

DELEGATED DECISION REPORT

NMA/2023/0005
Valid 13/03/2023

AVENING ADDERLEY
PLACE
DINTING
GLOSSOP

NON MATERIAL AMENDMENT
IN RELATION TO
HPK/2020/0420

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

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

PROPOSAL

The application seeks a non-material amendments to planning approval to HPK/2020/0420 which was for the conversion of the existing garage to a 2 bedroom annexe.

The proposed amendment will replace the existing garage door with stone to match the building and a window to match others on the building. On the side elevation a window will be replaced with a personal door to provide access to the annexe.

Internally the store room is removed from the plan, and the approved second bedroom will be a bathroom, so that the annexe only has one bedroom.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/8889 – single storey side extension APPROVED 26/04/2000

HPK/2013/0061 – Proposed change of garage to living accommodation and alterations to existing layout. Repositioning of existing conservatory and conversion of existing roof space, including addition of 2 new dormer windows and roof lights of main roof APPROVED 02/04/2023

HPK/2020/0420 – proposed conversion of existing garage/workshop into annexed living accommodation on the ground floor with studio above APPROVED 04/12/2020

HPK/2023/0095 – Proposed detached garage PENDING

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.

The internal alterations propose to reduce the number of bedrooms within the annexe from 2 to 1 these alterations will not create any extra highway safety concerns. Therefore the loss of the parking space within the garage is not problematic. Where the previously approved second bedroom was located would be the bathroom under amended plans. Bathrooms are not considered to be habitable rooms in which significant amounts of time are spent. As such no amenity concerns are raised in relation to the bathroom window. Furthermore this bathroom faces onto high fencing forming the common boundary between the application site and the driveway to woodside view, which are located to the rear of the application site.

In relation to the amended internal layout of the main bedroom and dining area the windows which serve these spaces also face out onto the tall boundary fence between the common boundary of the application site and the driveway to Woodside View. As such it is not considered that the internal amendments will impact upon amenity and as such as considered non material in nature.

In regards to the proposed new personnel door this will be located which a large window was originally approved, with a small window to the side of it. This new door will open out onto the gap between the annexe and the common boundary fence. This should not lead to any overlooking issues or amenity concerns. As such this is not considered to be a material amendment.

Finally it is proposed to replace the existing garage door with a large front facing window and the use of brick to fill the space. It is proposed that the materials used for the new window and brick work will match that of the existing building. This is considered to be in accordance with condition 3 of HPK/2020/0420:

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

Furthermore the proposed window will face out over the properties driveway and then onto a tree line with open field beyond. The proposed window will not create any overlooking for other properties along Adderley Place. As such the proposed new front window is not considered to be a material amendment.

CONCLUSION / PLANNING BALANCE

Upon review of the plans it is considered that the proposed amendments will not breach the conditions of the original planning approval. Furthermore, none of the proposed amendments will lead to a decline in amenity for any of the surrounding properties. As such the proposed amendments are considered to be non-material in nature.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 31st March 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council