Expiry Date - 20/06/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0671/24 Recommendation – APPROVE

Site: 36 Rose Walk Worthing West Sussex BN12 4AU

Proposal: Application for a Non-Material Amendment to previously approved AWDM/0069/22. Amendment: Additional window (utility room)

Date of site visit: As for AWDM/0069/22

Neighbours checked: No.34 (to South) notified.

Additional neighbour notifications: N

Site and Surroundings

The application relates to a detached bungalow located on the east side of Rose Walk, previously enlarged at the rear by a small sun-room, plus attached garage on the north side.

Rose Walk is made up of a mix of detached houses, chalet houses and bungalows dating from the mid-C20. No.36 comprises one in a row of 4no detached bungalows of a similar, but not identical hipped roof design, with front-projecting gable features. The plot width of No.36 is slightly wider than those of its immediate neighbours to the north (No.38) and south (No.34), which do not have garages to their side(s). The bungalows sit relatively tight to the side boundaries.

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

Approved scheme

Permission was granted under AWDM/0069/22 to enlarge and remodel the existing bungalow to create a chalet-style dwelling with first-floor accommodation contained within a new roof raised 1m in height to 6.7m with a 9.8m long ridge, raised eaves to the north and south sides, and roof lights on the side roof slopes. The approved scheme also involved a 6m deep ground floor rear extension (in place of the existing sun-room) across the full width of the existing dwelling with a tiled pitched roof wrapping round to extend over the existing attached garage and the existing side component to the rear of the garage.

A Non Material Amendment was approved under AWDM/0261/23 to reduce the width of the single-storey rear addition to 7.24m to no longer extend to the rear of the side component. Other agreed Non Material Amendments included

alterations to rear-facing window/bi-fold door openings; a reduction in height of the ‘tiled skirt’ roof over the rear extension and side components to 3.0m; re-orientation by 90º of the roof lantern on the roof of the rear extension; the new windows in north and south side elevations omitted, and repositioning of the roof lights on south roof slope.

A further Non Material Amendment was subsequently approved under AWDM/1348/23) to ‘square-off’ the ground-floor footprint of the remodelled dwelling by infilling the recessed front southwest and northwest corners on the same alignment as the approved ground-floor entrance and the first-floor above. The previously approved front canopy feature would be slightly reduced in depth by 0.6m and the previously approved 3no support posts replaced with brackets.

Proposal

A further Non Material Amendment is now sought to reinstate the proposed new obscure-glazed window (1m high x 0.6m wide) in the south side elevation of the original dwelling serving the utility room, but in a slightly different position to that initially approved under AWDM/0069/22.

Consultations: None undertaken.

Representations: None received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (DLUHC 2023)
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 issue here is the potential impact on the residential amenity of the neighbouring occupier to the south.

As initially approved the ground-floor plan included the insertion of a new window (0.6m wide) in the south side wall of the original dwelling, shown as serving a utility room. Previous Non Material Amendments which included alterations to the internal layout resulted in the omission of the window. The current proposal would see the proposed window now re-inserted but positioned further forward (west) within the flank wall of the original dwelling than initially proposed, still serving a utility room. It would be obscure-glazed and fixed shut which would comply with the wording of Condition 7 of AWDM/0069/22. Consequently it is considered there would be no adverse impact on the amenities of No.34.

Recommendation

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

DS/NORRIS/01 Rev 4 Amend 2 received 19.06.2024

And will supersede:

DS/NORRIS/01 Rev 3 Amend 2 received 13.10.2023

Informative

1. PROACTIVE AMENDMENT

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

Case Officer: Jo Morin Date: 20.06.2024

Authorised by: Gary Peck Date: 20 June 2024