Development Control – Delegated Officer Report

Application Number: AWDM/0017/25 Recommendation – APPROVE

Site: 47 Alinora Avenue Worthing BN12 4LY

Proposal: Application for a Non-Material Amendment to previously approved AWDM/0590/24. Increase height of aluminium pergola from 2500mm to 2600mm.

Date of site visit: As for AWDM/0590/24

Neighbours checked: N/A

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached house occupying a corner plot located on the west side of Alinora Avenue and north side of Keymer Crescent within an established residential suburb of Worthing. The dwelling has been enlarged by a rear conservatory and there is a detached garage building to the rear of the garden with vehicle access from Keymer Crescent.

The property is consistent with the prevailing character along Alinora Avenue, of which comprises detached/ semi-detached houses, mostly with hipped roof forms. Brick-built elevations predominate, although there are examples of feature white render and tile hung elevations.

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/0590/24 to:-

- Demolish the existing porch and construct a new porch on the same footprint with a lean-to roof infilling the south-east corner. The new porch would be finished in a mix of materials to the elevations including white render to the side and timber weatherboard cladding, grey powder coated aluminium framing/ front entrance door, and glazing to the front.
- Erect a free-standing aluminium pergola within the garden between the south side of the dwelling and the roadside boundary with Keymer Crescent. As

approved, the pergola would be 3m by 4m and 2.5m high with rotating louvers to the roof.

Proposal

A Non Material Amendment is sought for the pergola structure which would now be 2.6m tall instead of 2.5m.

Consultations: None undertaken.

Representations: N/A

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 2024)
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 are the impact on visual and residential amenity.

Visual Amenity

The main garden area to the existing dwelling lies between the south side of the house and the site boundary onto Keymer Crescent. The latter is marked by a low decorative wall with close-boarded fencing above approximately 1.8m high. There is only a narrow strip of garden between the rear of the conservatory and the garage building.

In view of its prominent siting, in approving the pergola under AWDM/0590/24 officers were keen to ensure an open, 'lightweight' structure in order to minimise the impact on the street scene. As proposed to be amended, more of the pergola would be visible above the boundary fence. However, a gap of 0.8m would be retained between the site boundary and the pergola structure. It would continue to appear as an ancillary, 'lightweight' garden structure and would not dominate the streetscene or otherwise detract from the visual amenity of the area.

Residential Amenity

There would be no adverse impacts for residential amenity.

Recommendation

APPROVE the non-material amendment in accordance with the application and accompanying plans. For the avoidance of doubt this comprises:-

Drawing 1 Rev A Existing and Proposed Floor Plans & Elevations Dated 08.01.2025

This supersedes:

Drawing 1 Existing and Proposed Floor Plans & Elevations Received 25.11.2024

Informative

Pro Active Non Amendment

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

Case Officer: Jo Morin **Date:** 06.02.2025

Authorised by: Peter Barnett **Date:** 6 February 2025