Development Control – Delegated Officer Report

Application Number: AWDM/1340/19 Recommendation –APPROVE

Site: 75 Upper Brighton Road, Sompting, BN15 0JQ

Proposal: Application for Non-Material Amendment to previously approved AWDM/0040/19 for additional glazing to showroom entrance replacing cladding material.

Date of site visit: 01.08.2019

Neighbours checked: y

Additional neighbour notifications: N

Site and Surroundings

The application property is a vacant two storey building, comprising a ground-floor detached commercial lock-up unit and associated first floor, located on a prominent corner site with the A27 Upper Brighton Road to the north and Busticle Lane to the west. There are traffic lights located on this junction, the vehicular access into the site is off Busticle Lane and is situated very close to the traffic lights.

Proposal

Non-Material Amendment to approved additional glazing to the showroom entrance, by way of doubling the height of the glazing directly above the approved glazing on the ground floor position, positioned at the entrance to the unit.

(NB: The application also shows that there will be a change to the approved materials to all the elevations; however, this is not part of the current application for consideration but will need a separate application for variation of condition.)

Relevant Planning History:

AWDM/0040/19 Demolition of existing building and erection of a single storey building with photovoltaic panels on the roof, plus 10 car parking spaces for use as a showroom for mobility and care products.
Approved 07.05.2019

Consultations: None

Representations: None received

Relevant Planning Policies

Adur Local Plan Policy 15
National Planning Policy Framework (2019)
National Planning Practice Guidance

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.

Conclusion

Planning permission to replace the existing building on the site with a new single storey building (AWDM/0040/19) was approved in May 2019.

This application for a non-material amendment proposes to increase the height of the glazing above the approved glazing at the entrance to the proposed new unit.

It is considered that the additional glazing would be an improvement on the built form, particularly in this location and will not result in any material harm to the neighbouring residential properties or the character and appearance of the area in general.

Recommendation

APPROVE as the proposal would not have a material impact.

1. Drawing Numbers

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

Case Officer: Eve Hearsey Date: 10.09.2019

Authorised by: Peter Barnett Date: 10 September 2019