

DELEGATED DECISION REPORT

NMA/2021/0035
Valid 09/12/2021

4
STONE VILLAS TOWER
HILL ROAD
MOW COP

POSITION OF THE FRONT
(FACING HALLWAY) WALL OF
THE PROPOSED EXTENSION
TO BE MOVED BACK BY
400MM AND WINDOWS TO BE
CHANGED FROM WHITE TO
LIGHT GREY

(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

End terrace 19th C stone cottage in a row of four that are relatively isolated on a rural lane in the Green Belt between Brown Lees and Mow Cop. The side and rear of the cottage adjoin open fields.

The original cottage forms a two storey L shape footprint where a front facing gable projection is shared half and half/back to back with the adjacent neighbour. With later additions at ground floor, a lean to porch arrangement at front and side has squared off the L shape, built with stone cladding and brick that doesn't match that of the original. A square conservatory has been added to the rear (with planning permission) and an open sided canopy roof car port to the side, not quite adjoining, has been built with no obvious consent, not permitted by Class E, Part 1 of GPDO because it exceeds 2.5m in height and is within 2m of the curtilage boundary. Doesn't appear that this car port, that replaced a small flat roof garage, was built more than 4 years ago.

There are a collection of sheds at the bottom of the garden.

Rather unique to these cottages, no 4 and its adjoining neighbour originally had matching little arched windows at ground and first floor. However, it appears that with the conservatory addition the window has been altered to form a door and the original door has become a new square window.

PROPOSAL

The application proposes changes to the householder development that was approved with planning permission SMD/2021/0126. It seeks approval of these changes as 'Non Material Amendments' to the planning permission.

The changes include and are detailed as:

- ☐ Section of front wall of side extension to be set back 400mm further retaining the size and proportions of an existing side window
- ☐ using light or soft grey colour on windows

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0126 Side extension and demolition of rear conservatory. Approved

CONSULTATIONS

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.

There had been no response to the publicity carried out in respect of the original application.

OFFICER COMMENTS

I have given consideration to the effect of the changes having regard to the context of the overall scheme.

Visually the effect of the changes would be inconsequential, the additional set back of just 400mm at the front would not be noticeable. In some respects it might be considered an improvement – the proportions of an existing side window would remain, rather than being reduced and resized, to keep the same roof pitch with the slight narrowing of the gable width the rear roof slope would sit inside the verge of the main roof at the rear.

Light or soft grey fenestration, could be considered a heritage colour appropriate to a stone cottage of this age.

CONCLUSION / PLANNING BALANCE

The revised proposal would make a non-material change to the planning permission.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 02/02/2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

