

10 April 2026

Horsham District Council
Albery House,
Springfield Road,
Horsham, West Sussex
RH12 2GB.

JC/Let/P2353

Dear Sir / Madam,

Prior Approval under Class MA for change of use from offices (Use Class B1a) to form 18 residential units (7 x 1 bed flats, 11 x 2 bed flats (Use Class C3) at Envision House, 5 North Street, Horsham, West Sussex, RH12 1XQ.

We are contacting you on behalf of our client, GBD Developments LLP, for the Prior Notification for the changes of use of the first and second floors at Envision House, Horsham from Use Class E (Business) to Use Class C3 (Dwellinghouses).

This application includes the following documents and drawings to accompany this Prior Approval Planning Application:

- Application Forms
- Planning Covering Letter
- Phase 1 Contamination Report
- Site Location Plan
- Existing Floorplans
- Proposed Floorplans

The Council should be aware that the proposals are very similar in nature those permitted under prior approval application DC/14/1880 on 27 October 2014.

The Site

The application site comprises approximately 0.08 hectares of land situated on North Street, on the eastern periphery of Horsham town centre. The site occupies a strategic position adjacent to the primary retail and commercial core. Its immediate context is defined by the small-scale leisure and retail development to the south and west, the mid-rise Spire Court office building to the east, and the roundabout and major roadway of Albion Way to the north.

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The site benefits from a high level of accessibility to sustainable transport modes. It is well-served by local bus routes and is located within 600 metres of Horsham railway station, which provides frequent direct services to London and the South Coast.

The site is currently occupied by 'Envision House,' a three-storey semi-detached building featuring a small fourth-floor plant and access structure set back from the principal elevation. The existing building provides a mix of ground-floor commercial space, upper-floor office accommodation, and roof-level plant. Vehicular access and associated car parking are provided to the rear, via Medwin Way. The building is finished in a palette of red brick and timber boarding, under a clay-tiled roof, with active timber-and-glass frontages at the ground floor.

Planning History

A review of Horsham District Council's online planning register has revealed the following 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 27 October 2014)

DC/15/0757 - Extensions and alterations to existing property, including extensions to roof to provide for 4 no. 2-bedroom flats and 1 no. 1-bedroom flats; and associated works. (Revisions to DC/14/1880). (Approved 30 June 2015)

The Proposal

This Prior Approval Application seeks written confirmation from Horsham District Council in relation to the proposed development being compliant with Part MA of the General Permitted Development Order (2015) (As Amended). The proposal seeks to convert the upper floors of a building currently approved for business (Use Class E) into 18no. residential dwellings. As such, the regulations for Class MA Prior Approval are discussed below.

Permitted development – Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for:

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.

Development not permitted

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

(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 property has been in use as an estate agents on the ground floor and office on the upper floors for at least 2 years. It would therefore fall within Use Class E, which is within the classes specified in sub-paragraph (2).

(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;

The site is not subject to any of the above.

(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;

The site is not within any of the above.

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

The site is not subject to an agricultural tenancy.

(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.

The property has been in use as an estate agents on the ground floor and office on the upper floors for at least 2 years. It would therefore fall within Use Class E.

Conditions

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;

See Appraisal Section.

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

See Appraisal Section.

- (c) flooding risks in relation to the building;

The site lies within Flood Zone 1, with no identified risk of surface water flooding. See Appraisal Section.

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

See Appraisal Section.

- (e) where—

- (i) the building is located in a conservation area, and
- (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;

This site is not in a conservation area. No change of use is proposed for the ground floor of the building.

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

See Appraisal Section.

- (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;

This site is not in an area identified as important for the above uses.

- (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.

This site does not house 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.

The development does not meet the fire risk condition. See discussion of 'Interpretation of Class MA' below.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

The application is being made after 1 August 2021.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if –

- (a) for paragraph (e) of sub-paragraph (2) there were substituted—
 - “(e) where—
 - (i) sub-paragraph (6) requires the Environment Agency to be consulted, a site-specific flood risk assessment;

The site lies within Flood Zone 1, with no identified risk of surface water flooding.

- (ii) sub-paragraph (6A) requires the Building Safety Regulator to be consulted, a statement about the fire safety design principles, concepts and standards that have been applied to the development.”; (see *interpretation of Class MA below*)

The building falls outside of the fire risk condition. See discussion below.

- (b) in the introductory words in sub-paragraph (5), for “and highways impacts of the development” there were substituted “impacts of the development, particularly to ensure safe site access”;
- (c) after sub-paragraph (6) there were inserted—
 - “(6A) Where the application relates to prior approval as to fire safety impacts, on receipt of the application, the local planning authority must consult the Building Safety Regulator.”; (see *interpretation of Class MA below*)

The building falls outside of the fire risk condition. See discussion below.

(d) in sub-paragraph (7) for “(5) and (6)” there were substituted “(5), (6) and (6A)”;

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.”.

Interpretation of Class MA MA.3

Development meets the fire risk condition referred to in paragraph MA.2(2)(i) if the development relates to a building which will—

- (a) contain two or more dwellinghouses; and
- (b) satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

The building does not fall within the fire risk condition part (b). See below.

Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO 2015)

Fire Statements

9A – (3) The height condition is that—

- (a) the building is 18 metres or more in height; or
- (b) the building contains 7 or more storeys.

The building is less than 18 metres and is less than 7 storeys in height.

.....

(7) For the purpose of paragraph (3)—

- (a) the height of a building is to be measured from ground level to the top floor surface of the top storey of the building (ignoring any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant rooms);
- (b) when determining the number of storeys a building has—
 - (i) any storey which is below ground level is to be ignored; and
 - (ii) any mezzanine floor is a storey if its internal floor area is at least 50% of the internal floor area of the largest storey in the building which is not below ground level.

Appraisal

In accordance with the (General Permitted Development) (England) Order 2015 (as amended), we request a determination as to whether the Prior Approval of Horsham District Council is required with Class MA development with regards to:

Transport Impacts

Contamination Risk

Flood Risk

Noise

Daylight

Nationally Described Space Standards

These are discussed below.

Transport Impacts

The site is well located, in a highly sustainable location in central Horsham with very good access to a range of shops, schools, community and medical services, formal and informal leisure facilities and public transport, especially rail travel. In simple location terms, therefore, the site is appropriate for residential usage.

Vehicular access to the site will continue to be achieved via the existing access leading from the A281 (Albion Way)/Medwin Way to the north of the Envision House, which leads to the car parking as shown on the proposed plans. It is considered that the existing access arrangements provide safe and adequate access to the site without impediment to the highway.

It is considered that the existing off-street parking provision, which is to be provided and retained, would satisfactorily accommodate the parking requirements of the proposed residential dwellings.

The Change of Use of the existing office accommodation to form 18 residential dwellings would generate significantly less vehicle movements than the continued use of the buildings as office accommodation.

The proposals are therefore considered entirely acceptable on the grounds of transport impacts.

Contamination Risk

A Phase I Contaminated Land assessment is submitted as part of this application. This concludes that the site presents a low risk of contamination, and that no further investigation is necessary.

With respect to the possibility of asbestos, the Council are reminded that an appropriately worded condition may be secured to control the risks of this form of contamination and put in place working measures to mitigate any risk.

Flood Risk

As previously discussed, the development lies within Flood Zone 1, indicating a low risk of flooding. Furthermore, there is no identified risk of surface water flooding within the site. The site is not in close proximity to a river, stream, or beck, and the proposed conversion will not increase flood risk elsewhere owing to the absence of any external works.

The proposals should consequently be deemed acceptable in terms of flood risk.

Noise

With regard to noise, the configuration of the proposed residential units is entirely consistent with other residential uses above retail units within Horsham Town Centre. The current ground floor use, a property and letting agents office, is not identified as producing noise that would significantly affect the residential amenity of any future residents.

The proposed conversion would fully comply with building regulations regarding resistance to sound, and as such is considered to be entirely acceptable in terms of noise impacts from commercial premises on any future residents.

Daylight

The design and layout of the proposals is to provide sufficient natural light and ventilation to all proposed residential units within the building. No units will be limited to just a northerly aspect, with all units having a minimum of 2 windows oriented east, west, or south. Habitable rooms have been prioritized for the external elevations, while bathrooms and circulation spaces are located centrally.

In conclusion, the proposed development provides high-quality living environments. Every habitable room is served by appropriately sized and oriented windows, ensuring adequate natural light and high standards of amenity for future occupiers, satisfying the requirements of MA.2(2)(f).

Nationally Described Space Standards

The proposed units all exceed NDSS in all respects, including overall floor area, room dimensions, and storage space. This therefore complies with Paragraph 9A Article 3 of the GPDO (as amended), which requires all new dwellings created under permitted development to comply with the NDSS.

Conclusion

In summary, we believe that the proposed change of use at Envision House, 5 North Street, fully complies with the requirements of Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The site is sustainably located, presents no adverse impacts regarding transport, contamination, flood risk, or noise, and provides high-quality residential units that meet or exceed all relevant Nationally Described Space Standards.

We have demonstrated that the proposal satisfies all the necessary criteria and that any potential impacts are effectively mitigated. Consequently, we respectfully request that Horsham District Council grants Prior Approval for the development, subject to any necessary and reasonable conditions that may be required.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning



Chris Barker MATP MRTPI
Managing Director