DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0839
Viking House , Foundry Lane, Horsham, West Sussex, RH13 5PX

DESCRIPTION:
Installation of new boiler flue

RELEVANT PLANNING HISTORY:

DC/22/2284	Installation of a Co2 pressure vessel on an existing concrete plinth.	Application Permitted on 01.03.2023

DESCRIPTION OF THE SITE
The application site is located on the western side of Foundry Lane. The site is the Technology Innovation Centre for Ceres Power who develop clean energy technology. The site falls within Horsham built-up area. However, the site does not fall with a Conservation Area nor is the main building listed. Although, the site is situated within the setting of a grade II listed signal box of Horsham Railway Station.

DESCRIPTION OF THE APPLICATION
The proposal seeks planning permission for the installation of new boiler flue to serve a new gas fired condensing boiler, suitable for a future hydrogen fired condensing boiler.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Horsham Blueprint Business Neighbourhood Plan 2019-2036
Policy HB3 – Character of development
Policy HB4 – Design of development

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 9: Water Neutrality
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 30: Enhancing Existing Employment

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:
HDC Environmental Health: No objection, conditions recommended.

Representations:
None received

Neighbourhood Council Comments:
No Objection

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
The main considerations material to this application relates to the appearance of the building and visual amenities of the street scene and the amenities of the adjacent occupiers.

Design and Appearance:

Policies 32 and 33 of the HDPF seek 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 skyline and important views.

Policy HB3 of the Horsham Blueprint Business Neighbourhood Plan aims to maintain that development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area.

Furthermore, Policy HB4 of the Horsham Blueprint Business Neighbourhood Plan states that the 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 relates to the installation of new boiler flue on the east elevation. The main building features numerous flues to each elevation with the additional proposed located in close proximity to an existing chimney stack protruding beyond the north elevation. It is considered that given the utilitarian appearance of the main building the addition of a smaller and narrower flue would align with the characteristic of the main building. The proposal would not create an adverse cumulative impact and would primarily be seen in context of the industrial surroundings.

It is therefore considered that the development would not appear unduly prominent or harmful to the character or appearance of the site or surrounding area, with the visual impact in accordance with the above policies.

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.

A Noise Impact Assessment was provided as part of the application process. The Assessment is considered sufficient in its scope and methodology and demonstrates that no unacceptable harm would be expected to result from the proposal. It is noted that the modelled noise level at 1 Grove House would be close the background nighttime noise levels. A condition is therefore recommended to

including revisions. Following consultation with the Council's Environmental Health Officer the content of the revised noise report is considered satisfactory. It is noted that the rated noise level at 1 Grove House is however close to the background noise level during the nighttime hours. Upon the Council's Environmental Health Officer recommendation planning conditions have been imposed to ensure that any potential harm is minimised to an acceptable level of tolerance. It is therefore considered that the siting and layout of the proposed development would not create an effect that significantly harms any neighbouring properties.

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.

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:

The proposal is considered to be contrary with the above-mentioned policies and guidance therefore the development is recommended for refusal.

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 **Post-Installation Condition**: Within 3 months of the installation of the flue hereby permitted, a post-installation report which accords with BS 4142: 2014 (or subsequent superseding equivalent) shall be submitted to the Local Planning Authority for its approval in writing. The report shall include an assessment of noise impacts arising from the flue, and if necessary shall include details, including a timetable for implementation, for additional mitigation to address the identified noise impact. The development shall be permanently retained and maintained in accordance with the agreed details.

Reason: In the interests of amenity of adjacent occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **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).

5 **Regulatory Condition:** The installation of all fixed mechanical equipment and building services plant hereby approved shall be undertaken in accordance with the submitted plans and specifications as detailed in the WSP New Boiler Flue Noise Impact Assessment dated October 2025

Reason: In the interests of amenity of adjacent occupiers and to ensure the use of the site does not have a harmful environmental effect and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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.

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/25/0839
(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		DLS-156-PL-03-B	13.06.2025
Elevation plan	North and East, as existing	25031-02-E-GA1	20.05.2025
Elevation plan	West and South, as existing	25031-02-E-GA2	20.05.2025
Elevation plan	North and West, as proposed	DLS-156-PL-01	20.05.2025
Elevation plan	East and South, as proposed	DLS-156-PL-02	20.05.2025
Supporting Statement	Noise Impact Assessment	NONE	09.09.2025
Supporting Statement	Planning	NONE	13.06.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 13.11.2025

Authorising Officer sign/initial Guy Everest Date: 21.11.2025