Development Control – Delegated Officer Report

Application Number: **Recommendation – APPROVE**
AWDM/1466/13

Site: **1 Downside Close Shoreham**

Proposal: **Non-material amendment to AWDM/0230/12 to increase the size of the front dormer (Retrospective)**

Neighbours checked: Y
Additional neighbour notifications: N

Proposal, Site and Surroundings

Application for non-material amendment for a larger front dormer (200mm higher, 100mm longer, and 700mm wider) than what was approved. The window of the dormer has also been built in a different position relative to the ground floor window underneath.

The application property is a semi-detached bungalow with a single storey gabled front protrusion.

A front dormer roof extension has been built out but not in accordance with that approved under AWDM/0230/12

Relevant Planning History

AWDM/0230/12
Front dormer roof extension and rear single storey extension
Approved Conditionally 05.04.2012

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/0230/12 requires that the development be commenced in accordance with the approved plans.

The proposed amendment to the scheme would result in a marginal differing appearance to the previously approved extension; the parameters of the front dormer being slightly larger than the one approved. Despite this increase in the size, the public perception of the development would be only materially different compared with what was previously approved. The shift in window positioned is equally marginally different.

Since the front dormer is physically removed from neighbour's windows the resultant impact of the adjusted development on their residential amenities 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 development would have an equivalent impact on the amenities of the neighbours compared with 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: 23-12-2013

Authorised and signed by: Peter Barnett Date: 23 December 2013