



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0716

Envision House, 5 North Street, Horsham, West Sussex, RH12 1XQ

DESCRIPTION:

Prior Notification for Change of Use of Class B1a Offices (First and Second Floors) to form 18 residential units (5 x 1 bed flats, 13 x 2 bed flats (Use Class C3))

RELEVANT PLANNING HISTORY:

DC/14/1880	Change of use from offices (Use Class B1a) to form 18 residential units (5 x 1 bed flats, 13 x 2 bed flats (Use Class C3)) Prior Notification	Prior Approval Required and PERMITTED on 27.10.2014
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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 - commercial, business and service uses to dwellinghouses

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: Comment

The report identifies that acoustic mitigation measures are required to protect the future occupiers from noise from the neighbouring commercial premises.

It is advised that mechanical ventilation and heat recovery (MVHR) is applied to both first and second floor flats as previously discussed for the Southern façade overlooking the Carfax.

The submitted floor plans show some instances of conflicting stacking arrangements with bedrooms to first and second floor dwellings being sited above or below living rooms in separate occupation. Approved Document E of the building regulations advises that such conflict arrangements should be avoided.

Conditions are recommended.

WSSC Highways: No Objection

The site is in the middle of Horsham Town centre on North Street and is within walking distance to local amenities as well as a 7 min walk to the bus depot and a 9m minute walk to Horsham train station. As it is in a town centre location there is no dedicated car parking associated with the use, and this would be acceptable given the proximity to good public transport connections.

WSSC would encourage the development offers some communal cycle store provision. WSSC cycle parking standards are recommended and for 18 flats with communal stores there would be a demand for 9 spaces:

Promoting sustainable transport

As part of the wider vision to create sustainable communities for the future, the applicant should consider promoting the car free location by providing a sustainable travel information pack with each dwelling encouraging the use of public transport locally. This could include information on bus and train times and local car sharing clubs. WSSC would also expect to see a travel voucher offering to the initial occupants of the residential units.

Construction Management Plan

Given this is a renovation project, it is likely that most construction work will take place within the building, however the construction work will still attract some construction related traffic, deliveries and disposal of waste from the site. There may also be a need to apply for temporary licences such as skips in the highway.

Southern Water: Comment

If using existing connections, Southern Water has determined that 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 the proposal.

Parish Comments:

Horsham Town Council Planning Committee resolved no objection, subject to the District Council being satisfied that the requirements of Policy HB9 (Protecting existing and encouraging new commercial premises and land) of the Horsham Blueprint Neighbourhood Plan have been demonstrated and evidenced

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 unit has been in use as an estate agents on the ground floor and office on the upper floors (Class E) for at least 2 years prior to the date of this application.

~~(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

None.

(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.

N/A

- (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.'

As above, the application site has been in use as an estate agents on the ground floor and office on the upper floors (Class E) for at least 2 years.

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 proposal is situated in the centre of Horsham Town centre on North Street and is within walking distance to local amenities and transport services. The vehicular access to the site will continue to be achieved via the existing access leading from the A281, leading to the car park. WSCC Highways considered that as there is limited on-site parking that the applicant should promote sustainable transport methods such as encouraging the use of public transport. No objections were raised by WSCC Highways, with a condition requiring a construction management plan recommended prior to the commencement of development. As such, no objection is raised to this regard.

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

A Phase I contaminated land assessment was submitted. This concludes that no further investigation is necessary for the site. There was no evidence of visual contamination, and the past use of the site as housing, a cinema and office space is considered to be low risk as a potential contamination source. The potential risks to current or future occupiers was also low. The risk of contamination being the ground was concluded as low. Environmental Health noted that the building is pre-2000 contamination and therefore asbestos containing materials may be present in the part of the buildings to form private dwellings. Therefore, if any asbestos

- (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 a town centre location, in an area that is predominantly formed of some existing residential properties in addition to commercial uses. The Council's Environmental Health Officer requested a noise impact assessment to assess the potential noise impacts arising from the location. The report recommended that secondary glazing is required for residential properties at first and second floors. And it was advised that mechanical ventilation and heat recovery (MVHR) is applied to both first and second floor flats. The report concluded that based on the information assessed, the application should not be refused on noise grounds.

Given the presence and level of existing residential uses within the surrounding area, Officers are not concerned in establishing an additional residential unit in this location in terms of noise.

(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 and there is no change of use is proposed on the ground floor of the building. 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;

As above, the site is located within a street predominately formed of residential properties with some examples of commercial uses nearby. No heavy industry, waste management or storage / distribution uses occur nearby. The proposed arrangement is not unusual for a town centre location – the occupation of the unit for residential purposes is not considered to adversely impact the future occupants of the dwelling. As such, no objection is raised on these grounds.

(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 contain less 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 incorporates the creation of 18 flats, providing living space totalling 997m². The flats would be divided as follows:

- Plot 1 (2-bed): 61 sqm
- Plot 2 (2-bed): 61 sqm
- Plot 3 (2-bed): 61 sqm
- Plot 4 (2-bed): 61 sqm
- Plot 5 (2-bed): 64 sqm
- Plot 6 (1-bed): 42 sqm
- Plot 7 (2-bed): 70 sqm
- Plot 8 (1-bed): 37 sqm
- Plot 9 (1-bed): 55 sqm
- Plot 10 (2-bed): 61 sqm
- Plot 11 (2-bed): 61 sqm
- Plot 12 (2-bed): 61 sqm
- Plot 13 (2-bed): 61 sqm
- Plot 14 (2-bed): 61 sqm
- Plot 15 (1-bed): 46 sqm
- Plot 16 (1-bed): 42 sqm
- Plot 17 (1-bed): 37 sqm
- Plot 18 (1-bed): 55 sqm

Each flat would benefit from either one or two bedrooms, a kitchen, living/dining room and a bathroom. The proposed units are 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

Conditions:

- 1 **Pre-Commencement Condition:** The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:
 - i. the anticipated number, frequency and types of vehicles used during construction
 - ii. the method of access and routing of vehicles during construction
 - iii. the parking of vehicles by site operatives and visitors,
 - iv. the loading and unloading of plant, materials and waste
 - v. the storage of plant and materials used in construction of the development
 - vi. the erection and maintenance of security hoarding,

- vii. the provision of wheel washing facilities and other works required to mitigate the impact on construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- viii. details of public engagement both prior to and during construction works

The construction shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

2 Pre-Commencement Condition:

- (a) Prior to the commencement of development, a scheme of noise and vibration attenuation and ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include acoustic performance details of the building facades and glazing and incorporate the recommendations detailed in the Acoustic South East Change of Use Planning Application (Class MA), report dated 22/07/2026, reference J4232. The scheme shall achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of L_{Amax} with suitable measures to ensure the thermal comfort of occupiers.

The scheme of ventilation shall be designed following a suitable overheating assessment in accordance with the CIBSE overheating position statement March 2020 using weather files DSY2 and shall ensure a suitable scheme to mitigate overheating and ventilate the premises hereby permitted and having due regard to installation and design standards of Acoustics Ventilation and Overheating: Residential Design Guide January 2020.

- (b) Prior to occupation a site visit shall be carried out by a suitably qualified person and a final verification report shall be submitted to and approved in writing by the local Planning authority. All work must be carried out by suitably qualified person, and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: In the interest of the amenities of nearby residents and future occupants, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

3 Pre-Commencement Condition:

- (a) Prior to commencement of construction the applicant shall either provide layout plans to demonstrate that there is no adverse stacking of habitable rooms or they shall provide a scheme of sound insulation and construction that shall ensure that the sound insulation of the party floors is 5dBA or better than normal building regulations. The scheme shall be submitted to and approved in writing by the local planning authority and shall also include details of post construction verification to be carried out.
- (b) Prior to occupation the post construction verification report shall be submitted to and approved by the local Planning Authority and the premises shall not be occupied until any necessary remedial work has been satisfactorily completed.

Reason: In the interest of the amenities of nearby residents and future occupants, in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

Note to Applicant – Unexpected Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until an appropriate verification report prepared by a competent person which confirms all asbestos or suspected asbestos containing materials have been removed, has been agreed with the Council's Environmental Health Team.

The Applicant is advised that if asbestos is found during the development, all confirmed or suspected asbestos containing materials should be removed by a licensed asbestos removal contractor and should be disposed of appropriately.

Note to Applicant – Highways Licences

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

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/26/0716

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Site plan		100 REV P1	01.05.2026
Floor plan	Proposed Ground	110 REV P1	01.05.2026
Floor plan	Existing Ground	210 REV P1	01.05.2026
Floor plan	Existing First	211 REV P1	01.05.2026
Floor plan	Existing Second	212 REV P1	01.05.2026
Floor plan	Proposed First	220 REV P1	01.05.2026
Floor plan	Proposed Second	221 REV P1	01.05.2026
Supporting Statement	Covering Letter	NONE	01.05.2026
Supporting Statement	Contamination Report (Part 1 of 4)	NONE	15.05.2026
Supporting Statement	Contamination Report (Part 2 of 4)	NONE	15.05.2026
Supporting Statement	Contamination Report (Part 3 of 4)	NONE	15.05.2026
Supporting Statement	Contamination Report (Part 4 of 4)	NONE	15.05.2026
Supporting Statement	Acoustic Noise Assessment J4232 1	NONE	23.07.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 18.08.2026

Authorising Officer sign/initial RHERMITAGE Date: 18.08.2026