

DELEGATED DECISION REPORT

NMA/2023/0006
Valid 23/03/2023

THORNCROSS FARM
THORNCLIFFE ROAD
LEEK

NON-MATERIAL AMENDMENT
IN RELATION TO
SMD/2018/0342

(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 application is located outside of the development boundary and within the Tittesworth Parish.

The application relates to a two storey farmhouse which has an 'L-shaped' layout. The farmhouse is surrounded by agricultural land, some of which is used for a caravan storage business, which utilises various barns and agricultural outbuildings within close proximity to the farmhouse. There is a large set of gates off Thorncliffe Road with a driveway leading through the agricultural buildings to the farmhouse at the back of the site. There are also several large ponds within the farm, which are set between the farmhouse and Thorncliffe Road.

PROPOSAL

The proposed amendment to the approved plans consists of the removal of the utility room and amendments to some external openings. These alterations have been proposed for the purposes of amenity. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0342 – Single storey extension and conversion of attached garage to office and utility room. 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 alterations to the approved plans for a proposed single storey extension and conversion of attached garage to office and utility room would be considered material. The proposed alterations to the plans consist of the removal of the utility room and amendments to some external openings. These alterations have been proposed for the purposes of amenity. No further alterations have been proposed.

With regard to the nature and scale of the proposed amendments, it is considered that the amendments would materially alter from the approved development scheme. The reconfiguration of the rooms internally would not require any form of planning permission and is therefore considered acceptable. The approved plans include the replacement of the existing garage door with two small windows in the front elevation, which would be in keeping with the size and design of the windows of the existing dwelling. The new plans indicate that the two approved smaller windows would be replaced with a set of bi-fold doors which open out into the farm yard, likewise to the bi-fold doors on the approved extension. This alteration would be a substantial increase in the void to solid ratio on the principal elevation of the traditional farmhouse, creating a less in character feature of ornamentation.

Furthermore, a window would be removed from the rear wall of the approved extension and replaced with a larger window on the North facing side elevation of the extension. This window would be double the width of the rear windows, thus it would be of a design which would not be in keeping with the vertical emphasis of the windows on the existing dwelling.

There are no neighbours in the surrounding vicinity of the site which would be affected by the proposed alterations. As such, amenity is not considered to be an issue in this case and the proposed amendments accord with policy in this regard.

The proposed alterations are not considered to be minor in nature and would affect the character and appearance of the dwellinghouse as approved. Thus, the character of the building and surrounding area would not continue to be maintained if the alteration to the approved development were to be approved.

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed changes are material. The proposed window alterations would be out of character with the existing dwelling, in terms of their size and scale and thus materially different. Therefore it is recommended that the application is refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins
Recommendation Date: 22/06/2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council