

DELEGATED DECISION REPORT

NMA/2021/0003
Valid 11/02/2021

THE STABLES THE HEATH
GLOSSOP

NON MATERIAL AMENDMENT
TO HPK/2019/0245

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Design considerations and impact on character of the area
- Impact on residential amenity

DESCRIPTION OF SITE

The site is located along a single track from Cemetery Road to the north of Glossop. Beyond the north western boundary is a housing site for 150 homes which is now substantially complete. The boundary with the housing site is currently formed by a 1.8m close boarded fence. To the south and east are a number of detached properties. DCC TPO61 covers the site. Footpath HP12/11/1 runs along the single access road to the east of the site.

Works are well underway in connection with HPK/2019/0472 and the erection of 3 detached houses.

PROPOSAL

This non material amendment application seeks consent for the following changes and to correct anomalies on the plans approved under HPK/2019/0472 and HPK/2018/0585:

Plot 1

- A utility room window was omitted from the eastern elevation, but shown on the approved internal layout plan and this has now been corrected.
- The rear elevation was to have a part gable end and this was shown on the approved elevation plans, but not replicated on the rear elevation plan or roof plan and this has now been corrected.
- The window positions on the rear elevation have been adjusted to include a stone course above.

Plot 2

- Attached garage has been reduced in size. The approved plans show external dimensions of 4.7m x 6m, the garage as constructed now measures 3.9m x 6m.

Plot 3

- A first floor obscure glazed bathroom window has been inserted on the eastern elevation which was not shown on the approved plans. This allows ventilation to the bathroom.
- The attached garage to Plot 3 has been built at a lower level than the approved plans. The approved drawings show the finished floor and proposed ground levels of the garage to Plot 3 being raised to reflect the existing ground level and match those of the dwelling. In effect the approved plans showed an increase in existing ground levels by 600mm within the Root Protection Zone of the protected tree. The applicant has taken the view that adding such a large amount of material on top of the Root Protection Zone was not in the best interest of the oak tree and decided to use the existing site levels for the ground level of the driveway and finished floor level of the garage to Plot 3.

The proposed plans are as follows:

673-01-P-102 Rev B
 673-01-P-103 Rev E
 673-01-P-107 Rev A
 673-01-P-108 B
 673-01-P-109 Rev A
 673-01-P-110 Rev B
 673-01-P-111 Rev A
 673-01-P-112 B

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
 S 1a Presumption in Favour of Sustainable Development
 EQ3 Rural Development
 EQ 6 Design and Place Making
 CF 6 Accessibility and Transport

National Planning Policy Framework

Paragraph(s) *
 Section(s)*

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2019/0472 - Application for variation or removal of conditions 2,4,7,11 & 14 in relation to HPK/2019/0245 – Approved.

HPK/2019/0245 - Erection of three detached dwellinghouses - Resubmission of HPK/2018/0595 - Approved.

HPK/2018/0595 (PIP) - Land for 4 detached properties – Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: N/A

Neighbour consultation period ends: 10/3/21

Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

N/A

Environmental Health

N/A

Derbyshire County Council Highways

N/A

OFFICER COMMENTS

This application has been submitted following an enforcement investigation into several changes to the appearance of the approved houses. As such two local residents have been consulted on the proposed changes.

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.

As set out above, the proposed changes primarily involve correcting a couple of anomalies show on the approved plans in respect of plot 1, an overall reduction in the size of the garage serving plot 2 and the addition of a first floor window to plot 3, to serve a bathroom. The other change to plot 3, is the finished floor level of the garage which would now align with the finished floor level of the house. These changes in terms of the impact on the character of the area are very minor and would have no discernible impact on the character of the wider area.

In terms of the impact on residential amenity, the most noticeable change is the insertion of a first floor side facing obscure glazed window which would serve an en suite to plot 3. This window would be positioned 23m from the closest neighbour to the south east which more than meets the Council privacy distance (21m). All other changes would have no affect on any other neighbour in the surrounding area, including properties to the west in the new Taylor Wimpey development. The changes are so minor that it is highly unlikely to be noticeable to surrounding neighbours.

The changes to the finished floor level of the garage serving plot 3 have maintained existing ground levels which are considered to be beneficial to the oak to the south east.

CONCLUSION / PLANNING BALANCE

Overall, the proposed changes are considered to be non material, and would not harm both the visual character of the development and surrounding area and the residential amenities of all neighbours.

OFFICER RECOMMENDATION : Approve

Case Officer: Jane Colley

Recommendation Date: 11/03/2021

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council