Expiry Date – 21/2

Development Control – Delegated Officer Report

Application Number: AWDM/0121/19 Recommendation – Approve

Site: **139 Upper Shoreham Road, Shoreham**

Proposal: **Non-Material Amendment to AWDM/0713/18 for the installation of a rooflight to the roof on the south elevation of the approved extension.**

Neighbours checked: N/A

Additional neighbour notifications: n/a

Site and Surroundings

The application site is located on the southern side of Upper Shoreham Road and forms a two storey semi-detached property which has been extended with a single storey extension to the rear. The gable has also been raised and a rear dormer added. A part first floor extension is nearing completion.

Proposal

Planning permission was granted 12th July 2018 under AWDM/0713/18 for: First storey extension above existing single storey extension to rear (south). An application for a Non Material Amendment to add a rooflight to the rear roofslope of this extension was received on 24th January 2019.

The rooflight had not been added as at 15/2/19.

Relevant Planning History

AWDM/0713/18 - First storey extension above existing single storey extension to rear (south). Granted 12.7.18

Consultations

None undertaken.

Representations

2 neighbours consulted. Response from No. 137 received as follows:

'Before being able to assess any impact from the proposed plans, it would be helpful to confirm that the building in question is indeed 139 Upper Shoreham Road. The plans submitted do not in any way represent the current structure of the house and clearly fail to indicate the loft conversion which has changed the integrity of the roof. If the plans

are for the house in question, it would be required for these to show the full extent of the proposed end project, and to include all other structural changes that have already occurred prior to any planning application. Please provide confirmation and revised drawings.'

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 rooflight is in the rear roofslope and provides additional light and ventilation to the approved wetroom extension. It is high level and as such no additional overlooking will occur.

These changes do not alter the substance of the original approval and are minor in nature and in terms of impact.

Recommendation

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

New Plan

2316/16/01 G received 24.1.19

Old Plan

2316/16/01 F approved 12.7.18

Is recommendation contrary to any representations? Y

Case Officer signed: MOK Date: 19/2/19

Authorised and signed by: Peter Barnett Date: 19 February 2019