DELEGATED DECISION REPORT

NMA/2020/0031 **Valid 28/07/2020**	**246 LEEK ROAD** **ENDON**	**NON MATERIAL AMENDMENT IN RELATION TO SMD/2018/0442** **(NON MATERIAL AMENDMENTS)**

MAIN ISSUES

- Whether or not the proposed amendment to the approved application is material

DESCRIPTION OF SITE

The application site comprises a detached 20th Century dwellinghouse in a long rectangular plot with parking to the front. It is located on a residential street inside the development boundary of Endon. Trees border the plot along the road, and are covered by TPOs.

Approval was given in 2018 for a side extension above the garage, the addition of a porch, and a single storey rear extension.

PROPOSAL

The application seeks approval for a non-material amendment to the approved plans. The approved side extension has a roofline set down from the original dwelling, with the extension roof sloping down to a point just above the garage door and extending sideways over the front door, and a rooflight positioned in the middle of the slope. The proposed amendment shows the side extension with a full two-storey height, and roofline flush with that of the existing dwelling. A separate roof slope extends over the garage and front door.

The approved rear single storey extension is to remain unchanged.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2017/0259
Proposed two storey side extension, single storey rear extension. Brick construction
APPROVED 28/09/2017

SMD/2018/0442

Proposed second storey above garage together with front porch and single storey rear extension. This proposal is a modification to a much larger extension previously approved ref.SMD/2017/0259

APPROVED 11/09/2018

CONSULTATIONS

Publicity

Site Notice expiry date: n/a
Neighbour consultation period ends: n/a
Press Advert: n/a

Public and consultee comments: n/a

OFFICER COMMENTS

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.

In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The approved plans show a side extension, providing dwelling space above the existing garage, with a ridge line below that of the existing house. The roof slopes continuously from the garage to the ridge. It is now proposed to increase the height of this extension so that it equals that of the existing building, creating a continuous ridge along original dwelling and extension. Due to the increase in height, the extension is now proposed to have a separate ground floor roof above the garage door and front door on the front elevation. A first floor window is proposed above this.

These changes to the design and scale of the extension are judged to have a significant impact on the appearance of the dwelling. The approved extension involves a lower roofline and is set back from the original dwelling. In contrast, the proposed alteration would change the shape of the extension and construct it flush with the existing dwelling. This will significantly alter the character of the dwelling and change its impact on the street scene.

Furthermore, the changes are not considered acceptable in planning terms. The Council's Design SPD outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing, through setting back of the building line and keeping

ridge and eaves height lower. The proposed flush extension does not accord with this guidance and does not respect the dominance of the original building. As a result, the proposed changes would not be approved as a new planning application.

There are no amenity concerns raised by the proposals. The addition of a first floor window is not considered to be detrimental to neighbour amenity.

The proposed changes are considered to result in a material change to the character and appearance of the dwelling. Consequently, the proposed changes cannot be considered to be “non material”. Furthermore, the proposed changes would detract from the character of the dwelling and of the locality and are not considered acceptable.

CONCLUSION / PLANNING BALANCE

In summary, it is considered that the proposal comprises a material change within the context of the original application. Therefore it is recommended that the NMA is refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Florence Hewett
Recommendation Date: 17th February 2021

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council