Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0106
5 High Street, Storrington, West Sussex, RH20 4DS

DESCRIPTION:
Installation of extractor flue for a commercial kitchen. (Retrospective).

RELEVANT PLANNING HISTORY:

| | | | |
|---|---|---|---|
| DC/22/0678 | Alterations to 3no existing windows and front door to southern facade. | Application 07.06.2022 | Permitted on |
| DC/23/2285 | Installation of extraction unit and chimney/flue system (Retrospective). | Application 20.09.2024 | Refused on |
| DC/25/0057 | Installation of exterior commercial fridge, and erection of a timber framed store room and open side timber structure with roof to provide a covered walk way. (Retrospective). | Application 11.03.2025 | Permitted on |

DESCRIPTION OF THE SITE

The application site is located on the northern side of the High Street. The main property is a single storey cream building fronting the High Street. It is believed that the building was originally constructed in the 19th century with a revised façade added in the 20th century. While the main property is not a listed building it consists of neo-classical architectural features including pointed pediments, a cornice, balustrades, rustication and rendered surfaces. The rear of the property includes a 20th century extension which was used while the building was a bank.

The western boundary is shared with a semi-detached structure at No. 3, which consists of ground-floor retail use and two stories of residential accommodation. The east elevation adjoins No. 7 which comprises of a ground-floor food business with residential accommodation on the two upper floors. The northern boundary backs onto residential properties, while the southern boundary abuts the High Street. The site falls within Storrington Conservation Area and is located within Storrington and Sullington built up area. The property is not a listed building, but it is a Locally Listed Building and considered to be a non-designated heritage asset.

DESCRIPTION OF THE APPLICATION

The proposal seeks retrospective planning permission for the installation of an extractor flue for a commercial kitchen.

RELEVANT PLANNING POLICIES

**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets

**Neighbourhood Plan**:
Storrington, Sullington and Washington Neighbourhood Plan 2018 – 2031
Policy 14 – Design

**Parish Design Statement**:
Storrington and Sullington Parish Design Statement

**Horsham District Local Plan (2023-40) (Regulation 19)**:
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

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:

**HDC Conservation**: No Objection

**HDC Environmental Health**: No Objection

PUBLIC CONSULTATIONS:
Representations:

1 no. letter of Objection has been received from 1 no. address objecting to the application on the following grounds:

- Loss of General Amenity,
- Privacy Light and Noise,
- Despite being refused permission previously this chimney still exists and enforcement of the refusal has been ineffective,
- Out of character with it's surrounding environs,
- Overshadows and invades everything around it with complete lack of consideration for the village character,
- Badly painted with a mottled black paint which is almost uglier than it was before,
- Dominates the skyline when viewed from Brewers Yard and Mill Lane,
- Doubt building a timber-look cladding round the whole thing,
- View from our own pretty and popular tea garden is blighted by this monstrosity,
- Concerned that the noise and smells from it will equally overpower the picturesque environment of the village which sits in a Conservation Area.

1 no. letter for Support has been received from 1 no. address supporting the application on the following ground:

- The village needs this restaurant so please grant planning permission.

Parish Comments:

**Storrington and Sullington Parish Council**: No Objection - subject to HDC environmental health conditions are met.

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

The application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs obtained during a site visit. These details were considered sufficient to allow the application to be properly considered and determined.

**Principle of Development**:

Policy 9 of the Horsham District Planning Framework (2015) aims to maintain that the 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 proposed extractor system would support the functionality of the new restaurant business within the village which would enhance the existing employment site. In turn, the proposal would increase the commercial vitality of Storrington's High Street therefore, the principle of the development is considered acceptable 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.

Additionally, Policy 34 of the Horsham Development Framework aims to reinforce the special character of the district's historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques.

Policy 14 of the Storrington, Sullington and Washington Neighbourhood Plan states that, among other things, the layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings and landscape.

The application follows the refusal of a similar application for the flue in the same location DC/23/2285 which was substantially higher- this application was refused owing to is incongruous appearance in this location and unknown impacts on neighbouring dwellings relating to noise. It is acknowledged that the extractor flue has been reduced in height but is still visible from certain public areas and in relation to the neighbouring listed buildings. However, following consultation with the Council's Conservation Officer, it is considered that the flue, when further concealed by the framework of cladding, would not be such a conspicuous feature that the harm to the conservation area and the setting of the neighbouring listed buildings would outweigh the public benefits provided by the business and the successful re-use of the old bank. The Council's Conservation Officer raised no objection. On balance, it is therefore viewed that the visual impact of the proposal is acceptable and accords with the above policies.

**Residential Amenity**:

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 application site is situated within primarily commercial centre of Storrington along the High Street, although domestic properties are located immediately adjacent to the proposed storage facilities in Brewers Yard.

During the course of this application additional information was submitted to address the concerns raised by the Council's Environmental Health Officer in respect of the lack of information available to assess the potential noise disturbance. It is judged that the additional documents provide basic product information which does not contain any noise or sound level performance data. Therefore, conditions have been imposed requesting that a BS 4142: 2014 noise assessment is undertaken by a qualified consultant to evaluate the installations potential for noise disturbance during its operation, the restriction on background sound level measurements and the submission of an acceptable service and maintenance scheme for approval. It is viewed that the potential impact on residential amenity would be limited subject to adherence with the abovementioned conditions.

**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 premises 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 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

**Biodiversity Net Gain (BNG):**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The application is retrospective made under Section 73(A) of the Town and Country Planning Act.

**Conclusions**:

The proposal is considered to comply with relevant local and national planning policies, subject to conditions below, and is therefore recommended for approval.

**Recommendation: Application Permitted**

Conditions:

2 **Regulatory Condition**: Within 3 months of the date of the permission hereby approved, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority which demonstrates the plant noise levels for daytime operation will not exceed background levels as measured at a position on the western boundary between the application site and the dwelling at 3A High Street. The assessment shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice and shall include full spectrum analysis to confirm that there is no tonality or other acoustically distinctive features present in the noise and detail any mitigation measures required to achieve background sound level.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition**: Within 1 month of the noise assessment required by condition 3 being approved in writing by the Local Planning Authority, a Post Installation Noise Assessment shall be submitted to the Local Planning Authority for its approval in writing. This shall identify the mitigation measures undertaken to achieve background sound levels, including any additional mitigation measures necessary and a timetable for implementation. These measures shall be permanently retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The Applicant is advised that the extraction equipment hereby approved shall be maintained in strict accordance with manufacturer specification for the lifetime of the development.

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.

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**Plans list for: DC/25/0106**
Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Location & Block plan | | 1.01 | 23.01.2025 |

| | | | |
|---|---|---|---|
| Elevation & Floor plan | Existing | 1.02 | 23.01.2025 |
| Elevation & Floor plan | Proposed | 2.02 | 13.03.2025 |
| Design & Access Statement | Heritage | NONE | 23.01.2025 |
| Supporting Docs | ESP Filter Unit | NONE | 23.01.2025 |
| Supporting Docs | Carbon Filters | NONE | 23.01.2025 |
| Section plan | | NONE | 13.03.2025 |

**DELEGATED**

Case Officer sign/initial Halima Chowdhury Date: 08.04.2025

Authorising Officer sign/initial RHERMITAGE Date: 17.05.2025