

Mr Mark Alford
Mark Alford Design Limited
Heatherlands
Bracken Lane
Storrington
RH20 3HS

Application Number: DC/23/1108

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr Sam Ripley

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Non Material Amendment to previously approved application PL/107/03 (Erection of 1 bungalow, Site: Mount View Stane Street North Heath) to add a 'Plans' condition to the approval letter to include the most recent approved drawings.

Mount View Stane Street North Heath West Sussex

to be carried out in accordance with Application No. PP-12207424 as amended by application No. DC/23/1108 submitted to the Council on 02/06/2023 (as modified by relevant conditions, if any) and subject to compliance with the plans/documents and conditions specified.

Emma Parkes
Head of Development and Building Control

Date: 07/06/2024

Additional condition:-

- 14 **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan	Location and Block Plan	14/02 - 01 A	20.10.2003
Elevation & Floor plan	Proposed Floor Plan, Garage Elevations and Dwelling Section	14/02 - 11 A	20.10.2003
Elevation plan	Proposed Elevations	14/02 - 12 A	20.10.2003

Reason: For the avoidance of doubt and in the interest of proper planning.

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.

The applicant is advised to ensure that the original planning permission was lawfully commenced within the required time period, and if there is any doubt as to this an application for a Lawful Development Certificate (to conform works lawfully commenced) should be submitted.

Note to Applicant:

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.

ADDITIONAL INFORMATION**Planning Permission – Important Provisos**

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations, or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Compliance with the Approved Plans and Conditions

The development hereby approved must be implemented in accordance with the approved plans and any conditions set out in the Notice. Some of the conditions may specify that works are to be carried out, and/or details submitted and approved before all or part of the development is started. These will appear in the 'Pre Commencement Conditions' section of the Notice.

If works on implementing this permission is started without these requirements being fully met, the development may be unauthorised and the permission invalidated, and could lead to enforcement proceedings or in some cases to prosecution.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Conditions Compliance

Requests for confirmation of compliance with conditions associated with that permission should be made in writing or by using the application form 'Approval of Details Reserved by Conditions'.

A request may be for confirmation that one or more conditions imposed on the same permission have been complied with. We aim to respond within 8 weeks of receipt of the request.

Right of Appeals

There is no right of appeal against refusal of an application for a non-material amendment, or against conditions imposed. This is because non-material amendments are not covered the relevant legislation which sets out which types of application can be appealed (section 78 of the 1990 Town and Country Planning Act).

If you are aggrieved by the decision to refuse permission for your application, or to grant it subject to conditions, you would need to submit a planning application to seek approval for the proposed amendments. Please speak to your Case Officer for more details.



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/1108

Mount View, Stane Street, North Heath, West Sussex, RH20 1DN

DESCRIPTION:

Non Material Amendment to previously approved application PL/107/03 (Erection of 1 bungalow, Site: Mount View Stane Street North Heath) to add a 'Plans' condition.

RELEVANT PLANNING HISTORY:

PL/107/03

Erection of 1 bungalow

Site: Mount View Stane Street North Heath

Application Permitted on
26.11.2003

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 31 - Green Infrastructure and Biodiversity

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 37 - Sustainable Construction

Policy 40 - Sustainable Transport

Policy 41 - Parking

Neighbourhood Plan:

Pulborough Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations. The following policies are of significant weight subject to water neutrality being demonstrated: -

Policy 1: A Spatial Plan for the Parish

Policy 15: 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.

The proposed amendment would add a condition to the planning permission setting out the approved plans list and requiring that development take place in accordance with them. This condition would not materially alter the scope or nature of the previously approved development and would give rise to no additional material impacts. The amendment is therefore considered non-material under Section 96A of the Town and Country Planning Act 1990.

It is noted the presence of an approved plans list would allow the submission of minor material amendment applications in the future, with any such applications to be determined on their own merits having regard to all relevant material considerations.

Recommendation: Application Permitted

Add additional condition:

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Plans list for: DC/23/1108Schedule of plans/documents **approved:**

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DELEGATEDCase Officer sign/initial Guy Everest Date: 07.06.2024Authorising Officer sign/initial RHERMITAGE Date: 07.06.2024