Expiry Date - 23/12/2024

Development Control – Delegated Officer Report

Application Number: AWDM/1497/24 **Recommendation – APPROVE**

Site: **1 Boxgrove Worthing West Sussex BN12 6BL**

Proposal: **Application for a Non-material amendment to approved AWDM/1849/22 to correct the description to: Proposed two storey 2 bedroom end of terrace house with front and rear gardens.**

Date of site visit: N/A

Neighbours consulted: Not required

Site and Surroundings

The site is located on a corner plot at the junction of Boxgrove (to the east) and The Strand (to the south), within a residential area of Worthing. The plot consists of the side garden to the south of the host dwelling at No.1 Boxgrove. The host dwelling is a semi-detached, two-storey house with brick and tile hung elevations and a pitched roof. The existing building is set back from the pavement to the front behind an open lawn area with a close board fence forming the south side boundary of the plot.

The site is not within a conservation area and contains no listed buildings or protected trees.

Approved scheme

Planning permission was granted under application AWDM/1849/22 for a proposed two storey 3 bedroom end of terrace house with front and rear gardens.

Proposed amendments

This application seeks a non-material amendment to correct the description to the following: Proposed two storey 2 bedroom end of terrace house with front and rear gardens.

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM1, DM2, DM5, DM15, DM20
National Planning Policy Framework (MHCLG 2024)
National Planning Practice Guidance
Space Standards SPD February 2012
Nationally Described Space Standards (DCLG 2015)
Guide to Residential Development SPD November 2013

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.

Impact on Visual and Residential Amenity

There are no changes to the approved plans and consideration is limited only to the correction to the description.

The original application was submitted with 3 bedrooms at first floor however these plans were superseded during consideration of the application and replaced with the approved two bedroom and a study scheme. The description was not updated to reflect this change when the application was approved. This Non-Material Amendment application seeks to correct the description to reflect the approved 2 bedroom scheme.

The updated description does not result in any change to the physical appearance, layout, position or dimensions of the proposed dwelling and is limited to a correction to the description only. The change of description would not result in any adverse impact on the visual amenities of the locality or residential amenities of adjacent occupiers.

Conclusion

The correction of the description from a 3 bedroom to a 2 bedroom dwelling as detailed in this application is considered to be non-material in nature and would not have any adverse impact on the visual amenities of the locality or residential amenity and is therefore acceptable.

Recommendation

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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/A

Case Officer: Amanda Haslett Date: 17/12/24

Authorised by: Jo Morin Date: 17.12.2024