Development Management – Delegated Officer Report

Application Number: AWDM/1250/24 Recommendation: Approve

Site: Land At 7 To 27 Albion Street, Southwick

Proposal: Non Material Amendment to approved AWDM/1999/21 to obtain approval for 41no. secure cycle spaces rather than 50no. as approved.

Date of Site Visit: Seen previously

Neighbours Checked: N/A

Additional neighbour notification: N/A

Proposal, Site and Surroundings:

This application relates to a development of 55 affordable flats within two blocks of 4-6 storeys in height which are currently under construction in Albion Street.

This application seeks approval for a non material amendment which is:

Provision of 41no. secure cycle spaces rather than 50no. as previously approved.

The approved planning drawings indicate 50 spaces, however this assumed that a double stacked system would be provided. However, the head height is now not available in the cycle stores to achieve double stacking.

A maximum number of 41 spaces across the 2 blocks can be achieved by using semi vertical bike racks. The WSCC standard is 0.5 spaces per flat, which for the 49 flats would require the provision of 25 spaces.

Planning History:

AWDM/1999/21 - Demolition of 11-27 Albion Street and redevelopment to provide a total of 55 affordable flats within two blocks of 4-6 storeys in height and the refurbishment of 7-9 Albion Street, with 31 parking spaces. Application to vary condition 1 (Approved plans) of AWDM/0954/18 to remove windows and add aluminium panels on east elevation; adjust position of building to be further from eastern boundary; add lift overrun, smoke shaft and vents to roof; amend car parking layout; changes to internal layout with associated changes to fenestration; addition of brise soleil to west elevation

Consultations:

West Sussex County Council Highways: The LHA's Parking Standards states 0.5 spaces per flat which would mean the 41 cycle parking spaces are within the guidelines for 49 flats. The vertical hanging system is secure and covered therefore we would not have any concerns with this method of cycle storage and thus the amendment to the proposals

Representations

N/A

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 15, 18, 19, 20, 21, 22, 28, 30, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
Lancing Vision 2012
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

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. s96A also allows for changes to conditions:

Power to make non-material changes to planning permission

(1)A local planning authority ... may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2)In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

(3)The power conferred by subsection (1) includes power—

(a)to impose new conditions;

(b)to remove or alter existing conditions.

In this case, the proposed change is considered to be non material as it does not result in a material change to the character or appearance of the development or to residential amenity. The changes to the bike storage system will still provide an amount of secure cycle parking within County guidelines.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:-

Drawing Nos 2403-CTZ-XX-XX-DR-A-6001 Rev CO2 and Semi Vertical Cycle Rack Specification Brochure received 30 September 2024

…….. existing planning permission AWDM/1999/21 still stands and that the conditions imposed upon it continue to apply to the development except that the above plans can be substituted for Drawing No. 1538_PA_010_A (in so far as it relates to cycle storage)

Case Officer: Peter Barnett Date: 17 October 2024

Authorised by: Jo Morin Date: 17.10.2024