Development Management - Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/0770/13

Site: **2 Park Lane Southwick**

Proposal: **Application for non-material amendment to Planning Permission AWDM/0947/12 to reduce northern extension to single storey**

Proposal, Site and Surroundings

Application for non-material amendment consisting of a reduction of previously approved extension from two-storey to single storey to the north side.

Relevant Planning History
AWDM/0947/12
Two storey extensions and rooflights over first floor bedroom. (Revisions to AWDM/1035/11)
Approved Conditionally 12.09.2012

Consultations
None

Relevant Planning Policies
N/A

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. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. No such neighbour consultations were undertaken in this case.

Condition 2 of AWDM/0947/12 requires that the development be commenced in accordance with the approved plans.

The proposed amendments to the scheme would result in a differing appearance to the previously approved extension, but the elevation that would change is one that is concealed from public view. This elevation is by far the more minor aspect of the overall development. The public perception of the development would remain unchanged from what was previously approved.

The impact of the development on the neighbour to the north (No.19 The Green) will be lessened as a result of the reduced 'bulk'.

Recommendation

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

Reason

The works proposed would not materially alter the visual appearance of the building from what was previously approved and, consequently, would not have a materially different impact on the established character and appearance of the street scene from what was previously approved.

The proposed amendments to the scheme would result in an equivalent quality of design that would relate satisfactorily to the established character and appearance of the street scene.

The development would have a lesser impact on the amenities of the neighbour to the north than the approved scheme.

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

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

Case Officer: Matthew Porter Date: 24-7-13

Authorised by: Jo Morin Date: 24.07.2013