Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0665
Dems House, Unit 4, Old Mill Drive, Pulborough, Storrington, RH20 4QD

DESCRIPTION:

Change of Use from a pet grooming salon to flexible use Class E.

RELEVANT PLANNING HISTORY:

DC/19/0388	Continued use of premises as dog grooming parlour.	Application permitted on 22/05/2019
DC/10/2235	Change of Use from existing office space to a beauty salon and internal works	Application Permitted on 06.01.2011
SR/29/00	Change of use from hairdressing salon to class a2 (financial & professional service) Site: Dems House (First Floor East) Mill Lane Storrington	Application Permitted on 17.05.2000

DESCRIPTION/ SITE AND SURROUNDS

The application seeks permission for a change of Use from Pet Grooming Salon to Flexible Use Class E. The application site forms the ground floor premises of a small purpose-built two-storey commercial building in the village centre of Storrington, adjacent to a car park to the north, and a public car park to the south, where there are further commercial and retail premises within a small complex. The site is defined as primary retail frontage within the HDPF. Dems house itself consists of four retail units.

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The existing unit is recently vacated and had been operating as a dog grooming parlour since December 2015. Prior to this, it is evident that the site formed a beauty salon. Adjacent uses include a computer / PC repair shop, a first floor beauty parlour, permitted in March 2017 (DC/17/0126).

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 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 14 - Shop Fronts and Advertisements
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Neighbourhood Plan:
The Storrington, Sullington and Washington Neighbourhood Plan received an Examiners Report in November 2018, and has since acted upon a number of advised recommendations. It is now anticipated that the NP will proceed to referendum shortly.
Policy 3 - Employment Uses
Policy 6 - Development in Storrington Village Centre

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: 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.

HDC Environmental Health: No objection although recommendations are made.

WSCC Highways: No Objections

There is no associated parking with the unit, however the site is located within close proximity of a local pay and display car park within Pulborough.

As the proposal seeks a flexible Class E use, the LHA has based their assessment on a “worst case basis.” The most intensive use within a Class E use would be considered that of a retail unit. On this basis WSCC Car Parking Guidance advises that a retail store typically generates vehicle parking demand of 1 space per 14 sqm and a cycle parking demand of 1 space per 100 sqm for staff and an additional 1 space per 100 sqm for customers. Given that this unit measures 60.5sqm it is not considered that this would cause a severe impact on the local network and nearby parking facilities. Furthermore there are bus services in operation along Old Mill Drive which are a more sustainable and viable option for future customers to the unit.

There are a number of similar units within proximity of the site which appear to operate with no known highways safety or capacity concerns. The LHA are unaware of any existing parking pressures within this location, the LPA may wish to consider this when assessing the proposal.

It is not considered that vehicular movements would change materially over that which the current use has potential to generate.

Parish Comments: Objection

Support local businesses. As the proposal is so vague they have said when a more specific business class has been decided, the Council would welcome a further application.'

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:

The location of the site is noted to be within a defined retail centre, with HDPF policy 12 recognising Storrington as being a secondary centre, where a wider range of A class uses can be located along with other use classes. A dog grooming salon would normally be considered as a Sui Generis (standalone) use.

HDPF Policy 13 seeks to encourage primarily A-class uses within retail centres, with an emphasis on A1, A2 and A3 uses within primary retail frontages.

The siting and nature of the application site is noted to be somewhat different in character to its nearby counterparts within the Old Mill Square centre, in that it does not form part of a traditional retail / shopping frontage. However, these units in Dems House and the adjacent Havant House, are all commercial in nature that would attract footfall, and are helpful in supporting the overall vitality and viability of an established and healthy town centre.

The retrospective application for a change of use on this ground floor unit would not visually affect the wider frontage of the existing property, as the existing openings are to be retained, and so the proposal is not considered to affect the wider retail function of the shopping area. Additionally, the premises is noted to have formed part of the established retail offer within Storrington since late 2015.

The fact that there is public parking available around the site, particularly given the use as a dog grooming parlour, is an additional benefit.

Overall, the proposal would result in a more flexible use than the existing, which would support the occupation of the unit and support the objectives of Policy 13 and the local economy.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The proposal will not alter the building's exterior appearance. Any changes to the signage must either comply with the deemed consent regulations for advertisements or require a separate application for advertisement consent.

There are no objections to the proposal in light of policies 25,32,and 33 of the HDPF in this regards.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that 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.

While it is recognised that Use Class E allows for a number of uses that could result in varying levels of noise, it is recognised that the site is located within a commercial area which includes a number of Use Class E units. Although the site is located in proximity to several residential properties, it is not considered that the proposed use of the property would be significantly harmful given its location among other commercial and retail units, and its position between two car parks within the designated retail and commercial hub of Storrington Village. Additionally, the premises currently operate within reasonable business hours typical for a retail shopping area, and these business hours would be maintained as part of the approval. Overall, there are no objections in regards to concern over amenity.

Highways Impacts:

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

The site is next to a public pay-and-display car park, with additional public parking options nearby, including on-street parking. There are some bus and public transport links available in the centre, and the site is within walking distance of properties in Storrington centre. The site is considered well connected in this regard and there are no objections to the proposal in light of policies 40 and 41 of the HDPF.

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.

Revised water neutrality information was requested as part of the application. An amendment was sought during the course of the application to evidence an existing baseline and outline a proposed use figure for the development. The application has been screened out for consultation with Natural England as the WNS has outlined that no mitigation measures are required.

The existing use figures have been demonstrated from water bills and suggest a use figure of 276.59 L/day. The proposed usage is based from a calculation of the floor space and Offpat figures indicating employment density. In this instance, they have based their assumptions on an office use which would be an equivalent of 149.3 L/day for an area of 72m2 based on 6 members of staff. This appears to be water neutral, and although it is noted that the proposed is a flexible class E use in which some employment densities would have a higher number of staff, even if the staff level were calculated from having a higher density Class E use, it would still use less water than the existing baseline demonstrated. For example one of the more conservative use classes in this respect would be serviced office (previously B1 (A) and would result in 7.2 staff rather than 6 members of staff within this floorspace. In this respect for the proposed fixtures and fixtures the usage would be 179.2 litres/per day. It is suggested then that the proposal would be water neutral.

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 unit 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.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site unless it meets the list of exceptions. In this instance, the applicant has stated within the application form that Biodiversity net gain is not relevant as an exemption form Biodiversity net gain. The proposal would affect less than 25sqm of habitat such that this assertion that it is exempt is accepted. No objections in light of Biodiversity net gain.

Other Matters:

Whilst Environmental Health have commented that they have no objection, it is noted that they have included a number of recommendations for the development. Some of these would be relevant considerations in the case of nearby residential development being permitted. In the case of this application however, these recommendations are not required as conditions to make the application acceptable in this regard.

Conclusions:

The proposal is considered to accord with relevant local and national planning policies and 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.

4 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) (or any order amending or revoking and/or re-enacting these Orders), the premises hereby permitted shall only be used for uses falling within Classes E(a), E(b), E(C)(i), E(C)(ii), E(C)(iii), E(d), E(e), E(f), E(g)(i), E(g(ii) E(g)(iii), only and for no other purposes whatsoever, without express planning consent from the Local Planning Authority first being obtained.

Reason: Such that the proposal is acceptable in light of policies 32, 33 of the Horsham District Planning Framework (2015) and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 185 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations.

5 **Regulatory Condition**: The premises shall not be open for trade or business except between the hours of:

- 08:00 and 18:00 Monday to Friday
- 08:00 and 13:00 Saturdays

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition**: No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

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

NOTE TO APPLICANT

The applicant is advised that if they require external ventilation / extraction equipment to the external part of the building then this may require planning permission and details of this would need to submitted to the local planning authority.

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/24/0665

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Site Plans	23074-111 0	29.04.2024
Floor plan	Existing and Proposed Floor Plan	23074-211 0	29.04.2024
Elevation plan	Existing and Proposed Elevations	23074-311 0	29.04.2024
Supporting Statement	Water Neutrality Statement	-	10.07.2024

DELEGATED

Case Officer sign/initial	Hannah Darley	Date:	07.08.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	30.08.2024