

DELEGATED DECISION REPORT

NMA/2021/0029
Valid 15/10/2021

44 CAVENDISH ROAD
UPPER TEAN

NON MATERIAL AMENDMENT
RELATING TO SMD/2020/0275

(NON MATERIAL AMENDMENTS)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site consists of a two-storey detached dwelling with attached garage, off-road parking and amenity space to the front and rear. At the rear of the house there is a conservatory, patio and garden area. Boundaries are predominantly marked by timber panel fencing and land levels are generally flat throughout the site. The dwelling occupies an end of cul-de-sac location, this playing a visually prominent part of the street scene particularly since the road rises in level towards the application property. Running adjacent to the northern boundary is a footpath which links the residential estate with Gorsty Hill Road; the footpath further divides the application property with its neighbour to the north, number 21 Cavendish Road.

PROPOSAL

This is a Non-Material amendment application which has been submitted following on from approval of application SMD/2020/0275 for Conversion of existing garage into dayroom, first floor extension over garage to provide bedroom & internal alterations.

The proposed amendments include;

- Setting the first floor, front wall of the extension back by 300mm instead of the approved 500mm;
- Small ridge-height increase (as a result of the front wall location change)
- Some internal alterations to the location of the lift and bathroom layout (although these do not require planning consent).

The application form states that although the amendments are not significant, they are needed to be able to accommodate equipment associated with wheelchair use.

The application file will show that an amended plan has been received. The plan does not change the proposal, it has only been submitted to give it a new plan/reference number to differentiate it from the originally approved scheme.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

DC1 Design Considerations

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.
2. Space About Dwellings

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

- 12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2020/0275	Conversion of existing garage into dayroom, first floor extension over garage to provide bedroom & internal alterations. Approved.
98/00974/OLD	Residential development. Approved.
98/00308/OLD	19 dwellings. Approved.
88/00568/OLD	Estate roads, sewers and 130 dwellings. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: N/A
Neighbour consultation: N/A
Press Advert: N/A
Public 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.

Given that the original consent is extant, the only matters to consider within this NMA application are neighbour amenity and design.

Due to the location of neighbouring properties, including distance and orientation, the enlarged extension will not have any unacceptable overbearing relationship, this is due to the extremely minor size increase involved.

In design terms, the scheme is acceptable. Although technically, the extension won't be as subordinate as it originally was, the extension will still be set back from the main front wall and will have a lower ridgeline and set back/broken, front facing roof ridge. The proposal will still comply with the council's adopted design guidance, Local Plan and NPPF policies.

CONCLUSION / PLANNING BALANCE

The proposed changes are not considered to result in a material change to the character and appearance of the dwelling, or any adverse impact on the residential amenities of surrounding neighbours. It is for these reasons that the proposed changes are considered to be "non material" and would not detract from the character of the locality.

OFFICER RECOMMENDATION : Approve.

Case Officer: Lisa Jackson

Recommendation Date: 15/11/2021.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council