DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0610/23/NMA
Proposal: Application for Non-Material Amendment in relation to approved planning application ST/1066/21/FUL. Amendment now sought to retain the full garage door except with a new accessible door on the left hand side.
Location: Souter Lighthouse
Coast Road
Whitburn
SR6 7NH

Site Visit Made: N/A

Description of the site and of the proposals

ST/1066/21/FUL granted planning permission for the change of use of an existing single storey garage/outbuilding, approximately 13sqm in footprint, set within the curtilage of Souter Lighthouse, a Grade II* listed property to the east of Mill Lane in Whitburn, to a 'Changing Places' accessible toilet facility. The application involved some external alterations to the existing elevations and the demolition of an existing lean-to. None of the works affected the physical structure of the Grade II* Listed Building or Grade II listed walls on the Souter Lighthouse site.

The proposed non-material amendment seeks changes to amend the permission to retain the existing garage door. The proposed amendment is shown on the submitted plan entitled 'Changing Places Room Layout' by Astor-Bannerman dated 15.05.23 and received 16/08/2023. The door will be timber to match existing design and paint colour.

The original planning permission allowed for the garage door to be replaced with a 1000mm wide accessible door. The applicant is seeking to retain the full garage door, except provide a new accessible door on the left-hand side.

Assessment

Section 96A of the Town and Country Planning Act 1990 states '*that a local planning authority may make a change to any planning permission … if they are satisfied that the change is not material. 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.' It also states that powers to make non-material changes also include (amongst other things) a power to '… alter existing conditions'*.

It is considered that the change sought in this request (as set out above and shown on the submitted plan, detailed on the application form and accompanying covering letter) are non-material in nature in the context of the overall development that was granted planning permission and as such it is recommended for approval. The NMA protocol was considered in reaching this view.

The building is positioned within the setting of the Grade II* and Grade II listed buildings associated with Souter lighthouse. Whilst the building lies within the vicinity of heritage assets, there are no physical works to any listed buildings within the site, and, given the scale and nature of the proposed change sought to the original grant of planning permission, it is not considered that this would have any potential to materially affect the setting of these heritage assets.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Approve Non-Material Change

List of plans for standard note

Plan Reference

Proposed Layout Rec. 16/08/2023

Case officer: Helen Lynch
Signed: HL
Date: 08/09/2023

Authorised Signatory:
Date:

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