Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1301
16 Jengers Mead, Billingshurst, West Sussex, RH14 9PB

DESCRIPTION:
Reconfiguration of the existing ground floor retail unit and erection of an additional storey to provide 5 additional self-contained residential dwellings (Class C3), resulting in a total of 6 residential dwellings, with associated alterations to fenestration and rear access.

RELEVANT PLANNING HISTORY:

DC/22/0707	Reconfiguration of existing ground floor retail unit, conversion of first floor and extension to form a second floor to form 6no dwellings (Use Class C3).	Withdrawn Application on 14.06.2022
DISC/16/0343	Approval of details reserved by condition 3, 4, 5 and 6 to approved application DC/15/2699	Split Decision on 31.01.2017
DC/15/2699	Reconfiguration of the ground floor retail unit and the addition of another floor to the building to enable the provision of 6 additional residential dwellings	Application Permitted on 24.05.2016
DC/15/0824	Change of use from Class A1 (Retail) to C3 (Dwellings) to provide 8 dwellings. Extension of property to provide an additional floor.	Application Refused on 22.06.2015
DC/10/1509	Change of use from Retail (Class A1) to Non-Residential Institution (Class D1)	Application Permitted on 20.10.2010

DESCRIPTION OF THE SITE

The application site comprises an existing two-storey mixed-use building within the established Jengers Mead commercial area of Billingshurst. The site is situated within the Billingshurst Conservation Area, Billingshurst town centre, the main shopping area and primary retail frontage. The site benefits from convenient access to local shops and public transport. The existing building accommodates a commercial use at ground level and a self-contained three-bedroom residential dwelling at first-floor level.

DESCRIPTION OF THE APPLICATION

The application seeks planning permission for the reconfiguration of the existing ground floor commercial unit and the construction of an additional storey to provide five additional self-contained residential dwellings. The ground floor will be retained for commercial Class E use. The first floor will have six residential dwellings in total, comprising the existing dwelling and five additional self-contained Class C3 dwellings. The proposed extension would have a flat roof and would be set back to form a terrace on the eastern elevation. New windows would be provided within the existing building structure at first floor level.

The proposed development is a renewal and modest refinement of a previously permitted development from 2016 (ref: DC/15/2699). This permission was not implemented and has now lapsed. The proposed development retains the fundamental design of the previously approved scheme. The small amendments improve the functionality of the commercial premises, the quality of the residential accommodation and overall feasibility of the development.

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 9 - Employment Development
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
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 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

Billingshurst Neighbourhood Plan (2019-2031):
Policy BILL 1: Billingshurst built-up area boundary
Policy BILL 2: Housing design and character
Policy BILL 7: Retaining and enhancing the vitality and viability of Billingshurst village centre
Policy BILL 14: Residential parking provision

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking

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

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:
Environmental Health: Comment
The application proposes to introduce new residential receptors into a mixed commercial and residential area. Historically this department has received complaints arising from the operation of plant and machinery associated with operation of businesses on Jengers Mead. It is recommended that an environmental noise assessment be provided to ensure the application is properly determined.

The floor plans provided with application show conflicting stacking arrangements between flats that will be occupied separately. These conflicting stacking arrangements include bedrooms sited above living

rooms and bathrooms sited below bedrooms. Building regulations Approved Document E - Resistance to the Passage of Sound advises that conflicting stacking arrangements should be avoided.

HDC Conservation: No Objection

Jengers Mead is of its time and does not enhance the special character of the conservation area. The proposed works would be viewed within this context and would not result in further discernible harm to the conservation area.

WSCC Highways: Comment

The Local Highway Authority (LHA) do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs TR1 – TR8, as revised August 2026. Therefore, there are no transport grounds to resist this proposal.

Southern Water: Comment

Existing Southern Water Assets – General within boundary but no tree, buildings, assets within standoff distance (approximate).

PUBLIC CONSULTATIONS:

Representations:

3 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:

- Drainage not adequate for six flats
- Rubbish piling up against fence of electricity substation
- Inadequate parking
- Disturbance during construction
- Privacy and overlooking concerns
- Extractor from takeaway would be problem for residents
- Would encourage further development over businesses in Jengers Mead

Parish Comments:

Objection:

- Increase in height would cause an impact on skyline
- No residents parking available for site
- No cycle parking
- Issues do not align with Billingshurst Neighbourhood Plan policies
- Concerns raised regarding windows and height of building on residential neighbours
- Dwellings would be small, overpopulated, overdevelopment

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 application site has a number of similar applications for planning permission for the erection of an additional storey and a total of 6 residential dwellings. The first application (ref: DC/15/0824) was refused on the grounds that the proposal would result in the loss of a retail unit within the defined primary shopping area. To overcome this reason for refusal the subsequent application (ref: DC/15/2699) retained the ground floor retail unit and was permitted in 2016 for 6 residential dwellings on the site. The permission was not implemented and has therefore lapsed. In 2022, the application was resubmitted to renew the permission (ref: DC/22/0707), this was withdrawn due to the applicant being required to demonstrate water neutrality. Therefore, this application (DC/26/1301) has been submitted to renew the permitted 2016 permission (DC/15/2699), with minimal changes proposed.

Principle of Development

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development on the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused on the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

The Horsham District Planning Framework (HDPF) sets out a spatial strategy which directs growth in the district in accordance with an identified settlement hierarchy, reflected in defined settlement boundaries. This is reflected by Policy 3 of the HDPF, which states that development will be permitted within towns and villages which have defined built-up areas, and that any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.

The proposed development would retain the existing commercial use at ground floor level, supporting the continued vitality of Jengers Mead as an established commercial location. The previous permission (DC/15/2699) established an acceptance of residential development at the site. The proposed development is submitted to renew the 2016 permission, with minimal changes proposed. Given the location of the site within the built-up area boundary of Billingshurst, the principle of development for residential use is considered acceptable, subject to all other detailed material planning considerations as discussed below.

Design and Appearance

Policies 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape and 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 existing commercial premises remains in commercial use at ground floor level, so this would not be lost. The extension to the roof is designed to be a minimal and sympathetic addition that improves the host's building profile and provides habitable accommodation. There would be four new windows proposed to the rear of the existing unit, to provide natural daylight to the rear. The proposal also reinstates the existing rear access shutter. Flat C will be enlarged, increased from two-bedrooms to three-bedrooms. The internal layouts of two one-bedrooms dwellings have also been revised to increase the floor areas of these units to meet the 50m2 minimum space standards requirement.

The proposal would make use of an existing building, which forms part of the established character of Jengers Mead, and has been previously approved (DC/15/2699). The additional storey follows the

established form and footprint of the building and maintains the commercial use at ground floor level. The proposal does not seek to substantially alter the character of the building and would utilise matching materials where possible. The overall appearance will remain compatible with the existing mixed-use character of the area. Furthermore, the proposal also proposes a dedicated communal waste and recycling store. The proposed resulting flat roof area has rooflights set within the roof. The roof height combined the rooflights and materials are not considered to have a harmful impact on the visual amenity of the street scene or the character of the Billingshurst Conservation Area. While the roof extension and windows would be visible from public vantage points, it is not considered that the size and bulk would have a significant visual impact. The materials used would also match those on the existing building, maintaining a coherent appearance. The scheme would have similar massing to approved planning permission DC/15/2699. The proposed development would be a subservient addition that would be of a scale, design and massing which is appropriate to the character and appearance of the existing building and surrounding area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Heritage

Policy 34 of the HDPF states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form, and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric, and materials.

The application site lies within Billingshurst Conservation Area. The Applicant provided a heritage statement which details that the present Jengers Mead development dates principally from the 1960s, this development represented a significant change from the traditional historic centre. The heritage statement concluded that the building makes a limited contribution to the heritage significance of the conservation area, with the principal contribution, contextual rather than architectural. HDC Conservation raised no objections stating that Jengers Mead is of its time and does not enhance the special character of the conservation. The proposed works would be viewed within this context and would not result in further discernible harm to the conservation area. Therefore, it is considered that whilst the proposal involves an increase in height of this section of Jengers Mead and the installation of additional windows, it will not have an adverse impact on the character and appearance of the area.

Residential Amenity

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 objections to the proposal are acknowledged. The development has been designed to provide an acceptable standard of residential amenity for both existing and future occupants. The revised internal layouts improve the functionality and usability of the proposed homes. The increased floor areas ensure that they provide appropriately sized accommodation. The design is intended to avoid unacceptable impacts upon neighbouring privacy, outlook or living conditions.

The proposed development would result in an increase in the height of the building. To the south of the site is residential accommodation at first floor level with windows facing over the access road. It is considered due to the layout of the site and the position of the building in relation to the movement of the sun that the proposed increase in height would not result in unacceptable harm to neighbouring occupiers. It is considered that due to the scale of the proposal, that there would not be unacceptable harm resulting from the development.

<u>Acoustic Amenity and Sound Insulation</u>

The application proposes to introduce new residential receptors into an established mixed commercial and residential area. Environmental Health noted in their consultation response that historic complaints

have been received regarding plant and machinery operations associated with nearby businesses at Jengers Mead, and initially recommended an environmental noise assessment.

In considering the necessity of a noise assessment and specific acoustic conditions, significant weight has been given to the planning history of the site, notably application DC/15/2699, which granted permission for a similar residential development without requiring an environmental noise assessment. The prevailing noise environment and relationship to surrounding commercial uses at Jengers Mead have not changed materially since that approval.

Furthermore, National Decision-Making Policy under the 2026 National Planning Policy Framework (NPPF) reinforces that planning decisions and conditions must avoid duplicating controls that are properly governed by other statutory regimes. Standard sound insulation across party floors and external envelope attenuation are strictly governed under Part E (Resistance to the passage of sound) of the Building Regulations. In accordance with Policy DM2 of the 2026 NPPF (Application Validation and Conditions), planning conditions should only be imposed where necessary, relevant, and where controls cannot be achieved through other statutory frameworks. Imposing additional planning conditions for enhanced sound insulation or post-construction acoustic verification would duplicate Building Control requirements without policy justification.

Environmental Health also highlighted potential adverse internal stacking arrangements between flats (e.g., bedrooms situated above living areas). While ideal layout design aligns similar room uses, internal spatial configuration and structural sound attenuation are matters appropriately evaluated under Building Regulations. The internal layout matches the scheme previously deemed acceptable under DC/15/2699. Given that the site context remains unchanged, internal layouts are subject to Building Regulations, and national policy under the 2026 NPPF explicitly guards against statutory duplication, it is considered that the proposed internal layout and acoustic performance remain acceptable without attaching additional planning conditions or requiring a bespoke noise assessment.

Highways Impacts

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

The application site comprises the corner block of an ‘L’ shaped shopping parade. The site is accessed via Jengers Mead. There are no vehicular access works or car parking proposed as part of the development. WSCC Highways raised no concerns to nil parking provision, and noted that due to the scale of the proposal, there are no grounds to refuse permission based on trip generation. Under WSCC Car Parking Standards, six car parking spaces may be provided for the proposal. There is, however, no parking provided as part of the proposed development. Most car parking in the immediate vicinity around Jengers Mead is limited to short-term parking only. There is also a large car park southwest of the site offering longer term parking opportunities. The ground floor plan indicates an area for cycle parking, there is 4.6m of wall space available and this is capable of accommodating six vertical cycle hangers and provide sufficient cycle storage for residents. Due to the location of the site, near Billinghurst High Street, there is a range of retail opportunities nearby, as well as Billingshurst Train Station 0.8 miles walk away, and a nearby bus stop 65m from the site. WSCC Highways concluded that the proposal would not have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, with no transport grounds to resist the proposal.

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 site area is 0.2 hectares or below. The application site measures approximately 261m2 (0.0261 hectares) and is below the 0.2 hectares threshold for statutory BNG exemption.

Conclusions

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

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide (Zone 1)	452m2	232m2	220m2
		Total Gain	**220m2**
		Total Demolition	**0m2**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

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 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,

- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- measures to control the emission of dust and dirt during demolition and construction, lighting for construction and security,
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area in accordance with policy 40 and 41 of the Horsham District Planning Framework 2015.

4 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling (or use) hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

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).

5 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with drawing number [26_013_P1 dated 13.08.2026]. 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).

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

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

7 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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).

8 **Regulatory Condition**: The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

9 **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).

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/26/1301

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan	Proposed	26_013_P0	13.08.2026
Floor plan	Proposed ground	26_013_P1 A	16.10.2026
Floor plan	Proposed first	26_013_P2	13.08.2026
Floor plan	Proposed second	26_013_P3	13.08.2026
Elevation plan	Proposed front and rear	26_013_P4	13.08.2026
Elevation plan	Proposed side	26_013_P5	13.08.2026
Roof plan	Proposed	26_013_P6	13.08.2026
Location & Site plan	Existing	26_013_S0	13.08.2026
Floor plan	Existing ground	26_013_S1	13.08.2026
Floor plan	Existing first	26_013_S2	13.08.2026
Roof plan	Existing	26_013_S3	13.08.2026
Elevation plan	Existing front and rear	26_013_S4	13.08.2026
Elevation plan	Existing side	26_013_S5	13.08.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 23.10.2026

Authorising Officer sign/initial RHERMITAGE Date: 26.10.2026