

DELEGATED DECISION REPORT

NMA/2024/0021
Valid 02/09/2024

WORKSHOP REAR OF 60
FAIRFIELD ROAD
BUXTON

NON-MATERIAL AMENDMENT
TO CHANGE NUMBER OF
BEDROOMS FROM TWO TO
THREE IN RELATION TO
APPLICATION HPK/2021/0057

(NON MATERIAL
AMENDMENTS)

MAIN ISSUES

- Whether the proposed amendments are materially different to the scheme granted planning permission under HPK/2021/0057

DESCRIPTION OF SITE

The application relates to a split level building with a pitched tiled roof that stands to the rear (north) of No.60 Fairfield Road, and accessed via a narrow access from Nunsfield Road to the west.

The building was granted full planning permission to be used as an independent residential dwellinghouse under HPK/2021/0057 which as per the approved plans contains 2no. bedrooms.

The Decision Notice does not contain any condition that restricts the occupancy of the approved dwellinghouse.

PROPOSAL

The application as originally submitted sought a Non-Material Amendment which amounts to the creation of a third bedroom in addition to the introduction of an additional window on the side (southern) elevation.

Further to comments from Officers, revised plans have been submitted which show the omission of this window and the application has thus been assessed having regard to these latest plans.

OFFICER COMMENTS

Whether the proposed amendments are materially different to the scheme granted planning permission under HPK/2021/0057

The Non-Material Amendment seeks the creation of an addition of a third bedroom into the property, taking the total number of bedrooms from 2 to 3.

In the absence of any restrictive planning conditions limiting the occupancy of the property, the creation of a third bedroom does not amount to a form of development having regard to Section 55 of the Town and Country Planning Act, and as such, this amendment is not considered to be material.

Notwithstanding the fact that a larger ground floor window in the southern elevation already exists, Officers were of the view that the introduction of an additional window at first floor level would amount to a material amendment, due to the fact that the proposed window would directly face dormer windows and terraced amenity areas associated with neighbouring properties in relation to an extant permission relating to the conversion of a building to a 2no. bedroom unit under HPk/2021/0640. However, now that this window has been omitted, this matter has been satisfactorily addressed.

Turning to whether the introduction of a third bedroom amounts to a material amendment in relation to off-street parking provision, the original application considered at length the impact on highway safety as a consequence of no formal off-street parking being provided. The relevant passage from the report is set out as follows:

“Whilst the absence of any off-street parking provision would theoretically conflict with the parking guidelines under Appendix 1 of the Local Plan, it is considered in this case that in the interest of highway safety and given its highly sustainable town centre location with excellent access within walking distance of everyday services facilities and public transport links that no parking provision is necessary. Having regard to the above analysis, it is considered that in its revised form the application will not result in any harm to highway safety in accordance with LP Policy CF6 and paragraph 108 of the NPPF.”

Having regard to the above, the introduction of a third bedroom is not considered to result in any material difference with regards to impacts upon highway safety and the sustainability of the site and proximity to the town centre. No off road parking would continue to be provided.

The recommendation is therefore to approve this application having regard to the revised Floor and Elevation Plans received.

OFFICER RECOMMENDATION : Approve

Case Officer: James Stannard

Recommendation Date: 29th January 2025

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council