proposal is acceptable in principle.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Paragraph 135 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

The EVC points measure 2.5m in height, and 0.33m width by 0.64m depth. There are three other pieces of plant associated with the EVC points also proposed to be erected on site: a sub-station, two equipment module units, and a mains GRP cabinet. The sub-station measures 2.3m in height and 3m both in width and depth and is proposed to be finished in green. The equipment module units measure 2.35m in height, 0.61m in width and 1.23m in depth and are proposed to be finished in white. The mains GRP cabinet measures 2.1m in height, 3.0m in width and 2.0m in depth and is proposed to be finished in green. The proposed development will not increase the existing height of the site, nor would the scale or massing of the EVC points and associated plant be out of keeping with the existing site use, plant and equipment. The proposed finishing's are also in keeping with regards to quality material and colour with the wider site character. Officers consider that the EVC points and associated infrastructure are of a congruent quality, scale and design of the existing service station site and wider character in accordance with Policies 25, 32 and 33 of the HDPF.

Amenity Impacts:

Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

The proposed development makes use of the existing site through removing one pump island and canopy section to make space for the erection of 8 EVC bays within the existing site. The development will take place within the eastern section of the application site, which is furthest from the residential development to the west of the site. When being used, the EVC points will not generate odour or any noise above the existing noise levels from the site. The plant associated with the EVC points and existing plant are to be sited and relocated along the rear of the sales building within hit and miss fencing enclosures. Officers consider that the sales building and fencing enclosure will provide sufficient noise screening from the rest of the application site and neighbouring commercial and residential developments. The new substation is proposed to be located within GRP enclosure within the hit and miss fencing, to the west of the sales building. Officers are satisfied that this use of enclosures will minimise noise impacts to the Hendy dealership and vehicle display yard, neighbouring residential properties and users of the air-water bay to also be relocated to the west of the sales building. Officers are therefore satisfied that the ENV bays will not result in an intensification of the site by virtue of activity, noise or odour and therefore not result in adverse impact to neighbouring residential properties in accordance with Policy 33 of the HDFP.

The 8 EVC bays are proposed to be located along the north eastern boundary of the service station hard surfing and orientated so the EVC points face into the site and away from Old Guildford Road and Farthings Hill Interchange. The EVC bay orientation is partially towards the Hendy dealership, however sufficiently distanced that Officers are not considered this will have an adverse impact to amenity. The EVC points and associated plant will not exceed the existing height of development on the application site. The EVC points are smaller in scale and massing than that of the existing pumps on site. The associated plant will be contained within hit and miss fencing enclosures, which are in keeping with other existing enclosures on the site. The EVC points will be in keeping with the existing plant and equipment of the site and service station use. Officers are therefore satisfied that the proposed

development will not result in an adverse visual amenity impact in accordance with Policy 33 of the HDFP.

Officers note that two twin head flood lights are proposed to be located by the EVC points. Officers proposed a lighting condition to ensure these will not result in adverse lighting impacts to neighbouring amenity.

There may be temporary impacts, predominately in terms of noise and visual amenity, to the existing site service station services, the neighbouring Hendy car dealerships to south of the site and residential dwellings to the west of the site during the construction phase of the development. The Environmental Health Officer recognises this possible disruption to residential amenity and has recommended a condition to limit the hours of operation. Officers concur with the Environmental Health Officers recommendation and have attached the condition accordingly. Officers are satisfied that the hours of operation condition will ensure that residential amenity is not adversely impacted by noise during the construction phase of the development in accordance with Policy 33 of the HDFP.

Highways Impacts:

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

The application does not propose any changes to the existing site access and egress. WSCC Highways does not anticipate that the proposed development would give rise to a material intensification of use of the existing vehicular access points. From inspection of the plans, WSCC Highways considers the revised parking arrangement to be acceptable from a highway safety point of view. Officers note Broadbridge Heath Parish Council concern in regard to the parking loss and revision, however in view of the WSCC Highways comments, Officers are not concerned.

WSCC Highways 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. Officers concur with WSCC Highways that the operation of the proposed development will not result in any adverse impact to highways safety users or access in accordance with Policies 40 and 41 of the HDPF.

The West Sussex Electric Vehicle Strategy (WSEVS) recommends the use of standard plugs (Type 2 connectors), at least 7KW, and at least dual connectors for consistency across the County and minimise the space taken up. WSEVS also recommends minimising the amount of street furniture and clutter associated with EVC points and the green bay paint marked bays with ‘Electric Vehicles Only’ text. The WSEVS encourages the provision of charging points where people need them but not in locations that encourage additional car use or in direct competition to others already operating in the area. Petrol stations are identified as potential market providers within the WSEVS. The applicant has confirmed that the proposed EVC points will be standard plugs (Type 2 connectors) and 150kW in accordance with the WSEVS. Officers are also satisfied that the application site is in a location supported by the WSEVS.

Climate change:

Policies 35, 36 and 37 require 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. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed erection of EVC points will promote and encourage the use of electric vehicles, which in turn supports a reduction in emissions and climate change. In view of the above, Officers are satisfied that the proposed development makes provisions to reduce the impact of the development on climate change in accordance with Policies 35, 36 and 37of the Horsham District Planning Framework (2015).

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone where mains-water is supplied by way of groundwater abstraction within the Arun Valley. The Local Planning Authority received a 'Position Statement' from Natural England in September 2021, advising that the effects of existing groundwater abstraction cannot be objectively demonstrated to be compatible with the conservation objectives of a number of habitat sites. The habitat sites named within the Natural England position statement include the Arun Valley SAC, SPA and Ramsar sites.

Within its Position Statement of September 2021, Natural England advise that decisions on planning applications should await the development of a water-neutrality strategy on a strategic basis. In the current absence of a strategic solution to achieving water-neutrality, Natural England advise that individual plans and projects, where it is critical that these proceed, must demonstrate net-neutrality in respect of the use of mains-water such as to avoid contribution to the known adverse effect upon the integrity of Arun Valley habitat sites by reason of water-use.

There is 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 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.

Recommendation: To approve planning permission.

Conditions:

1. Plans list

2. **Regulatory Condition**: The development hereby permitted shall be begun 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**: No work shall be undertaken on the site except between the hours of:
   08:00 – 18:00 Monday to Friday inclusive
   09:00 – 13:00 Saturday
   and no activity on Sunday or Bank Holidays.

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

4. **Regulatory Condition**: No external lighting other than those illustrated on drawing ref: PLNG-07 Rev A Proposed Site Elevations hereby approved shall be installed on site. All external lighting installed shall be downward facing.

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

5. **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on drawing ref: PLNG-03 Rev A EV Equipment and drawing ref: PLNG-07 Rev A Proposed Site Elevations hereby approved.

   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).

NOTE TO APPLICANT

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/24/0410

(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
Location Plan	LOCATION PLAN	PLNG-00 REV C	26.03.2024
Site plan	EXISTING SITE PLAN	PLNG-01 REV A	15.03.2024
Site plan	GENERAL SITE PLAN	PLNG-02 REV A	15.03.2024
Elevation plan	PROPOSED SITE ELEVATIONS	PLNG-07 REV A	15.03.2024
Elevation plan	EV EQUIPMENT	PLNG-03 REV A	15.03.2024
Site plan	SITE PLAN	PLNG-04	15.03.2024
Block plan	BLOCK PLAN	PLNG-05 REV A	15.03.2024
Elevation plan	EXISTING SITE ELEVATIONS	PLNG-07 REV A	15.03.2024
Design & Access Statement	PLANNING, DESIGN & ACCESS STATEMENT		15.03.2024

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 20/05/2024

Authorising Officer sign/initial Adrian Smith Date: 20/05/2024