AWDM/1759/23 – Non-Material Amendment

Site and Proposal

This NMA application relates to the site of the demolished Adur Civic Centre, at the prominent road junction of Brighton Road, Ham Road and Eastern Avenue with a frontage onto each street. Redevelopment works are in progress to construct 159 dwellings in two approved apartment blocks, with ground floor commercial space.

The proposed elevational changes listed below are requested for the following reasons stated in the application:

> '*Changes are a result of technical design development to ensure building regulation compliance, a developed and submitted shop front Design Code, to ensure robust wall junctions to prevent sound transfer and condensation (namely to window spandrel positions), and to meet recent Building Safety Regulator requirements.*'

Proposed Amendments:

i. Parapet height adjustment to reflect structural design development.

ii. Corner glazing amended to reflect structural design development.

iii. Projecting bay windows to Block A removed to reflect.

iv. Additional louvres included above commercial windows to reflect developed Design Code

v. Balcony position to Block B first floor revised to rationalise elevation configuration.

vi. Ground floor ancillary door positions revised to suit Building Regulation compliance

vii. Ground floor residential entry positions revised to suit Building Regulation/ Fire Strategy compliance

viii. Window spandrel panels removed and replaced with recessed brickwork for improved acoustic and thermal robustness

Planning History:

AWDM/1450/21/ 159 dwellings & Commercial Space etc**. Approved April 2023**

AWDM/1024/23/ S.73 Minor Material Amendment increasing dwellings to 587no and amended commercial floorspace etc. **Approved December 2023**

AWDM/0873/24 S.73 Application to vary conditions 1 & 27 AWDM/1450/21 (Also rewording of conditions 3, 4, 5, 7, 8, 10, 16, 17, 19 26, 31, 32, 35, 36 & 37 to reflect other detailed matters already approved).
Approved January 2025 (following Committee resolution September 2024)

AWDM/0873/24 s.73 Application to vary condition 1 AWDM/1450/21to incorporate amendment of roof design for the 8-9 storey tower section of block b to replace approved pitched roof with a flat roof.
Refused October 2024 (following Committee resolution September 2024)

Relevant Planning Policies and Guidance

Adur Local Plan 2017: Relevant policies include 1, 15, 16, 17, 18, 19, 29
National Planning Policy Framework - NPPF (December 2023)
Sustainable Energy SPD (August 2019)

Relevant Legislation

Section 96A of the Act allows a non-material amendment to be made via application. There is no statutory definition of 'non-material', which depends on the nature and context of a particular development. The NPPG advises regard to the effect of the change, together with any previous changes made under s.96A

Although it is not an application for planning permission and therefore s.38 (6) of the Planning Act 2004 does not apply it is material to consider the extent to which the proposed amendments comply with the Development Plan policies

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) states: indicates In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Assessment

The table of drawings in the Appendix below identifies in red, those which have not already received approval, either via the Approval of Conditions approval AWDM/0354/24, which included large scale detailed design drawings under condition 4, and two floor plans – the ground floor, which includes the recently approved sub-station within the internal courtyard, and the roof plan, which shows the arrays of solar panels on the pitched and flat roofs of Block A and the pitched roofs of Block B.

The two detailed drawings not yet approved are: D-A-6305A P1 and D-A-6322A P1. These show a window cross section at 2nd floor level, similar to those already approved elsewhere, for instance, showing the recessed frame, surrounding brickwork and cill. The other drawings shows a cross section balcony detail for the western elevation of Block A. This is also similar to other approved balconies under AWDM/0354/24 condition 4, the surface water pipe from the floor is behind the soffit, as in other instances. These two drawings can be approved.

Elevational Changes

Block A.

The height of the central pitched roof is increased by approximately 0.6m and the wider parapet of the flat roof part of the five storey part of the building by 0.8m (slightly less at the third-fourth floor sections). This is required in order to allow for floor and ceiling services, such as ventilation systems to be run within ceiling / floor voids, whilst maintaining internal ceiling

heights. These changes equate to approximately 3% and 5% of the approved height of the tallest parts of the building. The main perceived difference will be the amount of brickwork above the windows at the fifth floor, which slightly increases the visual heaviness here and at lower floors but is considered to be relatively minor. The lesser increase to the pitched roof sections in the centre of the building is more localised. Neither change is likely to increase the overall perception of the building from neighbours to the south or west,. including the immediate neighbours,the public house and its garden and Mercury Court.

A daylight & sunlight assessment has examined the impact of the changes to both blocks A & B upon neighbouring dwellings, including Mercury House and Pashley Court to the west, and Glyndebourne Court further along Ham Road; also dwellings to the south and west of Brighton Road.

By comparison with the approved plans the differences in daylight at Mercury house are between 6-10%; one second floor window is affected by 24% but this is not a single aspect room. There is no change in sunlight to the majority of windows; some experience a 4% reduction, which is within the recommended change, which retains 0.8 / 80% of the original sunlight value.

At Pashley Court and Glyndebourne Court there is no difference in daylight or sunlight.. The difference at apartments in Brighton Road to the south is around 2% sunlight is not tested here due to their north-facing aspect towards the application site.

Corner balconies are amended by the removal of corner columns, which increases the outlook from approved windows and makes these more clearly visible. At ground floor this change is echoed by increasing the width of glazing to the block A commercial unit fronting Brighton Road. In a few places, the brickwork intervals between ground floor windows is amended but the overall amount of glazing is broadly similar, and now includes upper vents, the details of which are governed, as part of the agreed shopfronts design guide under planning condition.

Conversely, at upper floors, some glazed corners are now shown to be conventional windows, framed by brickwork corners for structural reasons, but which is a negative change in design, along with the removal of two bay windows from the southern elevation for thermal but also stated design reasons. In the internal courtyard, a column of upper windows is shortened , in order to allow for internal room configurations. At ground floor separate glazed doorways replace a single wide expanse of glass, in order to meet fire safety requirements, which also affects design distinctiveness, albeit not visible from the wider public realm. The running of rainwater pipes in a few locations, follows straight vertical lines and columns between balconies and windows, which is considered to be a reasonably minor impact.

Upper windows are now divided a little differently, which slightly weakens their vertical proportion

Block B

At block B the height increases are in the order of 0.45m for part of the flat roof parapet and the pitched roof of the nine-storey tower. Elsewhere the increase is approximately 0.6m for parts of the sixth and seventh floor pitched roofs. These changes are also relatively minor as a proportion of the approved building. The slightly greater prominence of the pitched roofs at floors 6 & 7, with their approved contrasted materials against the brickwork of the main structure, slightly accentuates their contribution to the overall design. These changes are unlikely to increase the overall perception of the building from neighbours. Their impact on neighbouring daylight is considered in the daylight-sunlight assessment (above).

As for block A, corner balcony columns are removed, which creates a lighter appearance, but some upper corner windows now have solid corners.

Other changes are similar to those at Block A: ground floor revised positions for brickwork columns between commercial windows, (which allows for the placing of vertical drain pipes); minor internal courtyard door changes and amended divisions of upper windows.

In Ham Road, a series of metal spandrels are removed from a column of glazing next to the vehicular access and windows are shortened for internal roof configuration and stated thermal / acoustic efficiency, although they appear to remain at the corner of some balconies (e.g. north elevation of courtyard). Decorative brickwork was requested in place of lost spandrels but the plans do not indicate this (plain brickwork is therefore assumed).

Four spandrels are also removed from the main elevation to Eastern Avenue, in favour of brickwork, which reduces a note of visual interest.

In summary of these changes, the amended corner balconies are considered a positive change, which creates a more lightweight appearance at the tall corner of the two buildings. The slightly taller pitched roofs also accentuate this architectural theme, the re-positioning of ground floor brick columns allows for straight drain-pipe runs, which minimises the visual impact of these functional necessities.

Some changes are negative, the loss of some glazed corners, spandrels and bay windows, but these are fairly small changes. In consideration of Government guidance (NPPF, 2024 para 140), these are regrettable design dilution but not materially diminishing of overall quality, particularly when set alongside other positive changes or the relationship of the development to the nearby Conservation Area.

In conclusion, the non-material amendment application can be supported.

Case Officer: Stephen Cantwell Date: 12th June 2025

Authorised by: Gary Peck Date: 12 June 2025

List of Drawings for Decision Notice.

Proposed

Elevations

D-A-PL42 REV P6	Elevations Block A Sheet 1
D-A-PL43 REV P6	Elevations Block A Sheet 2
D-A-PL44 REV P6	Elevations Block B Sheet 1
D-A-PL45 REV P6	Elevations Block B Sheet 2

Floor Plans

D-A-PL10 REV P8	Proposed Ground Floor Plan
D-A-PL11 REV P8	Proposed First Floor Plan
D-A-PL12 REV P7	Proposed Second Floor Plan
D-A-PL13 REV P8	Proposed Third Floor Plan
D-A-PL14 REV P8	Proposed Fourth Floor Plan
D-A-PL15 REV P8	Proposed Fifth Floor Plan
D-A-PL16 REV P9	Proposed Sixth Floor Plan
D-A-PL17 REV P8	Proposed Seventh Floor Plan

D-A-PL18 REV P8	Proposed Eighth Floor Plan
D-A-PL19 REV P6	Proposed Roof Plan

Other Details (not already approved under AWDM/0873/24 or AWDM/0354/24)

D-A-6305A P1	Typical Window Heads & Cill at 2nd Floor in Brick Wall
D-A-6322A P1	Typical Block A 1st Floor Perimeter In Clad Wall over Open Space

Existing (from ADWM/1024/23)

Elevations

D-A-PL42 REV P4	Block A E & W Elevations
D-A-PL43 REV P4	Block A N & S Elevations
D-A-PL44 REV P4	Block B E & W Elevations
D-A-PL45 REV P4	Block B N & S Elevations

Floor Plans

D-A-PL10 REV P6	Proposed Ground Floor Plan
D-A-PL11 REV P6	Proposed First Floor Plan
D-A-PL12 REV P5	Proposed Second Floor Plan
D-A-PL13 REV P6	Proposed Third Floor Plan
D-A-PL14 REV P6	Proposed Fourth Floor Plan
D-A-PL15 REV P6	Proposed Fifth Floor Plan
D-A-PL16 REV P7	Proposed Sixth Floor Plan
D-A-PL17 REV P6	Proposed Seventh Floor Plan
D-A-PL18 REV P6	Proposed Eighth Floor Plan
D-A-PL19 REV P4	Proposed Roof Plan

Appendix

Table of Drawings (Amended Plans 1st May & 4th July 2024)

Y = Approved
Red = Drawings not previously approved.

Submitted		Approved	Approved	
1759/23 NMA		0873/24 S.73	0354/24 AoC	
Floor Plans				
G	D-A-PL10 REV P8	Y		
1	D-A-PL11 REV P8	P6		
2	D-A-PL12 REV P7	P5		
3	D-A-PL13 REV P8	P6		
4	D-A-PL14 REV P8	P6		
5	D-A-PL15 REV P8	P6		
6	D-A-PL16 REV P9	P7		
7	D-A-PL17 REV P8	P6		
8	D-A-PL18 REV P8	P6		
Roof	D-A-PL19 REV P6	Y		
Elevations				
Block A Sheet 1	D-A-PL42 REV P6	P4		
Block A Sheet 2	D-A-PL43 REV P6	P4		
Block B Sheet 1	D-A-PL44 REV P6	P4		
Block B Sheet 2	D-A-PL45 REV P6	P4		
Other (Detailed Drawings)				
COMMERCIAL UNITS:TYPICAL CURTAIN WALL CILL WITH DOUBLE DPC	D-A-6101A P1		Y	
COMMERCIAL UNITS:TYPICAL DOOR CILL WITH DOUBLE DPC	D-A-6102A P1		Y	
COMMUNAL:TYPICAL GF SIDELIGHT CILL WITH DOUBLE DPC	D-A-6103A P1		Y	
ANCILLARY:TYPICAL LOUVRED DOOR CILL WITH DOUBLE DPC	D-A-6106A P1		Y	
PITCHED ROOF EAVES	D-A-6200A P1		Y	
PITCHED ROOF VALLEY GUTTER	D-A-6201A P1		Y	
PITCHED ROOF VALLEY GUTTER HOPPER OUTLET	D-A-6202A P1		Y	
TYPICAL TERRACE PARAPET	D-A-6203A P1		Y	
TYPICAL TERRACE DOOR THRESHOLD	D-A-6205A P1		Y	
LONG SECTION THROUGH TYPICAL ACCESS HATCH IN 225MM THK FLAT ROOF SLAB	D-A-6206A P1		Y	
CROSS SECTION THROUGH TYPICAL ACCESS HATCH IN 225MM THK FLAT ROOF SLAB	D-A-6207A P1		Y	
CROSS SECTION THROUGH TYPICAL 1.0M2 AOV IN 225MM THK FLAT ROOF SLAB	D-A-6208A P1		Y	

LOW TERRACE PARAPET WITH GUARDING	D-A-6215A P1		Y	
BLOCK B LEVEL 06 TERRACED FLAT ROOF TO SLOPING ROOF EAVES JUNCTION	D-A-6218A P1		Y	
BLOCK B RECESSED BALCONY SOFFIT	D-A-6229A P1		Y	
TYPICAL BLOCK A 1ST FLR WINDOW CILL OVER COMMERCIAL UNITS DOOR HEAD	D-A-6303A P1		Y	
TYPICAL WINDOW HEAD& CILL AT 2ND FLR IN BRICK WALL	D-A-6305A P1			
TYPICAL WINDOW HEAD & CILL AT UPPER FLOOR PERIMETER IN CLAD WALL	D-A-6310A P1		Y	
TYPICAL BLOCK A FLOOR PERIMETER TO BRICK WALL OVER OPEN SPACE	D-A-6317A P1		Y	
TYPICAL BLOCK A 1ST FLR PERIMETER IN CLAD WALL OVER OPEN SPACE	D-A-6322A P1			
TYPICAL WINDOW OVER RECESSED BRICK PANEL SECTION	D-A-6332A P1		Y	
TYPICAL BLOCK A 1ST FLR WINDOW CILL OVER COMMUNAL DOOR HEAD	D-A-6340A P1		Y	
TYPICAL BLOCK A 1ST FLR BOLT-ON BALCONY DOOR CILL IN BRICK WALL OVER COMMUNAL DOOR HEAD	D-A-6501A P1		Y	
TYPICAL BLOCK A BOLT-ON BALCONY DOOR CILL IN CLAD WALL OVER OPEN SPACE	D-A-6504A P1		Y	
TYPICAL UPPER FLOOR BOLT-ON BALCONY IN BRICK WALL	D-A-6508A P1		Y	
TYPICAL IN-SITU BALCONY (1.575m DEEP) AT 2ND FLOOR	D-A-6510A P1		Y	
TYPICAL IN-SITU BALCONY DOOR CILL AT 2ND FLOOR	D-A-6511A P1		Y	
TYPICAL IN-SITU BALCONY WITH ALTERNATIVE FACING	D-A-6514A P1		Y	
TYPICAL BLOCK A 1ST FLR BALCONY DOOR CILL IN BRICK WALL OVER OPEN SPACE	D-A-6516A P1		Y	
STANDING SEAM CLAD BALCONY SCREEN SECTION	D-A-6519A P1		Y	
BLOCK B RECESSED BALCONY OVER COMMERCIAL UNIT SECTION	D-A-6525A P1		Y	
BLOCK B, PLOT B-01-02 1ST FLR BALCONY IN BRICK WALL OVER COMMERCIAL SECTIONS	D-A-6532A P1		Y	

The following, which are held on this file, are copied from AWDM/0354/24 (Condition 4 Design Details). These are not included in the consideration of this NMA application/

DCPLAN	D-A-6519A P1	STANDING SEAM CLAD BALCONY SCREEN SECTION	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6201A P1	PITCHED ROOF VALLEY GUTTER	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6218A P1	BLOCK B LEVEL 06 TERRACED FLAT ROOF TO SLOPING ROOF EAVES JUNCTION	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6510A P1	TYPICAL IN-SITU BALCONY (1.575m DEEP) AT 2ND FLOOR	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6516A P1	TYPICAL BLOCK A 1ST FLR BALCONY DOOR CILL IN BRICK WALL OVER OPEN SPACE	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6340A P1	TYPICAL BLOCK A 1ST FLR WINDOW CILL OVER COMMUNAL DOOR HEAD	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6322A P1	TYPICAL BLOCK A 1ST FLR PERIMETER IN CLAD WALL OVER OPEN SPACE	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6508A P1	TYPICAL UPPER FLOOR BOLT-ON BALCONY IN BRICK WALL	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6501A P1	TYPICAL BLOCK A 1ST FLR BOLT-ON BALCONY DOOR CILL IN BRICK WALL OVER COMMUNAL DOOR HEAD	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6525A P1	BLOCK B RECESSED BALCONY OVER COMMERCIAL UNIT SECTION	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6514A P1	TYPICAL IN-SITU BALCONY WITH ALTERNATIVE FACING	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6332A P1	TYPICAL WINDOW OVER RECESSED BRICK PANEL SECTION	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6229A P1	BLOCK B RECESSED BALCONY SOFFIT	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6106A P1	ANCILLARY:TYPICAL LOUVRED DOOR CILL WITH DOUBLE DPC	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6203A P1	TYPICAL TERRACE PARAPET	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6504A P1	TYPICAL BLOCK A BOLT-ON BALCONY DOOR CILL IN CLAD WALL OVER OPEN SPACE	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6305A P1	TYPICAL WINDOW HEAD& CILL AT 2ND FLR IN BRICK WALL	AWDM/1759/23	000060035637	04/07/2024
DCPLAN	D-A-6317A P1	TYPICAL BLOCK A FLOOR PERIMETER TO BRICK WALL OVER OPEN SPACE	AWDM/1759/23	000060035637	04/07/202
DCPLAN	D-A-6205A P1	TYPICAL TERRACE DOOR THRESHOLD	AWDM/1759/23	000060035637	04/07/202
DCPLAN	D-A-6215A P1	LOW TERRACE PARAPET WITH GUARDING	AWDM/1759/23	000060035637	04/07/202

22.087-HGP-01-XX-D-A-PL42!P6!Block A Elevations - Sheet 1 01/05/2024 15:02
22.087-HGP-01-XX-D-A-PL43!P6!Block A Elevations - Sheet 2 01/05/2024 15:02
22.087-HGP-02-XX-D-A-PL44!P6!Block B Elevations - Sheet 1 01/05/2024 15:02
22.087-HGP-02-XX-D-A-PL45!P6!Block B Elevations - Sheet 2 01/05/2024 15:02
22.087-HGP-XX-00-D-A-PL10!P8!GA Ground Floor Plan 01/05/2024 15:02
22.087-HGP-XX-01-D-A-PL11!P8!GA First Floor Plan 01/05/2024 15:02
22.087-HGP-XX-02-D-A-PL12!P7!GA Second Floor Plan 01/05/2024 15:02
22.087-HGP-XX-03-D-A-PL13!P8!GA Third Floor Plan 01/05/2024 15:02
22.087-HGP-XX-04-D-A-PL14!P8!GA Fourth Floor Plan 01/05/2024 15:02
22.087-HGP-XX-05-D-A-PL15!P8!GA Fifth Floor Plan 01/05/2024 15:02
22.087-HGP-XX-06-D-A-PL16!P9!GA Sixth Floor Plan 01/05/2024 15:02
22.087-HGP-XX-07-D-A-PL17!P8!GA Seventh Floor Plan 01/05/2024 15:02
22.087-HGP-XX-08-D-A-PL18!P8!GA Eighth Floor Plan 01/05/2024 15:02
22.087-HGP-XX-09-D-A-PL19!P6!GA Roof Plan 01/05/2024 15:02