DELEGATED DECISION REPORT

NMA/2020/0029 **Valid 10/07/2020**	**7 CONWAY GROVE** **CHEADLE**	**NON MATERIAL AMENDMENT IN RELATION TO SMD/2019/0370** **(NON MATERIAL AMENDMENTS)**

MAIN ISSUES

- Design
- Neighbour and public amenity

DESCRIPTION OF SITE

Site of an approved development: SMD/2019/0370.

Within the town development boundary, the site is part of the linear back garden plot of no.7 with end boundary to a private lane and public footpath right of way off Eaves Lane known as Plantation Drive. Conway Grove is a row of ten two-storey detached and semi-detached dwellings at the most south westerly end of a mid to late 20thC estate. The rear gardens as originally provided were somewhat shorter than now but by the acquisition of additional land have been extended for all except the three most north westerly dwellings in the row. The rear garden length of No.7 is c.35m x c.10m in width.

Following grant on appeal of outline consent for a detached bungalow in the land to the rear of 3 Conway Grove, a bungalow has now been developed at that location. A further outline consent for a bungalow has subsequently been granted for a similar plot rear of No.9 and full planning consent, again in a similar situation, has been granted for a bungalow rear of No.11.

Plantation Drive (and public footpath) is single track part metalled. Tight up to its SW edge is a tall (c.2m) close board fence with a taller dense leylandii type hedge growing behind it, all forming the side boundary to Woodland View a detached dwelling.

PROPOSAL

To vary the approved scheme by increasing the width of the windows to bedrooms 1 and 2 and to change the wall facing brickwork to Weinberger Oast Russet.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)
SS1 Development Principles

SS7 Cheadle Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
H1 New Housing Development

National Planning Policy Framework February 2019
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places.

Adopted Supplementary Planning Documents/Guidance (SPD/G):
- Space About Dwellings SPG
- Design Principles SPG

Core Strategy Supporting Evidence Documents:
- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0370 – detached dwelling - approved

Prior to the above there was no planning history specific to the application site. A complex series of multiple applications applies to neighbouring plots the most significant of which have been referenced in the Site Description above.

CONSULTATIONS

Publicity

None undertaken

The Government's NPPG states: 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. Therefore local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

As by definition the changes sought will be non-material, consultation or publicity are unlikely to be to be necessary, and there are unlikely to be effects which would need to be addressed under the Environmental Impact Assessment Regulations 2011.
Paragraph: 005 Reference ID: 17a-005-20140306
Revision date: 06 03 2014

OFFICER COMMENTS

Principle of Development

The principle of the development is established by grant of the 2019 consent.

The Government's NPPG states: 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. Paragraph: 002 Reference ID: 17a-002-20140306
Revision date: 06 03 2014

Design
The original (2019) approval described the scheme as: Plain form un-complicated design closely consistent with the recently approved and built bungalow to rear of No.3. The proposed brick, Ibstock Etruria mixture, may be a more orange red than the pale buff brick used at No.3 and should be accepted as preferable and also more akin to the two storey dwellings of Conway Grove including No.7.

The proposed use now of brickwork in Weinberger Oast Russet is found reasonably comparable to the Ibstock Etruria mixture though in fact it may actually be judged a superior choice.

Amenity
The separation distance to the rear elevation of No.7 is just shy of the 22m Space About Dwelling guidance figure of 22m but at 21m is acceptable – subject to removal of PD. The separation of 10m to the neighbouring boundary feature opposite the front elevation exceeds the minimum 6m separation from principal windows to a boundary of this height and form.

The two windows (one front and one back) subject to this proposed amendment would be c.1.3m in width in the approved scheme comprising twin unit casements. The proposed amendment is for them to comprise triple section casements to an overall width of c.1.9m.

The additional width is not judged problematic in design appearance terms and nor is it found to introduce any change in the assessment in terms of separation between principal windows as set out in the approved scheme.

CONCLUSION / PLANNING BALANCE
Given the assessment discussed above it is concluded that the proposed amendment to brick type and to the widths of the two windows would not amount to material changes and the proposed non-material amendment application can therefore be approved subject in all other respects to the conditions of the 2019 permission.

OFFICER RECOMMENDATION : Approve

Case Officer: Arne Swithenbank
Recommendation Date: 18th November 2020

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council