Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0968
19 Holly Close, West Chiltington, West Sussex, RH20 2JR

DESCRIPTION:
Non Material Amendment to previously approved applications DC/14/1791 and DC/18/1179 (Proposed conservatories and two storey side extension and Variation of Condition 2 to previously approved application DC/14/1791: (Proposed conservatories and two storey side extension). Amendments sought to footprint of approved conservatories, approved roof composition, materials and revised positions of windows/doors) To lower the roof on the two storey side extension, reducing the first floor bulk and installation of a rooflight to existing pitched roof.

RELEVANT PLANNING HISTORY:

DC/14/1791	Proposed conservatories and two storey side extension	Application Permitted on 03.11.2014
DC/16/2243	Erection of a single storey front porch, with a pitched roof, replacing existing flat roof of flank wall extension	Application Permitted on 20.04.2017
DC/18/1036	Non-material amendment to previously permitted application DC/14/1791 (Proposed conservatories and two storey side extension). Amendments sought to footprint of approved conservatories, approved roof composition and materials and revised positions of windows/doors.	Withdrawn Application on 01.06.2018
DC/18/1179	Variation of Condition 2 to previously approved application DC/14/1791: (Proposed conservatories and two storey side extension). Amendments sought to footprint of approved conservatories, approved roof composition, materials and revised positions of windows/doors.	Application Permitted on 21.09.2018
DC/21/1768	Erection of part single storey and part two storey side extensions including a rear dormer. Erection of a front porch extension and single storey front extension with pitched roof and fenestration alterations. (Part Retrospective).	Application Refused on 01.12.2023

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 31 - Green Infrastructure and Biodiversity
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Neighbourhood Plan:
West Chiltington Parish Council has prepared West Chiltington Neighbourhood Development Plan (WCNDP). The plan has not yet proceeded to referendum.

REPRESENTATIONS AND CONSULTATIONS RESPONSES
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/14/1791 / DC/18/1179 which would include a first-floor addition north-western elevation, the lowering of the overall ridge height of the two-storey element as approved, though forming a catslide roof to the front of the dwelling, in addition to various fenestration and roof-form alterations. Such alterations to the approved scheme would go beyond what would usually be considered as non-material, particularly, as it would involve a change to the overall external appearance of the building and roofscape, and a material increase in bulk to the building. These alterations would thus materially impact the form and appearance of the building. The amendments are therefore not considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Refused

Reason for Refusal:

1. The proposed amendments 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 96A of the Town and Country Planning Act 1990.

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/24/0968
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation plan	South-West	NONE	30.12.2024
Elevation plan		2014/08 REV B	30.12.2024
Elevation plan		2014/10	30.12.2024
Elevation plan		2014/06 REV A	30.12.2024
Elevation plan		NONE	27.06.2024
Elevation plan		NONE	27.06.2024
Location plan		NONE	30.12.2024
Block plan		NONE	30.12.2024
Elevation plan	South-East	NONE	30.12.2024

DELEGATED

Case Officer sign/initial RHERMITAGE Date: 15.01.2025

Authorising Officer sign/initial Guy Everest Date: 27.01.2025