DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0427
Squirrels, Old Holbrook, Horsham, West Sussex, RH12 4TW

DESCRIPTION:
Non Material Amendment to previously approved application DC/21/2440 (Demolition of existing bungalow and erection of a replacement three bedroom bungalow with basement) Relocation of the garage and bungalow and amendments to the property boundary.

RELEVANT PLANNING HISTORY:

DC/21/2440	Demolition of existing bungalow and erection of a replacement three bedroom bungalow with basement.	Approved on 23.03.2022

RELEVANT PLANNING POLICIES

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 SD1 – Strategic Policy: Land North of Horsham
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
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 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Neighbourhood Plan: North Horsham Parish has formally withdrawn its neighbourhood plan.

Parish Design Statement: N/a.

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:

No comment.

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.

Permission is sought for non-material amendments to DC/21/2440. This permission granted consent for a replacement bungalow with a basement and detached garage in March 2022. The dwelling is within Phase 3 of the Mowbray development site. In the masterplan and land use plan, this area is shown as open space with the existing pond retained. The current application seeks the following amendments to DC/21/2440:

- Relocation of the garage to east of the dwelling;
- Erection of fencing to establish a new property boundary;
- Omission of basement and associated external staircase;
- Location of new bungalow has been shifted 1.5m westwards; and
- Chimney added to the new bungalow.

The S96A application seeks to relocate the garage and bungalow and amendments to the property boundary to allow for the safeguarding of the northern part of the site to provide future cycle/foot connections between Phases 1 and 3 of Mowbray. As originally submitted, the scheme indicated a new footpath / cycle corridor to the northern section, with the proposed garage relocated back to its existing location adjacent the house. The footpath did not form part of the original application and was therefore considered materially new and not in the development description. This amendment was not considered non-material.

As such, the applicant has submitted amended plans removing the reference to footpath / cycle pathway through the site. The amended plans also removed the new fencing which divided the site to allow the new footpath connection. With the removal of the reference to footpath / cycle connection and new fencing, the proposal is considered acceptable.

The other amendments proposed are considered non-material. This includes the relocation of the proposed garage back to its existing position adjacent the dwelling, adding a chimney to the bungalow, slightly moving the location of the bungalow and removing the basement. The proposed amendments would not appreciably impact on the appearance of the building or amenities of adjacent occupiers, and would give rise to no other material impacts. In relation to water neutrality, with the removal of the proposed basement, the proposal would result in less living space and less water use overall. The amendments are therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

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.

Plans list for: DC/24/0427
(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
Block plan		P101 A	02.05.2024
Elevation & Floor plan	Proposed garage	P111 A	02.05.2024
Elevation & Floor plan	Proposed section	P110	19.03.2024
Location plan		S101	19.03.2024
Site plan	Existing	S102	19.03.2024
Elevation & Floor plan		S103	19.03.2024
Elevation & Floor plan	Existing garage	S104	

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 13.05..2024

Authorising Officer sign/initial Adrian Smith Date: 13/05/2024