Expiry Date - 01/11/2023

Development Control – Delegated Officer Report

Application Number: AWDM/1376/23 **Recommendation – APPROVE**

Site: **21 Brooklyn Avenue Worthing West Sussex BN11 5QH**

Proposal: **Non Material Amendment to approved AWDM/1489/20 a reduction in the length of the roof extension, removing a proposed dormer to the south elevation, change to first floor window configuration to the west elevation and removal of the proposed conservatory to the west elevation**

Date of site visit: Original application

Neighbours consulted: Y – 14 days

Additional neighbour notifications: N

Site and Surroundings

The site is located to the west side of Brooklyn Avenue within a residential area of Worthing. The property comprises of a detached chalet bungalow with brick elevations and a tiled hipped roof. The property is set back from the road behind a hedge and front garden. There is a detached garage to the south side and a good size garden to the rear.

The property is not within a conservation area, is not a listed building and there are no protected trees on site.

Approved scheme

Planning permission was granted under application AWDM/1489/20 for a two-storey extension to the rear (west) elevation with half hipped roof including ground floor rear infill extension and addition of pitched roof dormer to the south side elevation.

Proposed amendments

The application seeks a non-material amendment for a reduction in the length of the roof extension, removing a proposed dormer to the south elevation, change to first floor window configuration to the west elevation and removal of the proposed conservatory to the west elevation (other than for a small part of the approved extension squaring off the living room).

Representations:

None received

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Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5
National Planning Policy Framework (HCLG 2023)
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.

Visual Amenity

The proposed amendments result in a reduction in the scale of works and would not unbalance the scheme or have any adverse impact on the visual amenities of the locality.

Residential Amenity

As the proposal results in a reduction to the approved scheme there would be no additional impact on neighbours. The reconfigured windows to the west elevation reduce the scheme from three single windows to a single and one double window in the almost the same position and serving the same rooms and would not result in any additional impact on residential amenity.

Conclusion

The proposed amendments are considered to be non-material in nature and would not have any additional impact on the visual or residential amenities of the locality and are therefore acceptable.

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Recommendation

APPROVE

Informative

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

Case Officer: Amanda Haslett Date: 26/10/23

Authorised by: Jo Morin Date: 27.10.2023