

DELEGATED DECISION REPORT

NMA/2024/0016
Valid 17/06/2024

ORCHARD LEA
CLEWLOWS BANK
STOCKTON BROOK

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.

(NON MATERIAL AMENDMENTS)

MAIN ISSUES

The main issue relates to whether the proposed amendments to the approved scheme are non-material.

DESCRIPTION OF SITE

The application site relates to a semi-detached dwelling and its associated curtilage, situated in the Bagnall and Stanley ward. The property is located within the Green Belt, where development is more restricted. The property benefits from a garden, driveway and garage to the front with a private garden to the rear. The site is enclosed by neighbouring dwellinghouses to the North and South. Sunny Bank, Clewlovs Bank (the adjoining neighbour) is situated to the North of the site. The rear curtilage of the site adjoins the rear curtilages of No. 5, No. 7, The Hollies No. 9 and Woodlands No. 11 Moorhead Drive to the South. The Clewlovs Bank highway runs adjacent to the proposed site on the West.

PROPOSAL

The proposed amendments to the approved plans consist of altering the size of the garage to a single garage with a covered timber frame carport. An additional window would be added to the gable-end. Furthermore, the materials used would be altered. These amendments have been requested due to client preference. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2022/0580 – Proposed rear extension. Approved.
SMD/2023/0427 – Creation of a double garage to replace the existing car port.
Approved.

CONSULTATIONS

There is no statutory requirement to consult on an NMA application. However, it is noted that 2 objections have been received, which indicates the materiality of the change in that neighbours would wish to comment on the proposal.

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 the creation of a double garage to replace the existing car port under the application SMD/2023/0427 would constitute a non-material amendment. The alterations consist of changing the size of the garage to a single garage with a covered timber frame carport. An additional window would be added to the gable-end. Furthermore, the materials used would be altered. 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. Visually, the newly proposed car port on the side of the garage would add a considerable amount of size to the building, materially changing the appearance of the approved scheme. I note that initially, a double garage was proposed under SMD/2023/0427. The Planning Officer requested that this was reduced in size due to its materially larger footprint than the existing car port. Thus, the addition of a car port to the side of the approved single garage would add footprint back on to the approved building, bringing back the same issue raised by the Planning Officer initially.

The addition of the apex window to the gable end would be considered non-material. The window is small in size and positioned above the average natural eye level, meaning that it would not impact the privacy amenity of any neighbouring dwellings.

Although there are some proposed alterations to the approved materials, including the change from slate roof tiles to clay roof tiles and the addition of a band of blue engineering bricks to the bottom of the garage, these alterations are considered acceptable. The new materials would remain in keeping with the host dwelling and surrounding area.

On the whole, the proposed alterations are not considered to be minor in nature and would adversely affect the character or appearance of the development as approved.

Thus, the character of the building and surrounding area would not be maintained as a result of the alterations 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 amendments would have a detrimental visual impact on the approved development site and would bring forth the same initially raised issues regarding the excessive size of the building. Therefore it is recommended that the application is refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Varley

Recommendation Date: 15/07/2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council