Development Management – Delegated Officer Report

Application Number: AWDM/1330/24 Recommendation: Approve

Site: Land At 7 To 27 Albion Street, Southwick

Proposal: Non-material amendment to approved AWDM/1999/21 to remove 2no. green roofs to the south of the site

Date of Site Visit: Seen previously

Neighbours Checked: N/A

Additional neighbour notification: N/A

Proposal, Site and Surroundings:

This application relates to a development of 55 affordable flats within two blocks of 4-6 storeys in height which are currently under construction in Albion Street.

This application seeks approval for a non material amendment which is:

Removal of 2no. small areas of green roof at first floor level on buildings 1 and 2.

The position of the roofs means that they are overshadowed by the surrounding buildings and the plants die off regularly. They are to be removed and replaced with a grey single ply membrane, as used elsewhere on the building.

Planning History:

AWDM/1999/21 - Demolition of 11-27 Albion Street and redevelopment to provide a total of 55 affordable flats within two blocks of 4-6 storeys in height and the refurbishment of 7-9 Albion Street, with 31 parking spaces. Application to vary condition 1 (Approved plans) of AWDM/0954/18 to remove windows and add aluminium panels on east elevation; adjust position of building to be further from eastern boundary; add lift overrun, smoke shaft and vents to roof; amend car parking layout; changes to internal layout with associated changes to fenestration; addition of brise soleil to west elevation

Consultations:

None

Representations

N/A

Relevant Planning Policies

Adur Local Plan 2017 Policies 1, 2, 3, 15, 18, 19, 20, 21, 22, 28, 30, 34, 36
'Supplementary Planning Guidance' comprising: Development Management Standard No.1 'Space Around New Dwellings and Flats'
Sustainable Energy SPD (August 2019)
Adur Planning and Climate Change Checklist (June 2021)
Planning Contributions for Infrastructure Provision (ADC 2013)
Lancing Vision 2012
WSCC Guidance on Parking at New Developments (Sept 2020).
National Planning Policy Framework (July 2021)
Technical Housing Standards – nationally described space standard (DCLG 2015)

Planning Assessment

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 local planning authority must be satisfied that the amendments sought are non-material. s96A also allows for changes to conditions:

Power to make non-material changes to planning permission

(1)A local planning authority ... may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2)In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

(3)The power conferred by subsection (1) includes power—

(a)to impose new conditions;

(b)to remove or alter existing conditions.

In this case, the proposed change is considered to be non material as it does not result in a material change to the character or appearance of the development or to residential amenity.

While there will be a reduction in the amount of sedum roof at first floor, the roof of both buildings will continue to contain significant areas of sedum and overall the impact is not significant.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:-

Drawing Nos 2403-CTZ-B1-01-DR-A-1020 Rev C1 and 2403-CTZ-B2-01-DR-A-1020 Rev C1 received 17 October 2024

…….. existing planning permission AWDM/1999/21 still stands and that the conditions imposed upon it continue to apply to the development except that the above plans can be substituted for Drawing Nos. 3176-LRA-B1-01-DR-A-1101 and 3176-LRA-B2-01-DR-A-1101

Case Officer: Peter Barnett Date: 4 November 2024

Authorised by: Louise Prew Date: 04/11/2024