Development Control – Delegated Officer Report

Application Number: AWDM/1864/16 Recommendation – APPROVE

Site: 25 Brighton Road, Lancing, BN15 8RJ

Proposal: Non-material amendment to approved application AWDM/0124/16 for alterations to permitted front porch and balcony

Date of site visit: 29.12.2016

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached, two storey dwelling house next to the busy main Worthing to Brighton Road, A259. Opposite the site, beyond the housing on that side, lies the beach and sea.

The detached dwelling has been much altered with conflicting extensions to the rear, and has low eaves to the main dwelling, with them abutting the front two storey bay window approx. two thirds up the window. The two storey bays (one either side of the frontage), terminate above the eaves by way of a flat roof.

Nearby there is a 3 storey block of flats to the east (Ariel Court) and a 10 storey high rise block of flats to the west (Milford Court), on raised land. However, other properties in the locality are generally two storey. Residential use predominates in the locality

Double yellow lines exist on the main road, on both the north and south side of the road. New development is taking place on the southern side of the road, i.e. the beach side.

The application dwelling lies forward of its neighbours, thereby making it visually prominent within the street scene. Approaching the site from the east, the single storey rear extension can be viewed, although the whole of the rear area of the site is screened by its neighbouring properties no.'s 27 and 29 which itself sits forward of Ariel Court, but not as forward as the application site. Although the property sits forward of its other neighbour, no. 23, it is not as visually dominant as viewed when travelling from the west.

Proposal

Planning permission has been gained for a single storey side extension, dormer windows and associated minor alterations under AWDM/1748/14, and this application seeks a non-material amendment to make some alterations to that permission.

The alterations are:-

A reduction in width of the front porch and a consequent reduction in the first floor balcony area and area of the glazing screen on the balcony section of the upper porch.

Relevant site history

AWDM/0124/16 Proposed one and two storey rear extensions. Proposed porch and first floor balcony to front elevations**. Approved 22.04.2016**

Consultations: None undertaken.

Representations: None received.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH7
Development Control Standard No.3 'Extensions and Alterations to Dwellings'
Submission Adur Local Plan 2016: Policy 15
National Planning Policy Framework (CLG 2012)
National Planning Practice Guidance

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. In this case, the neighbours on either side have been notified of the proposed amendments to the approved scheme, but no representations have been received.

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.

Visual Amenity

The proposed changes will be to reduce the width of the porch and associated first floor balcony together with the screen glazing to the balcony.

The changes would have not have an impact on the street-scene or onto neighbouring residential properties.

Residential Amenity

The proposed changes will have no adverse amenity impacts for neighbours.

Recommendation

APPROVE

The narrowed porch/balcony area together with reduced glazed screening shown on drawing numbers 16510 18 Revision B; 16510 19 Revision B; 16510 20 Revision B; 16510 21 Revision A; 16510 22 Revision A are not material and can be substituted for the approved drawing numbers identified on the decision notice AWDM/0124/16

It is important to note that the existing planning permission AWDM/0124/16 still stands and that the conditions imposed upon it continue to apply to the development except that the above plans can be substituted for those identified

Informative

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

Case Officer: Eve Hearsey Date: 10.01.2017

Authorised by: Jo Morin Date: 10.01.2017