Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1105/13

Site: **8 Upton Avenue**

Proposal: **Proposed wide step at the top of the steps for egress from the rear extension (Non-material amendment to approved application AWDM/0532/13)**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

Application for non-material amendment for slightly wider top steps to two sets of steps that access the garden.

The application property is a detached bungalow with a hipped tiled roof and rendered walls. There is a substantial fall in the level of the land, hence the necessity for external steps at the rear of the proposal extension.

Relevant Planning History

AWDM/0532/13
Re-submission of AWDM/0411/13 for a single storey extension with external steps
Approved 26-06-2013

Consultations
None

Representations
None

Relevant Planning Policies
N/A

Planning Assessment

Principle

A provision to provide a mechanism to make non-material amendments to planning permissions was introduced via Section 190 of the Planning Act 2008, which inserts Section 96A into the town and Country Planning Act 1990.

There is no statutory definition of what 'non-material' is. This is because it is so dependent on the context of the particular scheme, what may be non-material in one context may be material in another. In order to grant an application an LPA must be satisfied that the amendment sought is non-material.

In assessing an application for a non-material amendment the Government's guidance in 'Greater Flexibility for Planning Permissions' states that the LPA must have regard to the effect of the change, together with any previous changes made under s96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. No such neighbour consultations were undertaken in this case.

Condition 2 of AWDM/0532/13 requires that the development be commenced in accordance with the approved plans.

The proposed amendment to the scheme would result in an extremely marginal differing appearance to the previously approved extension, and the elevation that would change is one that is concealed from public view. The public perception of the development would remain unchanged from what was previously approved.

The slightly widened top steps would not allow for standing and seating so the resultant impact of the development on the residential amenities of neighbours would not be adverse.

Recommendation

That the application for the non-material amendment be APPROVED.

Reason

The works proposed would not materially alter the visual appearance of the building from what was previously approved and, consequently, would not have a materially different impact on the established character and appearance of the street scene from what was previously approved.

The proposed amendments to the scheme would result in an equivalent quality of design that would relate satisfactorily to the host building.

The development would have a lesser impact on the amenities of the neighbour to the north than the approved scheme.

It is therefore considered that both of the above are factors that should be considered under the provisions of s.96A of the Act.

Case Officer signed: Matthew Porter Date: 20-09-2013

Authorised and signed by: Peter Barnett Date: 20 September 2013