DELEGATED DECISION REPORT

NMA/2023/0018 **Valid 01/09/2023**	**ORCHARD HOUSE AND PEAR TREE HOUSE ABBOTTS ROAD LEEK**	**NON MATERIAL AMENDMENT RELATING TO SMD/2019/0573 - AMEND THE FRONT ELEVATION OF BOTH DWELLINGS FROM GREY BRICK TO GREY CLADDING** **(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 site comprises a plot of land within the car park belonging to The Priory public house, situated in the Leek North 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 and The Priory public house, comprising a section of Abbotts Road. No. 1 and No. 2 Beresford Place, Abbotts Road are situated to the North of the proposed site and The Priory public house is situated to the South. The rear curtilage of the site adjoins allotment gardens to the South-East. The Abbotts Road highway runs adjacent to the proposed site on the West.

PROPOSAL

The proposed amendment to the approved plans consists of amending the front elevation of both dwellings from grey brick to grey cladding. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2016/0706 – Outline planning application with some matters reserved for construction of 2 no. houses. Refused.
SMD/2019/0573 – 2 No proposed dwellings with associated access and amenity space. 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 two new 4 bedroom detached houses to be built under the application SMD/2019/0573 would constitute a non-material amendment. This alteration consists of amending the front elevation of both dwellings from grey brick to grey cladding. No further alterations have been proposed.

With regard to the nature and scale of the proposed amendment, it is considered that the amendment would materially alter from the approved development scheme. As the alteration from grey brick to grey cladding would be on the principal elevation of the dwellings, this alteration would have a large degree of prominence amongst the wider street scene. Furthermore, the use of grey cladding would have a detrimental visual impact on the dwellings. Grey cladding is not a material which has been previously introduced to the streetscape, so it is considered that it would be an out of character alteration.

Conditions were specifically attached to the planning permission requiring the use of brick. Thus deviating from this is considered to be a material change.

The proposed alteration is not considered to be minor in nature and would adversely affect the character and appearance of the dwellinghouses as approved. Thus, the character of the buildings and surrounding area would not continue to be maintained as a result of 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 material. The use of grey cladding rather than grey brick would have a detrimental visual impact on the host dwellings and wider street scene. It is not considered by the Council that grey cladding is characteristic of the surrounding streetscape, thus the Council are not able to support this. Therefore it is recommended that the application is refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins
Recommendation Date: 27/09/2023

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council