Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1217
38-42 Roman Lane, Horsham, RH13 9JD

DESCRIPTION:
Reinstatement of three terraced properties following fire damage.

RELEVANT PLANNING HISTORY
None relevant

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Southwater Neighbourhood Development Plan (SNDP) 2019 - 2031:
SNP9 – Home Standards
SNP16 – Design

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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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 2.9 years. 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.

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:

Southern Water: No Objection
If the applicant is planning to utilise the current connection to the foul network Southern Water will have no objections to this application.

PUBLIC CONSULTATIONS:

Representations:
None received

Parish Comments:
No objection

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

This application is for Reinstatement of three terraced properties following fire damage at 38-42 Roman Lane Horsham RH13 9JD. The properties were created under DC/11/0657 (Erection of 131 residential dwellings (38 x 2-bed, 53 x 3-bed and 40 x 4-bed) with associated access, parking, landscaping infrastructure). The properties were damaged in a fire on 16th March 2025. The surrounding area is characterised by dwellings clearly of the same architectural style and build phase.

Principle of Development:

The principle of development is the reinstatement of three terraced dwellings following damage from a fire. Considering the works reinstate the previous arrangement before the fire, it would be considered that the works would be acceptable and allow for the dwellings to be reoccupied.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the sky-line and important views

SNP14 requires that developments that cause a reduction in parking provision are required to show that alternate parking provision can be sought within the curtilage of the property. Proposals that look to create additional bedrooms should also look to create additional parking spaces within the curtilage of the dwelling to the same level as if it were a new dwelling (as set out above) unless this is not practically possible.

SNP16 advocates for design to be of high quality. Though there is no specific architectural style to Southwater, design should be appropriate and respectful of the neighbouring amenity in terms of privacy, outlook, daylight and sunlight

The proposal reinstates the previous arrangement by mending the roofscape and the fenestration after the fire damage. It would be considered the proposal reinstates the previous arrangement and is considered to accord with the existing streetscape.

Residential Amenity:

Policy 33 of the HDPF states 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 proposal reinstates the previous arrangement. There is not considered to be a detrimental impact on the neighbouring amenity with this reintroduced.

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.

This proposal has been screened out from requiring to demonstrate water neutrality.

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 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:

It is considered that the proposal meets the above 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 of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

Reason: In the interests of visual amenity and 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/25/1217
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	25.07.2025
Elevation plan	Proposed	SP-0552.06	25.07.2025
Floor plan	Proposed	SP-0552.05	25.07.2025
Location & Block plan	Existing	SP-0552.04	25.07.2025
Elevation plan	Existing	SP-0552.03	25.07.2025
Floor plan	Existing	SP-0552.02	25.07.2025
Location & Block plan		SP-0552.01	25.07.2025

DELEGATED

Case Officer sign/initial	JBurrowes	Date:	12/09/2025
Authorising Officer sign/initial	RHERMITAGE	Date:	17.09.2025