Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0607
39 Warnham Road, Horsham, West Sussex, RH12 2QT

DESCRIPTION:
Non-Material Amendment to previously approved application DC/18/2345 (Demolition of conservatory and erection of a single storey rear extension, erection of first and second floor extensions with dormer windows) Removal of side ground floor and first floor windows. Removal of dormer windows from second floor and installation of roof lights. Changes to window and door designs and positions at ground floor level. Change of full height picture window in the rear second floor gable wall and installation of sliding patio door of the same size with a Juliette balcony fixed outside the doors for safety purposes. Minor internal layout changes.

RELEVANT PLANNING HISTORY:

DC/18/2345	Demolition of conservatory and erection of a single storey rear extension, erection of first and second floor extensions with dormer windows.	Application Permitted on 31.05.2019.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31- Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Horsham Blueprint Business Neighbourhood Plan (2019-2036)
Policy HB3: Character of Development
Policy HB4: Design of Development

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 nature and extent of the proposed amendment, to remove and alter the fenestration, remove the dormer windows on the second floor and install a Juliette balcony, is not considered to raise any further issues in respect of visual amenity, with the nature and extent of the amendment not diluting the original design approach for the development. The proposed Juliette balcony would sit on the rear, fixed on a window that is existing. Furthermore, the alteration to the fenestration would not have a significant impact on the design of the previous permission. The amendment would therefore not result in any change in the impact of neighbouring amenity beyond the existing planning permission and is not considered to give rise to any other material impacts. The amendment is therefore 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/24/0607

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed	18/37/2 REV B	19.04.2024
Elevation plan	Existing and proposed	18/37/4 REV D	19.04.2024
Floor plan	Proposed	18/37/3 REV D	19.04.2024

DELEGATED

Case Officer sign/initial	Bethan Tinning	Date:	15.05.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	17.05.2024