Expiry Date – 27/5, ppa 17/6

Development Control – Delegated Officer Report

Application Number: AWDM/0732/21 Recommendation – Grant

Site: 204 Brighton Road, Lancing

Proposal: Application for a Non-Material Amendment to previously approved AWDM/1490/20. Amendments: Amend rear, west extension wall from square to curved design to match front elevation.

Site and Surroundings

This application relates to a three storey 'Art Deco' style white painted rendered detached house on the south side of Brighton Road close to the Lancing roundabout. Like many houses on this side of the road the houses are three storeys from the front and two storeys facing Widewater at the rear. On its west side the property is two storeys with a roof terrace.

Both neighbouring properties have rear terraces, set off the common site boundary. No. 206A is a new 3 storey house, No.202 slightly older with rooms in the roof.

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

Proposal

Non-Material Amendment to curve the rear west wall to match the front curve as opposed to the approved squared wall.

Relevant Planning History:

AWDM/1490/20 - Proposed roof terrace, existing parapet raised by 300mm on east side and new rear spiral staircase for access. Replace windows with doors at first and second floor level on south elevation. Second floor extension over existing first floor to west elevation. New window to first floor west elevation.Granted 1.12.20

Consultations:

None undertaken.

Representations: 202 and 26A: No response

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.

Conclusion

Planning permission was granted in December last year for a second floor extension, roof terrace and rear staircase.

This application for a non-material amendment proposes curve the side/rear wall on the west side to mirror the front wall design.

The proposed change will not result in any greater material harm to the neighbouring residential property or the character and appearance of the area in general.

Recommendation

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

New Plans

Drawing No: DS/EVANS/02 Rev 2 - Proposed Floorplans
Drawing No: DS/EVANS/03 Rev 2 - Existing and Proposed Elevations
Drawing No: DS/EVANS/05 Rev 2 – Block Plan

Old Plans

Drawing No: DS/EVANS/02 - Proposed Floorplans. Granted 1.12.2020
Drawing No: DS/EVANS/03 - Existing and Proposed Elevations. Granted 1.12.2020
Drawing No: DS/EVANS/05 – Block Plan. Granted 1.12.2020

Is recommendation contrary to letter(s) of representation? N

Case Officer:	MOK	Date: 15.6.21
Authorised by:	Peter Barnett	Date: 15 June 2021