

DELEGATED DECISION REPORT

NMA/2024/0019
Valid 29/07/2024

28 HILLCREST AVENUE
KINGSLEY HOLT

**NON-MATERIAL AMENDMENT
TO AMEND THE PROFILE AND
FOR THE PITCH OF THE ROOF
TO MATCH THE
NEIGHBOUR'S ADJACENT
GARAGE IN RELATION TO
APPLICATION SMD/2023/0243**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

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.

The local planning authority must have regard to the effect of the change.

DESCRIPTION OF SITE

The site is within the developed area of Kingsley Holt lying to the north-east of the main part of the village. It comprises a two-storey detached dwelling near the end of the Hillcrest Avenue cul-de-sac which runs along the north-west/front boundary. There are dwellings to the south-west side and also on the other side of the road to the north. To the north-east side is a bungalow at the end of the cul-de-sac which is placed perpendicular to the application dwelling with the front wall of the bungalow facing the side boundary of the site.

PROPOSAL

The application proposes changes to the permission that was approved under reference SMD/2023/0243. It seeks approval of this change as a 'Non Material Amendment' to the planning permission.

To erect a freestanding car port shelter structure to the side of the dwelling on existing driveway between the applicant's dwelling and the neighbour's gable fronted garage that stands on the other side of the boundary. The car port would be open side all around and have a full pitched gable fronted roof supported on a steel post frame. The application forms detail that the roofing material shall match the tiles on the neighbour's adjacent garage.

The proposed revision with this application would alter the mono pitch lean to canopy across the front, side and rear of the car port to a hipped arrangement. The roof pitch would be altered slightly to match that of the adjacent neighbour's garage.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2017/0841 Previous scheme of extensions. Approved.

SMD/2018/0616 Revised scheme of extensions. Approved.

SMD/2023/0243 Car Port. Approved.

Public Comments

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.

There had been no response to the publicity carried out in respect of the original application.

OFFICER COMMENTS

I have given consideration to the effect of the changes having regard to the context of the overall scheme and the external appearance of the dwelling and the proposed car port on the residential estate.

The minor elevation changes and the alteration of the canopy to incorporate a hipped arrangement would not materially affect external appearance of the dwelling or the proposed car port and there would be no change to the developments impacts on the amenity of the area.

The proposed car port would be set back from the front of the applicant's dwelling and the neighbour's garage, and therefore the principal street frontage. It would sit relatively innocuously in the narrow gap between buildings and therefore would not be prominent or intrusive within the public realm. The form and shape of the structure would have a full pitch and gable that would be similar to in size and scale to the adjacent garage.

CONCLUSION / PLANNING BALANCE

The proposed change to the planning permission, as revised, would make a nonmaterial change that can be approved as such.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 23/08/2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

