Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0225
4 Pondfield Road, Rudgwick, West Sussex, RH12 3EW

DESCRIPTION:

Non Material Amendment to previously approved application DC/22/1449 (Enlargement of porch and installation of pitched roof to front. Construction of new pitched roof to existing sun room, creation of covered seating area and installation of window at first floor level to rear) Demolition of existing sun room and rebuild from ground level and change the proposed pitched roof to a flat roof construction.

RELEVANT PLANNING HISTORY:

DC/22/1449	Enlargement of porch and installation of pitched roof to front. Construction of new pitched roof to existing sun room, creation of covered seating area and installation of window at first floor level to rear.	Application Permitted on 13.10.2022

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

Neighbourhood Plan:
Rudgwick Neighbourhood Development Plan
Policy 6 – Design

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.

A non-material amendment is sought to permission DC/22/1449 which would include demolition of existing sum room and rebuild from ground level and change the proposed pitched roof to a flat roof construction. Such alterations to the approved scheme would go beyond what would usually be considered as non-material, particularly, as it would involve an increase to the overall footprint of the sunroom and an alteration to the external appearance and roofscape of the proposed sun room.

These alterations would thus materially impact the form and appearance of the building and would therefore not be considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed amendments would 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/25/0225
(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
Floor plan	Proposed Floor Plans	KB/NMA/03	13.02.2025
Elevation plan	Proposed Elevations	KB/NMA/04	13.02.2025

DELEGATED

Case Officer sign/initial Marie Riggs Date: 13.03.2025

Authorising Officer sign/initial Tamara Dale Date: 13.03.2025