

DELEGATED DECISION REPORT

NMA/2023/0002
Valid 20/02/2023

103 GREEN LANE
BUXTON

**NON MATERIAL AMENDMENT
RELATING TO HPK/2021/0122 -
REMOVAL OF REDUNDANT
AND POORLY MAINTAINED
CHIMNEY STACK, INSERTION
OF SEVERAL CONSERVATION
STYLE ROOFLIGHTS AND
SMALL CANOPY LINK
BETWEEN PROPERTY AND
ADJACENT GARAGE.**

**(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 application relates to No. 103 Green Lane, Buxton, a detached two storey property constructed predominately of a traditional stone with elements of render that has previous historic ties with Poole's Cavern and the visitor centre. An associated car park, lies a short distance to the South-East. The site is within the Built-up Area Boundary, where the adopted High Peak Local Plan seeks to concentrate development. Furthermore, the site is within the Buxton College Conservation Area as well as the Buxton College Article 4 area. The site is bound by neighbouring buildings comprising a section of Green Lane. No. 103A Poole House, Green Lane is located to the North-West and Pooles Cavern, Green Lane is situated to the South-East. No. 105 Green Lane sits South-West of the site. The Green Lane highway runs adjacent to the site to the North.

PROPOSAL

The proposed amendments to the approved plans consist of the removal of a redundant and poorly maintained chimney stack, insertion of a conservation style rooflight and a small canopy link between the property and adjacent garage. These alterations have been proposed due to client requirements for additional light and to avoid future maintenance issues with the chimney stack. There have been no other alterations proposed.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2021/0122 – Change of use of 103 Green Lane from residential to office accommodation. Approved.

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 a few alterations to the approved plans for the change of use of 103 Green Lane from residential to office accommodation would constitute a non-material amendment. These alterations consist of the removal of a redundant and poorly maintained chimney stack, insertion of a conservation style rooflight and a small canopy link between the property and adjacent garage. These alterations have been proposed due to client requirements for additional light and to avoid future maintenance issues with the chimney stack. No further alterations have been proposed.

With regard to the nature and scale of the proposed amendments, it is considered that the amendments would not materially alter from the approved development scheme. The site is considered an attractive set of buildings and is within the Buxton College Conservation area, thus any proposed amendments need to be carefully considered.

It is considered that as the chimney pot does not have a strong presence on the principal elevation of the building, its removal would not detrimentally impact the character of the building. The canopy would have no greater impact on the character of the dwelling or wider area, due to it not impacting the external appearance of the buildings. The proposed canopy would be tucked between the two buildings and would be out of sight from the wider public domain, thus it would be non-material. One conservation roof light has been proposed on the side of the projecting gable to the rear of the building, also being out of view from the wider public domain. Provided that the roof light would be conservation style, this is considered non-material. There are no neighbouring properties within closer proximity to the site which would be affected by the changes.

The proposed alterations are considered to be minor in nature and would not adversely affect the character or appearance of the dwellinghouse as approved.

Thus, the character of the building and surrounding area would continue to be maintained despite the alteration to the approved development.

CONCLUSION / PLANNING BALANCE

In conclusion, it is considered that within the context of the application, the proposed changes are not material. The design of the alterations would continue to reflect the character of the dwelling and the context of the Buxton College Conservation area in which it lies.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 12/04/2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council