Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1238
The Forum, Lower Tanbridge Way, Horsham, West Sussex,

DESCRIPTION:
Replacement of existing timber decking to the external balconies and access walkways with proprietary aluminium decking system. (Lawful Development Certificate - Proposed).

SITE:
The Forum is an established mixed-use building comprising residential, commercial (Class E) units and an integral car park. The building has numerous external balconies and access walkways which currently corporate timber decking.

ASSESSMENT:
Section 55(1) of the Town and Country Planning Act 1990 defines development as including building operations. However, s.55(2)(a)(ii) excludes '*works for the maintenance, improvement or other alteration of a building*' which do not materially affect the external appearance of the building.

The works set out in the submission comprise the replacement of the deck surface material to balconies and access walkways, from timber decking to an aluminium decking system. The balconies and walkways would remain in the same position, with the same footprint, dimensions and projection from the building. No alterations are proposed to the supporting structure, balustrades, guarding, external walls or overall design of the balconies, and the use of the balconies would likewise remain unchanged.

The key issue of consideration is whether this change in material would materially affect the external appearance of the building and therefore constitute development. In *Burroughs Day v Bristol City Council* [1996] 1 PLR 78 the Court confirmed that the question is one of fact and degree and requires an assessment of the extent to which the works alter the appearance of the building as perceived from normal public viewpoints.

In this instance, the only change is the replacement of one decking material with another. The form, scale, massing and architectural composition of the building remain entirely unchanged. The balconies would continue to appear as balconies of the same size and design with a negligible increase in thickness. Any visual differences are therefore primarily limited to the surface finish of the deck itself, a relatively minor component of the overall elevation.

It is considered that while the different material may be discernible at short range, the change would not be readily perceptible in the context of the overall elevation. The replacement material does not alter the silhouette, profile or architectural detailing of the building, nor does it result in any perceptible increase in bulk, scale or prominence. The building would therefore retain the same essential visual character following the works.

It is therefore considered that having regard to the nature and limited extent of the alterations the works would not materially affect the external appearance of the building, and would not therefore constitute development as defined by Section 55 of the Town and Country Planning Act 1990, as amended.

Recommendation: Application Permitted

Reason:

1 The works would not materially effect the external appearance of the building and would not therefore constitute development as defined by Section 55 of the Town and Country Planning Act 1990, as amended.

Plans list for: DC/26/1238
Schedule of plans/documents approved:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Existing and proposed	APL-50 Elevations REV P04	27.08.2026
Plans	Decking at Thresholds	APL-50 Decking at Thresholds REV P02	18.08.2026
Location plan		v4g//1421976/1903959	03.08.2026
Plans	Balconies 8 to 14	APL-50 Balconies 8-14 Plans REV P02	18.08.2026
Plans	Balconies 6 and 7	APL-50 Balconies 6-7 Plans REV P02	18.08.2026
Plans	Balcony 20	APL-50 Balconies 20 Plans REV P02	18.08.2026
Plans	Balconies 15 to 19	APL-50 Balconies 15-19 Plans REV P02	18.08.2026
Plans	Balconies 1 to 5	APL-50 Balconies 1-5 Plans REV P02	18.08.2026
Plans	Balconies 21 and 22 (Second Floor)	APL-50 Balconies 21-22 Plans (Second Floor) REV P02	18.08.2026
Plans	Balconies 23 and 24	APL-50 Balconies 23-24 Plans REV P02	18.08.2026
Plans	Balconies 21 and 22 (First Floor)	APL-50 Balconies 21-22 Plans (First Floor) REV P02	18.08.2026
Plans	Timber Decking Dimensions	10	18.08.2026
Supporting Statement	Planning Statement	None	03.08.2026
Supporting Statement	Supplementary Planning Statement	None	05.10.2026

Supporting Statement	Decking details	None	03.08.2026

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 27.10.2026