Horsham District Council

Mr Russell Barnes
Refine and Resolve Architects Ltd
The West Wing Studio
15 Rosemary Avenue
Steyning
BN44 3YS

Our ref:	DC/24/1236
Your ref:	1st Sub - Milestone House - E(g)(i) to C3 2nd Floor Apartment
Email:	planning@horsham.gov.uk
Direct Line:	01403 215429
If Calling Please ask for:	Bethan Tinning
Date:	10th December 2024

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 Notification for internal change of use from Class E (g) (i) Offices to C3 2nd floor apartment.

Milestone House 86 Hurst Road Horsham West Sussex

Further to the above notification which was received on 16 August 2024, I am writing to confirm that Horsham District Council did not make a determination before the expiry of 56 days following the receipt of the above application.

I can though confirm that had the local planning authority been in a position to determine the application, it would have determined that **prior approval is required and refused** for the following reason: -

1 The use of the premises was granted under planning permission HU/48/94. Condition 2 of this permission restricts the use of the premises to Class B1(a) (offices). The development would not therefore be permitted by virtue of Article 3(4) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended. The development would therefore require planning permission.

Additional information for applicant
The applicant is advised that the development can only lawfully proceed if carried out in accordance with the conditions and limitations imposed by Class MA within Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Local Planning Authority, for the reasons set out above, is of the view that the change of use does not represent permitted development. If this position is not accepted, it would be recommended that a lawful development certificate be sought prior to any development taking place on the site.

Schedule of plans/documents
The following plans and document were considered when making the above decision:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Existing basement	101	16.08.2024
Floor plan	Existing ground	102	16.08.2024
Tree plan		003	16.08.2024
Location & Block plan		002	16.08.2024
Tree plan		004	16.08.2024
Floor plan	Existing first	103	16.08.2024
Floor plan	Existing second	104	16.08.2024
Floor plan	Proposed basement	301	16.08.2024
Floor plan	Proposed ground	302	16.08.2024
Floor plan	Proposed first	303	16.08.2024
Elevation plan	Existing and proposed front	305	16.08.2024
Floor plan	Proposed second	304	16.08.2024
Elevation plan	Existing and proposed side	306	16.08.2024
Elevation plan	Existing and proposed rear	307	16.08.2024
Elevation plan	Existing and proposed side	308	16.08.2024
Supporting Statement	Cover letter	NONE	16.08.2024
Supporting Statement	Water	NONE	16.08.2024

Planning permission is therefore required for the proposed development.

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.

Yours faithfully



Emma Parkes
Head of Development and Building Control