



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0141
30 West Street, Horsham, West Sussex, RH12 1PB

DESCRIPTION:

Construction of first floor courtyard, installation of new windows and doors, associated external alterations, and rendering of the rear elevation.

RELEVANT PLANNING HISTORY:

DC/22/2135	Formation of one flat above the existing ground floor retail use fronting West Street and the construction of 9 flats on four floors above a retained ground floor (following demolition of existing floors) fronting Blackhorse Way.	Application Refused on 30.06.2023
DC/25/1391	External alterations including installation of new windows and doors and alterations to existing windows and doors at ground, first and second floors.	Application Permitted on 23.10.2025
DC/26/0146	Prior approval for the change of use of the existing first and second floor retail space (Class E(a)) to 8no. residential dwellings (Class C3).	Pending Consideration

DESCRIPTION OF THE SITE

This application relates to 30 West Street, Horsham, which comprises a retail unit on the first floor and residential accommodation on the first and second floors. The retail unit is presently vacant, located to the southern side of West Street. The existing building is of mid-20th century design and construction, provided mainly to two storeys, though, with a larger three storey section to its rear fronting Blackhorse Way and providing delivery access to the retail unit.

The application site is located within the Built-Up Area Boundary of Horsham, within Horsham Town Centre and within a designated Primary Retail Frontage (facing onto West Street). The site is not directly subject of any heritage designation; however, it is located approximately 40m west of the Horsham Conservation Area. The surrounding area is varied in type and character but is typical of a town centre setting, comprising a mix of retail, office, and residential uses.

DESCRIPTION OF THE APPLICATION

Full planning permission is sought for the following proposed works:

- 1) Formation of a courtyard at first floor level on the eastern elevations
- 2) Addition of 6 new windows and 2 doors within the walls serving these courtyards
- 3) Erection of a boundary wall on the boundary with the neighbouring building, 29 West Street
- 4) Rendering finish on the front, rear and eastern elevation

The residential accommodation at both first and second floor level, has been established as part of the Prior Approval application, reference DC/26/0146. This application seeks to provide courtyards to two

of the flats located on the first floor. The ground floor of the unit remains in a retail use, with no proposed changes sought.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 14 - Shop Fronts and Advertisements
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 37 - Sustainable Construction

Horsham Blueprint Business Neighbourhood Plan 2019-2026.

Policy HB3: Character of Development
Policy HB4: Design of Development

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 4: Horsham Town
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 12: Air Quality
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 22: Shop Fronts and Advertisements
Strategic Policy 36: Town Centre Uses

Supplementary Planning Guidance:

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

Planning Advice Notes:

Shaping Development in Horsham District

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

None received

OUTSIDE AGENCIES

None received

PUBLIC CONSULTATIONS:

Representations:

3 letters of Objection have been received from 3 addresses, objecting to the application on the following grounds:

- No parking provision available, with the existing parking situation being acute. This development will exacerbate the problem
- Overlooking and privacy issues caused by the proposed boundary wall height
- Noise impacts arising from the proposed terrace
- Noise impacts from air conditioning/heating system serving the retail space
- Access issues caused by construction workers, relating to parking and obstructions
- Noise impacts from construction activity
- Loss of daylight to neighbouring properties
- Impact on day to day living and mental wellbeing of the occupants of the neighbouring properties
- Total loss of privacy and overlooking

Parish Comments:

Horsham Denne Neighbourhood Council: Objection

The site is a relatively large retail unit in West Street, which is the primary shopping street in Horsham Town Centre. There are many businesses which would require such a property to have sales, stores or other usable space above. An application for change of use, should be accompanied with proof that all efforts have been made to sell or let the unit before a change of use can be granted. HDNC considers that the installation of the courtyard, windows and doors before a change of use application would make this building less viable as a retail unit.

This proposal could set a precedent whereby larger retail units would become less marketable; larger and possibly more prestigious businesses would be deterred from choosing Horsham to set up a retail business.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of

the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 14 of the HDPF seeks applications for new or replacement shop fronts, including fascia's, to respect the architectural styles, character and form of the buildings or location of which they form a part, including appropriate use of materials and colours. Policy 12 seeks to ensure development is well designed and maintains an attractive public realm in Horsham Town Centre, alongside promoting good urban design principles.

The change of use of part of the ground floor and the first and second floors has been established by the Prior Approval application reference DC/26/0146. The current application relates to associated operational development to facilitate the approved conversion.

Design and Appearance:

Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and consider any impact on the skyline and important views.

Policy HB3 of the Horsham Blueprint Business Neighbourhood Plan states development is expected to preserve and enhance the area to which it is located, considering local context and reflect the character and vernacular of the area, using architectural variety in form and materials, to avoid building design that is inappropriate to the Plan area. Policy HB4 states development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings.

The existing elevations of the building are in poor condition, appearing tired and detracting from the character of the area. Given the building's prominent location within the town centre, the opportunity to improve its appearance is welcomed. The principle of rendered walls has been established within the locality and is a common feature on both West Street and Black Horse Way. Therefore, the proposed white rendering of the front, rear and eastern elevations is consistent with existing facades in the area, ensuring visual coherence.

The proposals include the formation of two courtyards at first floor level on the eastern elevation, providing outdoor space serving two of the apartments on this level. The proposed six additional windows and 2 doors, which will allow the occupants access onto the courtyard, will be white UPVC, which match that of the existing building. The new proposed boundary wall, separating the courtyards from the neighbouring dwelling, 29 West Street, will be 2.1 metres in height and rendered white, ensuring consistency with 29 West Street, in which most of the walls of this building are rendered white. The courtyards will not be visible from the street scene and as such, there will be no harmful impact on the character of the area.

The surrounding area comprises a varied palette of materials and architectural styles, and the proposals are considered compatible with this mixed town centre context. Overall, the proposals represent an enhancement to the existing building, improving its visual contribution to the street scene without adverse impact on the setting of the nearby Conservation Area, or surrounding area. The scheme is therefore considered acceptable in design terms and compliant with the above policies.

Amenity Impacts:

Policy 33 of the Horsham District Planning Framework aims to maintain 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 representations objecting to the scheme and their contents are noted. As per these comments, overlooking and privacy concerns have been raised by the neighbouring properties located at 29 West Street. These concerns relate to the proposed boundary wall height and the presence of the courtyards.

The length of the reduced wall height will be predominantly within the area adjacent of the central courtyard serving 29 West Street. Given the length of this reduced wall, the arrangement with Flats 1 and 2 of 29 West Street will remain mostly unchanged, except for a section of around 1 metre. Regardless of this, the proposed height of the altered wall will be 2.1metres, which is an expected and common height of a fence or wall separating residential properties. As such, it cannot be concluded that the reduction will lead to overlooking or privacy issues. It is not expected that the associated use of the courtyard would give rise to noise impacts, especially given the buildings are situated within the town centre setting, comprising a mix of retail, office, and residential uses. Therefore, any noise being experienced would not go above and beyond the existing arrangements. Furthermore, as the boundary wall height will be reduced, it cannot be concluded that 29 West Street will experience a loss of daylight into their properties or courtyard. This stance is also supported by the submitted Daylight and Sunlight Assessment, which details that the proposed plans will not have a negative impact on 29 West Street and will exceed the minimum standards considered acceptable in any situation.

The issues raised by the neighbours relating to noise impacts from construction activity and parking/access issues are noted. However, it is understood that the works will be undertaken in accordance with those under the linked Prior Approval application. This application, reference DC/26/0146, has imposed a condition which requires a Construction Management Plan to be submitted and approved in writing, controlling and reducing the adverse impacts of the construction. It is also acknowledged that these impacts will only be temporary, during the construction phase.

For the reasons outlined above, it is considered that the proposal would not cause harm to neighbouring amenity and would comply with Policy 33 of the Horsham District Planning Framework.

Water Neutrality:

The proposed development relates solely to the construction of a first-floor courtyard and fenestration alterations. As such, the proposed development will not result in any increase in mains water demand and therefore will not lead to adverse effects on the integrity of the Arun Valley SAC, SPA or Ramsar sites, either alone or in combination. The proposal can therefore be screened out at the HRA Stage 1 Screening and does not require progression to Appropriate Assessment. On this basis, the development is considered acceptable in ecological terms and compliant with Policy 31 of the HDPF and relevant national policy

Other Matters:

Representation Letters:

The comments by Horsham Denne Neighbourhood Council are noted, however, are the conversion of part of the building to a residential use has been established under the Prior Approval application, reference DC/26/0146. As such, this application solely relates to the construction of a first-floor courtyard and fenestration alterations and matters raised relating to the change of use of this building are therefore not a consideration as part of this application.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

Given the nature of the proposed development, the scheme would not therefore contribute to an additional impact on climate change.

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 (on unregistered sites) 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 development qualifies as 'de minimis' under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

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

Recommendation: Application Permitted

Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

- 3 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved plans, Planning Statement (received 28/01/2026) and Schedule or Proposed Materials (received 28/01/2026).

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).

NOTE TO APPLICANT

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

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/26/0141

(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
Site plan	Proposed Site Plan	HOR/APP/100	28.01.2026
Floor plan	Proposed Floor Plans, Roof Plan	HOR/APP/500	28.01.2026
Elevation plan	Proposed Front and Rear Elevations, Street Scene Elevations	HOR/APP/510 REV B	28.01.2026
Elevation plan	Proposed Side Elevations	HOR/APP/511 REV A	28.01.2026
Section plan	Proposed Section/ Elevations A-A, B-B, C-C	HOR/APP/512 REV A	28.01.2026
Floor plan	Existing Floor Plans and Roof Plans	HOR/EX/500	28.01.2026
Elevation plan	Existing Front and Rear Elevations. Street Scene Elevations	HOR/EX/510 REV A	28.01.2026
Elevation plan	Existing Side Elevations	HOR/EX/511 REV B	28.01.2026
Location plan	Location Plan	HOR/001	28.01.2026
Supporting Docs	Schedule of Proposed Materials	NONE	28.01.2026
Supporting Docs	Daylight/Sunlight Assessment	NONE	28.01.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 18/03/2026

Authorising Officer sign/initial Tamara Dale Date: 25/03/2026