

DELEGATED APPLICATION REPORT

Address: 8 Balliol Road

Application No: 182033/NMA

Proposal: Non-material amendments to planning permission 150291 (proposed pitched roof over existing garage) to raise the pitch of the roof from 35 degrees to 39 degrees.

Applicant: Mr Stewart Smith

Date received (valid from): 19/11/2018

Target Decision date: 17/12/2018

Case officer: Tom French

1. Site Description and Surrounding Area

The application site contains a large two storey detached dwellinghouse on the western side of Balliol Road. The property has an existing two storey side extension and an attached double garage with a part-pitched, part-flat roof. The surrounding area is residential in nature with large detached dwellings of a similar character.

Permission 150291 granted planning permission to change the pitch of the roof of the existing double garage.

2. The Proposal

Non-material amendments to planning permission 150291 granted on 15/04/2015 are proposed. More specifically, these seek to increase the pitch of the roof of the garage from 35 degrees to 39 degrees.

3. Public Consultation

Neighbour Consultation

No statutory requirement for any for this type of application.

4. Consultations

No statutory requirement for this type of application.

5. Plans Considered

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

Approved plans at time of application 150291

The following drawings were received on 18th February 2015:
SSBR/15/1 - Proposals

Proposed plans as part of this application

SSBR/15/1/D Amended Proposals
As received 19/11/2018

6. Relevant Planning History

031161 - FUL - Two storey side extension and rear single storey extension - Application Permitted

041000 - FUL - Erection of a two storey side extension and rear single storey extension. (Revision to front elevation approved under consent 03/01320/FUL) - Application permitted

150291 - HOU - Proposed pitched roof over existing garage - Application Permitted

7. 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.

8. Relevant Planning Guidance

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."*

9. Relevant Policies

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

10. 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 April 2015 with a condition allowing 3 years for works to commence.

11. Conclusion

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

1. The drawing hereby approved as Non-material Amendments to original planning permission 150291 are as follows:

SSBR/15/1 D - Amended Proposals

As received 19/11/2018

Reason: To clarify which plans are approved.

Informatives:

1. This permission relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 15/04/2015 under reference number 150291, 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.