Expiry Date - 18/12/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1610/23 Recommendation – APPROVE

Site: 28 Ontario Close Worthing West Sussex BN13 2TE

Proposal: Application for a Non-Material Amendment to Approved Application AWDM/1890/22: Change of the proposed roof tiles.

Date of site visit: 5.01.2023 (for AWDM/1890/22)

Neighbours checked: None undertaken.

Additional neighbour notifications: N

Site and Surroundings

The application relates to a modest-sized end-of-terrace house within a short terrace laid out opposite, and parallel to, a similar short terrace, both fronting a narrow grassed area, with pedestrian access off Ontario Close. The end unit occupies a wider than average plot, positioned side-on to Columbia Drive to the south.

The end-of-terrace dwelling has been refurbished with the original tile-hanging on the front elevation replaced in grey horizontal cladding and the original white framed windows and white panels below the windows replaced in dark grey-coloured UPVC casements and grey-coloured panels. The remainder of the external walls are finished in face brickwork. The main roof consists of brown-coloured, profiled concrete tiles. A ‘conservatory’ addition at the rear is roofed in plain, grey tiles.

The site is not within a conservation area and the building is not listed. There are no protected trees on site, nor is the nearby highway tree protected.

Approved scheme

Permission was granted under AWDM/1890/22 for a 2-storey extension to the south side. As approved the extension would be finished in face brickwork and roof tiles to match the existing with a grey horizontal boarded feature panel on the front elevation and grey UPVC windows to match the existing.

Works have commenced to implement the permission.

Proposed Amendments

A Non Material Amendment is sought to finish the roof of the extension and the main house in smooth grey plain tiles (Marley Modern) instead of the existing tiles, which apparently are no longer available .

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Consultations: None undertaken.

Representations: None.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): DM5
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance
SPG (WBC) Extending or Altering Your Home

Planning Assessment

Section 96A of the Act allows a non-material amendment to be made to an existing planning permission. 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.

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 key issues here is the effect of the proposed change in roof tile on visual amenity. There are no adverse implications for residential amenity.

The proposed plain grey-coloured roof tile would match that already used on the rear 'conservatory' and will be noticeably different from the brown profiled concrete tile used on the main roof. The houses in this and surrounding terraces are roofed in the same tile and this contributes to the pervading sense of visual harmony to the wider estate. That said, the grey-coloured windows frames and grey-cladding used on the feature panels of the existing house has already lent this property a conspicuously different appearance to its neighbours. The proposed different roof covering will certainly heighten its different appearance, making it stand out even more in the street scene.

Although it is understood the original roof tile is no longer available, a closer visual match could no doubt be sourced, if so desired. A more contemporary aesthetic is deliberately sought here, and would 'tie-in' with the changes in materials/colours that have already been made to the host dwelling.

That said, on balance it would be difficult to argue that the resulting change in appearance would seriously detract from the visual amenity of this terrace, or be harmful to important local character, to justify refusal.

Recommendation

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

3037/01/02B Received 05.12.2023

Which can be substituted for:-

3037/01/02A Received 10.01.2023

Informative

1. PROACTIVE NO AMENDMENT

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

Case Officer: Jo Morin Date: 04.12.2023

Authorised by: Gary Peck Date: 5 December 2023