Development Management – Delegated Officer Report

Application Number: AWDM/1769/16 Recommendation – APPROVE

Site: 20 Whitelot Way Southwick Brighton West Sussex

Proposal: Non-material amendment to approved AWDM/0082/16 for the installation of a high level window in south elevation of extension and reduce the width of the bi-fold doors on east elevation.

Date of site visit: 06.04.2016

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a mid-C20, semi-detached house located on the east side of Whitelot Way. This semi-detached pair (with No.22 attached to the north) is asymmetric in form with No.22 is sited on higher ground. No.18, a semi-detached house of a different design to 20/22 adjoins on lower ground to the south.

The surrounding area is residential in character. Surrounding land slopes steeply up to the north.

Proposal

Planning permission was approved under AWDM/0082/16 for a single-storey rear extension across the full width of the rear elevation. Owing to an original protruding element on the north side of the rear, the depth of the proposed extension varies between 3 and 4.1metres. It has a flat roof 2.9m high with a roof lantern (1.1m x 2.4m) over the southern part. The extension is under construction and the applicant seeks to reduce the width of the bi-fold doors from 3.5 m to 3 m wide. They also propose to insert a window on the southern elevation, 2.7 metres wide and 0.45 metres high and with a sill height 1.7 metres from finished floor level.

Representations: None received.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH7
Development Control Standard No.3 ‘Extensions and Alterations to Dwellings’
Adur Submission Local Plan Policy 15 2016
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. 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.

When considering the original proposal there was no objection in principle to the proposed extension which would upgrade an existing property within an established residential area. The key concerns were the effects on the residential and visual amenities of the locality. These are also the considerations when assessing the impact of the proposed amendments.

The amendments here impact only on the dwelling to the south no. 18 Whitelot Way. The reduction in width in the bifolds is not considered to be significant here however the proposed window in the southern elevation will need to be considered in relation to residential amenity and the impact upon the occupiers of the property to the south.

There is an existing window at no. 18 facing toward the site however this faces onto the side of the existing building and will not be impacted upon by the proposed high level window. The window will face directly onto the blank elevation of an extension at no. 18. Therefore it is not considered that there will be any overlooking in this case. The window being high level also removes any significant overlooking, or perception of overlooking toward the boundary.

Recommendation

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

JW/15/104/NG01 REV A - received 5th December 2016

Please note that the existing planning permission AWDM/0082/16 still stands and that the conditions imposed upon it continue to apply to the development except that the plans can be substituted for: -

JW/15/104 – received 1st Feb 2016

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

Case Officer: Hannah Barker Date: 22nd December 2016

Authorised by: Peter Barnett Date: 22 December 2016