DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1713
Vincent House , 31 North Parade, Horsham, West Sussex, RH12 2DP

DESCRIPTION:
Variation of condition 1 of previously approved application reference DC/23/1566 (Change of use from Office to Special Educational Needs School. Construction of two storey link building. Construction of Multi Use Games Area and associated landscaping) to amend the approved plans to add an additional line of fencing at the front of the site.

RELEVANT PLANNING HISTORY:

DC/23/1566	Change of use from Office to Special Educational Needs School. Construction of two storey link building. Construction of Multi Use Games Area and associated landscaping.	Application Permitted on 23.02.2024
DISC/24/0075	Application for Approval of Details Reserved by Condition 4, 5 and 6 to approved application DC/23/1566	Application Permitted on 06.06.2024

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (HDPF 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 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

Horsham Blueprint Business Neighbourhood Plan
Policy HB1 – Location of Development
Policy HB3 – Character of Development
Policy HB4 – Design of Development

Policy HB5 – Energy Efficiency and Design
Policy HB12 – Encouraging Sustainable Movement
Policy HB14 – Community and Cultural Facilities

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.

Parish Comments:
No comment

Representations:
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 seeks a minor material amendment, through a variation of the approved plans list, to planning permission ref: DC/23/1566 (Change of use from Office to Special Educational Needs School. Construction of two storey link building. Construction of Multi Use Games Area and associated landscaping). The amendment incorporates: -

- Setting back of vehicular gates into the site (away from the North Parade frontage), and
- Additional fencing to the front boundary, sited behind existing frontage planting.

The re-siting of the vehicular gates would create additional on-site space for vehicles to access the site, should the need arise. The amendment is considered minor and would not create any adverse impact(s).

The additional fencing would run from the vehicular gates to a pedestrian gate at the south of the frontage. The fencing would not be unexpected to the perimeter of an educational use, with the siting such that the majority would be largely screened by existing planting to the frontage, with new planting proposed within the site which would further serve to soften the proposed appearance.

The amendments are not considered to detrimentally impact on neighbouring amenity over and above the previously consented scheme. The variation of conditions would generally maintain the general character and visual amenity of the approved scheme and would not result in any adverse impact on the wider surrounding area or in respect of neighbouring amenity. For these reasons, the proposed alterations are considered acceptable.

The application comprises a s.73 consent which was originally determined in advance of the Biodiversity Net Gain requirements. The current application is therefore exempt from the BNG requirements.

Conclusion

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

Recommendation: Application Permitted

Conditions:

2 **Regulatory (Time) Condition**: The development hereby permitted must be commenced by the 23/02/2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

3 **Pre-Commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing number P-006, as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

- Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The development hereby permitted shall take place in accordance with the construction details approved under application ref: DISC/24/0075 on 06.06.2024.

Reason: In order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

5 **Regulatory Condition**: The development hereby permitted shall take place in accordance with the Biodiversity Enhancement Strategy approved under application ref: DISC/24/0075 on 06.06.2024. The enhancement measures shall thereafter be retained in accordance with the approved details.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

6 Not used

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a lighting design scheme for biodiversity based on GN: 08/23 shall has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.
All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve the approved use have been implemented in accordance with the approved details as shown on plan P-006 Rev 03 and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the visibility splays for the access(es) serving the development, as shown on drawings

numbers 2023-4782-006 and 2023-4782-007, have been provided. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the fast charge electric vehicle charging point as shown on drawing number P-006 Rev 03 have been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

12 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the 8no. cycle parking facilities serving it have been provided within the site. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

13 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the site. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

15 **Pre-Occupation Condition**: The development hereby permitted not shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

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), Paragraphs 185 and 186 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).

16 **Regulatory Condition**: The premises hereby permitted shall be used as a school under Use Class F1 only, and for no other purpose.

Reason: In the interest of amenity and to address the District level need for SEND school places and in accordance with Policy 33 and 42 of the Horsham District Planning Framework (2015).

17 **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).

18 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures set out in Preliminary Ecological Appraisal by SLR Consulting Ltd dated August 2023 and Bat Survey Report has also been submitted by SLR Consulting Limited dated 29 September 2023.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

19 **Regulatory Condition**: The approved landscaping scheme as shown on drawing number P-006 Rev 03 shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Regulatory Condition**: The Multi-Use Games Area (MUGA) hereby permitted shall be used between the hours of 08:30 and 15:30 (inclusive) on school days and during school term time only.

Reason: In the interests of amenity of adjacent occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 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/24/1713

(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
Details plan	Indicative Highway Arrangement (Widened Crossover)	2023-4782-006	29.11.2023
Details plan	Indicative Highway Arrangement (Widened Crossover) Option A	2023-4782-007	13.12.2023
Location & Block plan	Location & Existing Block Plan	P-001 Rev 00	18.08.2023
Site plan	Existing Site Plan	P-002 Rev 00	18.08.2023
Floor plan	Existing GF & FF Plans	P-003 Rev 00	18.08.2023
Elevation plan	Existing Elevations	P-004 Rev 00	18.08.2023
Block plan	Proposed Block Plan	P-005 Rev 00	18.08.2023
Floor plan	Proposed GF & FF Plans	P-007 Rev 00	18.08.2023
Roof plan	Existing & Proposed Roof Plans	P-008 Rev 00	18.08.2023
Elevation plan	Proposed Elevations	P-009 Rev 00	18.08.2023
Supporting Statement	Bat Survey Report by SLR Consulting Ltd dated 29.09.2023	425.064800.00001	18.08.2023
Supporting Statement	Preliminary Ecological Appraisal Report by SLR Consulting Ltd dated 11.08.2023	425.064800.00001	18.08.2023
Supporting Statement	Technical Memorandum by SLR Consulting Ltd dated 04.08.2023	425.064800.0001 Rev 01	18.08.2023
Elevation plan	Existing and Proposed Street	P-010 REV 00	04.11.2024
Plans	Proposed Fence Types	P-011 REV 00	04.11.2024
Site plan	Proposed	P-006 REV 03	04.11.2024

DELEGATED

Case Officer sign/initial Jacques Burrowes Date: 19/12/24

Authorising Officer sign/initial Guy Everest Date: 30.12.2024