DELEGATED DECISION REPORT

NMA/2022/0028 **Valid 22/12/2022**	**19 ADAMS GROVE** **LEEK**	**NON-MATERIAL AMENDED TO SMD/2021/0240. AS BUILT HEIGHT IS 300MM TALLER THAN PREVIOUSLY APPROVED DUE TO INCREASED ROOF THICKNESS WHICH WAS REQUIRED FOR EXTRA INSULATION ADDED OVER THE TOP OF THE ROOF DECK (150MM) FOR REVISED BUILDING REGULATIONS.** **(NON MATERIAL AMENDMENTS)**

MAIN ISSUES

The main issue relates to whether the proposed amendment to the approved scheme is non-material.

DESCRIPTION OF SITE

The proposed site comprises a detached brick and tile dwellinghouse and its associated curtilage, situated in the Leek West Ward. The site is within the Leek Development Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate development. The proposed site is enclosed by neighbouring dwellings comprising a section of Adams Grove. No. 20 Adams Grove lies to the North-East of the proposed site and Chimneys, No. 18 Adams Grove is situated to the South-West. The rear curtilage of the site adjoins an area of open space to the North-West. The Adams Grove highway runs adjacent to the proposed site on the South-East.

It is noted that a number of properties within the estate have been extended; however the established character of the original estate has been retained.

PROPOSAL

The proposed amendment to the approved plans consists of parapet walls to the rear elevation and the built height of the approved extension being 0.3m taller. This is due to increased roof thickness which was required for extra insulation added over

the top of the roof deck (150mm) for revised building regulations. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0350 – Proposed front extension. Approved.
SMD/2021/0240 – Demolition of existing single storey rear extension, erection of larger single storey rear extension. Approved.

CONSULTATIONS

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.

This application seeks to confirm whether a singular alteration to the approved plans for a proposed single storey rear extension would be considered material. The proposed alteration to the plans consists of the built height of the approved extension being 300mm taller. This is due to increased roof thickness which was required for extra insulation added over the top of the roof deck (150mm) for revised building regulations. No further alterations have been proposed.

With regard to the nature and scale of the proposed amendment, it is considered that the amendment would not materially alter from the approved development scheme. Building regulations standards in relation to insulation have changed since the approval of the extension was granted, which the applicants are required to adhere to. It is considered that there is very little difference between the approved single storey rear extension and the extension demonstrated on the new plans (0.3 metres in height). The newly proposed rear extension would not change in any other way from the approved extension, thus it would have no greater impact on the character of the dwelling or wider area. Both neighbouring properties within closer proximity to the site would not be negatively affected by the change. Regardless of the 0.3 metre increase in height, the proposed extension would still not breach the 45 degree rule into any habitable windows of neighbouring dwellings.

The proposed alteration is considered to be minor in nature and would not adversely affect the character or appearance of the dwellinghouse as approved. Thus, the character of the building and surrounding area would continue to be maintained despite the alteration to the approved development.

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed changes are non-material. A change in the height of the proposed rear extension by 0.3 metres would only slightly differ from what was approved under the original application and would not impact neighbour amenity any more than what has already been approved. Therefore it is recommended that the application is approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 19/01/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council