



Appeal Decision

Site visit made on 5 August 2019

by Tim Crouch DipUD MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 25 October 2019

Appeal Ref: APP/Z3825/W/19/3227003

Locks Farm, Bines Green, Partridge Green, Horsham RH13 8EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class P of the Town and Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by John Ford against the decision of Horsham District Council.
 - The application Ref DC/19/0272, dated 4 February 2019, was refused by notice dated 1 April 2019.
 - The development proposed is "prior notification to change a B8 use building to C3 allowed under Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class P".
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) allowed the change of use of buildings from storage and distribution (use class B8) to residential (C3), subject to a number of criteria being met and subject to prior approval being received on a range of considerations under Class P of Part 3 of Schedule 2.
3. The GDPO was amended in 2018, placing a deadline on Class P to receive prior approval before 10 June 2019. This has now passed.

Reasons

4. I am conscious that my responsibility is to determine prior approval appeals with regard to the GDPO as in force at the date of the appeal decision, not as at the time of the application nor the Council's formal decision. Therefore, the proposal is no longer permitted development via this route. For this reason the appeal must be dismissed.

Conclusion

5. For the reasons given above, I conclude that the appeal is dismissed.

Tim Crouch

INSPECTOR