Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/0755
1 Bayley Paddock , Mill Lane, Partridge Green, West Sussex, RH13 8JU

DESCRIPTION:

Non material amendment to previously approved application DC/24/0176 (Alterations to existing building, two storey extension to dwelling and erection of a detached store/carport and pergola) amendment sought: smaller garage/store and brick finish to eastern elevation of extension

RELEVANT PLANNING HISTORY:

DC/24/0176	Alterations to existing building, two storey extension to dwelling and erection of a detached store/carport and pergola	Application Permitted on 03.04.2024

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

West Grinstead Neighbourhood Plan
Policy 1 – Retention of Local Gaps
Policy 4 – Green Infrastructure, Existing Trees, Hedgerows, Habitats and Wildlife
Policy 10 – Car Parking

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 a non-material amendment to reduce the footprint and overall height of the approved store/car port. It is proposed to reduce the footprint to 9m x 5m (previously approved measuring 6m x 10.32m), in addition to the building height reduced to 5m and roof form (removing the side gablet and catslide element). In addition, it is proposed to alter the material palette of the eastern elevation, with the incorporate of a brick finish in lieu of the boarding as previously approved.

The proposed amendments would alter the roof profile and overall form and scale of the building, where the alterations would materially affect the external appearance of the approved building. While it is recognised that the proposal would reduce the overall impact of the building, the resulting building would be materially different to that approved. The proposed alterations are not therefore considered to represent a non-material amendment.

Recommendation: Application REFUSED

Reason 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/24/0755
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

Elevation plan		0939.85/04	15.05.2024
Elevation plan		0939.85/05	15.05.2024
Elevation plan		0939.85/01	15.05.2024
Site plan		0939.85/02	15.05.2024
Floor plan		0939.85/03	15.05.2024

DELEGATED

Case Officer sign/initial Tamara Dale Date: 11.06.2024

Authorising Officer sign/initial RHERMITAGE Date: 26.06.2024