Development Control – Delegated Officer Report

Application Number: AWDM/0801/23 Recommendation – APPROVE

Site: 15 Rusper Road South, Worthing, BN13 1LP

Proposal: Application for a non-material amendment to approval AWDM/1757/20 to change small panel of render finish on front elevation to brickwork and leave in brick pier.

Neighbours checked: None undertaken

Site and Surroundings

The application relates to a detached bungalow on a corner plot within Rusper Road South, Worthing. The materials of the outward facing walls of the bungalow is mainly brick faced, with a panel of render, the elevation facing Rusper Road South, and brick to the elevation facing Greystone Avenue. The boundary wall to the side is rendered panels with brick piers.

The surrounding properties within the street are generally detached and semi-detached bungalows.

The property is not listed or within a conservation area.

Proposal

Permission was conditionally approved 16.12.2020 under AWDM/1757/20 for:-

- Single storey side (north) extension, replacement conservatory/orangery to rear (west) elevation and new fixed glass awning to rear elevation.

Condition 3 stated:-

- The external walls and roof of the extensions and alterations hereby permitted shall, prior to commencement of use of the extension, be completed in accordance with the submitted application unless otherwise approved in writing by the Local Planning Authority.

Reason for this condition:-

- In the interests of visual amenity and to comply with policy 16 of the Worthing Core Strategy.

Relevant Planning History:

AWDM/1757/20 Single storey side (north) extension, replacement conservatory/orangery to rear (west) elevation and new fixed glass awning to rear elevation. **Approved 16.12.2020**

Consultations: None

Representations: N/A

Relevant Planning Policies

Worthing Local Plan: Policy DM5
National Planning Policy Framework 2021
SPG 'Extending or Altering Your Home' (WBC)

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 principal issue is whether the proposal is non- material in nature that the changes are not of consequence, significance or substance.

In this instance the applicants wish to retain the existing pier on the front elevation in its existing position, and use brickwork for the extension i.e. starting from the pier, in lieu of the render as shown on the approved plans of AWDM/1757/20.

It is considered that the continuation of the brick on this front elevation will still be in character with the existing dwelling and will not result in a material change to the external appearance.

Recommendation

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

WT/RRS/04 A Proposed Elevations

Proposals 03 A Ground Floor Plan

Which can be substituted for:-

WT/RRS/04 Proposed Elevations

Proposals 03 Ground Floor Plan

Informative

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

Case Officer: Eve Hearsey Date: 28.06.2023

Authorised by: Jo Morin Date: 28.06.2023