Expiry Date - 16/09/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1028/24 Recommendation – APPROVE

Site: **8 Bruce Way Worthing West Sussex BN11 5JX**

Proposal: **Application for a Non Material amendment to approved AWDM/1304/23. Amendment: height of rear extension increased by 200mm with timber fascia and repositioned rear window. Timber cladding to front (west) of garage, replacement timber fascia and internal store.**

Date of site visit: Previous application 23/08/24

Neighbours consulted: Y – 14 days

Additional neighbour notifications: N

Site and Surroundings

The site is located on a corner plot at the junction of Bruce Way to the south and George V Avenue to the west, in a residential area of Worthing. The property comprises a semi-detached, two-storey house with brick elevations, a tile hung front bay and hipped roof. The property is set back from the road to the front behind a low wall and small front garden and to the side behind a high close board fence. (The boundary fence has since been extended around to the front of the property but the application to retain this has been refused.) The main garden areas for the property are to the side and to the rear. At the end of the garden is a brick built garage accessed from George V Avenue to the west.

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

Approved scheme

Planning permission was granted under application AWDM/1304/23 for a proposed rear single storey extension, alterations to convert the garage building into a summer house and rooms in roof consisting of a hip to gable, rear dormer and front roof lights.

Proposed amendments

This application seeks a non-material amendment to increase the height of the rear extension by 200mm, add a timber fascia and reposition a window and to the garage conversion replace the timber fascia, add timber cladding to the west elevation and an internal store.

The height of the extension roof has been increased by 200mm to provide a warm roof construction, this has been achieved through the addition of a timber fascia. The window to the rear elevation has been centred instead of being offset to one side.

The garage has been converted and amendments to this structure include the addition of an internal storage room, replacement timber fascia and timber cladding infill to the west elevation.

The plans have been amended to accurately reflect the alterations carried out.

Representations:

None received

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (HCLG 2023)
National Planning Practice Guidance

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.

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 that the changes are not of consequence, significance or substance.

Visual Amenity

The rear extension is visible from the road to the side but mainly screened by the high boundary fencing. The additional height is minimal and would not appear overly dominant. The extension remains subsidiary to the existing house. The timber fascia is visible above the fence line but is not considered

to have any significant adverse impact on the character of the property or the visual amenities of the locality. The repositioned rear window provides a more balanced elevation and improves the appearance of the extension.

The elevational changes to the garage that has been converted, consisting of timber cladding infill and a replacement timber fascia, are to the west elevation which is visible from the road however the building is set back in the site and therefore these changes are not prominent and do not have any significant adverse impact on the street scene. The timber cladding is suitable for an ancillary building such as this and the timber fascia replaces an existing fascia and would not have any additional impact on visual amenity. The provision of a store internally would not affect the exterior of the building.

There would be no significant adverse impact on the visual amenities of the locality as a result of the proposed amendments.

Residential Amenity

The rear extension is adjacent to the neighbour's extension of the same depth and the slight increase in height would not have any additional impact on this property in terms of light or overshadowing and would not appear overbearing. The addition of a timber fascia and the repositioned window at ground floor do not adversely affect neighbours in any way.

The addition of timber cladding to the west elevation of the garage would not have any detrimental impact on neighbours. The use of the converted garage remains the same (as an ancillary building) and the timber fascia replaces the existing fascia.

There would be no additional impact on neighbours as a result of these amendments.

Conclusion

The changes to the rear extension and converted garage as detailed in this application are considered to be non-material in nature and would not have any significant adverse impact on the visual amenities of the locality or any additional impact on residential amenity and are therefore acceptable.

Recommendation

APPROVE

Informative

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission

for an acceptable proposal, 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: Amanda Haslett Date: 17/10/24

Authorised by: Jo Morin Date: 17.10.2024