PlanningPortal

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Please complete this form in block capitals using black ink to facilitate scanning.
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https://www.planningportal.co.uk/apply

Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

Privacy Notice

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to a Local Planning Authority in accordance with the legislation detailed on this form.

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Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Local Planning Authority details:

Horsham District Council

Planning Received
19 MAR 2024
Name:
Ref:

Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website.
Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information.
If you require any further clarification, please contact the Local Planning Authority directly.

1. Applicant Name and Address

Title:	Mr	First name:	Mark
Last name:	Ellis		
Company (optional):			
Unit:		Number:	Suffix:
Building name:	Enterprise House		
Address 1:	Foundry Lane		
Address 2:			
Address 3:			
Town:			
County:	Horsham		
Country:	West Sussex		
Postcode:	RH13 5PX		

2. Agent Name and Address

Title:	Mr	First name:	Keith
Last name:	Potts		
Company (optional):			
Unit:		Number:	50 Suffix:
Building name:			
Address 1:	Springfield Road		
Address 2:			
Address 3:			
Town:	Horsham		
County:	West Sussex		
Country:			
Postcode:	RH12 2PD		

3. Site Address Details

Please provide the full postal address of the application site.

Unit:		Number:		Suffix:	
Building name:	Enterprise House				
Address 1:	Foundry Lane				
Address 2:	Horsham				
Address 3:	West Sussex				
Address 4:					
Postcode:	RH13 5PX				

4a. Eligibility - The current building and site

Has the building been vacant for a continuous period of at least 3 months immediately prior to the date of this application?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020 -
  - Shops (Use Class A1);
  - Financial and professional services (Use Class A2);
  - Food and drink (Use Class A3)
  - Business (Use Class B1);
  - Medical or health services - Non-residential institutions (Use Class D1(a));
  - Crèche, day nursery or day centre - Non-residential institutions (Use Class D1(b));
  - Indoor and outdoor sports - Assembly and leisure (Use Class D2(e)), other than as an indoor swimming pool or skating rink;
- For periods from 1 September 2020 - Commercial, Business and Service (Use Class E)

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Does the cumulative floor space of the existing building exceed 1,500 square metres?

☒ Yes ☐ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

☐ Yes ☒ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

4b. Eligibility - The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses (Use Class C3) from Offices (Use Class E(g)(i), previously Use Class B1(a)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

☐ Yes ☒ No / Not relevant

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Following the changes of use, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

☒ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

5. Agricultural Tenants

Is any part of the land covered by or within the curtilage of the building occupied under any agricultural tenancy agreements?

☐ Yes ☒ No

If yes, have all the parties to any agricultural tenancy agreements consented to the change of use?

☐ Yes ☒ No

If occupied under any agricultural tenancy agreements and:
- all parties have consented to the change of use
You will need to include copies of the written confirmations from all relevant parties, stating their consent, when this application is submitted.
- not all parties have consented to the change of use
Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

6. Description of Proposed Works, Impacts and Risks

Please describe the proposed development including details of any dwellinghouses and other works proposed:

A Change of use of existing office premises to accommodate 4 apartments, 2 x 2 bed and 2 x 1 bed units.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses:

The submitted Floor Plan details illustrate that the proposals make use of all existing openings within the office structure that will allow every habitable room created in the 11 residential units to have adequate natural light.

What will be the net increase in dwellinghouses: 4

Note that this figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building.

Please provide details of any transport impacts and how these will be mitigated, particularly to ensure safe site access:

There will be no traffic impact with regard to the proposed change of use, the former offices generated a substantial amount of traffic to and from the property, while the property itself is situated within Foundry Lane an established commercial business area. The proposals make use of the existing car parking arrangements to serve the former office use, therefore, access to an egress from the site is more than satisfactory.

Please provide details of any contamination risks and how these will be mitigated:

There are no contamination risks associated with the proposed change of use, the building was formerly used as offices, it has been vacant and there are no contamination issues.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details of any flooding risks and how these will be mitigated.
A flood risk assessment should accompany the application where the site:
- is in Flood Zones 2 or 3 (Check online: https://flood-map-for-planning.service.gov.uk/); or
- is in an area with critical drainage problems (Check with the Local Planning Authority, it will have been notified of such areas by the Environment Agency).

The property is located within an established industrial commercial area, there are no flooding issues.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated:

The residential use of the premises will not suffer from any impact of noise of adjoining properties. A similar proposal has been granted at an adjacent premises, Abbey House/Foundry Lane, Horsham.

If the proposed development would result in a building that contains more than one dwellinghouse, and is either 18 metres (or more) in height or contains 7 (or more) storeys.
Please provide details of the fire safety impacts on the intended occupants of the building.
For such proposals, a 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development should also accompany the application.

6. Description of Proposed Works, Impacts and Risks (continued)

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor.
Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated:

The property is not located within a conservation area.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.
Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated:

The property does not suffer from any general or heavy industrial/waste management/distribution uses.

If the proposal involves the loss of services provided by a registered nursery, or a health centre.
Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated:

N/A

7. Checklist

Please read the following checklist to make sure you provide all the required information in support of your proposal.
The information provided should include all the details necessary for the Local Planning Authority to determine if the proposal complies with permitted development legislation, and if its prior approval is required or should be granted.
If sufficient information is not provided the Local Authority can either request it, or refuse the application.

- All sections of this application completed in full, dated and signed. ☐
- The correct fee ☐
- A plan indicating the site and showing the proposed development. ☐
- Floor plans indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses ☐
- The confirmations in regard to agricultural tenancies *(if required by the answers provided to question 5)* ☐
- A site specific flood risk assessment *(if required as per the flood risk details of question 6)* ☐
- A 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development *(if required as per the fire safety details of question 6)* ☐

All plans should be drawn to an identified scale and show the direction of North.
Plans can be bought from one of the Planning Portal's accredited suppliers:
https://www.planningportal.co.uk/buyaplanningmap

8. Declaration

I/we hereby apply for a determination as to whether prior approval will be required as described in this form and the accompanying plans/ drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant: | Or s[redacted] | Date (DD/MM/YYYY): 28/02/2024 (date cannot be pre-application)

9. Applicant Contact Details

Telephone numbers

Country code: | National number: | Extension:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address:

10. Agent Contact Details

Telephone numbers

Country code: | National number: [redacted] | Extension:

Country code: | Mobile number (optional):

Country code: | Fax number (optional):

Email address: [redacted]

PLANNING PORTAL

This form should be saved to your device and then completed using the free Adobe Reader software or full Adobe Acrobat software. Many internet browsers and other software can be used to view PDF format files, but we cannot guarantee their compatibility or functionality in regard to these forms. We advise that Mac users do not use Preview to complete this form because of functionality issues.

Community Infrastructure Levy (CIL) - Determining whether a Development may be CIL Liable Planning Application Additional Information Requirement form

Following the introduction of the Community Infrastructure Levy (CIL) all applicants for full planning permission, including householder applications and reserved matters following an outline planning permission, and applicants for lawful development certificates are required to provide the following information. **Please read the associated Guidance Notes before you complete the form. Notes on the questions are provided at** https://ecab.planningportal.co.uk/uploads/1app/cil_guidance.pdf

Please complete the form using block capitals and black ink and send to the Charging Authority (or Collecting Authority if this differs from the Charging Authority).

See Planning Practice Guidance for CIL for guidance on CIL generally, including exemption or relief..

1. Application Details

Applicant or Agent Name:

Mr Mark Ellis

Planning Portal Reference (if applicable):

Local authority planning application number (if allocated):

Site Address:

Enterprise House
Foundry Lane
Horsham
West Sussex
RH13 5PX

Description of development:

A Change of Use of existing office premises to accommodate 4 apartments, 2 x 2 bed and 2 x 1 bed units.

Does the application relate to minor material changes to an existing planning permission (is it a Section 73 application)?

Yes ☐ Please enter the application number:

No ☒

If yes, please go to **Question 3**. If no, please continue to **Question 2**.

2. Liability for CIL

Does your development include:

a) New build floorspace (including extensions and replacement) of 100 sq ms or above?

Yes ☐ No ☒

b) Proposals for one or more new dwellings either through conversion or new build (except the conversion of a single dwelling house into two or more separate dwellings)?

Yes ☐ No ☒

c) None of the above

Yes ☐ No ☐

If you answered yes to either a), or b) please go to **Question 4.**
If you answered yes to c), please go to **8. Declaration** at the end of the form.

3. Applications for Minor Material Changes to an Existing Planning Permission

a) Does this application involve a change in the amount or use of new build floorspace, where the total floorspace, including that previously granted planning permission, is over 100 sq m?

Yes ☐ No ☒

b) Does this application involve a change in the amount of floorspace where one or more new dwellings are proposed, either through conversion or new build (except the conversion of a single dwelling house into two or more separate dwellings)?

Yes ☒ No ☐

If you answered yes to either a), or b) please go to **Question 4.**
If you answered no to both a) and b), please go to **8. Declaration** at the end of the form.

4. Exemption or Relief

a) Is the site owned by a charity where the development will be wholly or mainly for charitable purposes, and the development will be either occupied by or under the control of a charitable institution?

Yes ☐ No ☒

b) Does the proposed development include affordable housing which qualifies for mandatory or discretionary Social Housing relief?

Yes ☐ No ☒

If you answered yes to a) or b), please note that you will need to complete and have agreed CIL Form 2 -'Claiming Exemption or Relief', and submitted a Commencement (of development) Notice to the Charging/Collecting Authority, which the Authority must receive prior to the commencement of your development, in order to benefit from relief from the levy. You will also need to complete CIL Form 2 if you think you are eligible for discretionary charitable relief, or exceptional circumstances relief, if this is available in your area. Please check the Charging Authority's website for details. CIL Form 2 is available from www.planningportal.co.uk/cil

c) Do you wish to claim a self build exemption for a whole new home?

Yes ☐ No ☒

If you have answered yes to c) please also complete a CIL Form 7- **'Self Build Exemption Claim Form: Part 1'** available from www.planningportal.co.uk/cil . Please note you will need to complete and have agreed CIL Form 7, and submitted a Commencement (of development) Notice to the Charging/Collecting Authority, which the Authority must receive prior to the commencement of your development, in order to benefit from relief from the levy.

d) Do you wish to claim a self build exemption for a residential annex or extension?

Yes ☐ No ☒

If you have answered yes to d) please also complete either CIL Form 8 -**'Self Build Residential Annex Exemption Claim Form'** or CIL Form 9 -**'Self Build Extension Exemption Claim Form'** available from www.planningportal.co.uk/cil . Please note you will need to have completed and agreed either CIL Form 8 or 9, as appropriate, and submitted a Commencement (of development) Notice to the Charging/Collecting Authority, which the Authority, if in respect of a residential annex, must receive prior to the commencement of your development , in order to benefit from relief from the levy

5. Reserved Matters Applications

Does this application relate to details or reserved matters pursuant to an application that was granted planning permission prior to the introduction of the CIL charge in the relevant local authority area?

Yes ☐ Please enter the application number:

No ☒

If you answered yes, please go to **8. Declaration** at the end of the form.
If you answered no, please continue to complete the form.

6. Proposed New Floorspace

a) Does your application involve new **residential floorspace** (including new dwellings, extensions, conversions/changes of use, garages, basements or any other buildings ancillary to residential use)?

N.B. conversion of a single dwelling house into two or more separate dwellings (without extending them) is NOT liable for CIL. If this is the sole purpose of your development proposal, answer 'no' to Question 2b and go straight to the declaration at Question 8.

Yes [X] No [ ]

If yes, please complete the table in section 6c) below, providing the requested information, including the floorspace relating to new dwellings, extensions, conversions, garages or any other buildings ancillary to residential use.

b) Does your application involve new **non-residential floorspace**?

Yes [X] No [ ]

If yes, please complete the table in section 6c) below, using the information provided for Question 18 on your planning application form.

c) Proposed floorspace:

Development type	(i) Existing gross internal floorspace (square metres)	(ii) Gross internal floorspace to be lost by change of use or demolition (square metres)	(iii) Total gross internal floorspace proposed (including change of use, basements, and ancillary buildings) (square metres)	(iv)Net additional gross internal floorspace following development (square metres) (iv) = (iii) - (ii)
Market Housing (if known)				
Social Housing, including shared ownership housing (if known)				
Total residential floorspace		248	248	
Total non-residential floorspace	248			
Total floorspace	248	248	248	

7. Existing Buildings

a) How many existing buildings on the site will be retained, demolished or partially demolished as part of the development proposed?

Number of buildings: 0

b) Please state for each existing building/part of an existing building that is to be retained or demolished, the gross internal floorspace that is to be retained and/or demolished and whether all or part of each building has been in use for a continuous period of at least six months within the past thirty six months. Any existing buildings into which people do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted temporary planning permission should not be included here, but should be included in the table in question 7c).

	Brief description of existing building/part of existing building to be retained or demolished.	Gross internal area (sq ms) to be retained.	Proposed use of retained floorspace.	Gross internal area (sq ms) to be demolished.	Was the building or part of the building occupied for its lawful use for 6 continuous months of the 36 previous months (excluding temporary permissions)?		When was the building last occupied for its lawful use? Pleaseenter the date (dd/mm/yyyy) or tick still in use.	
1	OfficeS				Yes [X]	No [ ]	Date: or Still in use:	01/05/2023 [ ]
2					Yes [ ]	No [ ]	Date: or Still in use:	[ ]
3					Yes [ ]	No [ ]	Date: or Still in use:	[ ]
4					Yes [ ]	No [ ]	Date: or Still in use:	[ ]
	Total floorspace							

7. Existing Buildings continued

c) Does your proposal include the retention, demolition or partial demolition of any whole buildings **into which people do not usually go or only go into intermittently for the purposes of inspecting or maintaining plant or machinery, or which were granted planning permission for a temporary period?** If yes, please complete the following table:

	Brief description of existing building (as per above description) to be retained or demolished.	Gross internal area (sq ms) to be retained	Proposed use of retained floorspace	Gross internal area (sq ms) to be demolished
1				
2				
3				
4				
Total floorspace into which people do not normally go, only go intermittently to inspect or maintain plant or machinery, or which was granted temporary planning permission				

d) If your development involves the conversion of an existing building, will you be creating a new mezzanine floor within the existing building?

Yes ☐ No ☒

e) If Yes, how much of the gross internal floorspace proposed will be created by the mezzanine floor (sq ms)?

Use	Mezzanine floorspace (sq ms)

8. Declaration

I/we confirm that the details given are correct.

Name:

Mr Keith Potts - Independent Town Planning Services

Date (DD/MM/YYYY). Date cannot be pre-application:

28/02/2024

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

For local authority use only

App. No: