Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0613
Sumners Pond Fishery and Campsite , Chapel Road, Barns Green, West Sussex, RH13 0PR

DESCRIPTION:
Non-Material Amendment to previously approved application DC/21/2697 (Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.) to revise the design of the chimneys to Plots 1, 2, 3, 4, 7 & 12.

RELEVANT PLANNING HISTORY:

DC/21/2697	Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.	Application Permitted on 06.10.2023.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015)
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarch
Policy 4 - Strategic Growth: Settlement Expansion
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscaper Character
Policy 26 Strategic Policy: Countryside Protection
Policy 27 - Strategic Policy: Settlement Coalescence
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategy Policy: Infrastructure Provision
Policy 40 - Sustainable Transport

RELEVANT NEIGHBOURHOOD PLAN
The Barns Green and Itchingfield Parish Neighbourhood Plan 2015 – 2031 (draft)

Relevant Policies (with modifications) include:
Policy 12 - Design of Housing

Policy 13 - Sustainable Design

Planning Advice Notes:
Facilitating Appropriate Development (2022)
Biodiversity and Green Infrastructure (2022)

REPRESENTATIONS AND CONSULTATIONS RESPONSES

INTERNAL CONSULTATIONS:

None received.

OUTSIDE AGENCIES:

None received.

Parish Comments: None received.

Representations: None received

Member Comments: 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 proposes the removal of the approved external chimney stacks on Plots 1, 2, 3, 4, 7 & 12 and to replace this design feature with false chimney stacks at roof level instead.

Whilst this change somewhat dilutes the design of the frontage properties, it is accepted that many of the existing dwellings along Chapel Road have either false or no chimneys. It is also noted that there appear to be very few dwellings in the immediate vicinity that have full external brick flues and functional chimneys.

The Applicants advise that this change '*provides consistency across the site and avoids any notable deviation in the proposed street scenes'* and that '*the arrangement is in keeping with surrounding existing properties along Chapel Road, where a number of properties only have roof level chimneys or no chimneys at all. The location of the chimney stacks as currently approved are in the majority of cases also located away from the main vistas within the site'.*

The proposed alterations would retain an important design feature at roof level that provides articulation and interest to the roofscape. It is therefore not considered that the proposed non-material amendments

as sought would result in any significant changes to the appearance of the development overall and as such is considered acceptable in this respect.

No other amendments are proposed and no previous amendments to the approved scheme have been approved. These amendments would not be considered to compromise the character or appearance of the site or wider surroundings in accordance with HDPF policies 32, 33 and 40, and is recommended for approval.

As this permission has been made under s.96 A of the Town and Country Planning Act, this decision only relates to the non-material amendments sought and is not a reissue of the original planning permission DC/21/2697 which still stands.

Water Neutrality

On 14 September 2021, the Council received a Position Statement from Natural England. Information collected by Natural England shows that water abstraction for drinking water supplies is having a negative impact on the wildlife sites in the Arun Valley. They have advised that any new development that takes place must not add to this negative impact. One way of preventing any further negative impact is to ensure that all new development which takes place is water neutral. This application seeks a non-material amendment of which the trigger for its implementation is not tied to occupation of the development. The Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened it out' for water neutrality purposes.

Recommendation: Application Permitted

NOTE TO APPLICANT

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/24/0613
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Plot 12	PL-018 REV C	19.04.2024
Supporting Statement	Planning	NONE	19.04.2024
Elevation & Floor plan	Plot 1	PL-010 REV C	19.04.2024
Elevation & Floor plan	Plot 2	PL-011 REV C	19.04.2024
Elevation & Floor plan	Plot 3 and 4	PL-012 REV C	19.04.2024
Elevation & Floor plan	Plot 7	PL-014 REV C	19.04.2024

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

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Amanda Wilkes Date: 01/05/2024

Authorising Officer sign/initial Adrian Smith Date: 02/05/2024