

DELEGATED DECISION REPORT

NMA/2024/0015
Valid 13/06/2024

ORCHARD LEA
CLEWLOWS BANK
STOCKTON BROOK

APPLICATION FOR A NON-
MATERIAL AMENDMENT IN
RELATION TO APPLICATION
SMD/2022/0580

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Whether the amendment to the approved scheme is non-material.
- Design.

DESCRIPTION OF SITE

The application site lies relates to a dwelling which is located within the Green Belt as defined by the Local Plan policies map. The site relates to a two storey semidetached dwelling which is located within the settlement of Stanley Moor. The dwelling is set back some distance from Clewlovs Bank and is adjoined on three sides by residential properties.

PROPOSAL

The proposal amends the previously approved plans (SMD/2022/0580) by removing large amounts of the glazing which was proposed. The approved plans show the front and rear elevations as being almost completely glazed, the NMA seeks to scale back the glazing, and instead incorporate more brickwork into the design. At the rear, the large section of glazing has been replaced with two bi-fold doors, and at the front a single bi-fold door and a window above.

The proposal was described in the report for SMD/2022/0580 as: *“The application proposes the construction of a single storey rear extension. The extension would be full width of the rear elevation and project beyond its side elevation. The extension would project to the rear by 3.9m and to the side by 3.8m. A lean-to roof design is proposed with full height glazing proposed to the front elevation. A downstairs bedroom and extended kitchen dining area is proposed.”*

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 -14, 47, 131, 135.

Section(s) 4 – Decision making, 12 – Achieving well designed and beautiful places.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Design Principles for Development in the Staffordshire Moorlands
- Staffordshire Moorlands Design Guide SPD
- Space About Dwellings SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- NMA/2024/0016. DESCRIPTION: Application for a Non-Material Amendment in relation to application SMD/2023/0427 Alter the garage to a single garage with a covered timber frame carport. Additional window added to the gable-end. DECISION: TRIAGE
- SMD/2022/0580. DESCRIPTION: Proposed rear extension. DECISION: APPROVED
- SMD/2023/0427. DESCRIPTION: Creation of a double garage to replace the existing car port. DECISION: APPROVED

CONSULTATIONS

Publicity

Whether publicity is required is addressed at PPG 005 Reference ID: 17a-005-20140306. The paragraph reads:

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary, and there are unlikely to be effects which would need to be addressed under the Environmental Impact Assessment Regulations 2011.

Taking the above into account no publicity or consultation has been undertaken in this case.

OFFICER COMMENTS

The principle of development is confirmed by the granting of SMD/2020/0197. 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 the construction of a rear extension would constitute a non-material amendment.

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. Red brick is a traditional building material in the Staffordshire Moorlands, and its use is generally encouraged over other materials. The NMA seeks to incorporate more of this material into the approved scheme, which will match that of the existing house, which is red brick at ground floor level. The proposed changes will make the proposed extension more in keeping with the property, and therefore the proposed alteration is considered to be beneficial to the scheme and would not adversely affect the character and appearance of the dwellinghouse. Thus, the character of the building and surrounding area would continue to be maintained as a result of the alteration to the approved development.

The proposed changes to fenestration will have no greater impact on the amenity of neighbouring properties than the approved development

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed changes are non-material. The use of red brick as opposed to large sections of glazing would not have a detrimental visual impact on the host dwellings and wider street scene. It is considered by the Council that sense of character of the property is maintained, if not enhanced, by the proposed amendment. Therefore it is recommended that the application is approved.

OFFICER RECOMMENDATION : Approve

Case Officer: Reuben Berriman

Recommendation Date: 11/07/2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council