Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1088
66 Silver Lane, Billingshurst, West Sussex, RH14 9QB

DESCRIPTION:
Non Material Amendment to previously approved application DC/24/0182 (Erection of a single storey side and rear extension) Swap locations of rear patio door and window, both items to remain the same size.

RELEVANT PLANNING HISTORY:

DC/20/2404	Erection of single storey rear extension.	Application 28.01.2021	Permitted	on
DC/22/0645	Fell 1 x Silver Birch and Surgery to 1 x Corkscrew Willow (Works to Trees in a Conservation Area)	Application 17.05.2022	Permitted	on
DC/24/0182	Erection of a single storey side and rear extension	Application 28.03.2024	Permitted	on

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 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets
Policy 40- Sustainable Transport
Policy 41- Parking

Billingshurst Parish Neighbourhood Plan 2019 – 2031
Bill 1 - Billingshurst Built-Up Area Boundary
Bill 2 - Housing Design and Character

Billingshurst 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:
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 only amendments proposed are to revise the siting of the rear patio doors and rear window at ground floor level, such that the locations of the rear patio doors and window would be swapped over, both items to remain the same size and materials.

The nature of the amendments to rear ground floor fenestration would not create any additional openings, no additional sized opening or any changed materials to 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/24/1088

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Floor plan	Proposed	D 0124/517/03A	16.07.2024
Elevation plan	Proposed	D 0124/517/06A	16.07.2024

DELEGATED

Case Officer sign/initial	Steve Astles	Date:	08.08.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	13.08.2024