Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0076
129 Pondtail Road, Horsham, West Sussex, RH12 5HT

DESCRIPTION:

Non Material Amendment to previously approved application DC/24/0779 (Non Material Amendment to previously approved application DC/21/2808 (Erection of a detached double garage to the front of the dwelling and erection of a wall to front and side boundaries) Reduction of new wall to the side of existing boundary and reduce the roof area by altering the barn hip on the rear of the garage roof) for a change to the boundary fence, reduction of the fence to the Cottingham Road side and changing the fence at the front of the house to an evergreen hedge.

RELEVANT PLANNING HISTORY:

DC/21/2808	Erection of a detached double garage to the front of the dwelling and erection of a wall to front and side boundaries.	Application 16.01.2023	Permitted on
DC/24/0779	Non Material Amendment to previously approved application DC/21/2808 (Erection of a detached double garage to the front of the dwelling and erection of a wall to front and side boundaries) Reduction of new wall to the side of existing boundary and reduce the roof area by altering the barn hip on the rear of the garage roof.	Application 18.06.2024	Permitted on

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets

Neighbourhood Plan:
North Horsham Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on 30 July 2018.

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:
None received

Parish Comments:
None received

Representations:
None received

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.

The proposed amendments relate to the reduction of new wall to the side of existing boundary and reduce the roof area by altering the barn hip on the rear of the proposed garage roof, change to the boundary fence, reduction of the fence to the south, amending the fence to the eastern boundary to evergreen hedge. It is considered that the proposed revisions would not materially impact on the approved design. The amendments would not change the scale or siting of the approved development and would not create further impacts on the appearance of the building or sider surroundings. The proposal would not create any additional views of neighbouring properties beyond those identified as part of the original planning permission. Not other material impacts have been identified and the proposed amendments are there considered non-material under Section 96A of the Town and Country Planning Act 1990.

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/25/0076
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Existing and Proposed Street	PL05-V3	20.01.2025
Plans	Ground and Boundary Wall	PL04B-V2	20.01.2025
Elevation plan	Proposed	PL03-V3	20.01.2025

DELEGATED

Case Officer sign/initial	Marie Riggs	Date:	13.02.2025
Authorising Officer sign/initial	RHERMITAGE	Date:	14.02.2025