Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0831
Oakfield, Cox Green, Rudgwick, West Sussex, RH12 3DD

DESCRIPTION:
Non-Material Amendment to previously approved application DC/23/0235 (Erection of 1no detached two-storey dwelling with integral garage and associated access and erection of a detached garden room to the rear) Omission of the single-storey rear element; Juliette balconies omitted; opening positions amended to accord with brick dimensions.

RELEVANT PLANNING HISTORY:

DC/23/0235	Erection of 1no detached two-storey dwelling with integral garage and associated access and erection of a detached garden room to the rear.	Application Permitted on 17.08.2023

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

Rudgwick Neighbourhood Plan was formally made on 23 June 2021.
RNP2: Housing Mix
RNP5: Housing Density
RNP17: Green Infrastructure and Trees

Rudgwick Parish Design Statement

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.

Parish Comments:
No Objection

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 proposed amendments would omit the approved single-storey (flat roofed) projection which would be replaced with fenestration to match that previously approved to the rear elevation; replace two rear first-floor Juliette balconies with windows; and alterations to the position of fenestration throughout (to accord with brick dimensions).

The nature of the amendments would reduce the amount of built-form at the site with the revisions to fenestration not creating any new openings beyond those of the original permission. It is considered that the proposed would not appreciably impact on the appearance of the building or amenities of adjacent occupiers, and would give rise to no other material impacts. The amendments are 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/24/0831

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan		P100 REV 00	29.05.2024
Floor plan		E200 REV 00	29.05.2024
Floor plan		P200 REV 00	29.05.2024
Elevation plan		P450 REV 01	11.07.2024

DELEGATED

Case Officer sign/initial	Steve Astles	Date:	11.07.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	16.09.2024