Development Management – Delegated Officer Report

Application Number: AWDM/0286/24 Recommendation: APPROVE

Site: 37 Adur Avenue, Shoreham-By-Sea, West Sussex

Proposal: Non materials amendment to approved AWDM/1253/23 for an additional rooflight to the front of the property.

Date of Site Visit: visited when assessing original application

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

Application for non-material amendment to add a roof light to the front roof slope in addition to the two roof lights already approved.

Consultations: - none

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.

The proposed amendment would result in a moderate change to the appearance of the building with the addition of a central rooflight between the two approved

rooflights each of equal size, matching in finish. There is not considered to be a material change in this case which would impact upon residential or visual amenity.

Recommendation

That the application for 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 could not have a materially different impact on the established character and appearance of the street scene from what was previously approved.

The proposed amendments 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 the above development should be considered under the provisions of s.96A of the Act.

Case Officer: Hannah Barker Date: 11th March 2024

Authorised by: Peter Barnett Date: 11 March 2024