Development Management – Delegated Officer Report

Application Number: AWDM/1455/24 Recommendation: Approve

Site: Land At 68 And South Of 68 To 86 Manor Hall Road, Southwick

Proposal: Application for a Non-Material Amendment to previously approved AWDM/0585/22. Amendment: Change to external material for entrance porches & removal of louvres from windows

Date of Site Visit: 12 December 2024

Neighbours Checked: N/A

Additional neighbour notification: N/A

Proposal, Site and Surroundings:

This application relates to a development of 22 dwellings on land south of Manor Hall Road and adjacent to Park Way, a cul-de-sac leading to Eastbrook Primary School to the west of the site. The site previously contained a primary school before it amalgamated with the larger school site to the east to form Eastbrook Primary Academy. The school closed on the site in 2013 and was then demolished as the County Council declared the site surplus to educational requirements.

Work on site is well advanced and nearing completion.

This application seeks approval for non material amendments which are (as described on the application form):

Entrance Porch.
The planning approved porch scheme was designed to be clad in painted black timber battens. The thin timber battens are an ongoing maintenance issue for residents. The black paint over time will fade and peel and need painting to keep looking fresh. The battens will also have a life span that will require replacement it 20 years. In addition, the timber battens pose a fire hazard and in the current UK building regulation reform we feel it is not an acceptable solution to have bolted onto a habitable building. The proposed change to factory finished polyester aluminium porches require no ongoing maintenance for residents and are totally non-combustible. They are contemporary in design and are in keeping with the original design being flat roofed with side panels colour matched to suit the grey building feature windows and rain water goods.

Window Security Screens.
At the time of the planning application new Building Regulations Part O & F were coming into force. The planning approved scheme allowed for window security shutters on the ground floor for potential overheating to allow residents to keep the ground floor windows open at nighttime for purge ventilation. We have concluded the

overheating building models and all ground floor windows are not required for Part O compliance being left open at nighttime. The first floor bedroom windows pose no security risk when left open at nighttime. We strongly feel that the security shutters would have a detrimental effect on the residents living standards with internal views out of the windows similar to a custodial establishment. The timber clad security shutters pose a fire hazard and in the current UK building regulation reform we feel it is not an acceptable solution to have bolted onto a habitable building.

Planning History:

AWDM/0585/22- Erection of 22 residential units, with associated landscaping and access arrangements.

AWDM/1328/23 - Approval of Details Reserved by Conditions 7 (Ecological Protection & Enhancement Plan), 8 (Drainage), 9 (Drainage management) and 18 (Construction Management Plan) of Application AWDM/0585/22 - pending

AWDM/0073/24 - Approval of Details Reserved by Condition 3 (external materials) of Application No AWDM/0585/22 – approved

AWDM/1358/24 - Approval of Details Reserved by Condition 3 (external materials, specifically PV panels) of Application AWDM/0585/22 – pending

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 (Dec 2024)
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 changes to the porches and windows are acceptable amendments which do not result in a material change to the character or appearance of the development or to residential amenity.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans.

Case Officer: Peter Barnett Date: 17 December 2024

Authorised by: Louise Prew Date: 18/12/2024