DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0614
The White Horse Inn, 23 High Street, Steyning, West Sussex, BN44 3YE

DESCRIPTION:
Non Material Amendment to previously approved application DC/23/1692 (Extension of existing patio area and installation of a pergola. Alterations to car park egress, parking arrangements and associated works) Relating to materials.

RELEVANT PLANNING HISTORY:

DC/23/1692	Extension of existing patio area and installation of a pergola. Alterations to car park egress, parking arrangements and associated works. (Full Application)	Application Permitted on 05.01.2024
DC/23/1693	Extension of existing patio area and installation of a pergola. Alterations to car park egress, parking arrangements and associated works. (Listed Building Consent)	Application Permitted on 07.11.2023
DISC/23/0249	Approval of details reserved by condition 2 to approved application DC/23/1693	Application Permitted on 29.12.2023

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 7 - Strategic Policy: Economic Growth
Policy 11 - Tourism and Cultural Facilities
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 41 - Parking
Policy 43 - Community Facilities, Leisure and Recreation

Steyning Neighbourhood Plan:
SNDP3 – Contribution to Character

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Conservation Officer: No Objection.

Parish Comments:
None received

Representations:
One representation has been received, objecting to the proposal for the following reasons: -

- The pergola and associated brick walls and picket fencing detract from the character of the building and surrounding area and do not enhance it.
- The revised parking arrangements are unsafe as there is now only one access point, rather than the separate entry and exit.

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

Planning permission was granted under ref: DC/23/1692 for the extension of an existing patio area and the installation of a pergola, together with alterations to the car park egress, parking arrangements and associated works.

The former vehicular access was sloped with the ground levels on the application site higher than street level. The approved development entailed the extension of the previous patio area and the installation of a pergola partly over the former location of the vehicular access and related parking. The implementation of the approved development therefore required site levels, primarily in the location of the former access and parking, to be raised, with the stepped pedestrian access arrangement on the approved plans reflective of this.

To facilitate this increase in levels a retaining brick wall has been built across the former access with a picket fence above. While this detail was not clearly annotated on the originally approved plans it would not have been possible to implement the approved development without some form of retaining wall either behind or beneath the approved picket fencing (within the closed access). It is not therefore considered that the proposed non-material amendment would go beyond the scope of the original permission.

The submission includes details of the brick used in the retaining wall which has been erected beneath the previously approved picket fencing, which is sited at the higher level of the enlarged patio / pergola area. It is considered that in the context of the approved development, which would have necessitated the presence of a retaining wall, the facing brick beneath the approved picket fencing does not appreciably impact on the appearance of the listed building, wider heritage assets or the amenities of adjacent occupiers, and would give rise to no other material impacts. The amendment is therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

It is noted that a representation has been received which includes comments on elements of the originally approved development. These elements of the existing permission are not subject of this application which cannot revisit the merits of the original decision. In respect of the comment in respect of the brick retaining wall, it reads as an infill of a former opening in the original wall and the absence of an flintwork would not be a reason to consider the amendment material. It is also noted that the Conservation Officer has advised that weathering and exposure to damp will change the appearance of the brick overtime.

Recommendation: Application Permitted

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0614
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Materials	Details	NONE	19.04.2024

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 24.02.2025