Development Control – Delegated Officer Report

Application Number: AWDM/0685/14 Recommendation – APPROVE

Site: 7-9 Brunswick Road Shoreham-By-Sea West Sussex BN43 5WA

Proposal: Application for a non-material amendment following grant of planning permission AWDM/1296/12. Amendment: an additional door from the south unit at first floor level to the balcony

Site and Surroundings

The application relates to a former flat-roofed, 1930's, 2-storey building located within Shoreham Conservation Area. There are 2 shop units on the ground-floor. One is currently in use as computer repair/reconditioning and print shop and the other is vacant. The first-floor has a self-contained entrance.

Planning permission was granted under AWDM/1296/12 for the conversion of the first-floor from offices (Class B1) and ancillary storage (Class A1) to a self-contained 1-bedroom flat and studio flat within new second-floor mansard roof with first-floor verandah at rear. The flats are to be accessed from the existing entrance on Brunswick Road. The proposed verandah would be a 'common area' for use by the occupiers of the flats as bin and bike storage.

Work to implement the planning permission has commenced. An application has been made to approve the details reserved by conditions under AWDM/1296/12 (of which not all have been agreed to date).

Proposal

The layout as approved showed one communal door leading from the first-floor landing area onto the rear 'verandah'. It is now proposed to add a second door, direct from the first-floor flat onto the 'verandah'. The submitted details show a part glazed 4-panel door.

Consultations: None undertaken.

Representations: None undertaken.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH2, AS1, AE5, AE5, AB4 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.2 'Space Around New Dwellings and Flats'
Good Practice Guidance Note 'Internal Space Standards for New Homes'
South East Plan (GOSE 2009): CC1, CC6, BE1

Planning Assessment

Principle

Section 96A of the Act allows a non-material amendment to be made to an existing planning permission via an application procedure. There is no statutory definition of 'non-material'. This is because it is so dependent on the context of a particular scheme – what may be non-material in one context may be material in another. In order to grant an application a LPA must be satisfied that the amendment sought is non-material.

In assessing applications for a non-material amendment the Government's Planning Practice Guidance states that the LPA must have regard to the effect of the change, together with any previous changes made under s.96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission s.38(6) of the Planning Act 2004 does not apply. However, the extent to which a proposed amendment complies with the saved Local Plan policies is a material consideration.

Visual Amenity

The rear 'verandah' will be visible from the vehicular access on the south side of the Post Office which leads to the Sorting Office. However, the 'verandah' structure itself will largely impede views of the rear first-floor windows and doors in the rear elevation. An additional door opening onto this communal area will not materially affect the appearance of the building.

[No consent under AWDM/1296/12 has been granted for the replacement of the former timber casement windows on the first-floor front (east) and north side of the building in uPVC. The applicant's agent has disputed this stating that the submitted forms referred to proposed white uPVC windows. The windows as installed are particularly unattractive with the opening units distinguishable by their heavy framing and do not reflect those shown on the approved drawing. It is considered that this matter should be the subject of a separate enforcement investigation.]

Effect upon the Character and Appearance of the Conservation Area

The building has no particular architectural merit or historic importance. Whereas it previously sat unobtrusively within the street scene made up of buildings of differing heights and roof forms, the mansard roof has added some additional stature. The inclusion of an additional door to the rear of the property will have no material impact on the Conservation Area. No details of the door material have been provided, which will most-likely be uPVC. Bearing in mind the position of the proposed door on the least sensitive rear of the building, further 'shielded' by the 'verandah' structure, it is considered it would be difficult to insist on the use of a traditional material.

Residential Amenity

The site backs onto a walled garden containing a number of mature trees belonging to St Mary's House, St Marys Road. The latter is a grade II Listed

building, originally a dwelling, but used for many years as offices and a dental practice. To the west of the garden is St Mary's Close, a residential cul-de-sac. There is a separation distance of some 40m between the site and the nearest residential dwelling in St Mary's Close. It is considered the inclusion of an additional door opening onto the communal 'verandah' would have no additional amenity implications for neighbours.

Recommendation

APPROVE

The inclusion of an additional door in the east elevation opening from the first-floor flat onto the rear verandah would not materially affect the appearance of the building as permitted under AWDM/1296/12 or the character or appearance of the Shoreham Conservation Area, nor materially affect the amenities of nearby residential occupiers.

Informative

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 and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Case Officer: Jo Morin Date: 25 July 2014

Authorised by: Peter Barnett Date: 28 July 2014