

DELEGATED DECISION REPORT

NMA/2023/0017
Valid 31/07/2023

1 ROYLE AVENUE
GLOSSOP

NON MATERIAL AMENDMENT
RELATING TO HPK/2022/0147

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Whether or not the proposed amendments are material and thus require an assessment of the proposal which was approved under HPK/2022/0147 having regard to all relevant policy considerations

DESCRIPTION OF SITE

The application relates to No.1 Royle Avenue, Glossop; a large two storey dwellinghouse that is situated within a relatively large corner plot, orientated in a similar manner to its neighbours.

The site has a long planning history, and whilst being the subject to a number of refusals (and subsequently two dismissed appeals) for extensions and alterations to the main house, planning permission was granted under HPK/2022/0147 in June 2022 for development described as “*proposed garage and underground storage/utility space, rear patio*”.

The approved plans showed the garage due to changes in topography and the angle of the private driveway, to be subterranean with a basement (lower ground) room being situated to the side elevation of the main house, connected to the garage, serving as a storage and utility room. The roof of the garage would function as a terrace patio area.

PROPOSAL

This application seeks a Non-Material Amendment to the plans approved under HPK/2022/0147 by omitting the lower ground (basement) storage and utility room.

OFFICER COMMENTS

There is no statutory definition of ‘non material’ as the context of each site and the nature of the proposed amendment needs to be considered on an individual case by case basis. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant permission, under Section 96A of the Town and Country Planning Act 1990. This procedure, which is not an application for planning permission in its own right, does not include the provisions under the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to statutory consultation and publicity.

A non-material amendment application, if successful, would not create a new planning permission and the original permission would still stand, but would be modified as detailed by the non-material amendment decision.

The amendments sought to the approved plans would see the omission of a storage and utility room which would be situated underground and thus would not result in any material change to the character and appearance of the dwelling or the wider street scene. Neither would it result in any material change to the living conditions or residential amenity of neighbouring properties, specifically No.3 Royle Avenue. The 3 bay garage would be retained as originally approved, under these proposals, and therefore maintaining a similar character to the development as originally considered.

In light of the above, it is considered that the proposed amendments as a matter of fact and degree based on the specifics of the case are indeed non material.

CONCLUSION / PLANNING BALANCE

Based on the above analysis, it is considered that the proposed amendments do not amount to a material amendment of the scheme approved under HPK/2022/0147 and as such it is recommended that the application is approved subject to all conditions relating to the original permission continuing to apply.

OFFICER RECOMMENDATION : Approve

Case Officer: James Stannard

Recommendation Date: 24th August 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council