Expiry Date - 03/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1408/24 Recommendation – APPROVE

Site: 5 St Johns Close Worthing West Sussex BN12 4HX

Proposal: Application for a Non-Material Amendment to previously approved AWDM/0765/24. Amendment: Additional windows added to the east and south elevations of the new extension

Date of site visit: As for AWDM/0765/24

Neighbours checked: Y

Additional neighbour notifications: N

Site and Surroundings

The application relates to a linked detached bungalow with rooms in the roof located at the head of a modest-sized cul-de-sac within an outer residential suburb of the town. The bungalow occupies a wedge-shaped plot, set back behind a paved frontage with generous-sized rear garden that widens out significantly to the rear.

The bungalow is attached to an identical style of bungalow to the south (No.4) by their paired garages.

To the north and west, No.6 is sited within its own wedge-shaped plot. Also a detached, bungalow, it differs in style to the application property. There is a detached garage on the west side boundary, adjoining the common boundary with No.5, with an attached outbuilding to the rear of it.

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/0765/24 to remove an existing rear conservatory and modest rear porch and erect a single-storey side and rear extension. As approved, the extension would extend the full width of the bungalow and wrap-around the north-west corner, having a width of 3.35m. The rear component would be stepped in depth, extending 3.4m to the south part, slightly less than the existing conservatory, before extending a further 0.9m. It would be constructed in brickwork to match the existing bungalow, with a flat, overhanging roof 3m high. The accommodation would consist of an enlarged living room, remodelled kitchen and dining room with utility/boot room.

A condition of planning permission restricts the insertion of windows or other openings into the south side elevation of the extension.

Proposal

A Non Material Amendment is sought to introduce a high-level window in the south side of the extension serving the living room, and a normal window in the east elevation serving the utility/boot room.

The high-level window would be 1.6m wide x 0.6m high. The bottom cill would be positioned 1.7m above the floor level of the living room.

The utility/boot room window would be 0.9m wide x 1.4m high.

Consultations: None undertaken.

Representations: None received.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (MHCLG 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 occupiers on either side.

The proposed high level window will be sited 2.6m from the site boundary with No.4 to the south. The boundary is formed of a close-boarded timber fence approximately 1.8m high beyond which the conservatory attached to the rear

of No.4 is visible. However, as the lower cill of the window is raised 1.7m above the floor of the room in which it would be located, no adverse overlooking would occur.

The proposed utility/bootroom window would face east into an existing enclosed courtyard area formed by the flank wall of the neighbour's (No.6) garage on the site boundary, and a pedestrian-gated screen wall at the application property sited in line with the front wall of the bungalow. If the gate were left open it would allow for views over the neighbour's drive but would not give rise to an unacceptable loss of privacy for this neighbour.

Recommendation

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

D.01 REV C Floor Plans As Proposed
D.02 REV B Elevations As Proposed

And will supersede:

D.01 REV B Floor Plans – Option 1 As Proposed
D.02 REV A Elevations As Proposed

Informative

Pro-active No Amendment

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

Case Officer: Jo Morin Date: 27.11.2024

Authorised by: Louise Prew Date: 27/11/2024