Expiry Date - 03/02/2025

Development Control – Delegated Officer Report

Application Number: AWDM/0008/25 **Recommendation – APPROVE**

Site: **30 Kithurst Crescent Worthing West Sussex BN12 6AJ**

Proposal: **Application for a Non-Material Amendment to previously approved AWDM/0133/23. Amendment: reduce the width of the window to the front (south) elevation.**

Date of site visit: Previous application

Neighbours notified: N

Additional neighbour notifications: N

Site and Surroundings

The site is located to the north side of Kithurst Crescent and to the east of the junction with Kithurst Close. The property is within a built up residential area comprising detached and semi-detached two storey houses and bungalows, of similar appearance.

The application property comprises of a detached two storey house with brick and tile hung elevations, white upvc windows and a shallow pitch tiled roof. The property has a porch to the front elevation and garage to the rear (one of a block of three). The main garden area is to the east side of the house and has high evergreen hedging to the front and rear boundaries and a block work wall to the side. The garden area to the front and west side of the house is open.

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/0133/23 for a two storey extension and front porch extension. A non-material amendment to this application was approved under AWDM/1145/23 for changes to the areas of vertical tile hanging at first floor to horizontal timber composite boarding, on the existing house and approved extension.

Proposed amendments

This application seeks a non-material amendment to reduce the width of the window to the front (south) elevation.

Representations:

None received

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Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 2024)
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 window to the south elevation at ground floor serving the living room would be reduced in width. This window is clearly visible in the street scene due to its position at the front of the property. The window at its reduced width would still be wider than the first floor window above and centred with this window thereby preserving the balance of openings. There would be no adverse impact on the visual amenities of the locality as a result of this amendment.

Residential Amenity

The amendment to the width of the window does not affect neighbouring amenity in any way.

Conclusion

The proposed amendment is considered to be non-material in nature and would not have any additional impact on the visual or residential amenities of the locality and is therefore acceptable.

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Recommendation

APPROVE

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: Amanda Haslett Date: 31/01/25

Authorised by: Jo Morin Date: 03.02.2025