



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0827

Gladstone House, 19 Gladstone Road, Horsham, West Sussex, RH12 2NN

DESCRIPTION:

Prior Notification for the change of use from offices to 2no. dwellinghouses.

RELEVANT PLANNING HISTORY:

HU/58/84	Conversion of property into 2 self-contained units Comment: Appeal allowed 21/09/84	Application 21.09.1984	Permitted	on
HU/293/58	Bathroom	Application 08.12.1958	Permitted	on
HU/214/85	Change of use from dwelling to offices	Application 07.10.1985	Permitted	on
HU/113/85	Change of use of dwelling to offices Comment: Appeal withdrawn 16/10/85	Application 08.07.1985	Refused	on

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):

Policy 24 - Strategic Policy: Environmental Protection

Policy 33 - Development Principles

Policy 38 - Strategic Policy: Flooding

Policy 41 - Parking

The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Schedule 2, Part 3, Class MA

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 Team: Advice

Comments: The proposed dwellings may be exposed from the night time activities at the neighbouring Network Rail Depot which hosts railway maintenance equipment and rolling stock. Noise from commercial activities can be considered under the prior approval process and it is recommended that an Environmental Noise survey is provided. Asbestos containing materials may be present in buildings constructed refurbished or maintained before 2000 and therefore the conditions should be attached if the application is approved:

WSCC Highways: Advice

Comments:

- The prior approval is considered acceptable in highway terms.
- No traffic flow information has been provided; office uses tend to generate greater material movements than residential. Therefore, the LHA does not anticipate that material movements associated with the site will exceed that of the existing.
- The LHA does not anticipate that the shortfall in parking would result in a highway safety concern or parking capacity issue in this location, but the LPA may wish to consider the potential amenity implications.
- The site is situated in a sustainable location within walking/cycle distance of local services, amenities, and public transport links. Cycling is a viable option in the local area, and the LHA would request that secure cycle parking provision be implemented if there is space within the site to do so

Southern Water: No Objection

The flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

Surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. If any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

Parish Comments:

Horsham Town Council: No Objection

Representations:

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

The main issue is whether prior approval is required for the proposed change of use under Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Schedule 2, Part 3, Class MA of the above Order states that the following constitutes permitted development:

Permitted Development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

MA.1 (1) Development is not permitted by Class MA—

~~(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;~~

(section deleted following the 2024 update to the order on 05.03.2024)

(b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

The agent has confirmed that the building has been in a Class E Use, Commercial, Business and Service for over 20 years prior to the date of this application. The planning history associated to the property confirms consent was granted for the Change of Use from dwellings to offices, in October 1985 under reference HU/214/85.

~~(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;~~

(section deleted following the 2024 update to the order on 05.03.2024)

(d) if land covered by, or within the curtilage of, the building—

- (i)** is or forms part of a site of special scientific interest;
- (ii)** is or forms part of a listed building or land within its curtilage;
- (iii)** is or forms part of a scheduled monument or land within its curtilage;
- (iv)** is or forms part of a safety hazard area; or
- (v)** is or forms part of a military explosives storage area;

None.

(e) if the building is within—

- (i)** an area of outstanding natural beauty;
- (ii)** an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;
- (iii)** the Broads;
- (iv)** a National Park; or
- (v)** a World Heritage Site;

None.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained

Not applicable.

(g) before 1 August 2022, if—

- (i)** the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

- (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

Not applicable.

- (2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

- (a) the following classes of the Schedule as it had effect before 1st September 2020—

- (i) Class A1 (shops);
- (ii) Class A2 (financial and professional services);
- (iii) Class A3 (food and drink);
- (iv) Class B1 (business);
- (v) Class D1(a) (non-residential institutions – medical or health services);
- (vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);
- (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

- (b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.'

The application site is under a Class E use, with consent granted for the building to be used as offices, in October 1985, reference HU/214/85. The agent confirms that the building has been used as offices for over 20 years, with evidence before the Council, available online, confirming as such.

MA.2(1) Development under Class MA is permitted subject to the following conditions.

- (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport impacts of the development, particularly to ensure safe site access;

The site benefits from an existing parking arrangement, providing two spaces to the rear of the site. WSCC Highways have advised that the proposed conversion of the unit to residential use is not anticipated to give rise to a material intensification of movements to or from the site. Whilst the WSCC Car Parking Demand Calculator indicates that a development of this size and location would require four car parking spaces, the LHA does not anticipate that the shortfall in parking would result in highway safety concerns or parking capacity issues in the location. As the site is located centrally within Horsham Town, it is situated in a sustainable location within walking/cycle distance of local services, amenities, and public transport links. Cycling is a viable option in the local area, and the LHA have requested that secure cycle parking provision be implemented if there is space within the site to do so. With this in noted, requesting these details would go beyond what can be assessed as part of this Prior Approval route and is not necessary to make the development acceptable. Furthermore, the only available space within the site for cycle storage, would be to the rear, reducing the number of available parking spaces.

In summary, the prior approval is considered acceptable in highway terms

- (b) contamination risks in relation to the building;

No asbestos survey has been submitted as part of this application. Given its previous use, it is likely that the site is not subject to any ground-based contamination arising from a previous use. The Council's Environmental Health Team have advised that buildings constructed, extended repaired or refurbished before 2000 may contain asbestos materials, requesting by an asbestos survey prior to the

commencement of works. In this instance, it is not considered that a condition is suitable and would not meet the planning obligations test, as set out within paragraph 57 of the NPPF. As such it is not recommended to be imposed, rather the applicant is advised of these measures by means of an informative attached to this permission.

(c) flooding risks in relation to the building;

The application site is not considered to be at risk of flooding and as such accords with the criteria.

(d) impacts of noise from commercial premises on the intended occupiers of the development

The site is located within the built-up area boundary of Horsham, on a street that is predominantly formed of existing residential properties. The site does, however, sit adjacent to the boundary of the Nightingale Road Industrial Estate. As such, there are commercial uses in the locality, consisting of two office buildings and a vehicle repairs shop located further south of the application site. The Council's Environmental Health Team has raised concerns with the potential noise impact from the nearby Network Rail Depot, in which this is considered in section (g). The existing office buildings, the closest commercial units, are situated within an established residential area, with numerous dwellings in a similar proximity to the application building. A search of the associated history of these buildings confirms no noise complaints have been raised, with the current office uses considered a low-noise commercial use. With this in mind, it is not considered that the noise from these commercial activities may prejudice the amenity of future occupiers of the development.

(e) where—

- (i) the building is located in a conservation area**
- (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area.**

the impact of that change of use on the character or sustainability of the conservation area;

The site is not located within a Conservation Area. Therefore, no objection is raised on these grounds.

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

All habitable rooms would benefit from fenestration such that it is considered that all habitable rooms would have adequate natural light.

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

The Council's Environmental Health Team has raised concerns with the potential noise impact from the nearby Network Rail Depot, in which the proposed dwellings may be exposed from nighttime activities, which hosts railway maintenance equipment and rolling stock. The Team have recommended that an Environmental Noise survey be provided. These concerns are noted, however, given that the site is located within an established residential area where residential and railway uses have coexisted for some time, it is not considered proportionate to require a noise survey in this instance. No heavy industry or waste management uses occur nearby, however, there is a storage use 105 metres to the northeast. This separation distance is considered sufficient to prevent amenity issues.

(h) where the development involves the loss of services provided by—

- (i) a registered nursery, or**
- (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost and**

The proposal would not result in the loss of a registered nursery or health centre.

- (i) **where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.**

A fire statement is not required given that the height is not more than 18 metres and would comprise fewer than 7-storeys in height.

Other Matters

National Space Standards

In accordance with Section (9A) of Article 3 of the General Permitted Development Order (2021 amendment), Schedule 2 of the Order only permits development for the creation of new dwellinghouses:

- (a) *Where the gross internal floor area is less than 37 square metres in size; or*
(b) *That does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.'*

The proposal is for the creation two dwellings. The ground floor will provide living space totalling 56m², comprising 1 bedroom, kitchen, living room and a bathroom/WC. The first floor living space will total 50m² and will comprise 1 bedroom, living room, kitchen and a bathroom/WC. Whilst no built-in storage has been identified on the plans, there is sufficient space within the dwellings to accommodate this. The proposed conversion of the building is therefore considered to provide adequate living space in accordance with national space standards, in accordance with Section (9A) of Article 3 of the Order.

Conclusion

The proposal accords with the provisions of Paragraphs MA.1 and MA.2 of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2015.

Recommendation: Prior Approval Required and PERMITTED

NOTE TO APPLICANT

The applicant is advised that buildings constructed, extended repaired or refurbished before 2000 may contain asbestos materials. The asbestos register for the building should be provided, or an asbestos survey should be undertaken by a competent person to identify any suspected or confirmed asbestos containing materials in the part of the building to form the proposed dwelling.

NOTE TO APPLICANT

All Site clearance debris and construction waste shall be removed from site by an appropriately licensed waste removal contractor including all asbestos waste.

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/26/0827Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Floor plan	Existing Floor Plans	137-2026-2	20.05.2026
Supporting Statement	Planning Statement	137/2026	20.05.2026
Floor plan	Proposed Floor Plans	137-2026-3	20.05.2026
Site plan	Proposed Site Plan	137-2026-4	20.05.2026
Location & Site plan	Site and Location Plan	137-2026-1	20.05.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 08/07/2026

Authorising Officer sign/initial RHERMITAGE Date: 13.07.2026