

DELEGATED APPLICATION REPORT

Address: 11 The Ridings, Emmer Green

Application No: 182257/NMA

Proposal: Non material amendment to planning permission 170562

(Single storey front extension and new pitched & flat roof over study and garage) to change the roof form over garage from a pitched roof to a dummy pitched and flat roof

Applicant: Mr & Mrs Wallace

Date received (valid from): 31/12/18

Target Decision date: 28/01/19

Case officer: Connie Davis

1. Site Description and Surrounding Area

The application property is a two storey detached property, situated in a cul-de-sac development of detached properties of a similar design. The property has an integral garage which is also a common feature of surrounding properties.

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

2. The Proposal

Non-material amendments to planning permission 170562 granted on 02/06/17 are proposed. More specifically, this involves altering the roof over the garage to a dummy pitched roof at the front, whilst retaining the flat roof of the garage, behind the dummy pitched roof. As a result of this, the roof will end as half gable as opposed to hipped (the latter was part of the approved design).

Public Consultation

- i. Neighbour Consultation
No statutory requirement for any for this type of application.

3. Consultations

- i. No statutory requirement 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 170562

Site plan - Received 1st May 2017

Block plan - Received 2nd May 2017

Existing Elevations - Received 3rd May 2017

Existing ground floor plan - Received 4th May 2017

Proposed Elevations - Received 20th May 2017

Proposed ground floor and roof plan - Received 21st May 2017

Proposed plans as part of this application

Drawing No.

18/22/01 - Location Plan 1:1250 Revised December 2018 - Received 31st December 2018

18/22/02 - Block Plan 1:500 Revised December 2018 - Received 31st December 2018

18/22/21 - Proposed Ground Floor and Roof Plans Revised December 2018 - Received 31st December 2018

18/22/20 - Proposed Elevations Revised December 2018 - Received 31st December 2018

5. Relevant Planning History

170562 - Single storey front extension and new pitched & flat roof over study and garage - Application Permitted

991639 - Single storey side extension - 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.

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.

It is assumed that the original permission has been part implemented, given it was originally approved in June 2017 with a condition allowing 3 years for works to commence.

10. Conclusion

Overall, the proposed amendments are not considered to significantly harm impact the host dwelling, 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 original planning permission 170562 are as follows:
Drawing No.

18/22/21 - Proposed Ground Floor and Roof Plans Revised December 2018 - Received 31st December 2018

18/22/20 - Proposed Elevations Revised December 2018 - Received 31st December 2018

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 02/06/2017 under reference number 170562, 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.