Development Management – Delegated Officer Report

Application Number: AWDM/1719/16 Recommendation – APPROVE

Site: 5 The Lynchetts Shoreham-By-Sea

Proposal: Non-material amendment to AWDM/1259/15 for substitution of window instead of double doors and additional rooflight to front elevation of permitted extension.

Date of site visit: 22.09.15

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

Permission was granted in February 2016 (AWDM/1259/15 refers) to remove the existing rear conservatory and single garage at the property and build a single storey wrap around extension to incorporate a store to the side of the existing house with the rear part of the extension comprising of a utility room to the rear of the garage and a kitchen extension the full width of the existing house.

Proposal

The current application is a non-material amendment to the previously approved application. The proposals include changing the approved front double door serving the store to a window and inserting a rooflight to the front of the extension. The approved store is now to be a bedroom at the front of the proposed extension.

Representations:

No third party representations have been received.

Relevant Planning Policies

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AH7 and Appendix 11 'Supplementary Planning Guidance' comprising:
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Adur Submission Local Plan Policy 15 2016
National Planning Policy Framework (CLG 2012).

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 proposed additional bedroom is clearly ancillary to the domestic use of the dwelling as a whole a thus the change from the approved store to a bedroom is acceptable in principle.

The proposal results in a change to the front elevation of the extension which will be apparent in public views from the street. However the proposed alteration is not considered material on the basis that the new window opening is sympathetically proportioned and will not detract from the appearance of the dwelling or the visual amenities of the locality. Similarly, the introduction of the modest sized roof-light on the front roof-slope of the extension will have no material effect on its appearance.

The front of the extension will roughly align with the front elevation of the neighbouring house on lower ground to the east (No.4). However the aspect from the proposed new bedroom window will be to the north facing the street and will have no material impact on this neighbour in terms of privacy.

Recommendation

APPROVE the non material amendments in accordance with the application and accompanying plans

15530 – 15 Rev A – received 22nd Nov 2016
15530 – 10 Rev E – received 22nd Nov 2016
15530 – 11 Rev E – received 22nd Nov 2016

Please note that the existing planning permission AWDM/1259/15 still stands and that the conditions imposed upon it continue to apply to the development except that the plans can be substituted for: -

> Drawing no. 10 Rev D - Building as proposed Ground Floor Plan - received 15.01.16
> Drawing no. 11 Rev D - Building as proposed Scheme Drawing Elevations and Sections - received 15.01.16
> Drawing no. 15 Building as proposed Ground Floor Plan Revised rear extension to meet sewer exclusion zone requirements - received 15.01.16

Is recommendation contrary to letter(s) of representation? N

Case Officer: Hannah Barker Date: 12th December 2016

Authorised by: Jo Morin Date: 12.12.2016