Expiry Date - 27/06/2025

Development Control – Delegated Officer Report

Application Number: AWDM/0697/25 **Recommendation – APPROVE**

Site: **8 Whylands Avenue Worthing West Sussex BN13 3HG**

Proposal: **Non-Material Amendment to approved AWDM/0032/25 to add a window to the north (rear) elevation**

Date of site visit: 09.04.2025 (for AWDM/0032/25)

Neighbours checked: None undertaken

Site and Surroundings

The application property comprises a link-attached chalet house fronting the north side of Whylands Avenue within an outer residential suburb of the town. A covered passageway links the house to a garage/store building adjoining to the west side, which in turn is attached to the flank of the neighbouring chalet house (No.10). The east flank wall of the dwelling is attached to the garage belonging to No.6.

The surrounding land slopes down to the west and south so that the application dwelling is slightly higher than its neighbour to the west (No.10), but lower than its neighbour to the east (No.6), and slightly elevated in relation to the adjoining public highway.

The site is not listed or within a conservation area. There are no TPO trees on the site.

Approved scheme

Permission was granted under AWDM/0032/25 to remove the store(s) attached to the rear of the garage and erect a brick-built single-storey rear extension measuring 3m deep and 7.2m wide with a flat roof 2.65m high with centrally positioned roof lantern and bi-fold doors to the centre of the rear elevation.

Proposed amendments

The external dimensions of the proposed extension would be unchanged, but it is now proposed to position the bi-fold doors further eastward in the rear elevation, with a window positioned to the west of the bi-fold doors in the same elevation.

Representations: N/A

Relevant Planning Policies

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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.

The additional window will overlook the rear garden of the application property and will have no additional amenity impacts for neighbours. As before, no windows are proposed in the east or west side elevations.

There will be no change to external views of the extension from outside the site.

Recommendation

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

P-003 05 B Existing and Proposed Plans, Elevations and Block Plan
Received 30.05.2025

This supersedes: -
P-003 05 B Existing and Proposed Plans, Elevations and Block Plan
Received 12.03.2025

Informative

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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/A

Case Officer:	Jo Morin	Date: 23.06.2025
Authorised by:	Peter Barnett	Date: 23 June 2025