Development Control – Delegated Officer Report

Application Number: AWDM/0698/14 Recommendation – APPROVE

Site: 141 Old Fort Road

Proposal: **Non-material amendment of AWDM/0178/13 to demolish existing bungalow and erection of two storey four-bedroom house. Amendments: 1) Retain existing garage; 2) Alterations to roof lights over 1st floor living room; 3) Omit side door to ground floor; 4) Driveway widened; 5) Alterations to balcony balustrade/privacy screen; 6) Alterations to roof at rear**

Date of site visit: 12.6.14
Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is a newly built two-storey detached dwellinghouse.

This application is for a non-material amendment to the scheme previously approved under AWDM/0178/13, by way of:-

- Erection of an exterior support wall to form a canopy over the ground floor rear door, and to support realignment of main roof to continue ridge at a uniform height across full length of the building
- Retention of existing garage and incorporation of bicycle store in it
- Alterations to roof light arrangement over first floor living room, with additional roof light installed (x 5 in total)
- Omission of side door at ground floor
- Widening of driveway
- Reduction in number of supporting posts and introduction of 45 degree angle on outermost section to west side of balcony screen

Relevant site history
AWDM/0178/13
Demolition of existing bungalow and erection of a two storey pre-manufactured four bedroom house
Approved Conditionally 05.04.2013

Consultations
None

Representations
None

Relevant Planning Policies

Adur Local Plan (Saved policies): AG1, AH7
National Planning Policy Framework

Planning Assessment

Principle

A provision to provide a mechanism to make non-material amendments to planning permissions was introduced via Section 190 of the Planning Act 2008, which inserts Section 96A into the town and Country Planning Act 1990.

There is no statutory definition of what 'non-material' is. This is because it is so dependent on the context of the particular scheme, what may be non-material in one context may be material in another. In order to grant an application an LPA must be satisfied that the amendment sought is non-material.

In assessing an application for a non-material amendment the Government's guidance in 'Greater Flexibility for Planning Permissions' states that the LPA must have regard to the effect of the change, together with any previous changes made under s96A.

The amendments are minor adjustments to the overall design. Public viewpoints of the development would be changed, but only marginally and the original design concept would remain intact. This includes the front balcony.

The amendments would allow for more parking provision on site without material harm arising visually.

The roof realignment would add some additional bulk to the building but this would not result in harm to the amenities of neighbours when set against the bulk of the entirety of the building, and so adverse overbearing and overshadowing continues to be avoided. The revised balcony design would still allow for an adequate privacy screen, so as to avoid intrusive views onto the neighbour and ensure unacceptable overlooking would be negated.

It is therefore considered that both of the above are factors that should be considered under the provisions of s.96A of the Act.

Recommendation
That the application for the non-material amendment be APPROVED

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

Case Officer: Matthew Porter Date: 14-7-14

Authorised by: Peter Barnett Date:16 July 2014