

Development Management – Delegated Officer Report

Application Number: AWDM/0653/26

Recommendation: – **APPROVE**

Site: 26 Ilex Way Worthing West Sussex BN12 4UY

Proposal: Non Material Amendment to planning permission AWDM/1545/25 to re-position the cycle shed on the North side of the rear garden, re-position the ASHP to the front garden (behind trellis screen) and to change the approved roof tile to Redland Plain Concrete 'Natural Red'

Neighbours Checked: Y

Additional Neighbours Notified: N

Site and Surroundings:

The application site consists of a detached, mid-20th Century, 2-storey house occupying a generous-sized corner plot fronting the north side of Ilex Way on the west side of its junction with Compton Avenue. The dwelling is sited towards the south and west of the plot with soft landscaped gardens wrapping round to the east side and rear (north). The gardens are enclosed on the east side adjoining Compton Avenue by a tall mature conifer hedge and by dense ornamental shrub planting along the northern site boundary. The existing dwelling is served by a vehicle access off Ilex Way.

Planning permission was initially granted by AWDM/0282/25, subsequently varied by AWDM/0863/25 and AWDM/1545/25, to subdivide the plot and erect a new bungalow in the rear garden with parking accessed from Compton Avenue. Details reserved by the conditions of AWDM/1545/25 were approved by AWDM/1549/25.

The approved details include the construction materials, siting and specification of the ASHP and cycle storage shed.

Proposal

The current application seeks a Non Material Amendment proposing an alternative siting for the ASHP and cycle shed within the new dwelling plot.

The proposed ASHP previously shown in the rear garden, adjacent to the site boundary with the host dwelling (No.26) would now be sited in the front garden (adjacent to the same boundary). It would be set back 2.7m from the front boundary onto Compton Avenue, behind a trellis screen 1.2m high. The previously approved ASHP model and specification is unchanged.

The proposed timber cycle shed previously shown in the rear garden to the rear (west) of the ASHP, would now be sited on the north side of the rear garden adjacent to the boundary with 3 Compton Avenue. It would be 1.9m wide x 1m deep x 1.2m high.

Due to the current supply issues and unavailability of the agreed roof tile (Marley 'Natural Red' plain concrete tile) it is proposed to substitute this with a Redland 'Natural Red' plain concrete tile, sanded finish.

Relevant Planning History:

AWDM/0282/25 - Proposed new build single-storey dwelling with access off Compton Avenue

STATUS: Application Permitted 1st May 2025.

AWDM/0863/25 - Application to vary condition 1 (approved plans) for use of garage /storage to a study, lobby off kitchen diner and bike shed in rear garden: Condition 9 (windows) frosted window in South elevation, of approved AWDM/0282/25.

ORIGINAL DESCRIPTION: Proposed new build single-storey dwelling with access off Compton Avenue

STATUS: Application Permitted 1st September 2025.

AWDM/1545/25 - Application for variation of Condition 1 (Approved Plans) and Condition 5 (Architectural Details) of Planning Permission AWDM/0863/25 for proposed new build single-storey dwelling with access off Compton Avenue. Amendments relate to removal of proposed chimney stack, proposed open porch replaced with an enclosed porch; proposed window to rear lobby replaced with a glazed door; photo voltaic solar panels to side and rear elevations

STATUS: Application Permitted 26th February 2026.

AWDM/1549/25 - Approval of Details Reserved by Conditions 4 (Materials), 5 (Architectural Details), 6 (Hard & Soft Landscaping), 7 (Boundary Treatment), 10 (Cycle Storage), 11 (Foul & Surface Water Sewerage), 12 (Surface Water Drainage), 13 (Maintenance of SuDs), 15 (Construction Management Plan), 16(i) (Sustainable Construction), 17 (ASHP Noise Emissions) of approved application AWDM/1545/25

STATUS: Application Permitted 13th May 2026.

Consultations

Environmental Protection, Environmental Health & Licensing: No adverse comments.

Representations: None received.

Relevant Planning Policies:

Worthing Local Plan policies (WBC 2023): SP1, DM5

National Planning Policy Framework (MHCLG 2024)

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 ASHP has a utilitarian, industrial appearance and its preferred location would be to the rear of the dwelling (there is insufficient room to the sides). However, it will be positioned on the ground and the existing dwarf front wall and proposed 1.2m high trellis will help to screen it in views from the public highway through the new access opening. In due course the new tree in the front garden will also help to filter views of it.

The proposed Redland tile plain is a suitable equivalent to that approved, consistent with the prevailing palette of materials and colours found in this locality.

Residential Amenity

The EHO has confirmed there are no noise concerns relating to the re-positioned ASHP. It will be screened from view from the foreshortened garden of the host dwelling by the proposed new 2m high boundary fence.

Similarly, the proposed re-sited cycle store will be screened from the shallow rear garden of neighbouring 3 Compton Avenue by the new 2m high fence to be erected on this boundary.

Recommendation:

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

BR06 REV 07 LAYOUT PLAN
CYCLE SHED AND TRELLIS DETAILS
REV 1 27/06/2025 ASHP NOISE LEVEL CALCULATION
R290 PUZ-WZ60VAA MONOBLOC ASHP SPECIFICATION

This supersedes: -

DPA-01 REV 01 (SITE LAYOUT ONLY) Received 02.01.2026

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

Case Officer: Jo Morin

Date 17.07.2026

Authorised by: Peter Barnett

Date: 17 July 2026