

## PLANNING STATEMENT

Section 73 Householder Application – Variation of Approved Plans

Planning Permission Ref: DC/16/0810

Site:

Rustlings,  
Nyetimber Copse,  
West Chiltington  
RH20 2NE

## 1. Introduction

This Planning Statement accompanies a **householder application made under Section 73 of the Town and Country Planning Act 1990** to vary a condition attached to planning permission **DC/16/0810**.

The application seeks to vary the **approved plans Condition 1** to allow a revised set of drawings to be approved. The proposed amendments are minor in nature and do not alter the description of development, the use of the property, or the overall planning impact of the scheme previously approved.

The approved description of development remains unchanged, namely:

***Proposed first floor extension above the existing attached garage, and associated alterations.***

## 2. Site and Planning Background

The application relates to **Rustlings**, a residential property located at **Nyetimber Copse, West Chiltington**, within a rural residential setting.

Planning permission was granted in 2016 under reference **DC/16/0810** for residential development at the site. The permission was subject to conditions, including a condition requiring the development to be carried out in accordance with the approved drawings.

The permission remains extant.

## 3. Proposed Amendments

This Section 73 application seeks to vary the **approved plans Condition 1** to substitute the previously approved drawings with a revised set of plans as listed below:

Original approved drawing number

***MB/15470/09 (Existing and Proposed Plans and Elevations) - dated April 2016***

New substitute drawing numbers

***26606/P100 (Existing Plans and Elevations) – dated April 2026***

***26606/P102 (Proposed Plans and Elevations) – dated April 2026***

The amendments include:

- Minor refinements to the detailed design of the approved first floor extension to include removal of the proposed front bedroom; relocation of existing bathroom into this location; alterations to both en suites (including altered side window looking North), enlarged dormer of proposed bedroom on the rear elevation.
- Modest alterations to elevations and/or layout to improve functionality and appearance to include an enlarged rear dormer and 3 new small Velux rooflights on the rear elevation.
- Associated alterations that sit comfortably within the scale and form already approved.

The proposal does **not** increase the height, bulk or overall footprint of the development beyond that already permitted and does not alter the nature of the approved extension.

## 4. Section 73 Justification

Section 73 allows for applications to be made to develop land without complying with a condition attached to an existing planning permission.

In this instance:

- The application relates solely to a condition controlling the approved plans;
- The description of development is unchanged;
- The development as amended remains materially the same as that previously approved.

The proposed amendments therefore fall well within the accepted scope of a householder Section 73 application.

## 5. Planning Considerations

The proposed revisions do not give rise to any additional material planning impacts beyond those already considered acceptable under the original permission.

In particular:

- The extension remains subordinate to the host dwelling;
- There is no increased impact on neighbouring amenity;
- The character and appearance of the property and surrounding area are preserved;
- Access, parking and servicing arrangements are unchanged.

The development continues to accord with planning policy relevant to residential extensions.

## 6. Conditions

It is anticipated that all relevant conditions attached to planning permission **DC/16/0810** would be re-imposed on any Section 73 permission, with the exception of the approved plans condition, which would be updated to reflect the revised drawings.

## 7. Conclusion

This householder Section 73 application seeks approval for a modest variation to the approved plans associated with planning permission **DC/16/0810** at Rustlings, Nyetimber Copse, West Chiltington.

The proposed amendments:

- Do not alter the description or nature of the approved development;
- Result in no additional planning harm;
- Maintain the overall scale, appearance and acceptability of the permitted first floor extension.

The Local Planning Authority is therefore respectfully requested to grant permission under Section 73 to vary the approved plans condition as proposed.