Development Management - Delegated Officer Report

Application Number: AWDM/1851/20 Recommendation – Refuse

Site: Caxton House, 18 Ham Road, Shoreham-By-Sea

Proposal: Application for a non-material amendment to previously approved AWDM/1688/18. Amendments: 1. conversion of garage roof area into terrace / patio to create outdoor amenity space for flat 12, 2. replacement of existing window in north elevation of flat 12 into french doors - to match other doors in same elevation, 3. extension of existing north elevation balcony screening to create enclosed screening to new terrace created above.

Date of site visit: Seen previously

Neighbours checked: N/A

Additional neighbour notifications: N/A

Proposal, Site and Surroundings

Permission was granted in December 2018 for the demolition of a former Victorian school building (then in mixed use Office B1 and general industrial B2) and the construction of a new building providing 14 residential units comprising 1 no. 1 bedroom flat; 12 no. two bedroom and 1 no. three bedroom flats with undercroft parking (AWDM/1688/18).

A non material amendment is sought for various alterations to the approved plans comprising:

- conversion of garage roof area into terrace / patio to create outdoor amenity space for flat 12
- replacement of existing window in north elevation of flat 12 into french doors - to match other doors in same elevation
- extension of existing north elevation balcony screening to create enclosed screening to new terrace created above

Relevant site history

As above

Consultations

None

Representations

N/A

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 4, 11, 15, 16, 17, 18, 19, 20, 21, 25, 28, 34, 35
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Shoreham by Sea Conservation Area Character Appraisal & Management Strategy (ADC 2008)
Planning Contributions for Infrastructure Provision (ADC 2013)
Shoreham Harbour Joint Area Action Plan 2019
West Sussex Parking Standards and Transport Contributions Methodology (WSCC 2003)
West Sussex 'Guidance on Parking at New Developments' and 'Parking Demand Calculator' (WSCC 2019)
National Planning Policy Framework (February 2019)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

Whether or not the proposed amendments are considered to be 'non-material' (rather than 'material') will depend on the specific details of the existing planning permission. A change which may be considered 'non-material' in one case could be 'material' in another.

Government does not provide a statutory definition of 'non-material', it is down to the Local Planning Authority to be satisfied that any amendments sought are 'non-material' in order to be eligible for this type of application.

Non- material amendments are generally considered to be changes which are minor and do not significantly change a permission. Amendments that would themselves require permission, such as the creation of a terrace, would not be non material.

In this case, the proposal seeks to create a large terrace on the roof of the garage at the eastern end of the building. While there are other roof terraces and balconies on the property, the eastern flat roof area had been left as a roof only. It is close to the neighbouring building and a roof terrace has the potential to cause a loss of privacy, as well as having a visual impact on the external appearance of the building.

It is considered that the changes proposed are not non material therefore and that an application for a s73 minor material amendment is the most appropriate method for dealing with such a change.

Recommendation

REFUSE the non-material amendments in accordance with the application and accompanying plans.

Case Officer: Peter Barnett Date: 1 December 2020

Authorised by: Gary Peck Date: 1 December 2020