Expiry Date - 31/03/2015

Development Control – Delegated Officer Report

Application Number: AWDM/0185/15 Recommendation – APPROVE

Site: 182 Downside Shoreham-By-Sea West Sussex BN43 6HD

Proposal: Non-material amendment to AWDM/1681/14 to reposition section of rear wall of permitted extension.

Date of site visit: 6/1/15

Neighbours checked: Y

Additional neighbour notifications: N

Proposal, Site and Surroundings

The application property is a semi-detached bungalow with rear roof extensions. The dwelling is situated on the north side of the road in a residential suburb.

The permission was for an L-shaped single storey rear extension a maximum of 3.5 metres deep from the rear elevation and covering the full width of the dwelling. It would have rear (north) facing French doors, a single west facing door and a flat roof. The proposed minor amendment is for a lengthening of the western portion of the rear extension by 670mm in order to avoid construction interfering with an existing public sewer running underneath. No other changes are proposed and materials would match the existing dwelling and permitted extension.

Relevant site history

AWDM/1681/14 – single-storey rear extension. Permitted.

Consultations None

Representations None

Relevant Planning Policies

Adur District Local Plan saved policies: AG1, AH7
SPG Extensions and Alterations to Dwellings
National Planning Policy Framework

Planning Assessment

Principle

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 LPA 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 LPA 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 saved Local Plan policies is a material consideration.

Visual amenity

The street scene would remain unaltered given the relatively concealed position of the rear extension.

Residential amenity - neighbours

The only neighbours impacted upon by this development are those at 184 (west).

The lengthened extension would not be deep enough to create a shadowing effect or any impression of dominance for the purposes of the occupants of no. 184. In reaching this view, regard is had to the presence of tall intervening boundary fences between the two dwellings and which will also serve to prevent any loss of privacy stemming from the side door.

No other property is liable to be affected by the proposed extension, the nearest properties to the north being too distant and too well screened by boundary enclosures and vegetation to be affected in any material way.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:-

Drawing No. B/H/10/2014/ 1 B - Proposed Plans and Elevations and unnumbered location plan and block plan; date valid 3/3/15

Existing planning permission AWDM/1681/14 still stands and the conditions imposed upon it continue to apply to the development except that the above plans can be substituted for drawing No. B/H/10/2014/ 1 - proposed plans and elevations; and location and block plan date valid 19-12-2014.

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

Case Officer: L Simmons Date: 4/3/15

Authorised by: J Morin Date: 26.03.2015