Development Control – Delegated Officer Report

Application Number: AWDM/0230/14 **Recommendation – Approve**

Site: **101 Gordon Road Shoreham-By-Sea West Sussex BN43 6WG**

Proposal: **Application for non material amended to previously approved AWDM/0518/13 - Amendment from garage door to window**

Proposal Site and Surroundings

Application for non-material amendment to substitute a previously approved garage door to casement windows in the frontage of the side extension on the dwelling.

Relevant Planning History

AWDM/0518/13 - Single-storey side extension. Permitted

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 1 of the extant permission AWDM/0518/13 requires that the development be commenced in accordance with the approved plans.

The proposed amendments to the scheme would result in a moderate change to the appearance of the building – the previously proposed garage door being substituted by a pvcu 3-panel window measuring 2550mm wide x 1380mm high and to align with the main house frontage windows. Two narrow side windows would be deleted from the proposed extension. The soldier course below the eaves of the extension will be retained as initially approved and the façade below the window will be brickwork to match the main house.

It is considered that whilst there is a difference in visual effect between the previously approved garage door and the currently proposed window and walling, given the window will match the existing house frontage fenestration in design and alignment, the net result in terms of amenity would not be material other than to represent a slight improvement in design and street scene terms. There would be no impacts upon neighbour amenity.

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.

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/A

Case Officer: Lawrence Simmons Date: 2.4.14

Authorised by: Jo Morin Date: 3.4.14