Development Control – Delegated Officer Report

Application Number: AWDM/1234/25 Recommendation – APPROVE

Site: **126 Upper Shoreham Road, Shoreham-by-Sea, BN43 6TD**

Proposal: **Application for Non-Material Amendment to previously approved AWDM/0977/21. Amendment: Change in the size of velux roof window to each plot.**

Date of site visit: N/A

Neighbours Notified: Y

Site and Surroundings

The site is located to the north side of Upper Shoreham Road and relates to 4no. dwellings recently constructed by virtue of a 2022 planning permission.

The property is not in a Conservation Area and is not a Listed Building.

Approved scheme

AWDM/0977/21 Demolition of existing house and the erection of 4 x 3 bed semi-detached houses with associated parking and bin store. Approved 08.06.2022

Proposed amendments

This application seeks a non-material amendment for the change of size of all 4no. rooflights on all 4no. dwellings (1no. on each).

From 852mm x 1320mm existing to 780mm x 1320mm new.

The height of the cill from finish floor level as approved was 1.6m and the new rooflights will be the same.

Representations:

1 no. letter of No Objection from 138 Upper Shoreham Road.
1no. Verbal Objection from property to rear in Rosemary Drive objecting to cill height of rooflights being lower than approved resulting in overlooking.

Relevant Planning Policies

Adur Local Plan policies 1, 15
Supplementary Planning Guidance : Development Management Standard No. 1 Space Around New Dwellings and Flats.
National Planning Policy Framework 2024

SPG ‘Extending or Altering Your Home’ (WBC)
Heene Road Conservation Area Appraisal

Planning Assessment

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 local planning authority must be satisfied that the amendments sought are non-material.

In assessing applications for a non-material amendment the Government’s National Planning Practice Guidance states that the local planning authority 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 the proposed amendments comply with the relevant Development Plan policies is a material consideration.

The principal issue is whether the proposal is non- material in nature that the changes are not of consequence, significance or substance.

Visual Amenity

The proposed reduction in overall size of the rooflights will not result any adverse impact on the visual amenity of the area.

Residential Amenity

The rooflights will be in the same position as approved, and the same cill height as approved, but slightly narrower.

The committee report relating to AWDM/0977/21 discusses the distance from the development to those to the rear in Rosemary Drive, and states that the layout meets policy requirements in terms of the dwellings to the north as the distance is just over 22m.

Therefore, the change in rooflight size will not have any detrimental impact on the residential amenities of occupiers to the rear.

Conclusion

The proposed amendment is considered to be non-material in nature and would not have any additional impact on the visual or residential amenities of the locality and is therefore acceptable.

Recommendation

APPROVE

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.

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

Case Officer: Eve Hearsey Date: 29.10.2025

Authorised by: Jo Morin Date: 30.10.2025