Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1048
Greenacres , Hurston Lane, Storrington, West Sussex, RH20 4HH

DESCRIPTION:
Non Material Amendment to previously approved application DC/22/2141 (Reserved matters application for appearance, landscaping and scale pursuant to application DC/18/2744 ((PINS Ref: APP/Z3825/W/20/3246901) Outline application for the demolition of existing dwelling and erection of six residential dwellings with detached garages. All matters reserved except for access and layout.)) to amend the garden amenity areas to plots 5 and 6 to provide access to the rear paddock for maintenance and access for UK Power Network to maintain high voltage power lines on the Western boundary of the paddock. Erection of new timber field gates.

RELEVANT PLANNING HISTORY:

DC/22/2141	Reserved matters application for appearance, landscaping and scale pursuant to application DC/18/2744 ((PINS Ref: APP/Z3825/W/20/3246901) Outline application for the demolition of existing dwelling and erection of six residential dwellings with detached garages. All matters reserved except for access and layout.)	Application Permitted on 16.06.2023

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

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 received

Parish Comments:
None received

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 proposal seeks to alter the rear garden curtilage serving plots 5 and 6, which would create an access track to the rear of the site for the maintenance and access for the adjoining field. Associated fencing and gates would be installed, and the position of the garage serving plot 1 has been slightly modified. The resultant alteration to the rear garden areas would appreciably impact on the amenities of prospective occupiers and would thus give rise to some material impacts. The amendments are not therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Refused

Reason for Refusal:

1 The proposed alteration to the rear garden areas serving plots 5 and 6 would appreciably impact on the amenities of prospective occupiers and would thus give rise to material impacts. The proposed amendments would therefore go beyond that which could be reasonably described as non-material under Section 96A of the Town and Country Planning Act 1990.

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/24/1048

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

Plan Type	Description	Drawing Number	Received Date
Location plan		FA-RM21-04-A400J	09.07.2024
Block plan	As proposed	FA-RM21-04-A401J	09.07.2024

Layout plan	As proposed	FA-RM21-04-A402J	09.07.2024
Layout plan	Plot 1, as proposed	FA-RM21-04-A403J	09.07.2024
Floor plan	Plot 1, as proposed	FA-RM21-04-A404J	09.07.2024
Elevation plan	Plot 1, as proposed	FA-RM21-04-A405J	09.07.2024
Elevation & Floor plan	Roof, Plot 1 (Garage), as proposed	FA-RM21-04-A406J	09.07.2024
Layout plan	Plot 2, as proposed	FA-RM21-04-A407J	09.07.2024
Floor plan	Plot 2, as proposed	FA-RM21-04-A408J	09.07.2024
Elevation plan	Plot 2, as proposed	FA-RM21-04-A409J	09.07.2024
Elevation & Floor plan	Roof, Plot 2 (Garage), as proposed	FA-RM21-04-A410J	09.07.2024
Layout plan	Plot 3, as proposed	FA-RM21-04-A411J	09.07.2024
Floor plan	Plot 3, as proposed	FA-RM21-04-A412J	09.07.2024
Elevation plan	Plot 3, as proposed	FA-RM21-04-A413J	09.07.2024
Elevation & Floor plan	Roof, Plot 3 (Garage), as proposed	FA-RM21-04-A414J	09.07.2024
Layout plan	Plot 4, as proposed	FA-RM21-04-A415J	09.07.2024
Floor plan	Plot 4, as proposed	FA-RM21-04-A416J	09.07.2024
Elevation plan	Plot 4, as proposed	FA-RM21-04-A415J	09.07.2024
Elevation & Floor plan	Roof, Plot 4 (Garage), as proposed	FA-RM21-04-A418J	09.07.2024
Layout plan	Plot 5, as proposed	FA-RM21-04-A419J	09.07.2024
Floor plan	Plot 5, as proposed	FA-RM21-04-A420J	09.07.2024
Elevation plan	Plot 5, as proposed	FA-RM21-04-A421J	09.07.2024
Elevation & Floor plan	Roof, Plot 5 (Garage), as proposed	FA-RM21-04-A422J	09.07.2024
Layout plan	Plot 6, as proposed	FA-RM21-04-A423J	09.07.2024
Floor plan	Plot 6, as proposed	FA-RM21-04-A424J	09.07.2024
Elevation plan	Plot 6, as proposed	FA-RM21-04-A425J	09.07.2024
Elevation & Floor plan	Roof, Plot 6 (Garage), as proposed	FA-RM21-04-A426J	09.07.2024
Plans	EV Charging Points, as proposed	FA-RM21-04-A426J	09.07.2024
Plans	Cycle Storage, as proposed	FA-RM21-04-A426J	09.07.2024
Plans	Borehole, as proposed	FA-RM21-04-A433J	09.07.2024
Elevation & Floor plan	Roof (Pump House), as proposed	FA-RM21-04-A434J	09.07.2024
Plans	Drainage Easement, as proposed	FA-RM21-04-A435J	09.07.2024
Plans	Bin Storage, as proposed	FA-RM21-04-A436J	09.07.2024
Plans	Paddock Access Gates, as proposed	FA-RM21-04-A437J	09.07.2024
Plans	Hard Landscaping, as proposed	NC21.659-P-200	09.07.2024
Plans	Soft Landscaping, as proposed	NC21.659-P-201	09.07.2024

DELEGATED

Authorising Officer sign/initial RHERMITAGE Date: 14.01.2024