Development Management – Delegated Officer Report

Application Number: AWDM/1781/22 Recommendation: APPROVE

Site: 25 St James Avenue, Lancing, West Sussex

Proposal: Non material amendment to approved AWDM/0921/20 for French style windows to master bedroom with glass Juliet balcony. Rear first floor windows to be two pane and roof lantern omitted from single storey rear extension.

Date of Site Visit: site visit when considering AWDM/0921/20

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

Consent was granted under AWDM/0921/20 for rooms in roof including raising of the roof ridge with part gable ends, pitched roof dormers, windows, juliette balcony with single storey rear extension. The current application seeks a non material amendment to the original consent. This includes the roof lantern removed from the single storey extension, changes to the glazing design of the first floor windows and a juliet balcony proposed on the rear elevation.

Representations: - none received

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

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 are considered to be non material as they do not result in a material change to the character or appearance of the development or to residential amenity.

The removal of the roof lantern and changes to the glazing within the permitted works will not result in any impact. The proposed juliet balcony is in place of a rear window and although larger it will not alter the impact of the development from that which has already been permitted in terms of visual or residential amenity and can therefore be supported.

Recommendation

APPROVE the non material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise: -EXTG & PROPOSED PLANS amended 20/10/22 - received 4th November 2022

….existing planning permission AWDM/0921/20 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 No. EXTG & PROPOSED PLANS & ELEVATIONS Drg GOO/02/20 Revised - received 26th August 2020.

Is recommendation contrary to letter(s) of representation N

Case Officer: Hannah Barker Date: 29th November 2022

Authorised by: Peter Barnett Date: 29 November 2022