Expiry Date –18/12

Development Management– Delegated Officer Report

Application Number: AWDM/1801/17 Recommendation – Approve

Site: **27 Holmbush Way, Southwick, Brighton**

Proposal: **Application for non material amendment to approved application AWDM/1086/17 to change kitchen window from north to west elevation, replace bi-fold doors with French doors and side lights to north elevation, two roof lanterns.**

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a modest, semi-detached bungalow on a corner plot on the north side of Holmbush Way with Paythorne Close to the west. The street comprises of similar style bungalow many of which have been extended and altered. The ground level of the site increases from south to north.

The property is not in a conservation area and is not listed.

Proposal

Planning permission was granted on 29th August 2017 AWDM/1086/17 for a single storey rear elevation to the north elevation.

An application for a minor non material amendment to AWDM/1086/17 was made on 20th November 2017 to: -

Change kitchen window from north to west elevation, replace bi-fold doors with French doors and side lights to north elevation and add two roof lanterns.

Representations

None

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 footprint of the building remains the same as permitted under AWDM/1086/17. The original consent showed a single roof lantern. The amendment shows two, pyramid style lanterns. Also shown in place of permitted bifold doors to the rear elevation are French doors. The kitchen window was shown on the permitted plans as being to the rear, north. The current plans show it on the side elevation facing west.

Taking on board the original scheme and its impact upon the surrounding locality, the changes proposed are considered to be minor and in this case will result in no significant adverse impact upon neighbours or street scene. Neighbours have been notified in this case this was considered necessary due to the slight increased scale of the roof lanterns and the window moving to the western elevation. No impact is considered significant.

Recommendation

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

New Plans

EAD/0029/17/02 Rev C – received 20th Nov 2017

Old Plans

EAD/0029/17/02 Rev A – received 23rd August 2017

Is recommendation contrary to any representations? N

Case Officer signed: Hannah Barker Date: 15th December 2017

Authorised and signed by: Gary Peck Date: 18 December 2017