

DELEGATED DECISION REPORT

NMA/2024/0020
Valid 14/08/2024

LAND AT ASH BANK ROAD
WERRINGTON

APPLICATION FOR A NON-MATERIAL AMENDMENT IN RELATION TO APPLICATION SMD/2021/0694 - REMOVAL OF LANDSCAPE BAY BETWEEN PARKING SPACES ADJACENT TO PLOT 17-18 (TO ALLOW DIVERSION OF HV CABLE).

(NON MATERIAL AMENDMENTS)

MAIN ISSUES

There is no statutory definition of 'non-material'. The PPG confirms that 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 LPA 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.

PROPOSAL

This NMA relates to an approved housing scheme in Werrington which is currently under construction

Plans considered

Planning Layout SKM189-PL-01 rev BW

Materials plan SKM189- MP-01U

Boundary Treatment Plan SKM189-BTP-01R

External Works Plan SKM189-EXT-02E

6615.02G LD 1 of 4 Aug 24

6615.03G LD 2 of 4 Aug 24

6615.04F LD 3 of 4 Aug 24

6615.05F LD 4 of 4 Aug 24

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

SM Local Plan (Adopted 2020)

SS1 Development Principles

DC1 Design Considerations

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

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 following amendments are sought with Officer comment by each

1. Removal of landscaping strip in the middle of the five parking bays (reference P17, P18, V, V and P15)
Comment: Although the explanation and plan in the applicant's cover letter is far from clear, the amendment is clearly shown on the revised Landscape plan 6615.03 Rev G, and main Planning Layout plan SKM 189 PL 01 Rev BW. It is a very narrow strip of vegetation. It is inconsequential. No issue is raised
2. It has been clarified by email dated 4th September that it is the position of the mown path and not the position of the LEAP that has shifted slightly to the east due to proximity to the SUDS feature.
Comment: Shown on Layout plan Planning layout SKM 189 PL 01 Rev BW. Inconsequential. No issue raised
3. The rear boundary fence to Plots 17-21 has been moved inwards by one metre. Agent supplied photos dated 18-9-24. Gardens, whilst reduced in length by 1m, are still above standard measuring between 13.4 and 12.8m in length.
Comment:- Shown on Planning layout and Boundary treatment. No issue raised
4. The paths to the front doors of Plots 33-37 have been realigned to be taken from the parking bays rather than from the footpath
Comment:- Shown on the Planning Layout – no objection raised. More efficient and reduces the amount of hardstanding
5. The garden wall to Plots 37 has moved out to the west and hoop top railings have been added to complete the boundary and separate the plot from the adjacent POS area. The bay window on the side elevation is now within curtilage rather than within the POS.
A similar change has been made at Plot 64 where 1.2m hoop top railings have been added to the north boundary presumably so that the bay window is within the curtilage rather than open space
Comment:- On balance considered to be a small change in the context of the whole development and non-material

6. The garden wall at Plot 58 has been moved slightly to increase the size of the rear garden and to fall in line with the parking bay.
Comment:- Inconsequential change

CONCLUSION / PLANNING BALANCE

The changes are considered to be non material. The Section 96A can be granted

OFFICER RECOMMENDATION : Approve

Case Officer: Jane Curley

Recommendation Date: 25th November 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council