Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/1981
Unit 10, Water Lane, Storrington, West Sussex, RH20 3EA

DESCRIPTION:

Demolition of existing storage building (Units 5 and 6), telecom communication mast and compound. Erection of storage building.

RELEVANT PLANNING HISTORY:

DC/11/0545	Retrospective permission is sought for steel storage building between existing buildings 2 and 7 and a steel storage building on industrial site known as unit 5: Full permission sought for construction of steel lean to adjustment to existing building unit 1 and a steel building on industrial site adjacent to unit 6.	Permission granted on 08/07/2011

DESCRIPTION, SITE AND SURROUNDS

The application site relates to a single storey commercial premises located within the established Key Employment Area known as Water Lane Trading Estate, located to the south-western side of Water Lane Storrington. The site is also located within the built-up area of Storrington and Sullington.

The application site has a utilitarian design which is common within commercial estates/employment areas such as this. The application seeks the demolition of two existing storage buildings, telecommunications mast and compound and the erection of storage building.

The approximate dimensions would be an L-shaped building with 5 metres in eaves height, a maximum ridge of 5.5 metres, width of 42 metres, and maximum depth of 24 metres. The roof would be metal clad in green, with the elevations consisting of brick and vertical metal cladding.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 – Parking

Status – The Storrington, Sullington & Washington Neighbourhood Plan 2018-2031 was 'made' in September 2019, of relevance to this application is Policy 3: Employment Uses

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:

Natural England: Objection

Note that despite the proposal's potential to impact the Arun Valley designated sites via increased abstraction, no water neutrality statement or budget have been provided. Without these documents there is insufficient information to determine whether adverse effects on the sites can be ruled out. Once provided these should be considered, along with any necessary mitigation measures, by the competent authority at the appropriate assessment stage of HRA.

HDC Environmental Health: No objection

The site occupies an area of historical industrial land use therefore the presence of ground contamination should be investigated as part of the development.

The boundary of the site adjoins an approved residential development and conditions to control hours of working in accordance with the application details, installation of fixed plant and lighting are considered appropriate and recommended.

WSCC Highways: Comment

The application form states that net additional floor area of 402sqm under B8 use will be provided. The units to be replaced form part of the wider Tesla production facility and are accessed via Water Lane. Water Lane is an unclassified public highway no through to traffic to the north. Due to the various neighbouring mixed commercial and industrial uses, width of carriageway and on-street parking, vehicle speeds are not anticipated to be excessive.

Additional information is required:

- Trip generation assessment - potential increase in vehicle trips that an increase in B8 floor space could result in.
- Site layout plan showing how parking layout will be amended with the new building footprint in relation to the existing access arrangements with swept path tracking of HGVs required.

Southern Water: Comment

Southern Water requires a formal application for any new connection to the public sewer to be made by the applicant or developer.

In situations where surface water is being considered for discharge to our network, require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

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:

Policy 9 of the Horsham District Planning Framework states that redevelopment in Key Employment Areas must not result in the overall loss of employment floorspace. Expansion of existing employment sites and premises within the built-up area boundary will be supported where the business requirements cannot be met within the existing site/premises, through acceptable on-site expansion or intensification; and that relocation to existing stock is not preferable.

The demolition of the storage space would be 355sqm. The proposed footprint of the new storage building would be 840sqm approximately, such that there would be no loss of employment space and the proposal would be in accordance with policy 9 of the HDPF.

Policy 7 of the Horsham District Planning Framework advises that sustainable employment development will be achieved by, among other things, redevelopment, regeneration, intensification and smart growth of existing employment sites; and retention of Key Employment Areas for employment use.

The proposal would provide a larger storage building within the established Key Employment Area and would sit within the established boundaries of the existing site. The proposed development would be used in association with Tesla Engineering Limited and would contribute to local employment, would present no loss of employment space, and would support the local economy. The proposed development would therefore be acceptable in regards to policies 7 and 9 of the HDPF. The demolition of the telecommunication mast and compound to facilitate the proposed development would not contradict the above policies.

Design and Appearance:

Policy 33 of the Horsham District Planning Framework requires proposals to be of a high standard of design, relate sympathetically with the built surroundings and character of the surrounding area; also of particular relevance in respect of the development would be its impact upon both private neighbour amenities and the visual amenities of the area and to have appropriate access and parking arrangements.

The application site is located within the existing Water Lane Trading Estate, which comprises various industrial buildings of differing sizes. The immediate surroundings comprise large industrial buildings occupied by the Applicant, where the proposal seeks to demolish the existing buildings and infrastructure to the south-west and erect a larger 'L' shaped building.

Given the context of the site, which is characterised by large industrial buildings, it is not considered that the proposal would appear out of character or incongruous. The building would be read in the context of existing industrial buildings, and would not be overly prominent such that it would have an unsympathetic relationship to the surrounding area. Furthermore, the building is set back from Water Lane to the south west sufficiently such that it would not be overly prominent from wider surroundings. The telecommunication mast and compound would not be considered to contribute to the character of the area such that the loss of this would harm the character of the area. Overall, there are no objections to the proposal in respect of policy 33 of the HDPF.

Amenity Impacts:

Policy 33 of the Horsham District Planning Framework 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 application site is within a predominantly commercial area with no noise sensitive uses immediately adjoining. It is considered that the potential for noise and disturbance from the proposed is limited given the make-up of the site and wider industrial area. Should the application be approved, conditions would however be imposed to ensure that the use of the building and associated activities would operate in line with current restrictions on the site. Subject to such conditions, there are no objections in respect of policy 33 of the HDPF.

Highways Impacts:

Policies 40 and 41 of the HDPF states that development should provide safe and adequate access and parking, suitable for all users.

The plans submitted suggest that the existing access point from Water Lane would be utilised for the development. The plans have not shown a proposed parking arrangement or layout.

West Sussex County Council has been consulted as part of the application. The proposal would result in an increase of employment floor space of approximately 485sqm, where no trip generation assessment has been undertaken to consider the potential increase in vehicle trips resulting from the development. Furthermore, it has been requested that a Proposed Site Layout Plan be submitted to show how the parking layout will be amended to accommodate the new building, with no swept path tracking provided.

The proposed development has the potential to significantly increase vehicle movements to and from the site, where the requested information would provide a clear understanding of potential traffic implications on the development. Without this, it has not been demonstrated satisfactorily that the proposed development would benefit from safe and adequate access for all users nor result in harm to the function and safety of the public highway network, contrary to Policies 40 and 41 of the Horsham District Planning Framework (2015).

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 application relates to the demolition of two existing storage buildings with a combined footprint of 355sqm and the erection of a larger storage building with a footprint of approximately 840sqm. The application was not accompanied by a Water Neutrality Statement, where no information has been submitted to confirm the existing water usage of the site or the water usage resulting from the proposed development.

The proposal would result in the creation of additional floorspace, where the OffPAT Employment Densities Guide details that for B8 uses, an additional full time employee could be accommodated per every 70m2 of new floorspace created. The proposed development would therefore create an additional demand for 7 employees.

In accordance with the Council and Natural England's FAQ's, a BREEAM Wat 1 water calculator using OffPAT employment density figures would be expected to evidence proposed water usage. In the absence of this information, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Other Matters

It is noted that the plans submitted contain several versions of a red line, where the site as represented on the Proposed Site Layout has not been outlined on any of the plans.

Conclusions:

It is acknowledged that the principle of the development is acceptable in respect of policies 7 and 9 of the HDPF in that it would support an existing enterprise and contribute to the varied and productive economic activity within the Horsham District.

Whilst the economic benefits of an expansion within this site are recognised, there is insufficient information in respect of the access to the site, parking arrangements and vehicular movements such that it has not been demonstrated that the proposed development would not result in harm to the safety and function of the highway network and users of the site. The proposal would therefore be considered to be contrary to Policies 40 and 41 of the HDPF.

There is a lack of information in respect of Water Neutrality, such that it is not possible to determine what the likely water demand would be from the proposed development. It would be unlikely that the site has demonstrated appropriate levels of mitigation and/or offsetting measures to address the demand. Insufficient information has been provided to undertake the Assessment and it is not therefore possible for Horsham District Council to concludes that, with mitigation, the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site.

Recommendation: Application Refused

Reason(s) for Refusal:

1. Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of

the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

2. Insufficient information has been provided to demonstrate that the proposed development would not result in harm to the safety and function of the highway network and users of the site in respect of the access arrangement and increase in vehicular movements. The proposal would therefore be contrary to Policies 40 and 41 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/23/1981
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed New Building	16186/01 Rev A	30.102.2023
Elevation & Floor plan	Building - Unit 5	Unit 5 - External Sheet 1 of 1	07.11.2023
Location plan	Location Plan	1494737 - 00 004 - ML001 Rev 1	30.10.2023
Plans	Transmission Mast Site Site Survey	16186/S1	30.10.2023
Location plan	Site Location Plan (Draft Only)	15367/S1	30.10.2023
Location plan	Location Plan	NONE	30.10.2023
Elevation & Floor plan	Building - Unit 6	Unit 6 - External Sheet 1 of 1	07.11.2023

DELEGATED

Case Officer sign/initial Hannah Darley Date: 10/04/2024

Authorising Officer sign/initial Tamara Dale Date: 10/04/2024