DELEGATED DECISION REPORT

NMA/2023/0027 **Valid 03/10/2023**	**34 WINPENNY LANE** **CHEADLE**	**SEEKING TO AMEND THE LIST OF APPROVED DRAWINGS AS LISTED UNDER APPROVED PLANS-CONDITION 2 OF APPLICATION SMD/2018/0180 TO ALLOW ALTERATIONS TO PLOT 39 (34 WINPENNY WAY)** **(NON MATERIAL AMENDMENTS)**

MAIN ISSUES

- Whether or not an amendment to an approved development can be treated as a "Non Material Amendment" not requiring any further submission of a full planning application.

- The impact on the visual and residential amenities of the area as a result of the proposed changes.

DESCRIPTION OF SITE

The application site relates to a dwelling that is part of a large housing development, approved in 2018, situated east of Froghall Road and north of Ayr Road/Cheltenham Avenue, Cheadle. The development site has being built in phases and as such, the dwelling that is being considered has not been fully built. When built, it will be a detached dwelling with an integral garage, a small rear garden that backs onto the neighbour's garden at Wetherby Close road.

PROPOSAL

This is a Non Material Amendment planning application. The applicant of this proposal is interested in altering one of the plots (No.39) associated with a large 125 housing development prior to the dwelling being fully built. The applicant proposes a single storey rear extension that will adjoin the integral garage that is to be converted into a dog room. The extension will be 4m long by 3.7m wide with a pitched roof, ridge height of 3.8m. The garage door will be replaced with door and window.

The Council must decide if the alterations can be treated as a "Non Material Amendment" to the approved scheme in terms of whether or not the alterations have any significant additional impact on the character, appearance and amenities of the area and the surrounding environment in general. If it is considered the amendments would lead to a significant impact, the application would be refused and a new full planning application would be required to be submitted for the alteration to the scheme.

If it is deemed no significant impact would occur, the Non Material Amendment application can be approved and the amendments can be undertaken without the need to submit any further planning applications.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework
Section 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0180 Hybrid planning application on land east of Froghall Road and north of Ayr Road/Cheltenham Avenue, Cheadle seeking 1) full permission for 125 dwellings and access to proposed primary school and 2) outline permission for up to 135 dwellings and primary school with all matters reserved. **Approved**

CONSULTATIONS
N/A

OFFICER COMMENTS
When the Council considered the formalities of this planning matter, the proposed alterations to a dwelling was deemed to be a minor amendment in context to the major scale housing development. It was considered as an exception, the proposed works could be assessed under a non-material amendment.

This said, the local planning authority must be satisfied that the amendments sought is non-material against the major scale planning permission in order to grant an application under section 96A of the Town and Country Planning Act 1990.

With regards to the appearance and scale of the works, notably the rear extension, I do not consider the changes would harm the appearance of the approved dwelling or the character and appearance of the wider area. The rear extension would be a modest and subservient addition to the main house. In addition, it would not be visible from the public street-scene. As for the garage conversion, the replacement door and window match those used on the host dwelling harmonising with the dwelling.

There were concerns that the proposed dog room and workshop would be used beyond incidental purposes to which this type of application is unable to control or limit. Nevertheless, the agent has provided details of its intended use which is sufficient grounds to support the scheme provided that they are adhered to. Ultimately if the garage conversion is used for any purpose not incidental to the enjoyment of the dwelling a full planning permission for change of use would be required.

For a dwelling consisting of three bedroom units, a minimum of two parking spaces are recommended. The proposal would affect existing parking provisions as a result of the integral garage being converted for living space. However, having measured the length and width of the driveway, there would ample parking for two cars (2.5m by 4.8m per vehicle). Thus, the proposal would not have a material change to wider scheme.

With regards to residential amenity, the impact to neighbours will be negligible. The converted garage will screen views of the proposed rear extension taken from the west of the site and, there is sufficient distance of 20m and boundary fencing to obscure the rear addition from the neighbours to the rear of the site. As such, the extension would not cause any undue overlooking to neighbours.

CONCLUSION

The amendments would not harm the visual or residential amenities of the area. The Council therefore considers the changes can be deemed to be Non Material Amendments to the planning permission for the replacement dwelling, not requiring further consultation or the submission of a new planning application.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Li
Recommendation Date: 30/11/23

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council