Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1850
The Old Cottage, Andrews Hill, Billingshurst, West Sussex, RH14 9JS

DESCRIPTION:
Non-Material Amendment to previously approved application DC/22/2246 (Demolition of existing rear extension and erection of a part two-storey, part single storey rear and side extension) replacing old boiler with Air-Source Heat Pump and replacing proposed first floor bathroom with toilet only.

RELEVANT PLANNING HISTORY:

DC/22/2246	Demolition of existing rear extension and erection of a part two-storey, part single storey rear and side extension (Householder Application).	Application Permitted on 19.05.2023.
DC/22/2249	Demolition of existing rear extension and erection of a part two-storey, part single storey rear and side extension (Listed Building Consent).	Application Permitted on 19.05.2023.
DC/23/1742	Amendment to DC/22/2249 (Demolition of existing rear extension and erection of a part two-storey, part single storey rear and side extension (Listed Building Consent) Rearrangement to internal spaces and alterations to fenestrations. (Listed Building Consent)	Application Permitted on 11.03.2024.
DC/23/2268	Variation of Condition 1 of previously approved application DC/22/2246 (Demolition of existing rear extension and erection of a part two-storey, part single storey rear and side extension (Householder Application)) Rearrangement to internal spaces and alterations to fenestrations.	Application Permitted on 11.03.2024.
DC/24/1847	Removal of the existing external oil-fired boiler and replace with an air source heat hump. Removal of first floor bathroom and addition of first floor toilet. (Listed Building Consent).	Under Consideration

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
Policy 34- Cultural and Heritage Assets

Billingshurst Neighbourhood Plan:
Policy Bill 2: Housing Design and Character

Billingshurst Parish Design Statement

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:
HDC Conservation: No Objection.

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.

The proposed amendments to DC/22/2246 involve replacing a boiler with an Air-Source Heat Pump (ASHP) and replacing the proposed first floor bathroom with a toilet only.

The ASHP would introduce a new element which did not form part of the original development proposal or planning permission. The ASHP would therefore introduce new considerations in respect of visual, heritage and amenity impacts, and is considered to go beyond the scope of a non-material amendment application. It is noted that ASHPs can benefit from 'permitted development' rights, these do not though apply to listed buildings.

The internal alterations at first-floor level replace a bathroom with bedroom and form a new WC in an existing boiler room. This alteration would not materially affect the external appearance of the building and does not raise any new planning considerations. It is therefore considered that this element of the submission can be considered non-material. It is noted that a separate application for Listed Building Consent has been submitted for this revised internal layout.

It is therefore recommended that a split decision be issued as set out above.

Recommendation: Split Decision

PERMIT the internal alterations at first floor level.

REFUSE the Air-Source Heat Pump for the following reason: -

1. The Air-Source Heat Pump would introduce an alteration which did not form part of the original planning permission. The addition of an Air-Source Heat Pump would go beyond that which could be described as non-material under Section 96A of the Town and Country Planning Act 1990.

Plans list for: DC/24/1850
(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
Supporting Statement	Heat Pump details	none	08.01.2025
Elevation & Floor plan	Proposed Ground	2795/30	07.01.2025
Elevation & Floor plan	Proposed First	2795/31	07.01.2025
Location & Site plan		2795/01 REV H	30.12.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 04.02.2025

Authorising Officer sign/initial Guy Everest Date: 05.02.2025