Expiry Date - 13/09/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1039/24 Recommendation – APPROVE

Site: 22 Petworth Avenue Worthing West Sussex BN12 4QL

Proposal: Non Material amendment to approved AWDM/1133/23 to change the flat roof with fascia to a parapet wall with anthracite aluminium coping on all new walls except to the north boundary elevation which will retain the fascia and gutter.

Date of site visit: 25/09/2023 (for AWDM/1133/23)

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application property is located to the east side of Petworth Avenue within a residential area. The property is a detached two-storey house comprising a mix of facing brickwork and tile hung elevations to façade and facing brick to the remaining elevations, a hipped roof with front gable to the north of the façade, and anthracite grey UPVC openings. The property's plot is of a fairly generous size, set-back from the public realm a moderate distance behind a shallow brick wall with trellis panels above and brick piers to access. Hardstanding to the north side of the plot extends from the public realm alongside the north elevation of the house and leads to the property's pitched garage, which attaches the rear of the property and projects into the garden alongside the boundary with No. 24 Petworth Avenue. Also projecting from the rear of the property is a conservatory to the southerly side of the elevation and close to the boundary with No. 20 Petworth Avenue. The rear garden space comprises predominantly grass with some trees and other forms of vegetation. The garden is of a generous size and extends relatively deep.

Properties along Petworth Avenue are detached two-storey households which benefit from a generous building and plot size. Properties reflect the prevailing local character of the area by way of their form, scale, massing, design and alignment.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Approved scheme

Permission was granted under AWDM/1133/23 for a single-storey rear extension to replace the conservatory to the southerly side of the rear

elevation to provide a larger lounge area, and a single-storey side extension and garage conversion to the side (north) elevation to provide a larger kitchen area, utility to rear, and store to front. Decision issued 05/10/2023.

Proposed Amendments

A Non Material Amendment is sought to change the roof forms to the rear and sides of the extensions (except to the north boundary elevation which will retain the fascia and gutter) from the flat roof with fascia to a parapet wall with anthracite aluminium coping on all new walls. The tile crease to the front parapet would also be replaced with anthracite aluminium coping.

Consultations: None undertaken.

Representations: None received.

Relevant Planning Policies

National Planning Policy Framework (Revised December 2023)
National Planning Practice Guidance
SPG 'Extending or Altering Your Home' (WBC)

Worthing Local Plan (2023) 2020-2036
SP1 (Presumption in Favour of Sustainable Development)
DM5 (Quality of the Built Environment)

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. 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 principal issue is whether the proposal is non-material in nature and if the changes would give rise to a detrimental effect on the visual and residential amenities of the area.

The proposed amendment to change the roof form to the rear and side of the extensions (excluding the north boundary elevation) and apply anthracite aluminium coping on all new parapet walls is considered to be minor in nature and would only marginally alter the appearance of the approved extension to the rear. Whilst the tile crease to the top of the front parapet constituted an aesthetic enhancement to the development, its removal and replacement with anthracite aluminium coping would not significantly alter its appearance when viewed from the public realm. The effects on visual amenity would not be so harmful to warrant refusal.

The footprint of the extensions would remain the same and the scale increase would only be in the form of a height increase of approximately 0.25m. This marginal increase would not give rise to a material overbearing or overshadowing effect for neighbours.

The proposed amendments are considered non-material and are acceptable on visual and residential amenity grounds.

Recommendation

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

PROPOSED ELEVATIONS NMA – Version: JH/NMA/02 – Received 12.08.2024

In place of the approved plans under AWDM/1133/23:-

PROPOSED ELEVATIONS – Version: JH/PL/03 01 – Received 02.10.2023

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.

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

Case Officer: Jason Albon Date: 13.09.2024

Authorised by: Jo Morin Date: 13.09.2024