Development Control – Delegated Officer Report

Application Number: AWDM/1338/24 **Recommendation – APPROVE**

Site: **198 Old Shoreham Road, Shoreham-by-Sea, BN43 5TE**

Proposal: **Application for a Non Material Amendment to previously approved AWDM/1733/23, Amendment: To change the pitched roof to a flat roof and, remove its associated roof lights; reposition side window on the south elevation of the single storey rear extension.**

Date of site visit: Assessment has been assisted using the Applicants plans; Earthlight mapping; and Google 3D of the site

Neighbours consulted: Y – 14 days

Additional neighbour notifications: N

Site and Surroundings

The application site is positioned on the east side of Old Shoreham Road, and is situated close to the 'Amsterdam' public house, and the road junction with Upper Shoreham Road. The property is a two storey semi-detached dwelling, with a side access gate to the rear garden. The rear garden area has many outbuildings lined up behind each other, from close to the dwelling up to the rear boundary, all limiting usable amenity area. The property also has a limited front amenity space, and it has been predominantly paved for the parking of vehicles. The dwelling has a small rear extension.

Many properties within the locality have extended in some form, including roof dormers. Both of the immediate neighbours, no.'s 200 to the north and 196 to the south, have rear dormers and no 200 has an inverted front dormer, and no. 196 has a series of front rooflights. No. 196 has a larger home rear extension, and no. 200 has a rear extension.

The site is not a Listed Building or within a Conservation Area (although part of the rear boundary abuts the boundary of the Old Shoreham Conservation Area)

Approved scheme

AWDM/1733/23 Single storey rear extension, existing garage/sheds removed. **Approved 27.02.2024**

Proposed amendment

The application seeks a non-material amendment to change the approved dual-pitched roof and its associated roofslope windows, to a flat roof; move the window on the south elevation further to the west.

Representations:

None received

Relevant Planning Policies

Adur Local Plan 2017 Policy 1, 15
Supplementary Planning Guidance comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings'
National Planning Policy Framework

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 & Residential Amenity

The proposed amendments result in the non-construction of the dual-slope roof together with the associated rooflights which were shown to be included within the roofslopes. The other amendment will be the shifting of the window on the south elevation further to the west on the same elevation.

The former, approved application (AWDM/1733/23) had a condition attached to it requiring the window to be obscure glazed and opening to be above 1.7m

only, as this window faces the neighbour property no. 196, it is considered that that condition be repeated for the current non-material application.

As the proposed extension is to the rear, the change to the roof will not be readily viewed from the street, only from the neighbouring properties either side of no. 198, specifically no. 200 the adjoining neighbour. No. 200 were concerned about the roof of the extension, and were of the view that the roof would affect their light.

No. 200 has raised the height of the mutual boundary to the application site to approx. 2.5m, and the height of the proposed extension is shown as 2.85, thereby the extension will only be some 300mm above the existing boundary, which therefore will have a minimal, if any, impact onto no. 200.

Conclusion

The proposed amendments are considered to be non-material in nature and would not have a harmful impact on the visual or residential amenities of the neighbouring properties or the locality and are therefore acceptable.

Recommendation

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

For avoidance of doubt these plans comprise: -

Rear Extension Location and Block Plans 2326 PL 01B received 21.10.2024

Rear Extension Plans as Proposed 2326 PL 03C received 21.10.2024

Rear Extension Elevations as Proposed 2326 PL 05B received 21.10.2024

The existing planning permission AWDM/1733/23 still stands and that the conditions imposed upon it will continue to apply to the development except that the above plans can be substituted for Drawing no.'s PL 01A; PL 03A; and PL 05A 23-01 PL 03 Rev B received 09.02.2024.

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

Case Officer: Eve Hearsey Date: 06.11.2024

Authorised by: Peter Barnett Date: 6 November 2024