DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1252
49 Dean Way, Storrington, West Sussex, RH20 4QN

DESCRIPTION:
Prior Approval for the erection of a single-storey rear larger home extension, which would project 4.30m from the rear elevation, comprising a maximum height of 2.70m and an eaves height of 2.40m.

RELEVANT PLANNING HISTORY:

SR/78/98	Erection of 120 houses, access roads, woodland & amenity open space	Application Permitted	26-11-1999

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

Representations:
1 representation received raising no objections to 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.

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 prior approval seeks confirmation that the erection of an extension to the rear of the dwelling would be lawful under Part 1 Schedule 2 of the General Permitted Development Order (GPDO) (2015). The application site formed part of the Land Off Hormare Estate Dean Way, Storrington development, which was granted consent under ref: SR/78/98, with a further consent for residential development under ref: SR/68/00.

Condition 6 of both consents states: -

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or Orders amending or revoking and re-enacting the same, the building(s) shall not be extended or altered in anyway, unless permission is granted by the Local Planning Authority on application in that behalf.

Reason: To maintain control over the development in the interests of amenity.

The proposal entails development falling within Class A of Part 1 within Schedule 2 of the above Order and would represent an extension of the building. The proposed works would thus not be permitted by the above condition and the proposal would not represent permitted development by virtue of Article 2(3) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended. It is not therefore possible to grant prior approval for the development.

As the dwellinghouse does not benefit from permitted development rights for extensions it is not necessary to consider any further matters.

Recommendation: Prior Approval Required and REFUSED

Reason(s) for Refusal:

1. The dwellinghouse was originally approved under planning application ref: SR/78/98. Condition 6 of this permission removed permitted development for the extension or alteration of buildings. The development would not therefore be permitted by virtue of Article 3(4) of the Town & Country Planning (General Permitted Development) (England) Order 2015, as amended.

Plans list for: DC/24/1252

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

Plan Type	Description	Drawing Number	Received Date
Floor plan		NONE	20.08.2024
Floor plan		NONE	20.08.2024
Location plan		NONE	21.08.2024

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 25.09.2024

Authorising Officer sign/initial Guy Everest Date: 02.10.2024