DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1647
Amberley Cottage, Merrywood Lane, Thakeham, Pulborough, West Sussex, RH20 3HD

DESCRIPTION:
Installation of a swimming pool (Lawful Development Certificate - Proposed)

Detached Dwellinghouse	☒		Yes	No
		Article 2(3) Land	☐	☒
Semi-Detached / Terrace Dwellinghouse	☐	PD rights removed on previous permission	☐	☒

ASSESSMENT:

Class E – buildings etc incidental to the enjoyment of a dwellinghouse

Permitted development

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

E.1 Development not permitted:-

Criteria		Yes	No
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);	☐	☒
(b)	the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	☐	☒
(c)	any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	☐	☒

(d)	the building would have more than a single storey;	☐	☒
(e)	the height of the building, enclosure or container would exceed— (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case;	☐	☒
(f)	the height of the eaves of the building would exceed 2.5 metres;	☐	☒
(g)	the building, enclosure, pool or container would be situated within the curtilage of a listed building;	☐	☒
(h)	it would include the construction or provision of a verandah, balcony or raised platform;	☐	☒
(i)	it relates to a dwelling or a microwave antenna;	☐	☒
(j)	the capacity of the container would exceed 3,500 litres.	☐	☒
(k)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	☐	☒

		Yes	No	N/A
E.2	In the case of any land within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	☐	☐	☒

		Yes	No	N/A
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	☐	☐	☒

Recommendation: Application Permitted

Reason for Approval:

1 The development would be permitted by Class E of Part 1 within Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015, as amended.

NOTE TO APPLICANT
The site lies within the Sussex North Water Supply Zone where Natural England has advised that water extraction cannot be concluded as having no adverse effect on the integrity of the Arun Valley Special Area Conservation (SAC), the Arun Valley Special Protection Area (SPA) and the Arun Valley Ramsar Site.

It is a condition of Permitted Development (see Article 3(1) of the *Town and Country Planning (General Permitted Development) (England) Order 2015*, as amended) that development likely to have a significant effect on a European Site "must not be begun" until an application has been made to Natural England for its opinion as to whether the development is likely to have a relevant effect. Following this, an application must be made to the Local Planning Authority for its approval.

No development must therefore be begun until the approval of the Local Planning Authority has been given in respect of Regulations 75 to 77 of the *Conservation of Habitats and Species Regulations 2017 (General Development Orders)*. Further details on this type of application can be found through https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district/regulation-77-conservation-of-habitats-and-species-regulations.

The applicant is advised that any development commenced without compliance with Regulation 75 of the *Conservation of Habitats and Species Regulations 2017* would be in breach of the GPDO and may be subject to potential future enforcement action.

DELEGATED

Case Officer sign/initial Joshua Lee Date: 12.12.2024

Authorising Officer sign/initial Guy Everest Date: 18.12.2024