Development Management – Delegated Officer Report

Application Number: AWDM/1488/17 Recommendation – Approve

Site: **53 Downside, Shoreham-by-Sea, BN43 6HF**

Proposal: **Application for non-material amendment following grant of planning permission AWDM/1602/15. Amendment: Relocation of front door**

Date of Site Visit: n/a

Site and Surroundings

The application property is a detached bungalow which has been extended by way of an unsightly side dormer. The building is part render, part exposed brick walls. There is an existing flat roof garage attached to its side. The surrounding area is residential in its character.

The land level of the application site drops from the highway so the buildings are set slightly lower than the highway.

Permission was granted under reference AWDM/1602/15 for a single-storey side extension and roof extension to raise ridge and form gable ends with rear dormer.

Proposal

The current application is for a non material amendment to AWDM/1602/15, to relocate the front door from the front centre to the front side.

Representations: None

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 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.

The relocation of the front door from the front centre to the front side is considered to be Non-Material to the approved development.

Recommendation

The works proposed would not materially alter the visual appearance of the building from what was previously approved and nor would it alter the use and function of the building. Consequently, the relocated front door would not have a materially different impact on the established character and appearance of the street scene or residential amenities from what was previously approved.

The proposed amendment to the scheme would result in an equivalent quality of design that would relate satisfactorily to the established character and appearance of the street scene.

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

Approve as the proposal will not materially change the proposal or its impacts.

Proposed Plans

Proposed Floor and Window Alterations. Drawing No. EAD/0021/17/A/03 Revision A Received 17.11.2017

Proposed Elevations Drawing No. EAD/0021/17/A/04 Revision A Received 17.11.2017

Approved Plans

Proposed Floor and Window Alterations. Drawing No. EAD/0021/17/A/03 Revision A Received 17.11.2017

Proposed Elevations Drawing No. EAD/0021/17/A/04 Revision A Received 17.11.2017

Is recommendation contrary to any representations? N

Case Officer signed:	Eve Hearsey	Date: 17.11.2017
Authorised and signed by:	Peter Barnett	Date: 17 November 2017