Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2064
Senlac , Shoreham Road, Henfield, West Sussex, BN5 9SE

DESCRIPTION:
Erection of a E(g)(iii) / B8 building (as an amendment to planning permission DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3).

RELEVANT PLANNING HISTORY:

DC/20/0049	Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c)and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works.	Application 26.10.2020	Permitted on
DISC/21/0081	Approval of details reserved by conditions 3, 5, 6, 9, 10 and 11 on DC/20/0049	Application 13.07.2021	Permitted on
DISC/21/0158	Approval of details reserved by condition 7 (a-c) to approved application DC/20/0049	Application 05.08.2021	Permitted on
DISC/21/0182	Approval of details reserved by condition 8 to approved application DC/20/0049	Application 13.09.2021	Permitted on
DC/22/0977	Non Material Amendment to previously approved application DC/20/0049 (Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c)and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works) Amendments include the removal of 4x canopies above the personnel doors on the North elevation and the most westerly one on the South	Application 29.06.2022	Permitted on

	elevation. Extension of the cladding to meet ground level on Building 1.	
DISC/23/0040	Approval of details reserved by condition 7(d) to approve application DC/20/0049	Application Permitted on 15.02.2023
DISC/23/0058	Approval of details reserved by conditions 12,13,15 and 18 to approved application DC/20/0049	Application Permitted on 21.06.2023
DC/23/2308	Variation of Condition 22 of previously approved application DC/20/0049 (Demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c)and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works) Relating to opening hours for trade or business.	Application Permitted 20/03/2024

SITE AND SURROUNDS

The application site is located 2kms south of the village of Henfield and outside of any defined settlement areas. The topography of the site is flat with native hedging and mature trees along the site boundaries. The site formerly a kennel / cattery and veterinary hospital has been recently redeveloped following the grant of planning permission in 2020. Building 1 has been built to the rear (west) of the site and is now occupied by Southdown Engineers Ltd. Other works including the access road and parking areas to the west and south have been built in accordance with the planning permission granted in 2020 for purposes of B1(a) and (c), (now Class E, g iii), B2 and B8 use). The site area for Building 2 (east) at present remains undeveloped.

The site is accessed from and sits west of the A2037 Shoreham Road, which runs along a north / south axis adjacent to the eastern boundary of the site. To the north of the site are a mosaic of fields divided by tree / hedgerow boundaries; to the east of the site is Henfield Business Park, occupied by various commercial businesses; to the west of the site is woodland; and to the south is the former brickwork site which is also a business park/distribution depot/industrial site with established and authorised use rights.

The site is identified as falling within Flood Zone 1 (0.1% chance of flooding in any year or 1:10000 year chance), it is noted that approximately 564m to the south lies land that falls within Flood Zones 2 and 3 where risks of flooding are higher. The Council's Drainage Engineer has informally advised that the Environment Agency has not identified the site as being within a Critical Drainage Area (CDA).

DETAILED DESCRIPTION

This application seeks amendments to the Application granted under DC/20/0049 (as subsequently amended by DC/22/0977).

The current application seeks the following amendments:

(As set out in the Applicant's Planning, Access and Design Statement):

- *The window and door locations within the elevations are proposed to be altered. Four roller shutter doors are still proposed within the western elevation but in slightly different locations. Three pedestrian doors are proposed rather than four and four separate windows are proposed rather than the four windows adjacent to doors as approved.*

- *Eight high level windows are proposed within the eastern elevation whereas there were four windows to the ground floor and four windows to the first floor (eight windows in total) approved. A roller shutter door is proposed in the eastern elevation along with four pedestrian doors which will be used as emergency exit doors. Four pedestrian doors were previously permitted within the eastern elevation.*

- *A glazed element is proposed to the southwest corner of the building with four other windows in the southern elevation. Six windows were previously approved within the southern elevation.*

- *No windows are proposed within the northern elevation as this end unit is going to be used for storage and therefore no windows are required due to the racking that will be installed internally.*

- *The eastern unit as granted under application DC/20/0049 had 16 parking spaces to the west of the unit and seven parking spaces within the southern car park on the wider site. This amendment seeks consent for 24 parking spaces to the west of the unit with seven parking spaces retained in the southern car park. Therefore, this amendment proposes 8 additional parking spaces over and above that approved under application DC/20/0049.*

- *The hard and soft landscaping scheme has been amended and consists of:*
  • Additional tree, shrub and herbaceous planting between parking bays to the west of the building;
  • Alterations to the planting scheme at the southern end of Building 2 / vehicular entrance to site);
  • Amendments to the pedestrian path route;
  • Addition of curved top timber sleeper wall up to 0.8m high to delineate southern boundary of site (sited behind front boundary planting); and
  • Addition of porous grid paving with grass growing up between the grid structure to the south of the building.

- *It is proposed to relocate the approved cycle store to the northern boundary adjacent to Building 2 and adjacent to the footpath and car park.*

- *Solar panels are proposed on the western roof slope to provide sustainable renewable power to the units.*

- *A small mezzanine with a floor area of 96.5 square metres is proposed within the southern unit. This would provide ancillary office space and a customer waiting area.*

It is proposed to amend the proposed materials due to changes in Building Regulations requirements. It is proposed that Anthracite Grey Cladding be used to all of the external elevations of Building 2 as the previously approved larch cladding as previously approved and used on elevations to Building 1 adjacent to the application site is no longer considered to be acceptable following changes to Building Regulations legislation due to the measure of combustibility.

A separate application was submitted to vary Condition 22 on DC/20/0049 was submitted in order to amend the hours of opening of the building. This application was approved under DC/23/2308 on the 20 March 2024 (as referred to below).

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 10 - Rural Economic Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
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

West Sussex Joint Minerals Local Plan (2018)
Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Neighbourhood Plan:
Henfield Neighbourhood Plan was 'made' on the 6 May 2021

Parish Design Statement:
Henfield Parish design Statement Dec 2008

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:
INTERNAL CONSULTATIONS

HDC Landscape Architect: No Objection

HDC Economic Development: No Objection

HDC Arboricultural officer: No Objection

OUTSIDE AGENCIES

WSCC Highways: No Objection (subject to conditions)

Ecology Consultant: No Objection (subject to conditions)

Southern Water: No Objection

WSCC Flood Risk Management: No Objection

WSCC MWPA: No Objection

SDNP: No Objection

Natural England: No Objection (subject to condition)

Parish Comments:
Henfield Parish Council: 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

Background
The original application considered under planning ref: DC/20/0049 was granted planning permission on the 26th October 2020. This permission established the principle of the development for the '*demolition of existing dwelling, kennels, cattery, animal hospital, grooming parlour and office. Erection of one building for the operation of a business offering hire and sale of non-mechanical plant, plant transport, welfare hire, mechanical repairs and associated offices / sales (B1(a) and (c), B2 and B8 use) associated with Southdown Engineers Ltd together with associated parking and outdoor storage. Erection of a second building for B1(c)and B8 use together with parking and a soft landscaping scheme. The creation of a new vehicular access, blocking up the existing vehicular access, creating a pedestrian access to the bus stops and highway works'*.

As set out in the Applicant's supporting Planning Statement '*Five discharge of condition applications have previously been submitted and determined in respect of the discharge all the pre commencement and preoccupation conditions between 2021 and 2023. Implementation of the permission granted under DC/20/0049 were started in September 2021. The works consisted of drainage works, highway works, new vehicular access, blocking up the old vehicular access, car parking areas, surfacing of outside storage areas and the erection of Building 1. Southdown Engineers Ltd moved into Building 1 in July 2023'.* Application DC/20/0049 is extant and it is noted that Building 2 can be fully implemented at any point in the future.

A separate application was submitted and recently approved under planning ref: DC/23/2308 in regard to the variation of Condition 22 of previously approved application DC/20/0049. The main reason given by the Applicant for the extended opening hours was that the potential occupier of Unit 1 (B8 storage and distribution use) within Building 2 will have a trade counter that requires these extended hours of opening for trade and business in line with their other units across Horsham District.

It was advised by the Applicant in respect of this related application that *'it is likely that only cars and vans would visit the site with the exception of deliveries. There will be no deliveries, loading or unloading on Sundays and bank holidays to Building 2 in order to preserve the tranquillity of the area in accordance with Policy 33 of the Horsham District Planning Framework.'*

The Applicants advised that the revised opening hours are to allow an additional 2 hours on weekday evenings and on Saturday afternoons, and between 9am and 2pm on Sundays and Bank Holidays. The application proposals relating to DC/23/2308 extend the opening hours as originally imposed but purely on Building 2, which the prospective owners Coles Automotive Property Ltd (the new owners of the building) would occupy.

Principle of Development:

The current application seeks an amendment to Application DC/20/0049 to alter the window and door locations, amend the parking layout and landscaping, relocation of cycle store, extension of timber cladding to meet brick plinth, erection of solar panels on the western roof slope, insertion of a small mezzanine within Unit 3.

The planning policies within the Horsham District Planning Framework (2015) under which the original planning application (DC/20/0049) was considered are Policy 1 (Sustainable Development); Policy 10 (Rural Economic Development); Policy 26 (Countryside Protection) and Policy 33 (Development Principles). There have been no changes to these policies since the application was determined. Similarly, there have been no changes to Policy 3.1 (Employment Development Site Allocation); or Policy 3.2 (Development of New and Existing Employment Uses) within the Henfield Neighbourhood Plan. It is accepted that the principle of the use has been established by the previous application as approved under DC/20/0049.

Whilst the National Planning Policy Framework 2023 has been updated (the previous version relevant at the time of the original application was the 2019 NPPF), the fundamental essence of the overarching policies remains unchanged and seek to support business and community needs within rural areas.

Paragraph 84 states "Planning policies and decisions should enable:
a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
b) the development and diversification of agricultural and other land-based rural businesses;
c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

Paragraph 85 of the NPPF states "*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist*."

The application site is allocated for employment development and has the benefit of an extant consent for commercial buildings with B1C (now Class E, g iii) Light Industrial and B8 (Storage & Distribution) use together with a parking area which could be implemented at any point in the future.

Building 2 as originally permitted provides two units in B8 storage and distribution use and two units in B1c light industrial use (now Class E, g iii). The current application would reduce the number of units within Building 2 from 4 separate units to 3 separate units, resulting in one larger light industrial unit (with a trade counter) and two smaller B8 units.

It is considered that the proposed amendments to the approved scheme are considered acceptable in principle subject to subject to all other material considerations.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves, and enhances the townscape character from inappropriate development. Proposals should take into account townscape 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 Applicants advise in their Planning Design and Access Statement that they propose to '*alter the internal layout from 2 x B8 units and 2 x B1C (now Class E, g iii) units to 2 x B8 units and 1 x B1C (now Class E, g iii) unit with a mezzanine.* They advise that *'due to the internal arrangement altering, the location and number of windows and doors also needs amending'.*

The application currently being considered under DC/23/2064 seeks amendments to the internal accommodation within Building 2 as well as external appearance arising from a change in the elevation materials proposed.

Internal Alterations

It is proposed to reduce the number of units within Building 2 from 4 to 3 units (effectively amalgamating the floor space from Units 1 and 2 as previously approved to create 1 large B8 unit). It is proposed that a new trade counter be provided to Unit 1 (Building 2) and that a new mezzanine floor be provided within Unit 3 (Building 2). The proposed mezzanine floor would have a floor area of 96.5 sqm. This would provide ancillary office space and a customer waiting area.

The proposed alterations to Building 2 and surrounds, include revised and new window and door positions to the east and west elevations; new gazing element to the south west corner of the building; elevations changes including elevational treatments; the introduction of solar panels (western roof slope); as well as a revised parking layout including the addition of 8 additional parking spaces over and above that approved under application DC/20/0049 and provision of 11 EVC points (3 more than originally approved); revised hard and soft landscaping amendments, including a timber topped sleeper wall; and the relocation of the cycle storage area to the northern boundary of the site (adjacent to Building 2), are as set out in the description of development above.

Materials

The applicant originally proposed two elevation materials for Building 2 comprising 'Grey Anthracite Cladding' and 'Larch Timber Cladding' to match the appearance Building 1 (as built in accordance with the Non-Material Amendment application (reference DC/22/0977). However, during the course of consideration of this application, the Applicant has advised that the proposed larch timber cladding no longer complies with Building Control Regulations and as such cannot be used on the building. The Applicant has therefore sought to use grey anthracite cladding to all elevations of Building 2.

Whilst the use of the larch timber cladding would have unified the appearance of both Building 1 and 2 on the application site, in is accepted that the larch timber cladding is no longer compliant with Building Regulations and therefore, rather than introduce an alternative material to those already used on site, that grey anthracite cladding be used to envelope the entire building (to reflect the same material used on Building 1). Whilst bold, the resulting building would reflect the modern appearance of the wider commercial site. It is also considered that the tree screen along the A2037 would provide a visual break and soften the appearance of Building 2. The size and scale of the building would remain as previously approved, and as such there are no changes in that respect.

The amendments are considered to be acceptable in terms of the overall design and appearance and accord with Policy 32 or 33 of the HDPF 2015.

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.

The commercial use of the site and the resulting impact on the amenities of the neighbouring properties were assessed as part of the original application under planning ref: DC/20/0049. It was concluded at this stage that the commercial use of the buildings for B1, B2 and B8 uses along with the associated parking area were sufficiently separated from neighbouring properties and that therefore the use would not adversely affect the living conditions of the nearby residential properties. There have been no material changes to the spatial context following this planning approval.

It is considered that the change in proposed materials, although modern, would not result in any appreciable or significant visual harm to the private amenities of nearby occupiers or the surrounding countryside location. Whilst buildings along the frontage of the nearby Henfield Business Park have brick plinths and green cladding to elevations, the buildings are dated in their appearance. It is therefore considered that there is no merit in replicating this palette of materials on 'Building 2' (also a frontage building) on the application site, as this would not assimilate well with the existing 'Building 1' which uses the grey anthracite cladding on three of its elevations (as already built) on the wider Southdowns Enterprise Park site (as now known). It is considered that the visual appearance of Building 2 would not look out of place within the context of the wider site and countryside given the existing presence of 'like' materials on the site. Therefore, the sole use of the gray anthracite cladding on Building 2, within the context of the wider site, is considered acceptable.

In regard to the proposed amendments to the parking layout, which includes an increase in parking (covered in further detail in the Highways section below) are considered acceptable and do not result in any significant or appreciable harm to either visual or private amenities of neighbouring occupiers or to the surrounding countryside.

It is not considered that any of the amendments to Building 2 or the surrounds (as set out above), would result in any significant or appreciable harm to either visual or private amenities and as such the application is considered to accord with Policy 33 of HDPF 2015.

Landscaping:

Policy 25 of the HDPF states that the Natural Environment and landscape character of the district, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development.

The Council's Landscape Officer was consulted during consideration of this application and initially raised concerns in regard to soft and hard landscaping, the location of the cycle storage unit and introduction of an expanse of sleeper wall. Initial concerns raised (17/01/2023) related to the removal of proposed planting at the access to the south of Building 2, which included 7 new trees and ground cover along with a 1.5m native hedge. The Applicants subsequently revised the landscaping proposals to ensure that the planting at the access to the site remains robust with 7 new trees proposed to the immediate access and that the existing vegetation along the eastern boundary is maintained in the long term to mitigate for any increased activity due to an additional shutter door on this elevation. The Applicants have agreed to plant an additional oak tree to the eastern boundary to the southern car park (2 in total), and the cycle shelter has been relocated to the northern boundary. The proposed bollards are of a timber material and are considered to be acceptable.

In regard to the proposed landscape amendments, the initial landscape concerns raised have been addressed and the proposals are now considered to be acceptable and in accordance with Policy 25 of the HDPF 2015.

Trees:

Policy 31 of the HDPF requires development to maintain or enhance the existing network of green infrastructure and states that proposals which would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss and ensures that the ecosystem services of the area are retained.

The Council's Tree Officer was consulted as part of this application and initial concerns were raised in regards to relocation of the Cycle storage unit and '*to the extent of soft ground area lost to the oak tree affected by the permitted development, it would not be appropriate to have any additional hardstanding within the trees minimum recommended root protection area'.*

The Applicants provided further details in relation to the location of the tree advising that as seen from *'the Tree Survey [attached], the RPA of T5 is off centre and is predominantly to the north of the tree due to the alignment of the original driveway directly to the south (see attached photo)'.*

This off-centre RPA together with the no dig technique (floating raft foundation) for the cycle store, will not have an impact on the RPA of this tree'.

In view of the Information provided by the Applicants, the Council's Tree Officer withdrew their objection stating that 'b*earing in mind the former area of compacted hardstanding as evidenced by the photo, I would concur that the no-dig method of construction proposed would be suitable……* and subsequently advised that they had *'no outstanding arboricultural concerns'.*

The re-siting of the cycle unit as proposed with consideration to the impact on existing trees is therefore considered acceptable and accords with Policy 31 of the HDPF2015.

Highways Impacts:

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

WSCC Highways were consulted as part of the application process. Further information was requested to address the following points:

- Clarification as to how the proposed provision of car parking spaces had been calculated;
- A comparison plan in respect of the approved layout with the proposed new car parking layout;
- further landscaping details including heights and spread when mature and details of buffer areas in relation to the proximity of visibility splays required for the vehicular access to the road.

A revised transport Technical Note (revised) Dated December 2023 was submitted by the Applicants.

WSCC advise that WSCC Parking Guidance references Class E Commercial Business and Service – Business, Office, Research and Development) and quotes 1 car parking space per 30 sqm plus 1 cycle parking space per 150sqm for staff and 1 cycle parking space per 500sqm for visitors.

WSCC Highways have advised that based on the increased floor area of 96.5sqm and using WSCC guide figures, that an additional 4 car parking spaces would be required above the 16 spaces previously approved. The Applicant proposed 24 car parking spaces be provided alongside the building (Units 1 2 and 3), effectively increasing the car parking provision to 24 spaces overall. A total of 8 additional spaces is proposed (4 more than is required), 2 of these spaces would be for disabled use and 7 of the car parking spaces would be located in the southern car park.

The Applicant's Transport Technical Note advises that Unit 3 is likely to be occupied by Coles Automotive Property Ltd for light industrial use (Use Class E (g) iii, this site would be an expansion facility for the existing automotive company based in Edburton. The prospective occupier of Unit 1 has a requirement for 12 parking spaces. The nature of the business it is considered that customer parking requirements would be for limited short term periods of time and as such the parking provision is acceptable.

Based on Electric Vehicle parking and the need for 45% of car parking spaces to be installed as 'active' provision, and with consideration to uplifts for 2024, WSCC advise that based on an overall 24 spaces

that 11 EV spaces would be required. The applicants originally put forward details demonstrating 8 EV charging spaces based on the increased number of car parking spaces, however they have since increased this to 11 EV spaces to address the comments of WSCC and the overall number of car parking spaces provided on site. WSCC Highways have confirmed that this is acceptable.

A landscape plan (drawing No 2.07) has been submitted to includes annotation to confirm that the previously agreed sightlines / visibility splays as part of DC/20/0049 to the A2037 Shoreham Road will be retained and have confirmed that any planting along the frontage of the development with the A2037 Shoreham Road will be kept clear of visibility splays in perpetuity.

WSCC Highways have also advised that the CEMP materials construction details provided are considered acceptable.

It has been advised that based on the additional information provided that WSCC Highways have no highway objections.

The proposals are therefore considered to comply with Policy 40 of the HDPF 2015.

Ecology:

Policy 25 of the HDPF aims to conserve the natural landscape and biodiversity and aiming to enhance biodiversity where possible. Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Policy 31(2) states that development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The policy also states that the Council will support new development which retains and /or enhances significant features of nature conservation on development sites and will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks. Part 4. (b) of the policy states that where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:

i. The reason for the development clearly outweighs the need to protect the value of the site; and,
ii. That appropriate mitigation and compensation measures are provided.

The Applicants have submitted a full suite of Ecological reports including the Preliminary Ecological Appraisal Revision 1 (CT Ecology, October 2023), Construction Environmental Management Plan (CEMP): Biodiversity revision 2 (CT Ecology, December 2023) and Biodiversity Enhancement Plan Revision 2 (CT Ecology, December 2023), relating to the likely impacts of development on protected & Priority species and habitats, and identification of proportionate mitigation.

The Council's Ecology Consultants were consulted as part of this application and have advised that the submitted details provides certainty of likely impacts on protected and Priority species and habitats, with appropriate mitigation measures secured through the imposition of appropriate conditions, the development can be made acceptable. It is advised that reasonable biodiversity enhancements should also be secured by a condition on any consent to deliver measurable net gain.

Mitigation Measures

Details regarding specific mitigation including precautionary working practices together with habitat enhancement measures are provided in the 'Recommendations' section of the Preliminary Ecological Appraisal Revision 1 (CT Ecology, October 2023).

In summary the mitigation measures include details relating to '*Site Preparation*' and phased habitat clearance; Site Storage (use of existing areas of hardstanding) and use of pallets; Construction / *Installation Phase* - any excavations required to facilitate construction of the new unit must be back-filled overnight, if this isn't possible then earth ramps/ planks of wood or similar must be left in the trench and morning checks for the presence of any great crested newts and advice to cease working immediately if

found to be present, advise given regarding appropriate working methodology and potential need for a great crested newt licence to enable activities to continue; *Breeding Birds* advice given regarding nesting birds protection under the Wildlife and Countryside Act 1981 (as amended) clearance of any habitats to be undertaken outside of the main bird nesting season which runs from March to August inclusive; *Habitat Retention*, advising that all trees and scrub together with newly planted hedgerow along the northern and eastern site boundaries to be retained and incorporated into design proposals with trees to be protected in accordance with British Standards (BS 2012) 5837:2012 Trees in Relation to Design Demolition and Construction; *Habitat Enhancement* – new development to offer opportunity for biodiversity net gain in accordance with national and local planning policy. y

Biodiversity Net Gain

In terms of biodiversity net gain, the enhancements including the following measures proposed will contribute to this aim.

- Post Development Landscaping: '*A detailed landscaping plan has been designed with biodiversity in mind in order to ensure that there is a net gain in biodiversity post works. This is detailed on the associated hard and soft landscaping scheme; Planting Proposals & Surface Finishes plan produced for the site (Furse Landscape Architects, 2023. Drawing Reference: PDA-ENT-LD-001-5 REV E)'.*
- Bird Boxes: Two external bird boxes should be installed post works and could be attached to the new building or installed on mature boundary trees.
- Bats and Post Development Lighting: Subject to the imposition of conditions to secure the above, there are no objections raised.
- It is recommended that an update habitat survey is undertaken if more than 18 months have elapsed between the survey and the point at which any development decisions have been made at the site.

In this respect, the development proposals is considered to accord with Policy 31 of the HDPF.

Other Matters:

Economic Development advise that they continue to support this development, as it is considered that this proposal would result in significant economic benefits. As such, it aligns with Priorities 1 and 2 of the Economic Strategy.

Air Quality

Other matters relating to Climate Change; Air Quality; Contamination and Drainage matters are as previously considered during the assessment of DC/20/0049 and there are no changes arising from the current application which would impact to these matters.

Drainage

The Applicants confirm that the drainage strategy for Building 2, as indicated on drawing ref: 2.03H – Proposed Site Plan, is fundamentally the same as the previously approved drainage strategy provided by GTA Civils. The primary difference is the location of the rainwater harvesting tank and an additional rainwater down pipe to the rear of the building.

The quantum of impermeable area has not changed from the previously approved scheme; therefore, the rainwater run-off volume will not change, therefore the original design does not need to be updated.

In regard to the foul water, this scheme is technically less intensive due to a reduction in the number of units, therefore the previously scheme is still adequate.

The drainage runs from Unit 2 will connect into two previously installed Inspection Chambers and connect into the previously designed system.

WSCC MWPA

Sweeptech Environmental Services Ltd, as identified within the WSCC Annual Monitoring Report (2021-2022) for Minerals and Waste, is a significant contributor to the transfer of waste within the County and is therefore safeguarded as operational waste infrastructure. The application site as per the subject of this consultation is located within the safeguarding buffer zone of this infrastructure, and so the LPA should be satisfied that the proposed variation/removal of condition would not prevent or prejudice its continued operation, as per Policy W2 of the WLP.

The principle of the B1 B2 and B8 proposals approved under DC/20/0049 development have already been established. This application seeks only to amend the hours of opening for trade and business. It is not considered that the proposals would result in any appreciable harm to the Sweeptech Environmental Services Ltd operational waste infrastructure.

Therefore, subject to the LPA being satisfied that the proposal would not conflict with the continued operation of the waste infrastructure site (as per Policy W2 of the WLP), the MWPA would offer no objection to the proposal.

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 Applicant has submitted a Water Neutrality Statement which outlines the water demand arising from the proposals. The proposed scheme being considered within this application provides 3no. units within the same GIA as an extant scheme (ref: DC/20/0049 - partially implemented with Building 1 already constructed, & Building 2 (the subject of the current application) yet to be constructed), therefore decreasing the intensity of the site, although the redistribution of Use Classes/ floor area has led to an overall increase in water usage. For avoidance of doubt Building 2 could be implemented as per DC/20/0049 if this application were to be refused without the need for further applications.

Existing baseline water consumption:

The extant scheme comprised of 1no. building divided into 4no. units. Two of the units are consented for B8 use, with the other two as B1c. The B8 units have an overall Gross Internal Area (GIA) of 607.3m², with a further 327.8m² to the B1c units.

Based on the BREEAM Calculator both the B1c use and B8 use have a water usage of 36.89l/p/d.
The BREEAM Calculator states a default occupancy of 24 for the B1c use and 10 for B8 use, giving an overall occupancy of 34 people.

The baseline water usage for the property is determined by multiplying 36.89 l/p/d by the occupancy of 34. The Extant Baseline Water Usage – 36.89 x 34 = 1,254.26 l/d.

Proposed water consumption (including onsite mitigation):

Figures used to calculate the water usage are based on the ‘default occupancy’ numbers generated automatically within the BREEAM Calculator based on GIA

Without a full water usage audit to determine the specific fittings etc, as Building 2 subject to this application has not been constructed, a BREEAM Calculation has been undertaken.

The extant scheme comprised of 1no. building divided into 4no. units. Two of the units are consented for B8 use, with the other two as B1c. The B8 units have an overall Gross Internal Area (GIA) of 607.3m², with a further 327.8m² to the B1c units.

Based on the BREEAM Calculator both the B1c use and B8 use have a water usage of 36.89l/p/d.
The BREEAM Calculator states a default occupancy of 24 for the B1c use and 10 for B8 use, giving an overall occupancy of 34 people.

The baseline water usage for the property is determined by multiplying 36.89 l/p/d by the occupancy of 34. The BREEAM Calculations are included in Appendix A. The Extant Baseline Water Usage – 36.89 x 34 = 1,254.26 l/d

Proposed water consumption (including onsite mitigation):

The calculation of the water usage for the proposed scheme uses the same BREEAM Water Usage calculation methodology to provide a like for like comparison.

The proposed scheme now divides the building into 3 units, with no change in overall GIA of the proposed building, and is divided as follows:

- Unit 1 – B8 Use – 418.2m²
- Unit 2 – B8 Use – 228.7m²
- Unit 3 – B1c Use – 384.4m²

The applicants state that the proposed scheme leads to a deintensification of development compared to the extant scheme due to the reduction in the number of units within the building, and that the overall provision of B8 use within the building has increased compared to the extant permission.

There are known occupants for 2 of 3 units:

Unit 1 occupied by Screwfix, have confirmed a maximum daily occupancy of 4 members of staff.
Unit 3 is to be occupied by Coles Automotive (the applicant), who have confirmed that a maximum of 10 members of staff would be present on site.

The BREEAM ‘default occupancy’ number for Unit 2 is 5 based on the units individual GIA. The known occupancy numbers fall below the ‘default occupancy’ numbers generated within the BREEAM Calculator. The proposed daily Water Usage is therefore lower than the extant scheme before utilising water saving strategies. In order to demonstrate a betterment over the extant scheme the ‘default occupancy’ numbers are to be used within the following calculations.

Proposed Water Usage: Using the same flow rates for the fixtures and fittings, but amending the respective GIA’s the proposed water usage for both the B1c and B8 uses remains at 36.89 l/p/d.

The BREEAM Calculator’s adjusted ‘default occupancy’ numbers now state an occupancy of 32 for the B1c use and 12 for the B8 use, therefore resulting in a total of 44 occupants.

The proposed water usage for the property is determined by multiplying 36.89 l/p/d by the occupancy of 44. The Proposed Water Usage = 1,623.16 l/d

The applicants stress that it is worth noting that with the known occupancy figures there is a decrease in water usage compared to the baseline usage, as set out below:

Unit 1 – 4 occupants – 147.56 l/d
Unit 2 – 5 occupants* – 184.45 l/d
Unit 3 – 10 occupants – 368.9 l/d
Total: 700.91 l/d
*occupancy based on BREEAM calculator ‘default occupancy’

Residual Water Usage:

In order to provide a comparable calculation, the residual water usage has been calculated using the 'default occupancy' numbers. The water usage for the proposed scheme has increased due to the changes in the proposed floor areas for the B1c and B8 uses, therefore there is an increase in the overall water usage between the extant and proposed scheme of 368.9 l/d.

Total Water to be offset/ saved = 368.9 l/d

Summary of mitigation package

Onsite mitigation and water saving and reuse measures: The following sections demonstrate that through the specification of specific sanitaryware and rainwater reuse when applied to the baseline water usage the water usage for the proposed development can be drastically reduced, therefore providing a betterment over the extant planning scheme.

Water Reduction Measures: Through the specification of aerated taps and dual flush toilets it is possible to reduce the water usage to 26.36 l/p/d.

Therefore, based on the 'default occupancy' number of 44 for the whole building, the water usage is calculated by 44 x 26.36 l/p/d = 1,159.84 l/d.

The specification of water efficient fittings creates a saving of 463.32 l/d, which exceeds the required saving/ offset of 368.9 l/d as set out above.

Proposed Usage Saving = 463.32 l/d
Proposed Total Water Usage with reductions measures = 1,159.84 l/d

The above calculation demonstrates that the proposed scheme has a lower water usage than the extant permission, therefore the current proposal is deemed to be Water Neutral in relation to the extant, fall back, permission.

This scheme also proposes the inclusion of a Rainwater Harvesting system to provide non-potable water for flushing the toilets and grounds keeping purposes. Based on the calculations below, provided by Kingspan Klargester, a 30,000ltr Below Ground Rainwater Harvesting Tank (RWHT) is required, which is to be located below the driveway as indicated on the drawings.

The following calculation has been provided by Kingspan Klargester:
Roof Area: 1,021m²
Drainage Coefficient: 0.8
Filter efficiency: 0.9
Annual Rainfall: 800mm
1021 x 0.8 x 0.9 x 800 x 0.05 = 29,405 (30,000 Litre Closest Next Tank Size)
Based on the BRE Wat 1 Calculator, a total of 18 l/p/d yield would be obtained from the Rainwater Harvesting Tank (RHWT). Therefore a total of (18 x 44 =) 792 l/d can be saved through the use of a RWHT.
Total Rainwater Harvesting Saving = 792 l/d
Proposed Total Water Usage with RWHT = 367.48 l/d

Is the mitigation sufficient?

Water Reduction Measures Conclusion:

Based on the above calculations the applicants have sought to demonstrate that through the specification of water efficient fittings a saving of 452.79l/d can be made. Further savings can be made through the inclusion of a rainwater harvesting tank of 774 l/d of non-potable water use for toilet flushing within the building and grounds maintenance.

Therefore, the calculated water usage for the proposed development is:

Total baseline use: - 1,623.16 l/d Water saving measures (fittings specification) - 463.32 l/d Rainwater harvesting tank: - 792 l/d Total Water Usage Saving = 1,255.32 l/d Total Water Usage = 367.84 l/d
The above calculations seek to demonstrate that the proposed reduction and reuse measures have saved a total of 1,255.32 l/d of water, well in excess of the 368.9 l/d offset requirement as detailed above.

In addition to the above although this scheme does not require any offsetting measures it is advised that the applicant is keen to install a Water Meter within the development as well as the implementation of awareness campaigns and promotion of water-saving behaviours within the businesses operating within the building.

Summary

A summary of the extant scheme and proposed scheme water usages is set out below, along with the water usage savings made through enhanced fittings & fixtures specification and installation of a rainwater harvesting tank:
Extant Proposals: 1,254.26 l/d
Current Proposals: 1,623.16 l/d
Water Saving Measures to proposed scheme: 1,255.32 l/d
Overall Proposed Water Usage after water saving measures: 367.84 l/d

These measures have been embedded within the development to be secured as part of any planning consent and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC & Ramsar site from the development either alone or in combination with other plans and projects.

Figures used to calculate the water usage are based on the 'default occupancy' numbers generated automatically within the BREEAM Calculator based on GIA increase in water.

Subject to the mitigation measure contained within the strategy, the proposal would have no adverse effect on the integrity of the Arun Valley SAC/SPCA/Ramsar site, 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.

Natural England have been consulted and have advised that on order to mitigate these adverse effects and make the development acceptable, a condition should be imposed to ensure that appropriate mitigation measures are be secured in regard to the delivery, management and maintenance of measures identified in the Water Neutrality Statement to achieve water neutrality.

Conclusions:

The application site is an allocated site for commercial purposes within the Henfield Neighbourhood Plan which was made on the 6 May 2021. The principle of development in respect of the application site for commercial purposes has already been established by the planning permission granted under DC/20/0049 (subsequently amended by DC/22/0977). A recent s73 application was made and approved under planning ref: DC/23/2308 in respect of a variation of Condition 22 (opening hours). The original permission has been partially implemented with the build out of Building 1 and associated highway, drainage and landscaping works. Building 1 is now occupied by the original applicants. The original permission is extant and therefore offers a viable fall-back position in the event that the current application under consideration (DC/23/2064) were to be refused.

The proposed internal amendments to Building 2 (now in new ownership) involve the amalgamation of floor space of the previously approved Units 1 and 2 in order to facilitate the use of (new formed) Unit 1 within Building 2 for B8 purposes with provision of an associated trade counter and also a new mezzanine floor within Unit 3. External alterations relate to changes in the location and number of window and door positions to the east and west elevations and changes to elevational materials and visual appearance of Building 2 as a result of changes to Building Regulations; the introduction of solar panels (western roof slope); a revised parking layout and revised hard and soft landscaping amendments, including a timber topped sleeper wall; along with the relocation of the cycle storage unit. The amendments are not

considered to result in any significant or appreciable harm to either private or visual amenities of nearby occupiers or the countryside within which the site is located.

The proposed amendments to the previously approved permission granted under DC/20/0049 are considered to be acceptable and comply with Policies.

Subject to conditions the proposal is all other respects accords with the requirements of Policy 3.1.5 of the draft Henfield Neighbourhood Plan and all other relevant policies of the HDPF. Whilst there have been issues in establishing whether a complaint visibility splay can be provided for the new site access, it is agreed between parties that this can be suitably controlled by way of a Grampian condition that will restrict development commencing until the necessary splays are provided. On this basis the proposal is recommended for approval as a departure from the development plan.

Recommendation: Application Permitted

Conditions:

1. PLANS LIST

2. Regulatory (Time) 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 Pre-Commencement Condition: The development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) by Chalk & Weald Ltd dated 9 March 2021 (as approved under DISC/21/0081 pursuant to DC/20/0049) and submitted plan 2.09 unless an alternative Plan has been submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

   Reason: In the interests of highway safety and the amenities of the area in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4 Pre-Commencement Condition: The development shall be carried out in accordance with the approved drainage strategy (Flood Risk Assessment & Drainage Strategy (GTA Civils Ltd) dated August 2019 as approved under DISC/21/0081 and submitted plan 2.03 Rev H Proposed Site Plan, unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

   Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

5 Pre-Commencement Condition: The development herby permitted shall only be implemented in strict accordance with the approved Ground-Gas Risk Assessment Report (dated 28 April 2021) provided by GGS Ltd and the Ground Contamination Risk Assessment report (dated 8th November 2019) prepared by Ashdown Site Investigation Limited and approved under DISC/21/0158 and DISC/23/0040 unless alternative details have been submitted to, and approved in writing by the Local Planning Authority prior to commencement of development.

   Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6 Pre Commencement Condition: The development herby permitted shall only be implemented in strict accordance with the approved CEMP Biodiversity Rev 4 (by CT Ecology dated 16 April 2024) unless an alternative CEMP biodiversity has been submitted to, and approved in writing by, the Local

Planning Authority prior to the commencement of development. The approved Plan shall be implemented and adhered to throughout the entire construction period.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework.

7. Pre-Occupation Condition: No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with the approved site plan (drawing number 2.03 Rev H). These spaces shall thereafter be retained at all times for their designated purpose unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

   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).

8. Pre-Occupation Condition: Prior to the first occupation of the development, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabytes per second through full fibre broadband connection shall be provided to each premises.

   Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policies 10 and 37 of the Horsham District Planning Framework (2015).

9. Pre-Occupation Condition: No part of the development shall be occupied until the road(s), footways, parking and turning areas serving the development have been constructed, surfaced, and drained in accordance with the approved details as shown on plan 2.03 Rev H 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 building hereby permitted shall be occupied or use hereby permitted commenced until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 2.03 Rev H and submitted eco cycle shelter details. 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).

11. Pre-Occupation Condition: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (by Folkes Architects dated July 2023). No part of the development hereby permitted 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 for the development 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).

12. Pre-Occupation Condition: No building hereby permitted shall be first occupied (or use hereby permitted commenced) unless and until provision for the storage of refuse and recycling has been made for that building (or use) in accordance detailed Ground Floor Plan Drawing no 2.04 Rev G. These facilities shall thereafter be retained for use at all times.

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

13. Regulatory Condition: The development herby permitted shall only be implemented in strict accordance with the approved drawing number PDA –ENT-TS -001 Rev A (Tree Survey and Arboricultural Constraints plan by Furse Landscape Architects Ltd) unless alternative details have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

    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).

14. Regulatory Condition: The development shall strictly accord with the detailed scheme of hard and soft landscaping works (plan no PDA-ENT-LD-001-5 Rev F) approved by the Local Planning Authority unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.
    Any plants which within a period of 5 years (from the date of when they are first planted) die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

    Reason: To ensure a satisfactory development in the interests of amenity in accordance with Policy 25 of the Horsham District Planning Framework (2015).

15. Regulatory Condition: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Revision 1 (CT Ecology, October 2023), Construction Environmental Management Plan (CEMP): Biodiversity revision 4 (CT Ecology,16 April 2024) and Biodiversity Enhancement Plan Revision 4 (CT Ecology, 16 April 2024), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

    Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

16. Regulatory Condition: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

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

17. Regulatory Condition: The building (Building 2) shall not be open for trade or business except between the hours of 07:00 hours to 20:00 hours Monday to Fridays and 07:00 hours to 18:00 hours on Saturdays and 09:00 hours to 14:00 hours on Sundays and Bank Holidays.

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

18. Regulatory Condition: Doors to all units are to be kept closed except for when access for people and vehicles is required and vehicle reversing alarms not to be used unless they are broadband (beep or white noise sound).

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

19. Regulatory Condition: No externally located plant to be installed or operated other than with the permission of the Local Planning Authority by way of formal application.

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

20. Regulatory Condition: No industrial activities other than loading or unloading shall be undertaken in the open air and no externally located storage of any materials or waste is permitted except as shown on the submitted plans at any time.

    Reason: To safeguard the amenities of neighbouring properties in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

21. Regulatory Condition: The vehicular access including visibility splays of 2.4 metres by 125m (leading traffic direction – looking south from the access) and 130m (trailing traffic direction – looking north from the access) and all other associated highways works serving the development as shown on drawing number 2.07 within the Transport Technical Note (revised) (GTA Civils & Transport December 2023) shall be maintained in perpetuity 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 Policies 40 and 41 of the Horsham District Planning Framework (2015).

22. Regulatory Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and Town and Country Planning (Use Classes) Order 1987 (or any order amending or revoking and/or re-enacting that Order). The building (Building 2) shall only be used for uses falling within Classes E(g)(iii), and B8 and for no other purposes (including those falling within Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

    Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to the unknown and potentially harmful impacts on local amenity under Policy 33 of the Horsham District Planning Framework (2015).

23. Regulatory Condition: If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

    Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

24. Regulatory Condition: The materials to be used in the development hereby permitted shall match the Anthracite Grey Cladding (as used on Building 1 further to DC/20/0049 as amended by DC/22/0977) unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

    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).

25. Regulatory Condition : The development shall strictly accord with the detailed Travel Plan (by GTA Civils) dated November 2019 as approved under DISC/21/0081 unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority, prior to occupation of the building.

    Reason: To encourage and promote sustainable transport and in accordance with Policy 40 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/23/2064

(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 & Block plan		2.01 REV D	17.04.2024
Site plan	Proposed	2.03 REV H	17.04.2024
Layout plan	Proposed General Arrangement	2.04 REV G	17.04.2024
Layout plan	Proposed Masterplan	2.02 REV F	17.04.2024
Floor plan	Proposed	2.05 REV C	10.11.2023
Elevation plan	Proposed	2.06 REV D	26.03.2024
Details plan	Detailed Planting Scheme, Tree Pit Detail and 5 Year Management Plan	PDA-ENT-LD-001-3 REV A	19.12.2023
Details plan	Detailed Planting Scheme, Tree Pit Detail	PDA-ENT-LD-001-4 REV A	19.12.2023
Details plan	Tree Survey and Arboricultural Constraints	PDA-ENT-TS-001 REV A	10.11.2023
Details plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-5 REV F	17.04.2024
Details plan	Amended Hard and Soft Landscape Scheme	PDA-ENT-LD-001-6 REV C	14.02.2024

Supporting Statement	Biodiversity Enhancement Plan	19019 REV 4	17.04.2024
Supporting Statement	Construction Environmental Management Plan - Biodiversity	19019 REV 4	17.04.2024
Supporting Statement	Preliminary Ecological Appraisal	NONE REV 1	10.11.2023
Supporting Statement	Transport Technical Note	NONE	19.12.2023
Supporting Statement	Water Neutrality	NONE	10.11.2023
Photos	Timber Bollard Detail		
Details plan	Construction Logictics Plan	2.09	17.04.2024
Details plan	Eco Cycle Shelter		15.04.2024

DELEGATED

Case Officer sign/initial Amanda Wilkes Date: 18/04/2024

Authorising Officer sign/initial Adrian Smith Date: 19/04/2024