DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0348/21/NMA

Proposal: Application for non-material amendment to previously approved planning application ST/0961/20/HFUL which granted permission for conservatory to kitchen with tiled roof. New covered garden area and balcony over. New dormer extension to side and rear. Amendment now sought to remove side porch, rear kitchen french doors and change to window, rear external stairs removed, reduced glazing to kitchen, french doors to lower games room and to rear of covered garden area, existing chimney removed.

Location: 20 Holly Avenue
South Shields
NE34 7NR

Description of the site and of the proposals

This application seeks approval for a non-material amendment in respect of a previously approved scheme ref: ST/0961/20/HFUL. That application sought permission for *'Conservatory to kitchen with tiled roof. New covered garden area and balcony over. New dormer extension to side and rear'* which was granted permission on 22/01/2021.

This application seeks amendments to the approved scheme to include the removal of the side porch, rear kitchen french doors and change to window, rear external stairs removed, reduced glazing to kitchen, french doors to lower games room and to rear of covered garden area, existing chimney removed.

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.'*

No objections were raised to the original scheme. This proposed non-material amendment request is seeking to:

- Remove the existing side porch;
- Replace the rear kitchen french doors with a smaller window;
- Remove the existing rear external stairs;
- Reduce the rear/side elevation glazing to kitchen;
- French doors to be installed to the rear elevation of the lower games room;
- French doors to be installed to the front elevation of the lower covered garden area; and,
- Existing chimney to be removed.

The removal of the existing side porch, existing rear external stairs and existing chimney could be undertaken without requiring planning permission. The existing rear/side elevation glazing to the kitchen would be replaced with facing brick and the kitchen French doors would be replaced with a window, therefore reducing any potential overlooking. French doors are proposed to be installed to the rear elevation of the lower games room. Although this would introduce a new opening, it is considered to not impact upon neighbouring residents to the rear as they are located at a far away enough distance. French doors are proposed to be installed to the front elevation of the lower covered garden room. Although this would also create a new opening facing towards Holly Avenue, the door would be screened from the public domain by the higher ground level and also given the position of the boundary fence, it is not considered that the proposed amendment would result in any detrimental impacts either

visually or in terms of amenity, nor would the privacy of the neighbouring property be detrimentally impacted as a result of overlooking.

It is considered that the change proposed, as described above and shown on the submitted drawings, would be non-material in the context of the previously approved scheme and existing property. Furthermore, is it not considered that the proposed change would give rise to any injustice or injury to the amenity of any of surrounding properties (relative to the details already granted planning permission). In conclusion it is considered that the proposed change would have no further impact upon the character and appearance of the surrounding area, or the residential amenity of neighbouring properties than the approved scheme and existing property. It is considered that the proposed changes would be non-material in the context of the overall proposal.

In view of the above, the request is considered to be acceptable, in this particular case, as the change would not materially alter the nature or description of the overall development granted planning permission. As this is not a new planning consent, it is not considered necessary to repeat the conditions.

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

Plan Reference

Drg No. 001 Rev F – Proposed Plans – Received 29/03/2021

Case officer: Emma Thomas
Signed: Emma Thomas
Date: 23/04/2021

Authorised Signatory:
Date: