

Mid Sussex District CouncilOaklands Road
Haywards Heath
RH16 1SS

13 October 2025

Dear Sir / Madam,

UNIT 4, CANTELOPE MEWS, EAST GRINSTEAD, RH19 3BG

On behalf of our client, Martells of Sutton LTD, please find enclosed an application for prior approval in relation to a change of use from commercial (Class E) to residential (Class C3) under the provisions of Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

This document provides an overview of the site, its context, and the proposed change of use before assessing the proposal against the provisions of Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Alongside the relevant fee, this application comprises the following plans and document:

- Supporting Statement (this cover letter)
- Location Plan
- Block Plan
- Existing Plans Pack
- Proposed Plans Pack

Overview

The site is situated to the south of Institute Walk within the centre of East Grinstead. It comprises an office on the ground floor and two offices on the first floor. The building subject to this application is situated within a terrace consisting of two storey buildings, many of which have also been converted under Class MA.

To the east and west are the two neighbouring terraced properties, the site is bounded to the north by Institute Walk and to the south by Catelupe Mews.

The site is within the built-up area boundary of East Grinstead and the Ashdown Forest 7km Zone of Influence. It is entirely within flood zone 1 and there are no nearby listed buildings or other designated heritage assets.

Prior approval was previously granted under DM/16/2432 for a change of use of the building from Class B1a to create four Class C3 residential units under Class O, however the conversion was not undertaken within three years and therefore the date to complete the works had lapsed. Use Class B1a has been revoked and replaced with Use Class E. Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 is now relevant, rather than Class O.

The proposal looks to convert the existing building (within Use Class E) to residential units, specifically 2 dwellings spread across the ground and first floor, under Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Assessment

This section assesses the proposal against the Town and Country Planning (General Permitted Development) (England) Order 2015. Subject to the requirements/conditions, Class MA allows:

“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.”

The table below provides a review of the proposed change of use against the legislation demonstrating the proposal's compliance with Class MA.

MA.1 – (1) Development is not permitted by Class MA–	
(a) Omitted under F110	N/A
(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;	The building has been within Class E use for a continuous period of at least 2 years prior to the date of this application for prior approval.
(c) Omitted under F111	N/A
(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 land covered by, or within the curtilage of, the building is not, or does not form part of any of the areas listed.
(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 building is not within any of the areas listed.
(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 occupied under 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	The application is made after the 1 st August 2022 therefore this clause is not irrelevant.

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

operation of a direction under article 4(1) of this Order which has not since been cancelled with the provisions of Schedule 3.	
---	--

Given the above the proposed change of use is Permitted Development.

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. This application is that required prior approval application.

When considering applications for prior approval the National Planning Practice Guidance is clear that *“The statutory requirements relating to prior approval are much less prescriptive than those relating to planning applications. This is deliberate, as prior approval is a light-touch process which applies where the principle of the development has already been established. Where no specific procedure is provided in the General Permitted Development Order, local planning authorities have discretion as to what processes they put in place. It is important that a local planning authority does not impose unnecessarily onerous requirements on developers, and does not seek to replicate the planning application system.”*

Below is an assessment of each of the prior approval matters covered by Class MA.

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

The site is within a highly sustainable location, being within the centre of East Grinstead. It is only circa 75m east of London Road which has a wide range of shops and services including banks, two pharmacies and post office. It is also only circa 190m from the High Street which includes further shops and services such as a doctor's surgery, dentist and pubs. There are also two large supermarkets and educational facilities within walking distance of the site. The site is therefore within close proximity to all of the shops and services required to meet the day-to-day needs of the occupants.

Regarding public transport, the nearest bus stop is Whitehall on London Road, circa 75m west of the site. This provides access to Caterham, Croydon, Crawley, Brighton, Uckfield and Lingfield. The nearest train station is East Grinstead station which is circa 670m west of the site, within walking distance. East Grinstead station is at the end of the Oxted line which provides access north to Dormans, Lingfield, Hurst Green, Oxted, Woldingham, Upper Warlingham, Riddlesdown, Sanderstead, South Croydon, London Bridge and London Victoria. Changing at Croydon, there are also links south to Edenbridge, Cowder, Ashurst, Eridge, Crowborough, Buxted and Uckfield.

The proposed units would be served for four allocated parking spaces within the private car park to the west of the site. This exceeds the minimum required by the West Sussex County Council's Guidance on Parking at New Developments of 0.9 spaces per 1 bedroom unit within Parking Behaviour Zone 3.

West Sussex County Council provided comments in DM/16/2432 stating that *‘The 4 x studio flats will be served by 4 no. existing parking spaces accessed via the private ‘Cantelupe Mews’. The Local Highway Authority (LHA) has reviewed data supplied to WSCC by Sussex Police over a period of the last three years. There has been a recorded injury accident at the junction of Cantelupe Mews and Cantelupe Road. However, from an inspection of accident data it is clear that this was not due to any defect with the junction... The LHA recognise that offices generate more vehicle movements compared with residential developments. As such, there is no expectation for this proposal to give rise to any increase or material change in the character of traffic in the vicinity of the site. There would be no highway grounds to resist the prior approval’.*

On this basis, the transport impacts of the development are acceptable.

b) contamination risks in relation to the building;

As an office, no contamination risks are known at the site or within the wider area. No contamination objections were raised in DM/16/2432 or the other applications along Cantelupe Mews/Institute Walk. The Council's Environmental Protection Officer commented on DM/16/2432 that *'I have no comments to make and would not require any conditions to be placed'*. We therefore believe that there are no contamination risks associated with the building.

c) flooding risks in relation to the building;

The site is entirely within Flood Zone 1, and there are no known issues with surface water flooding. The residential units would continue to utilise the existing drainage which is suitable for residential use. This is reiterated in the Officer's Report for DM/20/1271 which stated that *'The site falls within Flood Zone 1 and does not fall within an area which has critical drainage problems. On this basis there is no objection on ground of flood risk'*.

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

The site is surrounded by residential units and so noise is not anticipated to be a significant issue. The Environmental Protection Officer commented on DM/16/2432 that *'It is not considered that the intended occupiers of the site would be harmfully impacted by noise from any commercial premises in the surrounding area to a degree to conclude that the development should not proceed'*.

On this basis, noise impacts are acceptable.

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 area

The site is not situated within a conservation area, and therefore this condition is not relevant to the proposed conversion.

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

Regarding the provision of natural light, as a terraced property, there are no windows on the side elevations but there are on both the north and south elevations on both floors. This would provide a plentiful amount of natural light into the windows of the living room, kitchen and bedroom of Flat 1 on the ground floor, and the bedroom, living room and kitchen of Flat 2 on the first floor.

Habitable rooms are defined in the Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 as *'any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes, but does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms'*. In this case, the only rooms which wouldn't be served by natural light are the two shower rooms, however these are specifically excluded from the definition of habitable rooms. All habitable rooms would therefore be provided with a sufficient level of natural light.

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;

The site is not in an area which should be considered important for general or heavy industry, waste management, storage and distribution, or a mix of such uses. Intended occupiers would not be impacted by these uses.

- h) where the development involves the loss of services provided by–

i. a registered nursery, or

ii. a health care 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

The proposal does not involve the loss of any of the services listed under criterion (h).

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

As the development does not exceed 18 metres nor does it contain 7 or more storeys in height, fire safety impacts are not considered as part of this application.

Other matters

In addition, Regulation 3 of the Town and Country Planning (General Permitted Development) (England) (Amendment) Regulations 2020/1243 requires all new dwellings to meet the nationally described space standards (NDSS). This change of use meets those standards as follows:

Unit Number	Unit Type	Gross Internal Area (m²)	Requirement from the NDSS (m²)
1	1B2P	54	50
2	1B2P	54	50

We note that the site is situated within the Ashdown Forest 7km Zone of Influence. Following the determination of this application, an application will then need to be approved under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 for a financial contribution towards the mitigation of the Ashdown Forest Special Protection Area and Special Area of Conservation.

Conclusion

As demonstrated in this letter, the proposed change of use complies with Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015. The local planning authority are kindly requested to confirm that their Prior Approval for the proposed change of use is not required.

Should you require any further information to assist with the determination of this application, or clarify any of the conclusions made above, please do not hesitate to contact us.

Yours sincerely,

Andrew Metcalfe
Managing Director | MPlan (Hons) MRTPI