Development Control – Delegated Officer Report

Application Number: AWDM/0172/15 Recommendation – APPROVE

Site: 86 Berriedale Drive, Sompting

Proposal: Application for a non-material amendment to planning approval AWDM/0976/14. Amendments: changes to the window on the southern elevation to include top fanlight opening and changes to the size of the bathroom window to the eastern elevation

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is located on the easterly side of Berriedale Drive and comprises a semi-detached single storey bungalow property. The road predominantly comprises pairs of semi-detached bungalows many of which have extended into the roof space and added dormer extensions. The plots within the road are lengthy in nature providing the bungalow properties with spacious long rear gardens. To the east the application site abuts the grounds of the Sir Robert Woodard's Academy and associated grassed fields.

The proposal seeks planning permission for non-material amendments to an annexe building previously permitted under application AWDM/0976/14. The first amendment would include changing the design of the southerly facing window from two side opening casements to two top opening fan lights which would allow ventilation into the bedroom within the annexe. The second amendment would change the width of the easterly window from 0.60m to 0.90m wide and change the opening from a single opening casement to two side opening casements to allow for means of fire escape from the bedroom and en-suite bathroom. Both windows would continue to be obscure glazed.

Consultations: None received.

Representations: None received.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising: Development Control Standard No.3 'Extensions and Alterations to Dwellings' National Planning Policy Framework (CLG 2012).

Planning Assessment

Principle

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 LPA must be satisfied that the amendments sought are non-material.

In assessing applications 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 this 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 saved Local Plan policies is a material consideration.

Visual amenity

The proposed amendments comprise minor changes to the appearance of the windows previously approved on the southerly and easterly side of the building. The annexe building is located at the end of the rear garden of the host dwelling and views would only be partially possible above the fence line from the school field to the east.

Residential amenity

Under the previously approved application AWDM/0976/14 the southerly window incorporated two side opening casements which if openable could have adversely affected the privacy of the southerly neighbouring occupier's rear garden even when taking into account the close boarded fence along the southerly boundary of the site. Officers therefore attached Condition 10 to the approval which required the southern bedroom window to be obscure glazed and fixed shut in order to protect the southerly neighbouring occupier's privacy.

The amendment to the south facing window has been submitted following discussions between the Agent and the Case Officer, this amendment has altered the design of the window to two high level top opening fanlights which would allow some air flow into the room without compromising the privacy of the southerly neighbour's rear garden. The neighbouring occupiers in the bungalows to the north and south of the application property have also been consulted on this amendment and no letters of representation have been received back in response. The southerly facing window would continue to be obscure glazed and therefore privacy would be maintained for the southerly neighbouring occupiers.

The widening of the easterly window and change to two side opening casements would allow for a means of fire escape from the bedroom via the

en-suite bathroom. As the easterly facing window would face the school field the amendments to the easterly window would have no impact on the amenities of the adjacent residential occupiers to the south and north.

Recommendation APPROVE

The proposed changes shown on Drawing No.s: 101 version 1 revision 2, Annexe Elevations and 101A version 1, revision 2, Annexe Footprint received on 12th February 2015 are not material and these can be substituted for the Approved Drawing No.s: 101 version 1, revision 1, Annexe Elevations and 101A version 1, revision 1 Annexe Footprint valid 14th August 2014

Informative

1. Proactive Statement – No Amendments

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

Case Officer: Rebecca Tier Date: 27 Feb 2015

Authorised by: Jo Morin Date: 3 March 2015