Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0575
Sailtops , Cox Green, Rudgwick, West Sussex, RH12 3DE

DESCRIPTION:

Non Material Amendment to previously approved application DC/24/0462 (Demolition of existing garage and annexe and construction of 1no 3 bedroom detached house with residential amenity areas, car parking and turning, together with hard and soft landscaping and new access) Removal of side window at ground floor, installation of a rear window. Front and rear elevation chimney height corrected to match side elevations, first floor and roof plans hipped lines over single storey section replaced with ridge line to match elevations.

RELEVANT PLANNING HISTORY:

DC/23/1723	Change of Use from paddock to domestic garden / residential curtilage associated with Sailtops.	Application Refused on 29.12.2023
DC/24/0462	Demolition of existing garage and annexe and construction of 1no 3 bedroom detached house with residential amenity areas, car parking and turning, together with hard and soft landscaping and new access.	Application Permitted on 09.08.2024
DC/24/1967	Variation of Condition 1 of previously approved application DC/24/0462 (Demolition of existing garage and annexe and construction of 1no 3 bedroom detached house with residential amenity areas, car parking and turning, together with hard and soft landscaping and new access) Relating to site area, change of use of land, vehicular access and minor elevational revisions to the new dwelling.	Application Refused on 03.04.2025
DC/25/0294	Variation of condition 4 of previously approved application reference DC/24/0462 (Demolition of existing garage and annexe and construction of 1no 3 bedroom detached house with residential amenity areas, car parking and turning, together with hard and soft landscaping and new access) to alter the wording in regards to the bat mitigation class licence.	Pending Consideration

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

Rudgwick Neighbourhood Development Plan 2020-2031:
Policy RNP6 - Materials
Policy RNP7 - Architectural Style
Policy RNP8 - Development Height
Policy RNP9 - Street Scene

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 19: Development Quality
Policy 20: Development Principles

Rudgwick 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 received

Parish Comments:

No Objection

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.

This proposal relates to changes and alterations to the proposed dwellinghouse approved under ref: DC/24/0462, including the removal of a ground floor side window, and the addition of a ground floor window to the proposed rear elevation.

Discrepancies have also been identified on the proposed elevations submitted to planning consent DC/24/0462. The approved proposed side elevations showed the chimney as slightly higher than the proposed roof ridge, whereas the proposed front and rear elevations showed the chimney as lower than the roof ridge. Additionally, one of the approved proposed side elevations and the proposed roof plan show that the single storey rear element of the proposed dwelling would have a hipped roof, with the rest of the approved elevations showing a dual-pitched roof without a hip.

This proposal confirms that the chimney of the proposed dwelling would be slightly higher than the proposed roof ridge, and the single storey element at the rear would have a dual-pitched roof without a hip.

The amendments proposed in this proposal is considered to retain the overall character and appearance, and would not materially impact the approved scheme.

The proposed amendments to the proposed dwelling approved in DC/24/0462 at Sailtops, Cox Green 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/25/0575
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Elevations Sheet 1	2307/PL.06 Revision C	07.04.2025
Elevation plan	Elevations Sheet 2	2307/PL.07 Revision D	07.04.2025
Floor plan	Ground & First Floor Plans	2307/PL.04 Revision D	07.04.2025
Roof plan	Roof Plan	2307/PL.05 Revision D	07.04.2025

DELEGATED

Case Officer sign/initial Joshua Lee Date: 25.04.2025

Authorising Officer sign/initial Tamara Dale Date: 30.04.2025