Development Management – Delegated Officer Report

Application Number: AWDM/1538/23 Recommendation: APPROVE

Site: 46 The Crescent, Lancing, West Sussex

Proposal: Non Material Amendment to approved AWDM/0377/23 to replace the approved window on the West elevation of the extension with a wider one.

Date of Site Visit: visited when considering AWDM/0377/23

Neighbours Checked: Y

Additional neighbour notification: N

Proposal, Site and Surroundings

This application seeks a non-material amendment for a larger window to be installed on the west, front elevation of the proposed extension which was approved under AWDM/0377/23. The applicants are proposing to reuse the existing front window of the bungalow which is larger than that originally approved.

Relevant Planning Policies

Adur Local Plan 2017 Policy 15
'Supplementary Planning Guidance' comprising: Development Management Standard No.2 'Extensions and Alterations to Dwellings''
National Planning Policy Framework (July 2021)
WSCC Guidance on Parking at New Developments (Sept 2020).

Planning Assessment

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. s96A also allows for changes to conditions:

Power to make non-material changes to planning permission

(1)A local planning authority ... may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2)In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

(3)The power conferred by subsection (1) includes power—

(a)to impose new conditions;

(b)to remove or alter existing conditions.

In this case the proposed change to the window is considered to be non material as it does not result in a material change to the character or appearance of the development or to residential amenity. There is a window already approved which is smaller which faces the highway. The changes will be visible however no significant change or harm will arise as a result.

Recommendation

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

Proposed Floor Plans and Elevations 23-01 PL 03 Rev D received 6th November 2023

….existing planning permission AWDM/0377/23 still stands and that the conditions imposed upon it will continue to apply to the development except that the above plans can be substituted for Drawing no. 23-01 PL 03 Rev B received 25th May 2023.

Case Officer: Hannah Barker Date: 13th November 2023

Authorised by: Peter Barnett Date: 13 November 2023