Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1328
Hatches House, East Street, West Chiltington, West Sussex, RH20 2JY

DESCRIPTION:

Non Material Amendment to previously approved application DC/20/0514 (Conversion of outbuildings to separate two storey dwelling) to alter the raised height of roof, extent of doors to sunken terrace reduced, brick chimney removed, additional glazed door added, bedroom 2 ensuite removed, sunken terrace extended, bedroom 4 added, rooflight added and location altered and lead rolled roof added.

RELEVANT PLANNING HISTORY:

DC/19/1041	Creation of vehicular access to East Street.	Application Permitted on 04.09.2019
DC/20/0514	Conversion of outbuildings to separate two storey dwelling	Application Permitted on 06.05.2020
DC/22/0851	Non Material Amendment to previously approved application DC/20/0514 (Conversion of outbuildings to separate two storey dwelling) to allow for, replacement of garage and shed with habitable space, provision of parking in the courtyard, extend the footprint and associated alterations to roof, alterations to doors, addition of conservation rooflights, addition of sunken terrace.	Application Refused on 08.06.2022
DC/22/1145	Variation of Condition 1 and 11 of previously approved application DC/20/0514 (Conversion of outbuildings to separate two storey dwelling) to allow for amendments to the single storey element.	Application Permitted on 06.10.2022
DC/22/1209	Non material amendment to previously approved application DC/20/0514 (Conversion of outbuildings to separate two storey dwelling) to allow amendments to appearance and location of windows/doors, extension of footprint, roof amendments and replacement of the garage and shed with habitable space.	Withdrawn Application on 28.07.2022
DISC/23/0029	Approval of details reserved by condition 3 and 4 to approve application DC/22/1145	Application Permitted on 22.03.2023

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

Neighbourhood Plan:
The West Chiltington Neighbourhood Plan is in progress.

West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018. In accordance with legislation, the Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

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.

A non-material amendment is sought to permission DC/20/0514 seeking to make the following amendments:

- To raise and extend height of roof.
- Extent of doors to sunken terrace reduced.
- Brick chimney removed.
- Additional glazed door added.
- Bedroom 2 ensuite removed.
- Sunken terrace extended.
- Bedroom 4 added.
- Rooflight added.
- Location altered.
- Lead rolled roof added.

The proposed amendments would go beyond the original planning permission, with the raised and extended height of the roof requiring planning permission in its own right. In addition, the full height sliding/folding doors and the alteration to the windows would materially alter the external appearance and character of the building. Such alterations to the approved scheme would go beyond what would usually be considered non-material, particularly, as it would involve a change to the external appearance of the building that would materially impact the form and appearance of the building.

The proposal also seeks an additional bedroom which has the potential to increase the occupancy of the resulting dwelling and increase the water demand arising from the development. This is a material consideration and would not be deemed non-material.

Overall, the amendments are therefore not considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Refused

Reason(s) for Refusal:

1 The proposed amendment would result in alterations to the design, form and external appearance of the building which would materially affect the overall character and visual amenity of the development. The proposed amendments would therefore go beyond that which could be reasonably described as non-material under Section 96° of the Town and Country Planning Act 1990.

NOTE TO APPLICANT
The non-material amendment application relates to planning permission reference DC/20/0514 which was permitted on 06.05.2020. There is no evidence to demonstrate that development has commenced at the site, and it is therefore likely that the planning permission has not been implemented. Planning permission reference DC/20/0514 is therefore considered to have expired.

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/24/1328
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	General Arrangement Elevations Sheet 2 of 2	21-030 HCH MHA ZZ ZZ DR A 0121 Rev P05	02.09.2024
Section plan	General Arrangement Sections	21-030 HCH MHA ZZ ZZ DR A 0122 Rev P04	02.09.2024
Location & Site plan	Location Plan & Site Plan	21-030 HCH MHA ZZ ZZ DR A 0100 Rev P04	02.09.2024
Floor plan	General Arrangement Floor Plans	21-030 HCH MHA	02.09.2024

		ZZ ZZ DR A 0110 Rev P04	
Elevation plan	General Arrangement Elevations Sheet 1 of 2	21-030 HCH MHA ZZ ZZ DR A 0120 Rev P06	02.09.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 20.09.2024

Authorising Officer sign/initial Tamara Dale Date: 27.09.2024