

DELEGATED APPLICATION REPORT

Address: 119 Kidmore Road

Application No: 210265

Proposal: Non-Material Amendment to permitted application 191877 - Omit log store, enlarge garden room and insert additional rooflight

Applicant: Mr Richard Stimpson

Target Decision date: 01/04/21

Case officer: Connie Davis

1. Site Description and Surrounding Area

The application site is a semi-detached property located on the southern side of Kidmore Road. The property is finished in white render and has a large rear plot extending to a depth of approx.40m.

The surrounding area is residential with a mixture of styles of properties; although many in the vicinity are semi-detached. Street trees also line Kidmore Road.

The application site is not listed, nor in a conservation area.

2. The Proposal

The proposal comprises of alterations to the approved outbuilding which was permitted to facilitate a log store and garden room.

As part of this non-material amendment application, the proposed log store is to be removed and this space used to extend the garden room. The dimensions of the building itself would not change, but rather how the space would be used. An additional rooflight is also proposed.

Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application.

3. Consultations

None for this type of application.

4. Plans Considered

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

Approved plans at time of application

Proposed Garden Room/ Log Store

Received 20th November 2019

Proposed plans as part of this application

Proposed Garden Room Rev A

Received 4th March 2021

5. Relevant Planning History

191877/HOU - Independent log store/garden room. Timber construction with tiled roof (retrospective) (Amended) - Application Permitted

6. 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.

7. 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."*

8. Relevant Policies

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

9. 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. Whilst the approved description of development made reference to a log store, it is not considered that this proposed change would result in a material change to the scheme as the use of the building would still remain as a garden room which was the other specified use in the description. It would be an extension of this use. The proposed building would remain the same dimensions as originally proposed.

The additional rooflight on the front elevation of the garden room is not considered to result in overlooking or loss of privacy for neighbours due to its position in the roofscape.

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.

10. Conclusion

Overall, the proposed amendments are not considered to significantly harm impact the host dwelling or neighbouring properties.

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 original planning permission 191877 are as follows:

Drawing No.

Proposed Garden Room Rev A

Received 4th March 2021

Reason: To clarify which plans are approved

Informatives:

1. This permission relates only to the non-material amendment sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 21/01/20 under reference number 191877 and is bound by all the conditions attached to that permission. That permission 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 the recommended timeframes.