Development Management – Delegated Officer Report

Application Number: AWDM/0857/22 Recommendation: APPROVE

Site: 35 The Avenue, Shoreham-By-Sea

Proposal: Application for a Non-Material Amendment of previously approved AWDM/0304/21 to remove the side extension to the East Elevation and replace with two windows.

Site Visit: Visit when assessing AWDM/0304/21

Proposal, Site and Surroundings

The application site relates to a detached chalet bungalow on the north side of The Avenue almost opposite the junction with Buckingham Avenue in the outer suburb of Shoreham.

The property is not in a conservation area and is not a listed building.

The property has previously been extended at the side and rear and into the roofspace. Rear garden access exists on the west side. The east side passageway is obstructed with fencing and a shed.

To the east is a two storey detached house with a deep ground floor extension on the common boundary beyond which is a conservatory. To the west another two storey semi detached house which has been extended at rear and side ground floor and into the roof.

Approved Scheme

Consent was permitted under AWDM/0304/21for a flat roof porch, single storey rear extension and a projecting mono pitched side extension on the east side with front and rear windows.

Proposed Amendments

The current application seeks to amend the previous consent by removing the east side single storey extension and inserting a full height window and high level window in this side elevation.

Representations

None

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.

In assessing applications for a non-material amendment the Government's National Planning Practice Guidance states that the local planning authority 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 this 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 principal issue is whether the proposal is non- material in nature that the changes are not of consequence, significance or substance.

Visual amenity

The removal of the side extension from the plans results in a reduction of footprint of the proposed building. Therefore no visual impact will result. Two side windows are proposed which face onto the side fence, these will not be visible within the street scene or surrounding locality.

Residential amenity

The changes will have no impact upon residential amenity. The building will be within its original footprint on the east side and the windows face onto the side fence.

Conclusion

The proposed amendments are considered to be non-material in nature and would not have any adverse impact on the visual or residential amenities of the area and are therefore acceptable.

Recommendation

APPROVE

Is recommendation contrary to letter(s) of representation N

Case Officer: Hannah Barker Date: 28th June 2022

Authorised by: Peter Barnett Date: 28 June 2002