

DELEGATED APPLICATION REPORT

Address: 123 Maine Street

Application No: 220831/NMA

Proposal: Non-Material Amendment to reserved matters application 170096 for changes to proportions of brickwork and cladding to the east and west elevations of Urban House

Target Decision Date: 05/07/22

Case officer: Connie Davis

Site Description and Surrounding Area

The application site is in the Green Park Village (GPV) site at the eastern side of the overall Green Park Village development. This forms Phase 3B2 of the approved hybrid application i.e. Phase 1 in detail and the remainder in outline (under permission 10/01461/OUT (102172)).

The outline approval requires details for the reserved matters to be submitted, i.e. layout, scale, appearance, accesses to and within the development (not already approved by the outline) and landscaping. The reserved matters need to be in accordance with the principles of a number of approved drawings as set out under Condition 5 of the original permission and, in particular, in accordance with the Development Guidelines in the approved Design and Access Statement, November 2010. In addition, reserved matters should also include landscaping details to meet the requirements of condition 9.

Proposal

Outline planning permission from was approved for 143 dwellings comprising 48 houses and 95 apartments, associated car parking and landscaping. 'Urban House' is one of the approved styles of residential block. The Urban Houses were proposed to be finished in buff brick with a black hardiplank cladding at each end. This application seeks an NMA to the proportions of brickwork and cladding to the east and west elevations of 'Urban House'.

Public Consultation

- i. Neighbour Consultation

No statutory requirement for any for this type of application.

Consultations

None required for this application type.

Plans Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following documents:

Approved plans at time of application

- Location Plan Extent of Phase 3B2 - Drawing no: PL-P3B2-001 Rev P3 • Site Layout Plan - Drawing no: : PL-P3B2-002 Rev 11, received 18th May 2017
- Block Plan Extent of Phase 3B2 - Drawing no: PL-P3B2-003 Rev P3 • Phase 3B Street Scene Elevations A-E - Drawing no: PL-P3B-004 Rev P2
- House Type A1, A1H, A1-5H Plans & Elevations Hardie Plank - Drawing no: PL-P3B2-005 Rev P3
- House Type B1 Plans & Elevations Hardie Plank - Drawing no: PL- P3B2-006 Rev P3
- House Type C1-1 Plans & Elevations Hardie Plank - Drawing no: PL- P3B2-007 Rev P3
- House Type C2/C2H Plans & Elevations Hardie Plank - Drawing no: PL-P3B2-008 Rev P3
- House Type C3-1/C3-1H Plans & Elevations Hardie Plank - Drawing no: PL-P3B2-009 Rev P3
- House Type D1 Plans & Elevations Hardie Plank - Drawing no: PL- P3B2-010 Rev P3
- House Type D3 Plans & Elevations Hardie Plank - Drawing no: PL- P3B2-011 Rev P3
- Woodland Apartment Plan - Drawing no: PL-P3B2-012 Rev P3
- Woodland Close Apartment Elevations - Drawing no: PL-P3B2-013 Rev P3
- Longwater Av. Apartments (LWA) LWA 1& 2 Plans - Drawing no: PL- P3B-014 Rev P3
- Longwater Av. Apartments (LWA) LWA 1& 2 Elevations - Drawing no: PL-P3B-015 Rev P3
- Longwater Av. Apartments (LWA) LWA 3 Plans - Drawing no: PL-P3B-016 Rev P3
- Longwater Av. Apartments (LWA) LWA 3 Elevations - Drawing no: PL- P3B-017 Rev P3
- Gateway Apartments (GWAs) 3B2 Plans - Drawing no: PL-P3B-018 Rev P3 • Gateway Apartments (GWAs) 3B2 Elevations - Drawing no: PL-P3B-019 Rev P3
- Urban House Ground Floor Plan - Drawing no: PL-P3B2-020 Rev P3 • Urban House First Floor Plan - Drawing no: PL-P3B2-021 Rev P3 • Urban House Second Floor Plan - Drawing no: PL-P3B2-022 Rev P3 • Urban House Third Floor Plan - Drawing no: PL-P3B2- 023 Rev P3 • Urban House Roof Plan - Drawing no: PL-P3B2-024 Rev P3
- Urban House Elevations - Drawing no: PL-P3B2-025 Rev P3
- Urban House Elevations - Drawing no: PL-P3B2-026 Rev P3
- Site Refuse Plan - Drawing no: PL-P3B2-027 Rev P3
- Substation & Bin/Cycle Store - Drawing no: PL-P3B2-028 Rev P3 • Phase 3B2 Proposed Finished Levels - Drawing no: 4160316-SK1110 Rev P1, received 24th January 2017
- Phase 3B2 Proposed Services and Street Lighting Layout - Drawing no: 4160316-SK1112 Rev P1, received 24th January 2017
- Phase 3B2 Proposed Drainage Layout - Drawing no: 4160316-SK1201 Rev P3, received 6th June 2017
- Phase 3B2- Detailed Hard Landscape General Arrangement Plan (sheet 1 of 2)- Drawing no: D2307 L.240 Rev A, received 22nd May 2017 • Phase 3B2- Detailed Hard Landscape General Arrangement Plan (sheet 2 of 2)- Drawing no: D2307 L.241 Rev A, received 25th May 2017 • Phase 3B2- Detailed Soft Landscape General Arrangement Plan (sheet 1 of 4)- Drawing no: D2307 L.340 Rev D
- Phase 3B2- Detailed Soft Landscape General Arrangement Plan (sheet 2 of 4)- Drawing no: D2307 L.341 Rev A
- Phase 3B2- Detailed Soft Landscape General Arrangement Plan (sheet 3 of 4)- Drawing no: D2307 L.342 Rev C

- Phase 3B2- Detailed Soft Landscape General Arrangement Plan (sheet 4 of 4)- Drawing no: D2307 L.343 Rev B, received 22nd May 2017 • Planting Schedule and Specification - Drawing no: D2307 L.344 Rev B
- Tree Pit Detail - Trees within Hard Landscaping - Drawing no: D2307 L.402 Rev A, received 22nd May 2017
- Tree Pit Detail - Trees within Soft Landscaping - Drawing no: D2307 L.403 Rev A, received 22nd May 2017
- Tree Pit Detail - Trees within Soft Landscaping Type 2 - Drawing no: D2307 L.409 Rev A, received 22nd May 2017
- Landscape, Maintenance & Management Plan - Phase B, D2307-SP001-P3B (Rev A), prepared by Fabrik, dated December 2016, received 18th May 2017
- Amended Pages 42 & 43 of the Design and Access Statement, Ref: 30934/6- GPV-Phase 3B1 & 3B2, prepared by Broadway Malyan, received 25th May 2017 (to show amended LEAP equipment).

Proposed plans/ documents as part of this application

PL-P3B2-030 Rev P1 - Urban House Elevations Current & Proposed

Received 8th June 2022

Relevant Planning History

170096/REM - Application for approval of reserved matters following outline approval for Phase 3B 2 (10/01461/OUT) - Application Permitted

102172/OUT - A planning application for mixed-use development comprising: Phase 1 (submitted in full with no matters reserved and as defined in area on Plan Ref. PL-P1-001) for the construction of housing (Class C3), local retail (Use Classes A1, A2, A3, A4, A5), management suite, village hall, engineering and infrastructure works including reconfiguration of the lake, lakeside access, car parking, pedestrian and cycle routes, services & infrastructure, landscaping and other associated works; and Subsequent phases (submitted in outline with all matters reserved except for details of the main access proposals) for the construction of housing (Class C3), extra care housing with ancillary community uses (Class C2), offices (Class B1), one-form entry primary school Class (Class D1), health surgery (Class D1), Nursery (Class D1), sports pitches, children's play facilities, engineering and infrastructure works including reconfiguration of the lake and vehicular access, lakeside access, car parking, pedestrian and cycle routes, services & infrastructure, landscaping and other associated works - Application Permitted

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key

equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Planning Guidance

- i. Whilst there is no statutory definition of what constitutes a ‘non-material’ amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

Relevant Policies

- i. The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

Appraisal

In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom or neighbour amenities. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed changes being of a relatively minor scale and nature in this context. It is not considered that the proposed alterations would harm future occupiers of the dwellings, neighbouring amenity or the street scene generally.

An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore, it shall only be read in the context of the substantive permission and is bound by all conditions attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Overall, the proposed amendments are not considered to significantly harm the future occupiers of the dwellings, neighbouring properties or the overall street scene.

As a result, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment

Conditions & Reasons:

1. The drawings hereby approved as a Non-material Amendment to reserved matters approval 170096 are as follows:

Drawing No.

PL-P3B2-030 Rev P1 - Urban House Elevations Current & Proposed

Received 8th June 2022

Reason: To clarify which plans are approved.

Informatives:

1. This notice relates only to the changes to condition 1 of the reserved matters approval (Ref: 170096). It shall be read in the context of the approval and is bound by all the conditions and obligations attached to that approval. That approval still stands and this notice (and any other notices issued under section 96a for this development) should be read together.

2. In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within an agreed timeframe.