Horsham District Council

Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

UNITS 9 and 10 LAURA HOUSE,

Address Line 1

JENGERS MEAD, BILLINGSHURST,

Address Line 2

Address Line 3

Town/city

Postcode

RH14 9NZ

Description of site location must be completed if postcode is not known:

Easting (x)

508689

Northing (y)

126075

Description

Applicant Details

Name/Company

Title

Mr

First name

Simon

Surname

Wrigley

Company Name

Address

Address line 1

care of agent

Address line 2

Melton Lodge, Rusper Road,

Address line 3

Town/City

Newdigate

County

Surrey

Country

United Kingdom

Postcode

RH5 5BX

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

First name

Phil

Surname

Rowe

Company Name

Address

Address line 1

Melton Lodge

Address line 2

Rusper Road

Address line 3

Town/City

NEWDIGATE

County

Country

United Kingdom

Postcode

RH5 5BX

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Eligibility

Permitted development rights are subject to conditions set by legislation to ensure that only appropriate proposals are eligible.

The need to apply to the Local Planning Authority to see if prior approval is required is one such condition.

The questions below will help determine if the proposals are eligible for this permitted development right.

The current building and site

Please note: Eligibility questions relating to the current building being vacant for 3 months, and it's floorspace not exceeding 1,500 square metres were removed after these limitations were lifted by government on 5 March 2024.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:
• For periods prior to 1 September 2020
- Shops (Use Class A1);
- Financial and professional services (Use Class A2);
- Food and drink (Use Class A3)
- Business (Use Class B1);
- Medical or health services
- Non-residential institutions (Use Class D1(a));
- Crèche, day nursery or day centre
- Non-residential institutions (Use Class D1(b));
- Indoor and outdoor sports
- Assembly and leisure (Use Class D2(e)), other than an indoor swimming pool or skating rink;
• For periods from 1 September 2020
- Commercial, Business and Service (Use Class E)

◉ Yes
○ No

Is any land covered by, or within the curtilage of, the building:
• in a site of special scientific interest;
• a listed building or land within its curtilage;
• a scheduled monument or land within its curtilage;
• a safety hazard area;
• a military explosives storage area;
Or, is the building:
• in an area of outstanding natural beauty;
• in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
• in the Broads;
• in a National Park;
• in a World Heritage Site

◯ Yes
⊘ No

The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses from Offices (Use Class B1(a)/E(g)(i)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

◯ Yes
⊘ No / Not relevant

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

⊘ Yes
◯ No

Following the development, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

⊘ Yes
◯ No

Agricultural tenants

To be eligible for this permitted development right, all parties to any agricultural tenacy agreements that are currently in place need to provide consent.

This is to help ensure that agricultural tenants are not displaced to allow a change of use to be carried out.

Is any part of the land covered by or within the curtilage of the building to be demolished occupied under any agricultural tenancy agreements?

◯ Yes
⊘ No

Fire Safety

Where the building (as proposed) exceeds certain limits, legislation has been put in place to ensure the adequate consideration of fire safety by the Local Authority (including its decision to grant prior approval) and other relevant parties.

Would the proposed development result in a building that contains two or more dwellinghouses, and is:
• 18 metres or more in height (as measured from ground level to the top floor surface of the top storey of the building); or
• contains 7 or more stories.

◯ Yes
⊘ No

NOTE: More details on how to measure height and stories are available in paragraph (7) of Article 9A of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the related government guidance.

Description of Proposed Works, Impacts and Risks

Proposed works

Please describe the proposed development including details of any dwellinghouses and other works proposed

Prior notification for the change of use from offices (Class B1) to residential (Class C3) to form 2 no. self contained flats

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses

Please see proposed plans

What will be the net increase in dwellinghouses?

2

This figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building prior to the development.

Impacts and risks

Please provide details of any transport and highways impacts and how these will be mitigated, particularly to ensure safe site access

The movements associated with office use have done so safely with no known safety highways concerns, and C3 residential uses are considered less intensive.

Please provide details of any contamination risks and how these will be mitigated

Not applicable

Please provide details of any flooding risks and how these will be mitigated.

Not applicable

A flood risk assessment should accompany the application where the site:
• is in Flood Zones 2 or 3; or
• is in an area with critical drainage problems (such areas will have been notified to the Local Planning Authority by the Environment Agency).
Check if your site location is in Flood Zone 2 or 3 online
Check with your Local Planning Authority to see if your site is in an area with critical drainage problems.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated

Permission previously granted under DC/21/1659 Unit 12, Laura House, Jengers Mead, Billingshurst, West Sussex, RH14 9NZ for Prior notification for the change of use from an office (Class B1) to residential (Class C3) to form 1no. self contained flat. The application is agreeable to the following planning condition:

1 Pre-Occupation Condition: Prior to the occupation of the dwelling, a scheme for sound attenuation against external noise shall be submitted to and approved by the Local Planning Authority. The scheme shall have regards to the conclusions in the submitted Noise Exposure Assessment (prepared by Falcon Energy Limited, received by the Council on 25.10.2021). The approved sound attenuation works shall be completed before the dwellings/units are occupied and be retained thereafter.
Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor. Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated

Not applicable

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.
Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated

Not applicable

If the proposal involves the loss of services provided by a registered nursery, or a health centre. Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated

Not applicable

List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building

House name:
Benchmarq Ltd

Number:

Suffix:

Address line 1:
Unit 9 Laura House Jengers Mead Billingshurst

Address Line 2:

Town/City:

Postcode:
RH14 9NZ

House name:
Unit 10

Number:

Suffix:

Address line 1:
Laura House Jengers Mead Billingshurst

Address Line 2:

Town/City:

Postcode:
RH14 9NZ

Declaration

I/We hereby apply for Prior Approval: Change of use – commercial/business/service to dwellinghouses as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Phil Rowe

Date

11/11/2024