Development Control – Delegated Officer Report

Application Number: AWDM/1163/15 Recommendation – APPROVE

Site: 13 Griffiths Avenue Lancing West Sussex BN15 0HW

Proposal: Non-Material Amendment to AWDM/1639/14 for one extra rooflight to rear elevation.

Date of site visit: 10.09.2015

Neighbours checked: Y

Site and Surroundings

The application property is a semi-detached bungalow on the west side of the road. The surrounding area is residential primarily made up of bungalows similar in scale and style.

Proposal

Permission was granted under AWDM/1639/14 for extensions comprising a 4m deep rear extension replacing an existing conservatory plus rooms in the roof including two front dormers, part-hipped side gable and first-floor accommodation within the hipped roof of the proposed rear extension. The approved drawings show 3 no. rooflight windows on the north and south side slopes of the rear extension and in the original west-facing roof slope of the main roof.

An additional rooflight has been inserted into the rear (west-facing) roof slope of the rear extension and permission is sought retrospectively as a Non Material Amendment.

Planning History:

AWDM/1639/14: Two-storey rear extension to replace existing extension and rooms in roof with 2 front dormers. Permitted 13.01.2015.

AWDM/1306/14: Two-storey rear extension with pitched-roof, front dormer and part-hipped side gable. Refused 21.10.2014 on grounds of its large size, unsympathetic design and unneighbourly impact. Appeal dismissed 05.03.2015.

Consultations: None undertaken.

Representations: A letter of objection has been received from the occupier of the attached dwelling, No.15, on grounds of overlooking resulting in a loss of privacy.

Relevant Planning Policies

Saved Local Plan policies (ADC 1996): AG1, AH7

SPG DC Standard No.3 ‘Extensions and Alterations to Dwellings’
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.

The additional roof light positioned 1.1m above the floor of the new first-floor room is required as a means of escape to comply with Building Regulations.

Visual Amenity

The additional roof light is located on the rear west-facing elevation of the bungalow. It is not visible in public view and has no material effect on the character or appearance of the bungalow or the surrounding area.

Residential Amenity

The rooflight is modest in size (550mm x 1150mm) and is positioned relatively low on the roof slope specifically to facilitate means of escape. The main view from the roof light is westward over the rear garden. Given its size and positon views from the rooflight towards neighbouring gardens are only possible at an oblique angle. These rear gardens are already overlooked and the additional rooflight that has been inserted has not materially worsened the situation.

Recommendation

APPROVE subject to:-

The proposed changes shown on Drawing Nos: 2014.117.02BC REV C Proposed Layouts and Elevations and 2014.117.03BC REV B Proposed Section A-A and Details (received 10.08.2015) are not material and can be substituted for Drawing No: 2014.117.02 REV C (received 19.12.2014).

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.

Case Officer: Jo Morin Date: 10.09.2015

Authorised by: Gary Peck Date: 10 September 2015