DELEGATED DECISION REPORT

NMA/2019/0028 **Valid 17/12/2019**	**WINDY HARBOUR HOUSE** **ELLASTONE ROAD** **CAULDON LOW**	**NON MATERIAL AMENDMENT RELATING TO SMD/2019/0542, INCREASE IN HEIGHT OF TEACHING POD** **(NON MATERIAL AMENDMENTS)**

MAIN ISSUES

There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

The local planning authority must have regard to the effect of the change.

DESCRIPTION OF SITE

Windy Harbour was formerly a public house that occupies a remote moorland location on a main rural road. The land surrounding is open moorland with the occasional clump of trees or hedgerow breaking otherwise uninterrupted views across the landscape.

PROPOSAL

The Non-Material Amendment ('NMA') proposes a change to the approved teaching pod to increase the height from 3.06m to 3.37m. The revision is a direct result of the pod frame being changed from timber to steel to meet recently updated Building Regulations and improved specifications.

The approved Proposed Elevations Plan would be replaced by an updated Proposed Elevations Plan. The width, length, internal layout and external materials will remain as approved.

PUBLICITY

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply.

OFFICER COMMENTS

The building (teaching pod) would have a footprint of some 84 sq metres, across that area of flat roof, an all over 0.3 m height increase would make no discernible difference to the appearance or impact of the development. It would amount to a non material change or difference from the building as approved. There would be no change to use of external facing materials or elevational arrangement.

CONCLUSION / PLANNING BALANCE
The proposal is to make a non material change to the planning permission.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 15/01/2020

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council