Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0770
11 Ryecroft Drive, Horsham, West Sussex, RH12 2AW

DESCRIPTION:
Prior Approval for the demolition of the existing garage and conservatory and erection of a single-storey rear larger home extension, which would project 4.00m from the rear elevation, comprising a maximum height of 3.00m and an eaves height of 3.00m.

RELEVANT PLANNING POLICIES
The Town and Country Planning (General Permitted Development) (England) Order 2015.
Schedule 2, Part 1, Class A - The enlargement, improvement or other alteration of a dwellinghouse.

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

Parish Comments:
None received

Representations:
One letter of representation received in support of the application

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 with regards to this application is whether the proposed development accords with Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

The GPDO states -

A. The enlargement, improvement or other alteration of a dwellinghouse.

(g) for a dwellinghouse not on Article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwelling, or 6metres in the case of any other dwellinghouse, or;

(ii) exceed 4metres in height.

The proposed depth of the extension would meet the limitation set out in Class A, A.1 (g).

The property is not on Article 2(3) land and permitted development rights have not been removed as part of an earlier planning application on the site.

There were no planning objections received from neighbours and it is not therefore necessary to consider the impact on neighbouring amenity.

The prior approval process allows the Planning Authority to refuse an application where a proposed development does not comply with the applicable conditions, limitations or restrictions applicable to development permitted by Class A (A.4 (3)). For the purposes of permitted development, and as confirmed in the Permitted Development Technical Guidance, it is the whole of the enlarged part of the dwelling that is taken into account. Based on the information submitted there is no evidence at this stage that the development would not be capable of meeting the conditions, limitations or restrictions of Class A. For this reason prior approval is not required.

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/24/0770

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Block plan	Existing and proposed	003 REV 0	17.05.2024
Floor plan	Existing and proposed roof	001 REV 0	17.05.2024
Elevation plan	Existing and proposed	002 REV 0	17.05.2024

DELEGATED

Case Officer sign/initial Marie Riggs Date: 13.06.2024

Authorising Officer sign/initial RHERMITAGE Date: 28.06.2024