PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	21 October 2025
DEVELOPMENT:	Change of Use of existing dwelling from residential (Class C3) to 7 bedrooms HMO (Class Sui Generis).
SITE:	1 Stanley Walk Horsham West Sussex RH13 5DR
WARD:	Forest
APPLICATION:	DC/25/1198
APPLICANT:	**Name:** Mr Foyaz Ahmed Ahmed **Address:** 1 Stanley Walk Horsham West Sussex RH13 5DR

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 Planning permission is sought for a change of use of the dwelling from a residential use (use C3) to a larger 7-bedroom House in Multiple Occupation (HMO) (sui generis). No external alterations are proposed to the existing building- all proposed works are internal.

DESCRIPTION OF THE SITE

1.3 The application relates to a two-storey end of terrace dwelling located on the north-eastern corner of Park Terrace East (Stanley Walk). The dwelling is composed of a buff brick facing to all elevations, with red tile hanging at the first-floor front and rear elevations and hosts a pitched roof with a side facing gable finished in brown concrete pantiles. The dwelling benefit from a modest front and rear garden curtilage, and on-street parking (permit). The surrounding area is built-up in character, composed predominantly of dwellings of a similar age, with older dwellings located south, and some commercial units located to the east.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

2.2 **National Planning Policy Framework:**

2.3 **Horsham District Planning Framework (HDPF 2015):**
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
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 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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

2.4 **Horsham Blueprint Business Neighbourhood Plan**
Policy HB1 - Location of Development
Policy HB2 - Meeting Local Housing Needs
Policy HB3 - Character of Development
Policy HB4 - Design of Development

2.5 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/22/1400	Conversion of existing dwelling into 2No. residential dwellings, two-storey rear extension and front porch	Application Permitted on 16.12.2022

3. OUTCOME OF CONSULTATIONS

3.1 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.

INTERNAL CONSULTATIONS

3.2 **HDC Environmental Health:** Comment: -

3.3 The Environmental Health Department has confirmed that the proposed seven-bedroom HMO at 1 Stanley Walk will require licensing. The property must comply with Housing Standards legislation, including minimum room sizes, adequate heating, ventilation, lighting, and fire safety measures. Shared kitchen and bathroom facilities must meet specific

standards based on occupancy levels. Refuse storage, hygiene, and fire safety provisions must also be sufficient. These requirements ensure the development provides safe and suitable accommodation for future occupants.

3.4 **HDC Drainage Office**: Comment: -

3.5 The proposal involves a change of use from a residential dwelling to a seven-bedroom HMO, with no new external structures or hardstanding, thus not requiring a SuDS strategy. Southern Water has requested confirmation of existing and proposed connections to the mains sewer, along with flow calculations. Although the development is not classified as major and does not require consultation with the Lead Local Flood Authority, the applicant is advised to consider rainwater harvesting and confirm any changes to connection points.

3.6 **Natural England:** No Objection [Summary]
Subject to appropriate mitigations being secured.

3.7 **Southern Water:** No Objection [Summary]

3.8 **WSCC Highways:** No Objection: -

3.9 The site is accessed via a classified road with no recorded safety incidents in the past five years, and no changes to access arrangements are proposed. Although no additional car parking is provided, the site is in a highly sustainable location with nearby public transport and amenities, and secure cycle parking for seven bicycles is included. The Highway Authority concluded that the proposal would not result in unacceptable highway safety impacts or severe cumulative effects on the road network, and recommended a condition requiring the provision of cycle parking prior to occupation.

PUBLIC CONSULTATIONS

3.10 26 representations have been received (from 22 addresses) objecting to the application on the following grounds:

- Increase in parking pressures
- Loss of light to neighbouring gardens
- Overdevelopment
- Unsuitable living / amenity standards
- Increased noise disturbances
- Increase anti-social behaviour
- Reduced sense of community
- Setting a precedent in the area
- Insufficient infrastructure in the area
- No consideration for disabled users
- Insufficient bin storage
- Increased crime
- Impact on housing prices in the area

3.8 Neighbourhood Council Comments:
Forest Neighbourhood Council: Object: -

1. *The number of residents will increase the noise generated which could be detrimental to local residents who would be unable to enjoy their homes peacefully. If the HMO is approved, there should be conditions to the HMO licence to prevent anti-social conduct of the tenants causing excessive noise.*

2. *There is insufficient parking for the proposed number of occupants. It is appreciated that the dwelling is within walking distance of the town and 7 secure cycle spaces will*

be provided, but there is already pressure for parking in this zone. However, the HMO may exacerbate the parking issues, as it may put undue pressure on parking within the present zone.

3. *The proposal would set a precedent that it will be difficult to resist in the future and affect the character of this conservation locality.*

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6 PLANNING ASSESSMENTS

Principle of Development:

6.1 Policies 2 and 3 of the Horsham District Planning Framework state that the district has a distinctive settlement pattern, which the framework seeks to retain and enhance. Development within the built-up area boundaries is accepted in principle, and that appropriate development, including infilling, within the built-up areas will be prioritised.

6.2 Policy HB1 of the Horsham Blueprint Business Neighbourhood Plan states that development in the Neighbourhood Area shall be focussed within the built-up area boundary.

6.3 The site is located within the built-up area of Horsham. Horsham is defined as a settlement with a large range of employment services and facilities and leisure opportunities, including those providing a district function. There are strong social networks with good rail and bus accessibility and meets the majority of its own needs and many of the nearby smaller settlements.

6.4 Given the location of the site within the built-up area boundary of Horsham, the principle of development is considered acceptable, subject to all other detailed material planning considerations as discussed below.

Design and Appearance:

6.5 Policy 32 of the HDPF states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area,

use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

6.6 No external alterations are proposed to the existing building. As such, the appearance of the dwelling will remain as currently presented.

Residential Amenity:

6.7 Policy 33(2) 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.

6.8 HMOs are guided by separate legislation (under the Housing Act 2004) and this sets out the definition of HMOs and controls the standard and safety of accommodation, with internal requirements for room sizes and cooking/washing facilities set out in Private Sector Housing standards. For planning purposes, it is considered that the proposal would provide an acceptable standard of accommodation for future occupants, with both new bedrooms being en-suite and communal space available at ground floor level (and within the rear garden).

6.9 In terms of neighbouring amenity, the use of the site as a HMO would comprise a similar day to day use comparable to the existing residential use, albeit with an increase in movement to and from the site. The use will ostensibly remain within a residential use, as existing, thus neighbouring amenity is not anticipated to be adversely impacted by way of disturbances.

6.10 With the above in mind, the proposal is considered to accord with the provisions of Policy 33(2) of the HDPF in terms of its impact on existing neighbouring and future occupant amenity.

Highways Impacts:

6.11 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.

6.12 Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

6.13 West Sussex County Council Highways have raised no objection to the proposal. The site is located in a highly sustainable area with good access to public transport, including Horsham train station and local bus routes. While no additional car parking is proposed, the Highway Authority considers this acceptable given the site's location and the provision of secure cycle parking. It is acknowledged that some overspill parking may occur, but this is not considered to result in a detrimental impact on highway safety. The proposal is therefore considered to comply with Policy 40 of the Horsham District Planning Framework, which promotes sustainable transport and safe access.

6.14 The development does not result in the loss of any existing parking spaces and provides adequate facilities for future occupants, including cycle storage and waste management. The absence of on-site car parking is justified by the site's accessibility and the encouragement of non-car modes of transport, in line with Policy 41. Overall, the proposal is considered to be acceptable in planning terms and compliant with the relevant policies of the Horsham District Planning Framework and the National Planning Policy Framework.

Water Neutrality:

6.15 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

6.16 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations). The Regulations require that a Habitats Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site, before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habits site. Section 63 of the Regulations sets out the process by which an HRA must take place.

6.17 The requirements of Section 70(3) are reflected in paragraph 186 of the NPPF, which states that 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'. The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore material planning considerations relevant to the proposal. Given the requirements of the Habitat Regulations and paragraph 186 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making. In order to demonstrate that no adverse impact will occur at the Arun Valley sites, all new development within the supply zone must demonstrate water neutrality, i.e., that water consumption from the site when occupied will not increase water abstraction in the Arun Valley.

6.18 As existing, the dwelling comprises a water demand of 125lpd and is presently occupied by 6 people (totalling **750l/d**). The submitted water neutrality statement indicates a water demand of 116lpd with an occupancy of 7 people (**totalling 812l/d**).

6.19 Given the site is located within the built-up area, and the principle of the development is acceptable, the applicant has elected to enter into the Council's Sussex North Water Certification Scheme (SNWCS). As above, the proposal will result in an increase water demand of 62l/d. In order to offset the increase in demand, 62 credits will be purchased. A Grampian style condition (condition 3) is attached below to ensure that the applicant purchases these credits and notify the Council of their purchase prior to the commencement of the development.

Other Matters:

Drainage and Flood Risk:

6.20 Comments from the Council's Drainage Officer are noted. However, no physical alterations are proposed to the externals of dwelling, nor changes to hardstanding. Accordingly, Officers do not envisage that the use as proposed would result in an increased risk to flooding or alter existing surface water drainage conditions.

Biodiversity Net Gain (BNG):

6.21 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 may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

6.22 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.

6.23 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 and Planning Balance:

6.24 The application site is located within the built-up area of Horsham, where the principle of development is considered acceptable. The proposed change of use to a seven-bedroom HMO does not involve external alterations and retains the character of the conservation area. The internal layout meets national and local housing standards, and the development provides adequate communal and private space. The Highway Authority has raised no objection, citing the site's sustainable location and provision of secure cycle parking. The proposal also addresses water neutrality requirements through the Council's SNWCS, ensuring compliance with the Habitat Regulations. Overall, the development is considered to align with the spatial strategy and policy objectives of the HDPF.

7. RECOMMENDATIONS

7.1 To approve the application, subject to the following conditions:

1 **A List of the Approved Plans**

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 commence until either:

i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Water Certification Scheme;
or

ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA 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 enable 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).

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. The use hereby permitted shall not be 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 **Regulatory Condition**: The development hereby approved shall only be occupied by a maximum of 7x persons.

Reason: To ensure a satisfactory standard of accommodation for future occupiers and to safeguard the amenity of neighbouring properties to comply with policy 33 of the Horsham District Planning Framework (2015).

Background Papers: DC/25/1198