

Section 73 Planning Statement

Application to Vary Condition 3 (Materials Condition)

Planning Application Ref: DC/25/0689

Site Address: 8 Lakers Meadow, Billingshurst, West Sussex RH14 9NP

Applicant: Tessa Shaw

Local Planning Authority: Horsham District Council

1. Proposal

This application is made under **Section 73 of the Town and Country Planning Act 1990** to vary **Condition 3** of planning permission **DC/25/0689**.

The variation is sought to allow the use of a **mechanically fixed (dry-ridge) system** to the roof ridge, rather than a traditional mortar-bedded (wet) ridge, in order to comply with **current Building Regulations** requirements associated with the approved loft conversion.

2. Existing Condition

Condition 3 of the planning permission states:

“The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.”

3. Reason for the Variation

The loft conversion works constitute substantial roof alteration. In these circumstances, **Building Regulations require ridge tiles to be mechanically fixed** using a **dry-ridge system**, in accordance with current structural and weather-resistance standards.

A traditional mortar-bedded ridge is therefore **not compliant with Building Regulations** for this development and cannot be used without breaching statutory building safety requirements.

As a result, an exact replication of the existing wet ridge construction is **not achievable**, despite the ridge tiles themselves being closely matched in appearance.

4. Proposed Amendment

It is proposed that Condition 3 be varied to allow:

- The use of a **dry-fixed ridge system**
- Ridge tiles that **match the existing ridge tiles in colour, size, and finish as closely as possible**
- A system installed strictly in accordance with manufacturer specifications and Building Regulations

The visible appearance of the roof will remain **largely unchanged**, and the visual impact will be negligible when viewed from public vantage points.

5. Planning Assessment

The proposed variation does **not alter the scale, form, or design** of the approved development.

The purpose of Condition 3 — to safeguard visual amenity — will continue to be met, as:

- The difference between wet-fixed and dry-fixed ridges is minimal
- The dry-ridge system represents **best practice and modern construction standards**

Planning policy does not require applicants to breach Building Regulations to satisfy planning conditions. The proposal achieves an appropriate balance between **visual consistency** and **statutory building safety requirements**.

6. Conclusion

The variation sought is reasonable, necessary, and fully justified.

It enables the approved development to be carried out in a safe, compliant manner while maintaining the appearance and character of the host dwelling in accordance with planning policy.

The application therefore respectfully requests that Condition 3 be varied accordingly.