



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/2029

Railway Goods Yard, BJN Roofing Ltd, Nightingale Road, Horsham, West Sussex, RH12 2NW

DESCRIPTION:

Change of use from B8 (storage) to E(g(i)) (office use).

RELEVANT PLANNING HISTORY:

No relevant planning history

DESCRIPTION OF THE SITE

The application site comprises a single storey building, situated within the Built-Up Area Boundary of Horsham. The site lies within the Nightingale Industrial Estate and is therefore not within a conservation area, nor are there any statutory or locally listed buildings within close proximity. The modest building, measuring 13.4 metres in width and 3.4 metres in depth, contains a storage room, bathroom and kitchenette. The surrounding buildings contain several different uses, including industrial, commercial and office spaces, with the main railway line located to the rear of the building.

DESCRIPTION OF THE APPLICATION

This application seeks full planning consent for the change of use of the B8 storage building, to an office use E(g(i)). The associated external fenestration changes, include the installation of a window and pedestrian door, with the building being rendered in the colour white. No further changes to the building's footprint, height, massing or roof form are proposed.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 7 - Strategic Policy: Economic Growth

Policy 9 - Employment Development

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 40 - Sustainable Transport

Policy 41 - Parking

Horsham Blueprint Business Neighbourhood Plan 2019-2036

Policy HB1: Location of Development

Policy HB4: Design of Development

Policy HB9: Protecting Existing and Encouraging New Commercial Premises and Land

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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 2: Development Hierarchy

Strategic Policy 4: Horsham Town

Strategic Policy 6: Climate Change

Strategic Policy 7: Appropriate Energy Use

Strategic Policy 8: Sustainable Design and Construction

Strategic Policy 9: Water Neutrality

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Strategic Policy 24: Sustainable Transport

Policy 25: Parking

Strategic Policy 29: New Employment

Strategic Policy 30: Enhancing Existing Employment

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Parish Design Statement:

Planning Advice Notes:

Shaping Development in Horsham District

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 Environmental Health: No Objection

Recommend that the site is restricted to office use only. Plans requested relating to proposed external plant and/or external lighting.

OUTSIDE AGENCIES

WSCC Highways: No Objection

The application site is located within a small cluster of commercial units on Nightingale Road, Horsham. There are no changes proposed to the site access from Nightingale Road which is a private track. No additional parking spaces are provided for the change of use. The site is within short walking distance of Horsham train station providing excellent connectivity. The Highway Authority do not anticipate a material impact associated with the vehicular trips or any highway safety concerns associated with the change of use. Therefore, there are no transport grounds to resist this proposal.

PUBLIC CONSULTATIONS:

Representations:

None received

Parish Comments:

Horsham Denne Neighbourhood Council: No Objection

No objection in principle but seeks more information regarding the external insulation system referred to in 4.3 of the Planning Statement.

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 2 of the HDPF seeks to maintain the district's distinctive rural character while meeting community needs through sustainable growth and appropriate access to services and local employment. To achieve this, development is focused in and around the Key Settlement of Horsham. The policy also seeks to identify and safeguard existing sites of important employment use through flexible policies and the designation of Key Employment Areas, while supporting the rural economy to enable people to work closer to where they live.

Policy 3 states that development will be permitted within towns and villages that have defined built-up area boundaries. Horsham is identified as a large settlement with a wide range of employment opportunities, services, and facilities, supported by strong social networks and good rail and bus accessibility, reinforcing its role as the district's primary focus for growth.

Policy 7, Economic Growth, seeks to ensure sustainable employment development within Horsham District through the redevelopment, regeneration, intensification, and smart growth of existing employment sites. The policy supports the formation and expansion of small, start-up, and move-on

businesses, by encouraging the provision of small business units through development proposals. It also emphasises the retention of Key Employment Areas for employment uses and promotes sustainable local employment growth through Neighbourhood Development Plans.

Policy 9 of the HDPF states that redevelopment within Key Employment Areas must not result in an overall loss of employment floorspace. Proposals for alternative uses within these areas will only be permitted where it can be demonstrated that a sequential approach has been applied and that the development would maintain the integrity and function of the area as a centre for employment. The policy also supports the provision of small, start-up, and move-on business units to enable businesses to reach their full potential.

Policy HB1 of the HBBNP states development shall be focused within the built-up area boundary, with Policy HB9 encourages new development that provides start-up business space, including office space, provided that there is no adverse impact on the amenity of surrounding areas, is accessible by public transport, cycle and on foot, and caters for all users including children and those with disabilities.

The application site lies within the defined Built-Up Area Boundary of Horsham, within the Nightingale Industrial Estate, an existing Key Employment Area identified under Policy 9 of the HDPF. Horsham is the district's primary settlement for employment, services, and infrastructure, and the proposal involves the conversion of an existing single-storey B8 storage building into a small-scale office providing a single internal office space. The development would support the continued viability of the building, provide office floorspace, and maintain employment use within the site. As such, the proposal is considered acceptable in principle and compliant with Policies 3, 18, 42, and Policy 9 of the HDPF.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high-quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Policy HB4 of the HBBNP states Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents and minimises the impact on the natural environment.

The proposal involves minor alterations to the building's fenestration, with no changes to the building's footprint, height or roof. The only external alterations to facilitate the proposal would involve the installation of a pedestrian door on the side elevation and the removal of a door on the rear elevation, with a window as its replacement. The proposed materials would match those of the existing building, with the building being rendered in white, which these alterations are welcomed, given the current condition of the building.

Given the minor nature of the alterations, the proposal is considered appropriate to the character and appearance of the existing building and would not result in harm to the character or appearance of the wider area. The visual impact of the proposal is therefore considered acceptable and in accordance with the above policies.

Residential Amenity:

Policy 33 of the HDPF 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.

It is noted no letters of representation objecting to the scheme have been received. The site is located within the built-up area boundary and is situated within an established industrial yard, with the nearest residential dwellings located approximately 78 metres to the southwest. It is also noted there is mature screening providing separation with closer industrial buildings. The planning history for the surrounding industrial and commercial buildings confirm there are no restrictions relating to their operating hours

and with this in mind, no condition is recommended to be imposed restricting the opening hours of this office.

As such, given the context of the site and surrounding area, the proposal would not give rise to unacceptable impacts in terms of overlooking, or loss of privacy, with the potential for harmful levels of noise or disturbance considered to be limited. As such, the development is considered to accord with Policy 33 of the HDPF.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Other Matters:

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 accord with the relevant local and national planning policies and is 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 and finishes hereby permitted shall accord with the following:

- External Walls - White render
- Windows and doors - To match the existing building
- Roof - To match the existing building

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Regulatory Condition:** The premises hereby permitted shall be used for Class E(g) purposes only.

Reason: In the interests of amenity and to protect the provision of employment space within the Key Employment Area, in accordance with Policies 9, 32 and 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/25/2029

(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	Site and Location Plan	173/2025/1	08.12.2025
Elevation & Floor plan	Existing Floor Plans and Elevations	173/2025/2	08.12.2025
Elevation & Floor plan	Proposed Floor Plans and	173/2025/3	08.12.2025

