

DELEGATED DECISION REPORT

NMA/2022/0016
Valid 14/09/2022

17 MACCLESFIELD ROAD
BUXTON

APPLICATION FOR NON-
MATERIAL AMENDMENT IN
RELATION TO HPK/2020/0497 -
CHANGES TO DORMER AND
WINDOWS AND DOORS

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- The main issue relates to whether the proposed amendment to the approved scheme is non-material.

DESCRIPTION OF SITE

The application site comprises a single-storey domestic outbuilding in the rear garden of 17 Macclesfield Road in Buxton. The site is within the built-up area boundary, and is not within a Conservation Area. Permission ref HPK/2020/0497 was granted to replace the existing building with a new bungalow, with largely the same footprint but overall somewhat taller than the existing building.

PROPOSAL

The application seeks a non-material amendment to the existing approval. The approved plans show the bungalow as a shallow U form with small projecting gables.

The amendment shows the main volume of the bungalow made slightly wider, effectively infilling more of the space between the gables.

The approved building also included a small dormer window and two small rooflights at the front elevation. The revisions submitted within the NMA initially showed this replaced with a wider flat-roofed section fully spanning the space between the two gables, with two front-facing obscure-glazed windows. Following advice that this change would amount to a *material* change to the appearance of the approved building (due to the two-storey height appearance this would result in), this element was revised to comprise a widened version of the dormer previously approved.

A set of folding glazed doors at the front elevation are shown replaced with two fixed windows.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

Policy S 1 Sustainable Development Principles
Policy S 1a Presumption in Favour of Sustainable Development
Policy S2 Settlement Hierarchy
Policy S7 Buxton Sub-area Strategy
Policy EQ 6 Design and Place Making
Policy H1 Location of Housing Development
Policy CF 6 Accessibility and Transport

National Planning Policy Framework

Paragraph 11 The presumption in favour of sustainable development
Section 5 Delivering a sufficient supply of homes
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places

Supplementary Planning Documents

High Peak Design Guide 2018
Residential Design 2005

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2020/0497 - Resubmission of HPK/2019/0092 for a Replacement Building at the rear of 17 Macclesfield Road. Approved, 15.01.2021.

HPK/2019/0421 - Existing Certificate of Lawfulness for the use of The Bungalow, 17 Macclesfield Road as a stand-alone dwelling. Decision pending.

HPK/2019/0092 - Proposed renovations to existing bungalow to incorporate new bedrooms in existing loft space with full-length dormer to rear Refused 03/12/2019 APP/H1033/D/20/3247568 Dismissed.

HPK/2016/0620 - Certificate of lawful use as rental accommodation. Withdrawn, 24/01/2017

CONSULTATIONS

As by definition the changes sought are considered to be non-material in nature, as is discussed in more detail below, no consultation or publicity is considered necessary.

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.

In this case, it is considered that the change to the footprint of the approved building and of the arrangement of dormer windows, rooflights and windows (as shown on the final revised drawings (rev E) submitted during determination of the current application) are non-material in the context of the approved development. The scale and appearance of the building would be very similar to that previously approved. The amended proposal will remain acceptable in design terms and the alterations would not give rise to any additional amenity implications.

Other than the changes referred to here all other conditions attached to approval HPK/2020/0497 will continue to apply.

CONCLUSION / PLANNING BALANCE

In summary, it is considered that within the context of the original application the proposed change is of a non-material nature. Therefore it is recommended that approval be granted.

OFFICER RECOMMENDATION : Approve

Case Officer: Tom Hiles

Recommendation Date: 06.01.2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council