

DELEGATED DECISION REPORT

NMA/2024/0016
Valid 24/06/2024

LYNCHFORD HOUSE
CARLISLE ROAD
BUXTON

NON MATERIAL AMENDMENT
TO HPK/0003/8125

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

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

DESCRIPTION OF SITE

Lynchford House is a detached dwellinghouse located on the corner of Carlisle Road and Gadley Close. The dwelling features a detached garage to the front of the property. This garage has a number of steps leading up to the flat roof of the garage, to provide a raised platform. The detached garage and raised platform were approved under the original planning permission of HPK/0003/8125.

PROPOSAL

The application seeks a non-material amendment to planning approval to HPK/0003/8125 for the construction of one dwelling approved on 30/06/1999. This planning approval included permission for the construction of a detached garage with raised platform above, enclosed by a simple metal balustrade.

This application seeks to complete the balustrade with a stainless steel handrail with glazed panels. The proposed balustrade will be mounted on the parapet, to align with the existing incomplete portion of balustrade.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/8125 One Dwelling APPROVED

HPK/2011/0708 Application For Variation Of Condition 4 On 038125 To Allow Part Removal Of Hedge To Allow For Additional Access 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.

In this case the proposal will change the design of the approved balustrade. At present the garage has an uncompleted balustrade around the established raised platform. This balustrade has been present since at least 2011, when the LPA dealt with an application to vary a planning condition. The proposed amendment will allow for the balustrade to be completed, with a differing design. The proposed balustrade is of a modern design in keeping with the contemporary finished of the dwelling and garage. Furthermore, the proposed balustrade will not be introducing a new raised platform but enclosing an established and lawful raised platform. As such this non material amendment application does not raise any additional residential amenity concerns. The proposed amendment is considered non-material in nature.

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: Rachel Robinson

Recommendation Date: 18th July 2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council