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Our ref: DC/26/1197
Your ref: Horsham Class MA
Resubmission
Email: planning@horsham.gov.uk
Direct Line: 01403 215382
If Calling Please ask for: Robert Hermitage
Date: 25th September 2026

Dear Sir/Madam,

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) (England) Order 2015
Application for Prior Approval under Schedule 2, Part 3, Class MA**

Prior Approval for the Change of Use of the existing Class E building into 195 residential dwellings comprising 58no. 1 bedroom (1 person), 115no. 1 bedroom (2 person), 12no. 2 bedroom (3 person) and 10no. 2 bedroom (4 person) units.

St Marks Court Chart Way Horsham West Sussex

Further to the above prior notification which was received on 28 July 2026, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

- 1 **Pre-Commencement Condition:**
 - i) Prior to the commencement of this development, details showing the proposed location of the required fire hydrants shall be submitted to and approved in writing by the Local Planning Authority.
 - ii) Prior to the first occupation of any dwellings forming part of the proposed development, the required fire hydrants shall be fully installed and made operational in the approved location. The fire hydrants shall be maintained thereafter for the lifetime of the development.
 - iii) Prior to the first occupation of any dwellings forming part of the proposed development, West Sussex County Council's Fire and Rescue Service shall be notified in writing that the fire hydrant(s) have been installed and are operational, to ensure that the Fire and Rescue Service are aware that the hydrant(s) is now a usable asset in the event of a fire.

The fire hydrant(s) shall thereafter be maintained as part of the development by the water undertaker at the expense of the Fire and Rescue Service if adopted as part of the public mains supply (Fire Services Act 2004) or by the owner / occupier if the installation is retained as a private network.

As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional work on or

off site, particularly in very large developments. (BS9999 Section 6: Para 21 & 22) for further information please contact the Fire and Rescue Service.

If a requirement for additional water supply is identified by the Fire and Rescue Service and is subsequently not supplied, there is an increased risk for the Service to control a potential fire. It is therefore recommended that the hydrant condition is implemented.

Reason: In accordance with fire and safety regulations in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 2 **Pre-Commencement Condition:** No development shall commence until an assessment of external noise affecting the proposed dwellings has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be prepared by a suitably qualified person and shall either:

- i) demonstrate that no noise mitigation measures are required; or
- ii) where necessary, include a scheme of sound attenuation measures to achieve acceptable internal noise levels within the dwellings.

Any approved sound attenuation measures shall be implemented in full prior to the first occupation of the dwellings and shall 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).

- 3 **Pre-Occupation Condition:**

- i) No dwelling hereby permitted shall be occupied until an asbestos survey and remediation scheme has been submitted to and approved in writing by the Local Planning Authority. Any confirmed or suspected asbestos containing materials identified within the approved survey shall be removed by an appropriately licensed and competent contractor in accordance with the approved remediation scheme.
- ii) Following completion of the works, a verification report demonstrating that all affected areas are free from asbestos contamination shall be submitted to and approved in writing by the Local Planning Authority. All asbestos waste and other site clearance debris shall be removed from the site by an appropriately licensed waste contractor.

Reason: To ensure that any asbestos present on site is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Occupation Condition:** No part of the development shall be first occupied until the car parking spaces have been constructed and made available for use in accordance with the approved detail. These spaces shall thereafter be retained at all times for their designated use.

Reason: To ensure that suitable parking provision is made available for the proposed use, in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 5 **Pre-Occupation Condition:** No part of the development shall be first occupied until the secure cycle parking facilities have been provided and made available for use in accordance

with the approved detail. These spaces shall thereafter be retained at all times for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

- 6 **Pre-Occupation Condition:** No additional internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwelling hereby permitted. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of the future residents and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Schedule of plans/documents

The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Proposed 1/2	NONE	28.07.2026
Location plan		NONE	28.07.2026
Floor plan	Proposed Lower Ground	200	18.09.2026
Floor plan	Proposed Upper Ground	201	18.09.2026
Floor plan	Proposed First	202	18.09.2026
Floor plan	Proposed Second	203	18.09.2026
Elevation plan	Proposed 2/2	NONE	28.07.2026
Floor plan	Proposed Third	204	18.09.2026

Community Infrastructure Levy (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. This development constitutes CIL liable development.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

Yours faithfully



Emma Parkes
Head of Development and Building Control

Further Information

Appeals to the Secretary of State

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of this decision notice for a 'minor commercial' (shop front) application, and within 6 months for most other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

New postal addresses

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

Waste bins

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.