Planning Statement

Prior Notification for the Change of Use from Office (Use Class E) to a 3-bedroom Dwellinghouse (Use Class C3)

50 Springfield Road, Horsham, RH12 2PD

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Site/Project Information

Consultant	Francelita Balbido
Client	Guava Holdings Ltd.
Site Address	50 Springfield Road, Horsham, RH12 2PD
LA	Horsham District Council
Description of Development	Conversion of Office (Use Class E) to a 3-B Dwellinghouse (Use Class C3)
Pathway (PD/Application/Appeal)	Prior Notification

Constraints Review

Flood Risk Zone	1
Contaminated Land	No
Tree Preservation Order	No
Heritage Assets	No (outside Horsham London Road Conservation Area)
Noise Abatement Areas	No
Explosive Hazard Areas	No
National Landscape	No
Special Protection Area	No
Site of Special Scientific Interest	No
RAMSAR Convention Site	No
Site of Importance to Nature Conservation	No
Article 4(1) Directions	No

Local Policy Requirements

Local Plan/Core Strategy	Horsham District Planning Framework November 2015
Effective Policies in Development Control	Not relevant to Prior Approval Matters
SPG/SPD's	

Planning History	DC/16/2885 | Permitted - 8 Feb 2017| Prior Notification for Change of Use from Office (B1a) to a dwellinghouse (Class C3) DC/16/2893 | Permitted - 6 Feb 2017 | Change of Use from offices to accommodate a single one-bedroom residential dwelling HU/248/01 | Permitted - 16 Aug 2020 | Alterations to shop front HU/106/01 | Permitted - 23 Apr 2001 | Change of use to d1 learning assessment centre
Report Date	26 September 2024

1. Introduction

1.1. The application site relates to a two-storey building at 50 Springfield Road, Horsham.

1.2. The owner would like to change its use from office (Use Class E) to a 3-bedroom dwellinghouse (Use Class C3).

Matters Pursuant to the Application

1.3. Prior approval is sought for the change of use of the building to a 3-bedroom dwellinghouse under the provisions of Class MA of Part 3 of Schedule 2 of the General Permitted Development Order 2015 (as amended).

1.4. The total gross internal area of development is 109.11 square metres.

Summation of Case

1.5. Having careful regard to the updated GPDO, there is no impediment to the conversion of the property from Class E (office) to Class C3 (residential) under Class MA. Horsham District Council has no Article 4 direction for this type of development.

2. Site Context

2.1. The site is a two-storey building on Springfield Road, Horsham with sash windows and red brick walls.

2.2. Springfield Road is composed of two and four-storey office buildings and mixed-use buildings, with shops on the ground floor and residential on the upper floors.

2.3. The subject building is not a listed building and is outside the boundary of the Horsham London Road Conservation Area.

2.4. As near the Horsham London Road Conservation Area, some of the buildings have its unique character of traditional detailing, like red brick walls with older properties often having visible brickwork on the side elevations and stucco or render to the front elevation.

	
Location - 48-50 Springfield Road	Site photo (2022) from Google maps

3. Legislative Framework

Class MA

3.1. Class MA states:

Class 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—

Criterion (a) was deleted from the legislation under SI 2024 No. 141 effective from 5th March 2024.

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

Criterion (c) was deleted from the legislation under SI 2024 No. 141 effective from 5th March 2024.

(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;

(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(a);
(iii) the Broads;
(iv) a National Park; or
(v) a World Heritage Site;

(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

Criterion (g) is no longer relevant.

(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.

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;

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

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

(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;

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

(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; and

(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(a), the impact on the local provision of the type of services lost.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building"

4. Qualification Assessment

4.1. Prior approval applications are assessed as to whether the development qualifies for the permitted development allowance and an assessment of the pre-development criteria.

4.2. In respect of the qualification criteria the applicant states the following.

Criterion (a) was deleted from the legislation under SI 2024 No. 141 with effect from 5th March 2024.

(b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

4.3. The 2017 planning applications (DC/16/2885 and DC/16/2893) proved that the property had been used as an office since before 2016.

Criterion (c) was deleted from the legislation under SI 2024 No. 141 with effect from 5th March 2024.

(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;

4.4. The site is not a listed building and is not any of the land affected by this clause.

(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(a);
(iii) the Broads;
(iv) a National Park; or
(v) a World Heritage Site;

4.5. The site is not within any land affected by this clause.

(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

4.6. The site does not relate to agricultural land and there is no agricultural tenancy in place.

(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 canceled in accordance with the provisions of Schedule 3.

4.7. Criterion G is no longer relevant to Class MA applications as the dates within the parts g(i) and g(ii) have passed.

4.8. As such it is concluded that the development complies with the qualification criteria of Class MA.

5. The Pre-Development Conditions

5.1. MA.2. requires that development under Class MA is permitted subject to assessment via a prior approval for the following pre-commencement criteria.

(a) transport impacts of the development, particularly to ensure safe site access;

5.2. This consideration relates to whether the conversion of the building would result in an impact on the safety and convenience of the highway.

5.3. The impact of the development on transport and highways is considered not to be detrimental or harmful due to the proposed development being a change of use from offices to a 3-bedroom house.

5.4. The proposal includes the provision of 3 car parking spaces, which are accommodated at the rear of the property with the existing access on Springfield Road. It is considered that the proposed development would not result in any additional parking that would be detrimental to highway safety.

5.5. Therefore it is highlighted that the proposed change of use will not amount to a substantive impact on the highway network.

5.6. The site is in a sustainable location close to the high street, local shops, and services, where modes of transport other than the private car should be encouraged. Therefore, it is considered that more than adequate opportunity exists for using sustainable transport methods within the vicinity of the site.

(b) contamination risks in relation to the building;

5.7. The building was formerly used as an office within Class E and no excavations are proposed. Therefore, it is not considered that there would be any concerns regarding contamination.

5.8. The Geo-Environmental Report Phase 1 (attached to this application) concluded that " *There is a low potential risk to future site users and low potential risk to controlled waters. This is due to lack of viable pathway to residential end users of the site, resulting from the site being hard landscaped."*

(c) flooding risks in relation to the building

5.9. The site falls within Flood Zone 1 (very low flood risk). As such, the flood risk requirement is met.

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

5.10. The noise survey was undertaken for this development and the existing double-glazed windows are enough to mitigate the outside noise from the road and from the nearby plant noise from Pure Bio. (attached to this application is the Noise Impact Assessment Report).

(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;

5.11. The change of use will be achieved through internal configurations; therefore, it will have no significant effect on the building's appearance and the character of the surrounding and nearby Conservation Area.

5.12. The area is within the Horsham settlement and mainly consists of small shops, offices, and some residential units on the upper floors.

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

5.13. The bedrooms and living spaces within the proposed dwellinghouse will have access to natural light via the existing windows and door of the building, which will be retained for this purpose.

(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

5.14. The site is not within a designated area and as such, this clause has no effect.

5.15. The bin storage is located at the back of the property, with existing access to Springfield Road to aid waste collection.

(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(a), the impact on the local provision of the type of services lost.

5.16. The development does not affect the uses named above.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

5.17. Since the building's height is below 18m, the fire risk conditions do not apply in this case.

Application of the National Space Standards

5.18. The two-storey building has a total gross internal area (GIA) of 109.11m2, which exceeds the allowable space for a 3-bedroom, 6-person dwellinghouse of 102m2.

6. Appearance and Heritage Statement

6.1. Springfield Road is on the immediate west of London Road and is outside the boundary of the Horsham London Road Conservation Area.

6.2. The property is between the listed buildings, which gives it some of the positive character of the conservation area, like the sash windows on the ground floor and the red brick walls.

6.3. The unique character of London Road, which carries on Springfield Road, is the predominance of sash windows, red brick walls with visible brick works on the side (44-46 Springfield Road), and the variety of building designs and uses (West Point Building).

6.4. The proposal consists of internal alterations to accommodate the change of use, which have no significant effect on the character and appearance of the surroundings, the nearby Conservation Area and the adjacent Listed Building.

6.5. The internal works pursuant to this development are exempt from the definition of development under S55(2)(a)(i) of the Town and Country Planning Act 1990 and the works are not in fact development requiring planning permission as this does not result in a material change of use on its own.

6.6. As such, the only component of this development that requires prior notification is the change of use of the property from office (Use Class E) to dwellinghouse (Use Class C3).

7. Conclusion

7.1. As stated above, the development that has now been presented represents an opportunity to provide an additional 3-bedroom dwelling for a family. Further, this can be done in accordance with the provisions of Class MA within the amended GPDO.

7.2. As such, it is requested that prior approval is given in this instance and in the event any alterations are sought, they are requested at the council's earliest opportunity.