

DELEGATED DECISION REPORT

NMA/2024/0004
Valid 28/02/2024

89 CONWAY ROAD
KNYPERSLEY

**APPLICATION FOR A NON-
MATERIAL AMENDMENT IN
RELATION TO APPLICATION
SMD/2023/0002**

**(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 Biddulph South ward. Additionally, the proposed site is within the Biddulph Development Boundary, where positive development is encouraged to be concentrated. The site is enclosed by neighbouring dwellinghouses on the North-East, North-West and South-East. No. 87 Conway Road is situated to the North-West of the site and No. 91 Conway Road is located to the South-East. The rear curtilage of the site adjoins the rear curtilage of No. 81 Conway Road to the North-East. The Conway Road highway runs adjacent to the proposed site on the South-West.

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

PROPOSAL

The proposed amendment to the approved plans consists of the reduced footprint of the approved extension. The depth of the proposed extension would be reduced to 6.0 metres (from 8m) and the width would be reduced to 5.29 metres (from 5.5m). The existing outrigger to the rear of the dwelling would no longer be removed and the proposed extension would adjoin this outrigger. This amendment has been requested due to the build costs. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2022/0037 – Proposed single storey rear extension. Proposed extension to extend beyond the rear wall by 8m, maximum height of the eaves to be 3.60m, height of the eaves of the extension to be 2.90m. Refused.

SMD/2023/0002 - Proposed single storey rear extension. Approved.

SMD/2024/0095 – Proposed single storey rear extension. Withdrawn.

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 an alteration to the approved plans for a single storey rear extension under the application SMD/2023/0002 would constitute a non-material amendment. This alteration consists of a reduced footprint of the proposed extension. The depth of the proposed extension would be reduced to 6.0 metres and the width would be reduced to 5.29 metres. The existing outrigger to the rear of the dwelling would no longer be removed and the proposed extension would adjoin this existing outrigger. 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. Visually, the newly proposed extension would continue have a flat roof but would not project as far into the garden due to its reduction in size. Regardless of this, as the extension is to the rear of the dwelling and barely visible amongst the wider public domain, it would barely appear different to the approved extension. Furthermore, the newly proposed extension would have a lesser impact on the light amenity of the neighbour at No. 91 Conway Road than the approved extension, due to no added projection from the rear elevation of the dwelling closer to this neighbour. Thus, despite the extension not projecting as far as approved, when viewed from number 91 appearance it would appear smaller and in this instance it is considered to be non-material.

The proposed alteration is considered to be minor in nature and would not adversely affect the character or appearance of the development 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 change is non-material. The amendment would not have a detrimental visual impact on the approved development site or wider street scene. Furthermore, the alteration would not impact neighbour amenity any more than what has already been approved; in fact it would have a lesser impact on the neighbours due to its reduction in size. Therefore it is recommended that the application is approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 26/03/2024

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council