Development Management – Delegated Officer Report

Application Number: AWDM/0079/23 Recommendation: Approve

Site: Land North Of 1 To 28 The Haven, Brighton Road, Lancing

Proposal: Non Material Amendment to approved AWDM/0384/22 for changes to:
A. Front Elevation:
1. Minor realignment of front elevation walls to units B & F for buildability reasons.
2. Amended bay window width to accommodate new disabled WC and relocation of kitchen to ground gloor front elevation.
3. Ground floor front elevation taller windows doors replaced with shorter windows and 1metre brick apron to accommodate kitchen move to front elevation
4. Front roof lights positions amended to accommodate en suite shower rooms.
5. Corbelled brick band at head of ground floor brickwork omitted to simplify design.
B. Rear Elevation
6. Ground floor slide fold doors opening width amendment 4.2 to 3.2 mtrs with 3 no glazed door units. Solar gain issues and buildability.
7. Roof dormer window widths increased to allow for Building Regulation insulation standards and structure requirements. Window sizes not amended
8. Rear GF retractable sun canopies added to address solar gain issues.
9. First floor windows minor position adjustments to accommodate bathrooms layouts.
C Side Elevation
10. Unit G side door entrance ground floor moved back from front corner to accommodate new kitchen layout with side window omitted.
D. Landscape
11. Ground level for housing reduced 150 millimetres with Datum of 5.4 in lieu of 5.55 as originally stated on landscape proposals. This maintains floor to ceiling heights as result of structural deeper floor zones.
12. Boundary entry to Unit A and B combined to accommodate lamppost legal maintenance zone.

Date of Site Visit: Seen previously

Neighbours Checked: N/A

Additional neighbour notification: N/A

Proposal, Site and Surroundings:

This application relates to two areas of open space fronting the A259 Brighton Road, separated by an existing vehicular access and driveway serving The Haven.

Planning permission was granted under AWDM/0384/22 for 7no. two storey 3 bed terraced dwellings with accommodation within the roofspace served by small rear dormers and rooflights. That permission followed an earlier approval, granted on appeal, for 9 flats (AWDM/0063/20).

This application seeks approval for several non material amendments to the 2022 scheme which are set out in the description.

Planning History:

As above

Consultations:

N/A

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 (July 2021)
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 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.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:-

Drawing Nos 300A, 310A, 311A, 312A, 313A, 320A, 321A, 322A, 323A, 325A received 8 February 2023

…….. existing planning permission AWDM/0384/22 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 Nos. 03-01H, 03-02F received 5 May 2022 and 02-01 Rev I and 02-02 Rev D received 18 March 2022

Case Officer: Peter Barnett Date: 2 March 2023

Authorised by: Gary Peck Date: 2 March 2023