Expiry Date - 09/02/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0052/24 Recommendation – APPROVE

Site: 52 Sea Lane Worthing West Sussex BN12 4PY

Proposal: Non Material Amendment to approved AWDM/1193/22 to retain existing rear extension and extend width, new flat roof, retain chimney at rear

Date of site visit: 20.09.2022 (for AWDM/1193/22)

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

This application relates to a detached house on the east side of Sea Lane, one of four built similarly. This is a generous plot with a relatively deep frontage with off street parking for 2/3 cars and an area of lawn. The house itself is inter war of a red brick construction and a fully hipped tiled roof. At the front is has a shallow two storey curved bay detail and first floor oriel window.

It has a hipped roof garage on the northern boundary linked to the house by a covered way. It has been extended to the rear will a crown roofed single storey extension and rear conservatory.

It is not in a conservation area and nor is it a listed building but is faces the attractive tree lined central reservation of Sea Lane in the established Goring suburb. There are no protected trees on the site.

Approved scheme

Permission was granted under AWDM/1193/22 for a 2-storey extension to the north side in place of the existing garage including a first-floor rear component.

A Non Material Amendment was granted under AWDM/1566/23 to reduce the size of the 2-storey side/rear extension together with minor door/window amendments.

Proposed Amendments

A further Non Material Amendment is sought to now remove the existing single-store rear component and rear conservatory and replace it with a single-storey flat-roofed rear extension 3.22m deep and 7.57m wide on the north side of the rear elevation. The flat roof would be 3m high with a centrally-positioned roof lantern.

The rear extension would be carried out in brickwork to match the existing house.

The 2-storey side extension would be implemented as approved under AWDM/1566/23 but now including the first-floor window on the north elevation (as initially approved under AWDM/1193/22).

Works to implement the development have commenced.

Consultations: None undertaken.

Representations: None received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, 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 are the effects of the proposed replacement single-storey rear extension on visual and residential amenity.

The single-storey rear extension would sit behind the 2-storey side component approved under AWDM/1193/22 and amended by AWDM/1566/23, and would not have any significant impact on views of the dwelling from the road.

The most affected properties are those on either side.

No.54
The replacement extension would be no deeper than the existing rear extension and attached conservatory and would be no closer to the common site boundary with No.54 (to the north). The latter has been enlarged by a conservatory on that part of the rear elevation closest to the boundary. The existing brick rear addition at No.52 has a tiled crown roof with an eaves height of 2.35m compared to the proposed 3m high flat roof. However, any additional impact on the amenities of No.54 arising from this changed roof form would be no worse than the impact of the first-floor rear extension approved under AWDM/1193/22 and would not therefore be materially significant.

No.50
The existing rear conservatory extends almost to the south side of the main dwelling. The replacement extension would not extend the full width of the dwelling, being narrower than the existing conservatory by some 4m on the south side adjoining No.50. A picture window is proposed in the south side elevation. However, the impacts of overlooking from this window on the amenities of No.50 would not be materially worse than from the existing full glazed conservatory which is sited closer to the common boundary.

Recommendation

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

DRWG No: DS/HARTIN NMA/02 REV 2 Deposited 12.01.2024

Which can be substituted for:-

DRWG No. DS/HARTIN NMA/02 REV 1 Deposited 09/11/2023

Informative

1. PROACTIVE NO AMENDMENT

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

Case Officer: Jo Morin Date: 19.02.2024

Authorised by: Gary Peck Date: 19 February 2024