Horsham District Council

Mrs Francelita Balbido
Town Planning Expert
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PO2 8FA

Our ref:	DC/24/1584
Your ref:	50 Springfield Road for 2F
Email:	planning@horsham.gov.uk
Direct Line:	01403 215538
If Calling Please ask for:	Hannah Darley
Date:	5th 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 the Change of Use from Office (Use Class E) to 1x 1 bedroom and 1x 2 bedroom flats (Use Class C3).

50 Springfield Road Horsham West Sussex RH12 2PD

Further to the above prior notification which was received on 11 October 2024, I am writing to confirm that **prior approval is required and granted**. The proposal can now proceed subject to the following conditions:

1 **Pre-Occupation condition**: No part of the development hereby permitted shall be first occupied until a scheme of noise mitigation and mechanical ventilation, sufficient to prevent overheating and maintain thermal comfort, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of LAmax. The Assessment shall demonstrate that CIBSE TM59 compliance would be achieved with the proposed design, and that CIBSE TM49 has been considered as part of the modelling. Any mechanical ventilation shall then be designed in accordance with the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020 with suitable measures to ensure the thermal comfort of occupiers and prevent overheating.

The development shall be carried out in accordance with the agreed details prior to the first occupation of any part of the permitted development and shall be retained as such thereafter.

Reason: To ensure that no unacceptable risks are caused to future occupiers amenity and to prevent harmful impacts on public health in accordance with the National Planning Policy Framework.

2 **Regulatory Condition**: If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a

remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with the National Planning Policy Framework.

Additional information for applicant

The Applicant is advised that Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended states that:

"Subject to the provisions of this Order and regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (general development orders), planning permission is hereby granted for the classes of development described as permitted development in Schedule 2."

Section 75 of the Conservation of Habitats and Species Regulations 2017 states that "it is a condition of any planning permission granted by a general development order made on or after 30th November 2017, that development which -

(a) Is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) Is not directly connected with or necessary to the management of the site, must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 77 (approval of local planning authority)."

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

In order to demonstrate water neutrality, an application under Section 77 of the Conservation of Habitats and Species Regulations 2017 would be required to be submitted, and development subject of this Prior Approval application could not be carried out until a decision on such application has been made.

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.

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	NONE	11.10.2024
Floor plan	Proposed	NONE	11.10.2024
Elevation plan	Existing and Proposed	NONE	11.10.2024
Plans	Bin Stores and Parking Arrangement	NONE	11.10.2024
Location plan		NONE	11.10.2024
Block plan		NONE	11.10.2024
Supporting Docs	Phase 1 Geo-Environmental Report	SFR-DEL-XX-XX-RP-GE-0001 REV P01	11.10.2024
Supporting Docs	Noise Impact Assessment	NONE	11.10.2024

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.