Development Control – Delegated Officer Report

Application Number: AWDM/1254/13 Recommendation – APPROVE

Site: Unit 1 19 Peter Road Lancing Business Park Sompting

Proposal: Non-material amendment to doors, fenestration and internal layout of building permitted under AWDM/1358/12.

Date of Site Visit: 20.12.2013

Neighbours checked: N/A

Additional neighbour notifications: N/A

Proposal, Site and Surroundings

Planning permission was granted in January 2013 (AWDM/1358/12 refers) for the erection of a business/industrial/warehouse building with 44 car parking spaces in place of a previous fire damaged building.

Building works commenced in Aug 2013 and have recently been completed. A retrospective application to discharge the conditions of planning permission AWDM/1358/12 was received on 7 November 2013.

A retrospective application for a non material amendment has been made comprising:-

- Removal of the ground-floor perimeter external brick pier to create single plane elevations;
- Removal of g/f window in east elevation (secondary office no longer required);
- Inclusion of first-floor windows in north and east elevations (mezzanine floor to office);
- Omission of personnel door on south side;
- Enlarged roof light panels;
- Re-positioning of loading door on east elevation 2.6m to south.

Consultations:

Sompting Parish Council support the application.

Representations: None

Relevant Planning Policies:

S.38(6) of the Planning Act 2004 does not apply to the consideration of the application.

Planning Assessment

Section 96A of the Town and Country Planning Act 1990 allows a non-material amendment to be made to an existing planning permission.

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 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 s.96A. The discretion lies with the Local Planning Authority as to how and whether interested parties are notified of an application for a non material amendment. In this case, no consultations or notifications have been undertaken.

The Business Park is made up a wide variety of industrial and commercial building of differing scale and appearance. The original building built in the 1960s (and subsequently burnt down) formed one of three identical buildings on this side of Peter Road. However, the building approved under AWDM/1358/12 is larger in scale and differs in appearance to the remaining 2 buildings adjoining to the west. The omission of the brick piers to the plinth and changes to the fenestration have been carried out to suit the requirements of the future occupier but have had no material impact on the appearance of the building.

The position of the loading door on the east side has been shifted, but an amended swept path diagram shows large vehicle would still be able to enter the building and turn within the adjacent car park. There is an alternative loading door on the north side and the applicant has confirmed that the unit will be occupied as a whole by one tenant.

Recommendation

That the retrospective application for a Non Material Amendment as described above is approved.

Case Officer: Jo Morin Date: 20 Dec 2013

Authorising Officer: Peter Barnett Date: 23 December 2013