Expiry Date –01/18

Development Management– Delegated Officer Report

Application Number: AWDM/1852/17 Recommendation – Approve

Site: **80, Harbour way, Shoreham-By-Sea**

Proposal: **Non-material amendment to approved application AWDM/1688/16 to reduce the width of the extension on the west boundary by 150mm.**

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings and Proposal

The original consent was for:-

- a two-storey side extension with single storey rear extension, to measure (at max) 7.5 metres in height, 10.5 metres in length, and 2.5 metres in width
- a single storey front extension to measure (at max) 3.5 metres in height, 2.5 metres in length, and 3.1 metres in width
- a flat roof box rear dormer to measure (at max) 2.4 metres in height, 3.4 metres in length, and 4.1 metres in width

Permitted under AWDM/1688/16 in January 2017.

The application relates to a two-storey dwellinghouse in an outer residential suburb of Shoreham.

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

An application for a minor non material amendment to AWDM/1688/16 was made on 4th December 2017 to: -

Reduce the width of the extension on the west boundary by 150mm.

Representations

A representation has been received from a local resident commenting that he could not find the location plan to make a comment and therefore the application should be rejected.

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 footprint of the building will be reduced as the extension is to be set in slightly from the side boundary. The first floor will remain unchanged only the slight ground floor set in from the boundary.

The representation has not been received from an affected neighbour and as the application is not a planning application as such, but an application for a Non Material Amendment, it is not essential that a location plan is not included in the submission.

Taking on board the original scheme and its impact upon the surrounding locality and neighbouring properties the change proposed is considered to be minor and in this case will result in no significant adverse impact upon neighbours or street scene.

Recommendation

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

New Plans

Drawing no. 02 Rev G – received 11th December 2017

Old Plans

Drawing no.02 Rev D – received 23rd December 2016

Is recommendation contrary to any representations? N

Case Officer signed: Hannah Barker Date: 27th December 2017

Authorised and signed by: Jo Morin Date: 27.12.2017