DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0497/20/NMA
Proposal: Application for a non-material amendment to the previously approved application ST/0974/19/HFUL for construction of a two storey side extension. Amendment now sought for change of roof tile to charcoal grey to match rear extension for whole house, guttering to extension to be black and render to be white.
Location: 17 Marsden Road, South Shields, NE34 6DF

Site Visit Made: N/A

Relevant policies/SPDs

1 DM1 - Management of Development (A and B)

2 SPD9 - Householder Development

Description of the site and of the proposals

17 Marsden Road is an end-terrace dwelling located within a predominantly residential area of South Shields. The property has previously been extended through the addition of a single storey extension to its rear elevation.

Planning permission was granted in February 2020 (reference: ST/0974/19/HFUL) to construct a hipped roof two storey side extension. Condition 3 of this permission stated:

> *The external surfaces of the development hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.*
>
> *To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1.*

A non-material amendment is now sought which proposes to change the colour of roof tile to charcoal grey (to match the existing rear extension), the guttering of the extension to be black (again to match the existing property) and render to be white rather than light cream as specified on the original plans.

An amended elevation plan and materials schedule was received on 22 October 2020 clarifying that the render is proposed to the first floor of the building only.

Publicity / Consultations

N/A

Assessment

S96A of the Town and County Planning Act 1990 says the following: *'In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted.'*

As set out within South Tyneside Council's *Protocol for Non-Material Amendments Following a Grant of Planning Permission* document, the key test as to the acceptability of an application for a non-material change is whether the change is material to any development plan policy.

There has been no change in development plan policy since the works were granted planning permission; and it is considered that the development would still accord with LDF Policy DM1 (A and B), the associated Supplementary Planning Document (SPD) 9 'Householder Developments', and the requirements of the NPPF.

If the change is not material in this regard, three further tests will be applied:

1. Is the proposed change significant in terms of its scale (magnitude, degree etc.) in relation to the original approval?
2. Would the proposed change result in a detrimental impact either visually or in terms of amenity?
3. Would the interests of any third party or body who participated in or were informed of the original decision be disadvantaged in any way?

The existing dwelling is constructed using a mixture of brickwork and render. As approved, a light cream colour was to be used for the render to the extension. This would now be changed to white. The charcoal grey colour roof tiles now proposed for the roof of the property would match the existing rear extension, while the rainwater goods (to be black rather than white) would also match those of the existing property. It is therefore not considered that the proposed changes would be significant in scale in relation to the original approval; and would not have a detrimental impact on visual amenity. Neither is it considered that the changes would be contrary to the requirements of condition 3 (materials to be of similar appearance to existing).

The alterations would not result in an increase to the footprint or height of the extension, or it's window layout, as approved. As such, the changes would not result in any detrimental impact in terms of residential amenity. No objections were received to the original planning application; and it is not judged that the interests of any third party informed of the original decision would be disadvantaged in any way.

Taking the above into account, it is concluded that the changes would be non-material; and it is recommended that the application be granted.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Approve Non-Material Change

List of approved plans for standard note

Drwg No 9A Rec 22/10/2020

Case officer: Josh Kenolty
Date: 25/09/2020

Authorised Signatory:
Date:

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