Development Management – Delegated Officer Report

Application Number: AWDM/1232/20 Recommendation: REFUSE

Site: Former Cecil Norris House, Ravens Road, Shoreham-By-Sea

Proposal: Application for a non-material amendment to previously approved AWDM/1742/18. Amendments: Omit the Reglit glazing to the first floor and replace it with windows and smoke vents, a requirement by Building Control. Installation of transoms to windows with obscure glass up to 1700mm above FFL. Truncated windows receive no obscured glass as facing east and west. Windows are openable and on 100mm restrictors. External access ladder added to provide access to the roofs. The bin and bike store has been amended from a brick structure to a horizontal timber clad lightweight structure.

Date of Site Visit: 17 August

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings:

This is a non material amendment application relating to the now demolished Cecil Norris House site. Planning permission was granted in 2019 for its replacement with 15 flats over 3 storeys and the development is well underway.

As stated on the application form, there are 6 main elements to the proposal:

1.Omit the Reglit glazing to the first floor and replace it with windows and smoke vents, a requirement by Building Control.
2.Installation of transoms to windows with obscure glass up to 1700mm above FFL.
3.Truncated windows receive no obscured glass as facing east and west.
4.Windows are openable and on 100mm restrictors.
5.External access ladder added to provide access to the roofs.
6.The bin and bike store has been amended from a brick structure to a horizontal timber clad lightweight structure.

The nearest residential properties are 2 Ravens Road to the immediate north and properties in Queen's Place to the east.

Planning History:

AWDM/1742/18: Demolition of existing building and construction of new building consisting of 5 x 1-bed flats and 10 x 2-bed flats over 3 levels, with associated parking, cycle and bin storage and landscaping – application granted permission in 2019

Consultations:

None undertaken

Representations:

1 letter of objection has been received from the immediate neighbour to the north:

The original application was passed with fully obscured windows. Providing only partial obscuring will result in our home being overlooked by residents of Cecil Norris House. This is NOT acceptable and we object in the strongest terms. It is also NOT acceptable for the truncated windows to have nonobscured glass. It was agreed at the planning stage that all windows facing east and west would be fitted with obscured glass to retain neighbours privacy and to prevent the residents overlooking the neighbouring property. We object VERY strongly.

Relevant Planning Policies:

Adur Local Plan (2017):

Policy 15: Quality of the Built Environment and Public Realm

National Planning Policy Framework (CLG 2019)

Planning Practice Guidance (CLG 2014)

Planning Assessment

The application is for a non material amendment. Government guidance defines such applications as:

Following a grant of planning permission, it may be necessary to make amendments to the permission ... Whether or not a proposed amendment is non-material will depend on the circumstances of the case – a change which may be non-material in one case could be material in another. There is no statutory definition of non-material, but the LPA must be satisfied that the amendment sought is non-material in order to grant an application.

It is noted that an objection to the application has been received on the grounds of potential overlooking. While it would appear possible that the windows could be altered without detriment to the amenities of neighbouring properties, any changes at all would need to satisfy the requirements of policy 15 of the Adur Local Plan, which requires the amenities of neighbouring properties are not adversely affected by any proposal. As such, therefore, an alteration to the windows cannot be seen as non-material and a revised planning application is required during which full consultation and assessment against policy 15 can take place.

Recommendation

REFUSE for the following reason:

The proposed alterations to the obscure glazing of the windows have the potential to impact upon the amenities of neighbouring properties and therefore are not considered appropriate to consider under the non material amendment procedure.

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

Case Officer: Gary Peck Date: 27 August 2020

Authorised by: James Appleton Date: 1st September 2020