Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1737
Land at Sandygate Lane, Lower Beeding, West Sussex

DESCRIPTION:
Non Material Amendment to previously approved application DC/22/0708 (Application for the erection of 22 No. dwellings with associated parking, garaging, landscaping, the creation of new access and all ancillary work associated with the proposed development) for an amendment to Building Materials Layout (P102 J) to reflect proposed external materials.

RELEVANT PLANNING HISTORY:

DISC/23/0199	Application for Approval of Details Reserved by Conditions 4 and 10 of planning permission DC/22/0708.	Application Permitted on 06.10.2023
DC/22/0708	Application for the erection of 22 No. dwellings with associated parking, garaging, landscaping, the creation of new access and all ancillary work associated with the proposed development	Application Permitted on 31.08.2023
DISC/24/0162	Application for Approval of Details Reserved by Conditions 3, 5, 6, 8, 9, 11, 12, 13 and 19 to approved application DC/22/0708	Pending decision.
DISC/24/0248	Application for Approval of Details Reserved by Condition 14 to the approved application DC/22/0708	Pending decision.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 – Parking

Lower Beeding Neighbourhood Plan:
Policy 1 – Biodiversity
Policy 2 – Landscape Character

Policy 3 – Green Infrastructure
Policy 4 – Sustainability
Policy 5 – Energy
Policy 8 – Land North of Sandygate Lane
Policy 11 – Housing Mix
Policy 12 – Design
Policy 13 – Density

Lower Beeding Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations. To unlock the Lower Beeding Neighbourhood Plan, further work has been commissioned and consulted on to address the issue of water neutrality. The Council has completed a Decision Statement recommending the plan proceed to Referendum.

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.

This proposal seeks to amend the wording of Condition 1 of planning permission ref: DC/22/0708 to allow minor variations to the approved building materials layout plan.

Condition 1 of ref: DC/22/0708 requires the permitted development be carried out in accordance with the approved plans listed in the schedules of plans/documents. One of these plans is drawing ref: P102 Rev H Proposed Building Materials Layout which illustrates the approved layout and type of building materials for the approved development. This includes the use of Sussex Stock brick, red/brown tile hanging above the brick, off white horizontal boarding above the brick, dark horizontal boarding above the brick, red/brown roof tile and slate coloured roof tile. The slate coloured roof tile is only located on the garages for plots 9-10, 15-16, and 20.

This non-material amendment application seeks to amend the materials distribution and has submitted alternative finishing materials plans:

- drawing ref: 21076 MAT 2 Material Distribution – Roof Tile,
- drawing ref: 21076 MAT 3 Material Distribution – Hung Tile/Weatherboard, and
- drawing ref: 21076 MAT 1 Material Distribution – Facing Brick.

The proposed plans remove the dark horizontal boarding as an external finish and only use off white horizontal boarding instead, where both were previously approved, retaining the other materials as shown on the approved plan. This application also seeks to change the slate coloured roof finish to charcoal plan tiles and change the distribution across the development site to plots 4 and 5, 9 and 10 (including garages), 13 and 14 (including garage), 17 (including garage), 18, and 19 (including garage).

Officers consider that this proposed amendment does not represent a material change from what was previously approved but would result in in a slightly better finish and materials design layout for the site and wider built landscape.

The proposed amendments to Condition 1 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: Permit application

Updated Conditions:

Condition 1: List of Approved plans

Plan Type	Description	Drawing Number	Received Date
Plans	Street Scenes A-A and B-B	21076/C105 D	31.10.2022
Plans	Proposed Site Layout	P101 S	31.10.2022
Plans	Surface Materials Layout	P103 K	31.10.2022
Plans	Boundary Materials Layout	P104 H	31.10.2022
Plans	Elevations, Floor, Roof Plans Plots 103	P110 G	31.10.2022
Plans	Elevations, Floor Roof Plans, Ancillary Buildings	P130 C	31.10.2022
Plans	Refuse collection Points Plan	P131 C	31.10.2022
Plans	Location Plan	S101 B	20.04.2022
Plans	Existing Site Survey	S102 A	06.04.2022
Plans	Landscape Plan, Sheet 1 of 5	M387-201 P2	25.08.2022
Plans	Landscape Plan, Sheet 2 of 5	M387-202 P2	25.08.2022
Plans	Landscape Plan, Sheet 3 of 5	M387-203 P2	25.08.2022
Plans	Landscape Plan, Sheet 4 of 5	M387-204 P2	25.08.2022
Plans	Landscape Plan, Sheet 5 of 5	M387-205 P2	25.08.2022
Plans	Access Design and Visibility Splays	067.0002.005 B	20.05.2022
Plans	Elevations, Floor, Rood Plans Plots 4-5	P111 D	31.10.2022
Plans	Elevations, Floor, Rood Plans Plots 6-8	P112 D	31.10.2022
Plans	Elevations, Floor, Rood Plans Plots 9-10	P113 H	31.10.2022
Plans	Elevations, Floor, Rood Plans Plots 11	P114 E	06.04.2022
Plans	Elevations, Floor, Rood Plans Plots 12 and 22	P115 F	25.08.2022
Plans	Elevations, Floor, Rood Plans Plots 13-14	P116 H	25.08.2022
Plans	Elevations, Floor, Rood Plans Plots	P117 D	25.08.2022

	15 and 20		
Plans	Elevations, Floor, Rood Plans Plots 16	P118 E	25.08.2022
Plans	Elevations, Floor, Rood Plans Plots 17-18	P119 F	06.04.2022
Plans	Elevations, Floor, Rood Plans Plots 19	P120 C	06.04.2022
Plans	Elevations, Floor, Rood Plans Plots 21	P121 H	25.08.2022
Supporting Statement	Transport Statement	NONE	06.04.2022
Supporting Statement	Reptile Statement	NONE 001	06.04.2022
Supporting Statement	Drainage Strategy	A21118 Rev 5	14.11.2022
Supporting Statement	Flood Risk Assessment	NONE	06.04.2022
Supporting Statement	Ecology Statement	NONE 002	06.04.2022
Supporting Statement	Archaeological Assessment	NONE	06.04.2022
Supporting Statement	Arboricultural Implications Assessment	NONE	27.10.2022
Supporting Statement	Preliminary Ecological Appraisal	NONE 003	06.04.2022
Supporting Statement	Ecology Surveys	NONE 002	06.04.2022
Supporting Statement	Water Neutrality Statement (Interim)	NONE	06.04.2022
Supporting Statement	Water Neutrality Statement	NONE	28.07.2022
Plans	Coloured Layout Plan	C101 D	30.10.2022
Plans	Street Elevation	P105 F	31.10.2022
Plans	Site Sections	P106	25.08.2022
Plans	Estate Management Layout	P140 A	31.10.2022
Plans	Refuse Vehicle Tracking	067.0002.003 B	06.04.2022
Supporting Statement	Parking Breakdown	NONE	12.09.2022
Supporting Statement	Stage 1 RSA – Designer's Response	NONE	20.05.2022
Plans	Material Distribution – Roof Tile	21076 MAT 2	08.11.2024
Plans	Material Distribution – Hung Tile/Weatherboard	21076 MAT 3	08.11.2024
Plans	Material Distribution – Facing Brick	21076 MAT 1	08.11.2024

NOTE TO APPLICANT

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.

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 20.11.2024

Authorising Officer sign/initial Adrian Smith Date: 21/11/2024