Expiry Date – 30/7

Development Control – Delegated Officer Report

Application Number: AWDM/0911/14 Recommendation – Approve

Site: 6 St Marks Crescent , Sompting

Proposal: **Replace existing conservatory with single storey rear and side extension (non material amendment to AWDM/1112/13 involving increased width of French doors in rear elevation, amended rear door level and installation of 2 no. rooflights in rear roofslope of extension.**

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

This application relates to detached bungalow on the east side of St Marks Crescent.

An application for a minor non material amendment to AWDM/1112/13 was made on 2nd July 2014 for:-

- Increased width of French doors on rear elevation
- Amended rear door level and
- Installation of 2 no. rooflights in rear roof slope of extension.

Relevant Planning History

AWDM/1112/13 – Replace existing conservatory with single storey rear and side extension. Granted 28/10/13

Consultations

None.

Representations

Nos. 4 and 8 St Marks Crescent and 77 and 78 Western Road consulted. No responses received.

Sompting Parish Council – supports the application.

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 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 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.

Condition 2 of AWDM/1112/13 requires the development to be commenced in accordance with the approved drawings. The applicant would like to alter the appearance of the house by widening French doors in the rear elevation of the extension and increasing the threshold height of the door and by adding 2 no. rooflights to the rear roofslope. Neighbours have been consulted and no responses have been received.

The impact of these changes is negligible and will have no greater impact on any neighbour or significantly impact on the appearance of the approved scheme.
The guidance contained in 'Greater Flexibility for Planning Permissions' makes it clear that where a change is non-material, s.96A allows new conditions to be imposed, or existing conditions to be removed or altered.

RECOMMENDATION

That the application for the non material amendment be approved.

Is recommendation contrary to any representations? N

Case Officer signed: MOK Date: 24.7.14

Authorised and signed by: PD Date: 24.7.14