DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1920
Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough, West Sussex, RH20 3AS

DESCRIPTION:
Non Material Amendment to previously approved application DC/24/0977 (Variation to condition 1 to approved application DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) to enable a substation to be provided) to amend house types.

RELEVANT PLANNING HISTORY:

DC/22/0372	Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping.	Application Permitted on 05.09.2023
DC/24/0977	Variation to condition 1 to approved application DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) To enable a substation to be provided.	Application Permitted on 13.09.2024
DC/24/1081	Variation of condition 1 of previously approved application reference DC/22/0372 (Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping) amendment to the affordable housing plans and to the approved site layout to include a sub-station.	Application Permitted on 04.10.2024

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

Neighbourhood Plan:
Ashington Neighbourhood Plan (June 2021)
Policy ASH1: Overall Spatial Strategy for Ashington
Policy ASH10: Chanctonbury Nursery

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

To date, one letter of representation is noted from an adjacent property, raising objections to the siting and proximity of the sub-station to their property, and the potential impact on noise, health and property values.

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.

The submission clarifies the amendments:
'The submitted plans incorporate minor amendments, mostly internal, to bring the house types in line with the Elivia brand and specification. Examples include internal configuration and partition walls and rainwater pipe placements.

The proposed changes to the house types drawings are minor in scale and as such, are considered nonmaterial in the context of each house and the development overall. As such, the proposal is considered acceptable to be submitted under Section 96A of the Town and Country Planning Act.'

The following drawings would be substituted, with the proposed amendments noted *(in italics):*

7071-PL-31-A-Floor Plans-Types 2&4-Plots 7,8 OM
7071-PL-32-A-Elevations-Types 2&4-Plots 7,8 OM
Downpipes moved in from corners of the building at the end elevations, and rationalised on the side porch and bay window
C9_23_46_HTD_F_00 Planning Floorplans & Elevations – Plots 7 and 8

7071-PL-29-A-Floor Plans-Types 2&5-Plots 23-26 AR
7071-PL-30-A-Elevations-Types 2&5-Plots 23-26 AR
New downpipe on front elevation, door panelling proportions modified, first-floor flank window omitted (hallway) to Plots 24 & 25
C9_23_46_AFF_HTC1_D1_00 Planning Floorplans & Elevations

7071-PL-38-A-Floor Plans-Type 5-Plots 28 & 29
7071-PL-39-A-Elevations-Type 5-Plots 28 & 29
Minor changes to downpipe positions
C9_23_46_HTC_00 Planning Floorplans & Elevations

7071-PL-33-A PLANS PLOTS 30-31
7071-PL-34-A-Elevations-Types 6&7-Plot 30,31 OM
~~*Decorative fish-scale tiles omitted to front, rear and sides of Plot 30*~~ *Downpipes moved in from the corners and rationalised on the side porch and bay window*
C9_23_46_HTH_J_00_A Planning Floorplans & Elevations

7071-PL-40-A-Floor Plans-Type 5-Plots 32-35 AR
7071-PL-41-A-Elevations-Type 5-Plot 32-35 AR
~~*Decorative fish-scale tile to be omitted to all four elevations*~~
C9_23_46_AFF_HTC1_00_A Planning Floorplans & Elevations

7071-PL-21-A PLANS PLOTS 37_38_52_53
7071-PL-22-A-Elevations-Type 2-Plots 37,38,52,53 OM
Minor changes to downpipe positions, window format changes to flank elevations at first-floor, from single casement to double casement
C9_23_46_HTP_00 Planning Floorplans & Elevations

7071-PL-27-A PLANS PLOTS 4_5_40-43_61_62_65_66
7071-PL-28-A ELES PLOTS 4_5_40-43_61_62_65_66
~~Decorative fish-scale tiles omitted to all elevations~~ Brackets to projecting porches squared off
C9_23_46_HTC_D_00_A Planning Floorplans & Elevations

7071-PL-42-A-Floor Plans 4&5 Plot 46,47 OM
7071-PL-43-A-Floor Plans 4&5 Plot 46,47 OM
7071-PL-42-A-Floor Plans 4&5 Plot 46,47 OM
7071-PL-43-A-Floor Plans 4&5 Plot 46,47 OM
Downpipes moved in from corners of the building at the end elevations, and rationalised on the side porch and bay window
C9_23_46_HTC_F_00 Planning Floorplans & Elevations

7071-PL-35-A PLANS PLOTS 59_60_73_74
7071-PL-36-A-ELEVATIONS PLOTS 59_60_73_74
Internally, en-suite is removed to Units 59 and 74 (no changes to bedroom numbers), ~~decorative fish-scale tiles omitted to front, rear and sides of Plots 59 and 74~~ Downpipes moved in from the corners and rationalised on the side porch and bay window
C9_23_46_HTF_H_00_A Planning Floorplans & Elevations

7071-PL-23-A-Floor Plans-Type 2&3-Plots 67-69 AR
7071-PL-24-B-Elevations-Type2&3-Plots 67-69 AR
Elevation reflect true positions of chimneys, downpipe relocated along rear elevation, and moved in from corners of the building at the end elevations, and rationalised on the side porch and bay window
C9_23_46_AFF_HTD1_O_00 Planning Floorplans & Elevation

7071-PL-25-A-Floor Plans-Types 2&4- Plots 70-72 OM
7071-PL-26-A-Elevations Types 2&4-Plots 70-72 OM
Downpipes moved in from corners of the building at the end elevations, and rationalised on the side porch and bay window
C9_23_46_HTD_F_00 Planning Floorplans & Elevations

No amendments are proposed in relation to the materials or the dimensions of the resulting building plots, although it is noted that the drawings which would substitute the approved drawings do not include any dimensions or materials / details.

Following review of the proposed revisions, officers have expressed concern over the proposed loss of the fish-scale / 'Club' feature tiles to Plots 4, 5, 30, 32-35, 40-43, 59, 61, 62, 65, 66, and 74, which are considered to contribute to the overall rural characteristics of the development site. Revised drawings have subsequently been received to re-instate these character details.

The proposed amendments to the external details of the dwellings types specified above 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

NOTE TO APPLICANT
This decision only relates to the non-material amendments sought and is not a reissue of the original planning permission, which still stands. The two documents should be read together.

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/24/1920
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan		C9_23_46_AFF_HTC1_00 A	27.01.2025
Elevation & Floor plan	Plots 23, 24, 25, 26	C9_23_46_AFF_HTC1_D1_00	02.12.2024
Elevation & Floor plan	Plots 67, 68, 69	C9_23_46_AFF_HTD1_O_00	02.12.2024
Elevation & Floor plan	Plots 28, 29	C9_23_46_HTC_00	02.12.2024
Elevation & Floor plan	Plots 40, 41, 42, 43	C9_23_46_HTC_D_00 A	27.01.2025
Elevation & Floor plan	Plots 46, 47	C9_23_46_HTC_F_00	02.12.2024
Elevation & Floor plan	Plots 7, 8	C9_23_46_HTD_F_00	02.12.2024
Elevation & Floor plan	Plots 70, 71, 72	C9_23_46_HTD_F_00	02.12.2024
Elevation & Floor plan	Plots 73, 74	C9_23_46_HTF_H_00 A	27.01.2025
Elevation & Floor plan	Plot 30	C9_23_46_HTH_J_00 A	27.01.2025
Elevation & Floor plan	Plots 37, 38	C9_23_46_HTP_00	02.12.2024

DELEGATED

Case Officer sign/initial Nicola Pettifer Date: 31.01.2025

Authorising Officer sign/initial Adrian Smith Date: 03/02/2025