



58 High Street, Hurstpierpoint, BN6 9RG

SUPPORTING STATEMENT

Prior Approval for Partial Change of Use under Class MA from
Class E Commercial to Class C3(a) Dwellinghouse

December 2025

INTRODUCTION

1. This statement is submitted in support of a Prior Approval application for the change of use of the first and second floor of the existing building from a building society (Class E) to Residential (Class C3), as permitted development under Class MA, Part 3 of the Town and Country Planning (General Permitted Development) Order 2021 (England) (GPDO).
2. In line with the procedure for applications for prior approval under Part 3, as set out in section W. (1) of the Order the application is accompanied by:
 - A written description of the proposed development, within this Supporting Statement;
 - The developer's contact address;
 - The developer's email address; and
 - The requisite fee.

DEVELOPER'S CONTACT DETAILS

3. The developer for this proposal is the current owner of the site:
Black Horse Developments Ltd.
4. All correspondence in relation to this application should be sent to the agent for this application:
Future Planning and Development Ltd
21-23 Crosby Row
London
SE1 3YD
chris.frost@futurepd.co.uk

BACKGROUND

5. Prior approval for the conversion of the whole building to a single family dwelling was granted on 13 December 2022 (Ref: DM/22/3312). This permission has not yet been implemented and the applicant is therefore bringing forward an alternative proposal for the conversion of the upper floors only to create a single residential unit, while retaining the ground and lower ground floors in the existing Class E use.
6. This application is a resubmission of the scheme approved on 4th December 2025 (DM/25/2629). In determining that application the LPA erroneously imposed a planning condition (Condition 2) requiring details of covered cycle parking to be submitted and approved, and then provided prior to first occupation. However, there is no ground floor space associated with the new flat to be created on which to locate covered cycle parking. There is no external space to the front of the building and no access to the rear of the building, which is accessed solely from the retained commercial unit at ground and lower ground floor. It is not possible to locate a cycle store on the street outside the building, and there is no space within the ground floor the building to create an internal cycle store (the front door of the proposed flat leads directly to a stair).
7. Following discussions with the case officer for the previous application it was acknowledged that this condition could not be complied with, but we were advised that the only way to remove this condition was either to apply to vary the original consent, or to resubmit the application so that it could be redetermined with the condition removed. This application therefore seeks approval of the partial change of use of the building without a planning condition requiring the approval and provision of covered cycle parking.

SITE AND ITS SURROUNDINGS

8. The application site is located in Mid Sussex District Council within Hurstpierpoint. The site is located to the east of the A23, near the intersection of Cuckfield Road and High Street.
9. The surrounding uses are is predominantly residential, with commercial uses present on the southern aspect of High Street.
10. The site comprises a vacant building, previously occupied as a building society (Class E), which closed over four years ago. The building comprises four storeys with basement storage, ground floor meeting areas and first and second floors for administration uses.
11. The site is located in the built up area of Hurstpierpoint and in the designated Conservation Area.

CONSERVATION AREA

12. The village plan of Hurstpierpoint village is still based on the original medieval street pattern and comprises a main central street running in a fairly straight line east to west.
13. Communications to the north and south were by narrow twisting lanes, which are still reflected in the modern layout of the village centre, where retail and commercial businesses fronting onto the High Street hide former workshops and outbuildings lining the lanes and twittens to either side, many now converted for residential use.
14. All of the High Street falls within the Hurstpierpoint Conservation area which was designated in 1972.

LEGISLATION

Town and Country Planning (General Permitted Development) Order 2021 (as amended).

15. Under the Town and Country Planning (General Permitted Development) (England) Order 2021, Class MA provides permitted development rights for changes of use “commercial, business and service uses to dwellinghouses”.

16. Class MA Amendment was introduced on 21st April 2021, and further amended in March 2024.

17. It is to be noted that under the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2024, with reference to Amendments to Part 3 (changes of use) the below alterations were implemented:

(1) Part 3 is amended as follows.

(2) In Class MA (commercial, business and service uses to dwellinghouses), in sub-paragraph (1) of paragraph MA.1—

(a) omit paragraph (a);

(b) omit paragraph (c).

18. Class MA states “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.”

19. Development not permitted by Class MA is given as follows, with responses relevant to the application in **BOLD**:

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

No Longer Assessed

- (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;*

Complies – the lawful use of the building has been Class E for a continuous period of at least 2 years

- (c) *if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;*

No Longer Assessed

- (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;*

Complies – None applicable

- (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;*

Complies – None applicable

- (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*

Complies – Site is not occupied under 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 operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

Complies

(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.

Complies – Site is within Use Class E

20. Where any development under Class MA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority 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(4), the impact on the local provision of the type of services lost.*

Compliant – Refer to detailed assessment below

DESCRIPTION OF THE PROPOSED DEVELOPMENT

21. This application is submitted to determine whether the change the use of the first and second floor from a vacant building society use (Class E) to residential (Class C3) would be permitted development under Town and Country Planning (General Permitted Development) (England) Order 2021 (as amended) - Schedule 2, Part 20, Class MA.

22. This application for Prior Approval relates solely to the change of use of part of the building and includes minor internal alterations. No changes to the external appearance of the building are proposed.
23. The application is accompanied by existing and proposed layout drawings showing the conversion of the first and second floors to create a 1-bed dwelling within the envelope of the existing building, with access via an existing entrance and internal stair from ground floor.
24. The proposed residential unit has a total floor area of 64.37sqm over first and second floors, exceeding the NDSS requirement of 58sqm for a 1-bed/2-person dwelling over 2 storeys. All rooms achieve minimum NDSS standards in terms of area and dimensions, thereby providing policy compliant residential accommodation.

ASSESSMENT

25. The development proposals are to be assessed against the criteria prescribed by Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development Order 2015 (as amended)) are relevant. Where necessary, the relevant policy tests lie within the NPPF.
26. The development proposals comply with the relevant section or subsection of Class A as demonstrated below:

Development Permitted:

27. Paragraph MA.2 (a) requires that 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;

28. The latest version of the NPPF was published in December 2024 and sets out the Government's planning policies for England and how these are expected to be applied. Chapter 9 – 'Promoting Sustainable Transport', states at paragraph 116 that: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

29. The application site currently has no existing vehicular access or private on-site parking. The site has no present capacity to accommodate any parking on site for the proposed use. However, unrestricted on-street parking is available in nearby roads, such as Trinity Road, to the north of the High Street and in public car parks in the centre. The proposed change of use under permitted development is not expected to result in a significant intensification of the site in terms of transport, given that the previous use attracted both employees and visitors, with a significantly greater number of trips than that to be expected of a 1-bed dwelling.

30. The site is located close to surrounding amenities within Hurstpierpoint, with easy access to a wide range of local shops and services is highly accessible by sustainable modes of transport such as walking, cycling and public transport.

31. Due to the site's location and prior use of the upper floors of the building as a building society, there is anticipated to be a decrease in the number of potential vehicular movements and hence no detrimental impact on traffic.

32. It is concluded, that the development will not result in a material increase or a material change in the character of traffic in the vicinity of the site and that Prior Approval is not required in relation to the transport and highways impacts of the proposal.

33. As the proposed flat has no external space at ground floor level it is not possible to provide dedicated cycle parking for the proposed flat on site. Secure cycle parking is available within the Trinity Road Car Park, approximately 100m north of the site.

(b) contamination risks in relation to the building;

34. The application site is not identified as having potential for land contamination, either currently or historically. There are no known or suspected substances in, on, or under the land considered likely to cause significant harm, or to cause significant pollution of controlled waters.

35. The proposed change of use would involve only minor internal alterations and no excavation or ground breaking would result from the proposals.

36. The application is supported by an Asbestos Reinspection Survey, which identifies that there is no asbestos within the parts of the building that are the subject of this application.

37. It is concluded, that as a result of the proposed change of use will result in no contamination risks in relation to the building and that Prior Approval is not required in relation to the impacts of the proposal on land contamination risk.

(c) flooding risks in relation to the building;

38. A review of the Environment Agency Flood Risk Map confirms the application site is within Flood Zone 1 and is not considered to be at risk of flooding from rivers or sea.

39. The site is considered to have low risk and will not result in increased impacts to the existing risk. As such there would be no requirement for a Flood Risk Assessment, but the application is supported by a Flood Map for Planning, from

the Environment Agency, which demonstrates that the site is not at risk from flooding.

40. It is concluded, that the development will have no impact on flooding risk either on the application site, in the vicinity of the site, or within the wider area and that Prior Approval is not required in relation to the impacts of the proposal on flooding risk.

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

41. The site is located on the end of a parade of commercial and retail uses, with residential uses located above existing shops and adjacent to and opposite this part of the High Street. The surrounding uses are considered to be low impact in terms of noise output, including a seamstress, florist, luxury goods retailer and chiropractor, all of which operate within opening hours that support the pre-existing surrounding residential uses. The property is a corner site, with no mechanical or noisy commercial uses located in the immediate area, particularly at night.

42. It is concluded, that the proposed residential use will not experience any harmful impacts arising from the operation of the surrounding uses, which are all compatible with residential use, and therefore Prior Approval is not required in relation to the impacts of the proposal.

(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;

43. The site is located within Hurstpierpoint's Conservation Area, as designated in 1972. A Conservation Area is defined as an area of "*special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*".
44. This part of the Hurstpierpoint Conservation Area is characterised by a genuine mix of residential, retail and small-scale commercial uses at ground floor. The site itself sits at the end of stretch of residential properties extending over 100m metres to the east on both sides of the High Street. The building is located at the end of a small parade of six properties, one of which (Mews Cottage) is already in residential use.
45. The character of the Conservation Area therefore clearly comprises a mix of residential and commercial uses. The application proposes to retain the ground floor in Class E use, apart from the side entrance door and stairs, which will lead up to the proposed flat above. The change of use of the ground floor of this small part of the building to residential is therefore not considered to have a harmful impact on the Conservation Area in terms of either the proposed, which is characteristic, or appearance, which remains unchanged.
46. In terms of the sustainability of the Conservation Area, clearly the High Street is already sustained by a mix of residential and commercial uses, and the change of use of a small area of the ground floor will have no impact. It is to be noted that an extant prior approval permission exists for the conversion of the whole of ground floor to residential.
47. Therefore, it is not considered that the change of use would result in any harm to the character or sustainability of Hurstpierpoint Conservation Area. It is concluded, that Prior Approval is not required in relation to the impact of the proposal on the Conservation Area.

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

48. All habitable rooms resulting from the proposed change of use to Class C3 will be provided with adequate natural light.

49. At first floor the Living/Kitchen/Dining room is dual aspect with north and east-facing windows, while at second floor the bedroom has a large east-facing window and the study has a large south-facing Velux window. Sky views from the windows are relatively unobstructed and each room would pass the BRE guidance for visible sky component (VSC).

50. The habitable room windows will provide an adequate supply of natural light to all of the habitable rooms. It is concluded, that Prior Approval is not required in relation to daylight and sunlight.

(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

51. The surrounding area is considered to be primarily residential, however the uses to the immediate west, include a mix of commercial and business uses. The proposed change of use of the upper floors to Class C3 is not considered to be located in an area locality considered to support general or heavy industry, waste management, storage and distribution, or a mix of such uses, therefore, Prior Approval is not required in relation to the impacts of the proposal.

(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.

the impact on the local provision of the type of services lost.

52. The site is currently vacant, and has no relevant or recent history as use comprising that of a registered nursery or a health centre maintained under section 2 or 3 of the National Health Service Act 2006(2).

53. It is concluded, that the development will not result in a loss of services and that Prior Approval is not required in relation to the loss of services.

CONCLUSION

54. This application has been assessed in accordance with the requirements of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development Order 2015 (as amended)).

55. Development is permitted by virtue of Class A. Having regard to the relevant material considerations (a-h) prescribed by the Order it has been demonstrated that the proposals are acceptable under these terms.

56. We therefore consider that the application proposals pass the relevant legislative tests set out by Schedule 2 and Prior Approval should be granted accordingly.

57. No planning condition should be imposed to require the further submission and approval of secure covered cycle parking prior to occupation, as this cannot be provided on site.