Expiry Date –27th March 2018

Development Management– Delegated Officer Report

Application Number: AWDM/0313/18 Recommendation – Approve

Site: **23 Old Shoreham Road, Southwick**

Proposal: **Application for a non-material amendment to approved AWDM/1452/17 to substitute timber cladding with vertical tile hanging on rear dormer. Addition of high level window (2nd floor) to west elevation.**

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings and Proposal

The application site is a semi detached, two storey dwelling on the north side of Old Shoreham Road, Southwick. The building is characterised by a front bay and hipped roof as is the case with other buildings within the street. Most properties within this stretch of the street remain as built with hipped roofs. A few hip to gable extensions exist and some flat roof dormers are visible within the vicinity of the site. These are not dominant features within the street scene.

Consent was originally granted for a hip to gable roof extension and a rear flat roof dormer. This type of development, generally speaking would normally be permitted development subject to the volume created by the development. For example the hip to gable development and rear dormer at no. 87 Old Shoreham Road was subject to a Certificate of Lawfulness AWDM/0355/13. In this case the rear dormer was proposed to be clad with timber. Therefore materials to be used for the development will not be similar to that existing. The works are therefore not permitted development and consent is required.

The property is not in a conservation area and is not listed.

An application for a non material amendment to AWDM/1452/17was made on 27th February 2018 to: -

Substitute timber cladding with vertical tile hanging on rear dormer and the addition of high level window (2nd floor) to west elevation.

Representations

1 comment received from owner/occupier of no. 21 neither objecting to or supporting the application stating: - Just to say so long as there are no flood lighting, CCTV cameras aimed at my property at 21 then this application could be ok.

Relevant Planning Policies and Guidance

Not Applicable (see below).

Planning Assessment

A provision to provide a mechanism to make non-material amendments to planning permissions has been introduced via Section 190 of the Planning Act 2008, which inserts Section 96A into the Town and Country Planning Act 1990. Section 190 commenced on 1st October 2009. Section 96A allows a non-material amendment to be made to an existing planning permission via a new 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 an application for a non-material amendment the Government's National 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 it is not an application for planning permission, s.38(6) of the Planning Act 2004 does not apply. However, the extent to which the proposed amendments comply with the relevant Development Plan policies is a material consideration.

The change proposed is considered to be minor and in this case will result in no significant adverse impact upon neighbours or street scene.

The change of the proposed materials will result in a dormer will tile hanging to match the existing roof.

The window proposed on the side elevation will serve the proposed stairwell to the accommodation in the roof space. The window will face toward the side hipped roof slope of the adjacent dwelling, there would be no overlooking or loss of privacy.

With reference to the representation set out above. The proposal does not show any such details.

Recommendation

Approve as the proposal will not materially change the proposal or its impacts.

New Plans

Drawing No. 17 002 201 Rev C – 27.02.18

Drawing No. 17 002 202 Rev C – 27.02.18

Old Plans

Drawing No. 17 002 201 Rev B – 14.11.2017

Drawing No. 17 002 202 Rev B – 14.11.2017

Is recommendation contrary to any representations? N

Case Officer signed: Hannah Barker Date: 21st March 2018

Authorised and signed by: Peter Barnett Date: 21 March 2018