Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0335
Little Sele, Brighton Road, Lower Beeding, West Sussex, RH13 6PR

DESCRIPTION:

Non-Material Amendment to previously approved application DC/06/0749 (Conversion of Coach House to provide ancillary accommodation) to remove the word 'ancillary'.

RELEVANT PLANNING HISTORY:

DC/06/0749	Conversion of Coach House to provide ancillary accommodation	Application Permitted on 02.03.2007.
S106/24/0014	Discharge of planning obligations to approved application DC/06/0749	Pending Consideration
DC/25/0334	Removal of Condition 2 of previously approved application DC/06/0749 (Conversion of Coach House to provide ancillary accommodation) to allow for occupation for other purposes which are not ancillary to the residential use of the dwelling.	Pending Consideration

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:
Lower Beeding Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations.

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 application seeks to remove the word 'ancillary' from the description, so the development description reads 'Conversion of coach house to provide accommodation'. The requested amendment to the description is to drop the word 'ancillary' as it does not reflect the nature of the development. The description currently reads as follows: *'Conversion of Coach House to provide ancillary accommodation'.*

The Planning Statement states that this non-material amendment should be read in conjunction with an ongoing Section 106 Discharge Application (S106/24/0014) and a Section 73 Variation of Condition application. The statement details that a change in circumstance means that the current occupants of the Coach House are to move out. The applicant seeks to offer the Coach House on the open rental market to find suitable tenants, rather than sell the property as a separate entity.

However, in terms of the criteria for constituting a 'non-material amendment', the proposal would be considered a material amendment. By removing the word 'ancillary' from the description, the whole nature of the development would be changed, and other material and policy considerations would be engaged. Therefore, the amendment to the description of the original permission would be significant and require further consideration, outside of a non-material amendment.

For these reasons, the proposed amendments are considered to go beyond what would be considered as non-material under Section 96A of the Town and Country Planning Act 1990, and the submission of a householder application would be required for the changes.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed alterations to the previously approved development represent a level of change greater than can be considered as a non-material amendment under Section 96A of the Town and County Planning Act 1990.

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/25/0335
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Cover Letter	NONE	04.03.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 31.03.2025

Authorising Officer sign/initial Tamara Dale Date: 31.03.2025