

DELEGATED DECISION REPORT

NMA/2022/0020
Valid 10/11/2022

20 RAINBOWS END
BUTE STREET
GLOSSOP

**RELOCATION OF WINDOWS
AND ADDITIONAL GLAZED
EXTERNAL DOOR TO UTILITY
SPACE, ALSO
INCORPORATES UPDATES
FROM INITIAL
CONSTRUCTION WORKS
COMMENCED BY THE
PREVIOUS OWNER TO
HPK/2016/0426**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

The main issue relates to whether the proposed amendments to the approved scheme are non-material.

DESCRIPTION OF SITE

The site is comprised of a vacant old water filter plant building and its associated curtilage, located in the Old Glossop Ward. The old water plant was named 'Swineshaw Water Treatment Works'. Planning permission has since been granted under the application HPK/2016/0426 to change the use of the building to a dwellinghouse. Spanning across the East side of the proposed site is a public right of way, recorded as footpath HP12/145/1. To the South-west of the proposed site is the neighbouring property, No. 47 Blackshaw Road. To the North-west of the proposed site lies a row of detached dwellinghouses, separated from the site by the Bute Street highway.

PROPOSAL

The proposed development consists of the relocation of windows, an additional glazed external door to the utility space and updates from initially proposed construction works commenced by the previous owner. The proposed alterations to be made to the approved plans would be made to formalise the external envelope design. I note that the application form states that this non-material amendment application refers to HPK/2016/0426. Thus, the proposed plans also include the introduction of six dormer windows on the roof of the building.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2004/0849 – Demolition of filter plant and erection of 3 dwellings. Withdrawn.

HPK/2004/0944 – Change of use from redundant building to scout and community centre. Approved.

HPK/2015/0690 – Proposed first floor extension to existing ground floor dwelling and change of use from former commercial use to residential use. Withdrawn.

HPK/2016/0426 – Change of use of the former water filter plant building to a two bedroom residential dwelling (bungalow) resubmission of HPK/2015/0690.

Approved.

HPK/2017/0267 – Change of use from a redundant building (former water filter plant) to a single residential dwelling. Refused.

HPK/2019/0490 - Change of use from former water plant to a single (4bedroom) residential house. Approved.

DOC/2020/0022 – Discharge of conditions 3, 5, 6, 7, 8, 10, 14, 15 and 16 in relation to HPK/2019/0490. Approved.

NMA/2020/0012 - NMA in relation to HPK/2019/0490 to alter all dormer roofs from flat roof to gable roofs. To add 4 roof windows to the main roof. Approve.

CONSULTATIONS

N/A

OFFICER COMMENTS

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.

This application seeks to confirm whether or not the relocation of windows, additional glazed external door to utility space, additional dormer windows and updates from initial construction works commenced by the previous owner would constitute a non-material amendment. The proposed reasoning behind this is to formalise the external envelope design of the dwelling. No further alterations have been proposed.

I note that this application seeks to confirm whether the proposed alterations to the plans approved under HPK/2016/0426 are non-material. The existing plans submitted do not match the plans approved under HPK/2016/0426, thus the proposed alterations shall be assessed against the approved plans of HPK/2016/0426 as per stated on the application form.

With regard to the nature and scale of the proposed amendments, it is considered that the amendments would materially differ from the approved development scheme. As the nature of the amendments are not considered to be minor, the visual amenity of the area would take more impact. It is considered that a large amount of alteration regarding the positioning of the fenestration has been proposed in comparison to the approved plans. The approved plans include 6 small, narrow roof

lights positioned on the ends of the East and West elevations. The proposed plans have introduced a number of gable roof dormer windows, which would add additional glazing as well as a series of more prominent features on the dwelling. Furthermore, the approved plans demonstrate a series of columns of small glazed areas, comprising the fenestration for the first storey space. The proposed plans show that the majority of the first storey light would be obtained from the dormer windows, comprising a significant alteration to the aesthetic of the fenestration of the building. Thus, the aforementioned works are considered to be significant alterations to the approved plans under HPK/2016/0426 and it is considered that the character of the building would be materially altered as a result of the proposed development.

In consideration of amenity, the additional 4 gable roof dormer windows would mainly be positioned amongst the roof slopes of the South-East and North-West elevations. The South-East elevation faces onto open countryside and although the North-West elevation faces onto neighbours, the site is a substantial enough distance away to mean that the privacy of the neighbours would not be impacted. Thus, the privacy of neighbouring dwellings would not be compromised in any way.

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed changes are material. The addition of more bulky dormer windows to the roof would significantly differ from the narrow roof lights approved under HPK/2016/0426, making a very apparent alteration to the building. It is believed that the proposed alterations to the approved plans constitute material amendments and therefore it is recommended that the application is refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins

Recommendation Date: 09/12/2022

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council