DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0643
38A Quarry Way, Southwater, West Sussex, RH13 9SU

DESCRIPTION:
Non-Material Amendment to previously approved application DC/24/0289 (Demolition of outbuildings and construction of a new detached double storey dwelling (Class C3)) for minor re-positioning of house away from eastern boundary and re-arrangement of car parking spaces.

RELEVANT PLANNING HISTORY:

DC/24/0289	Demolition of outbuildings and construction of a new detached double storey dwelling (Class C3).	Application Permitted on 07.05.2024.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles

Southwater Neighbourhood Development Plan (2019-2031):
SNDP14 – Adequate provision of car parking
SNDP16 – Design

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 the approved scheme DC/24/0289 to allow for the minor re-positioning of the proposed dwelling from the eastern boundary and the re-arrangement of car parking spaces. The distance between the proposed dwelling and existing dwelling on site would be reduced from 2.7m to 1.7m. Further consideration would be required to assess the amenity impacts of the re-positioning of the dwelling, as this would now be closer than the permitted scheme.

Furthermore, the existing access would be extended to accommodate additional cars parked within the curtilage. The area is already covered in hard surfacing so it is not considered that there would be changes to the materials to accommodate additional dwellings. However, the proposed layout indicates that the hardstanding would be increased to cover a larger portion of the site, as well as positioning two parking spaces in front of the living room window of the neighbouring dwelling. Further consideration is required to assess the amenity impacts of the proposed re-arrangement of parking spaces, as well as consultation with WSCC Highways on parking provision and access arrangements, which would go beyond can be considered as non-material. The amendments to the original permission would be significant and therefore, such alterations would go beyond what would be considered as non-material.

For these reasons, the proposed amendments are considered to go beyond what would be considered as non-material under Section 96A of the Town and Country Planning Act 1990, and the submission of a S.73 minor material amendment would be required for the changes.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed alterations to the previously approved development represent a level of change greater than can be considered as a non-material amendment under Section 96A of the Town and County 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/25/0643
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

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

Plan Type	Description	Drawing Number	Received Date
Elevation plan		2312 07	17.04.2025
Floor plan		2312 06	17.04.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 14.05.2025

Authorising Officer sign/initial Guy Everest Date: 23.05.2025