

Regeneration and Economic Development Department

APPLICATION NO: 21/00616/NMA

APPLICANT: Mr Darren Clarke

WARD AFFECTED: St Gabriels

DEVELOPMENT: APPLICATION FOR A NON-MATERIAL AMENDMENT FOLLOWING GRANT OF PLANNING PERMISSION 21/00616/FUL (ERECTION OF A SINGLE STOREY REAR EXTENSION) - AMENDMENT SOUGHT TO ALLOW REMOVAL OF THE 2 NO. PROPOSED SIDE WINDOWS AND THE INCREASE IN SIZE OF ROOF LANTERN

LOCATION OF SITE: 27 Hillcrest Avenue, Huyton, Knowsley, L36 6DT

KNOWSLEY LOCAL PLAN ALLOCATION –

Primarily Residential Area

RELEVANT POLICIES

National Planning Policy Framework

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles

CS19 - Design Quality and Accessibility in New Development

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

H5 - Development within Primarily Residential Areas

H8 - Extensions and Alterations to Residential Properties

TECHNICAL CONSULTATIONS:

None Required.

NEIGHBOUR NOTIFICATION:

As an application for a non-material amendment is not an application for planning permission, the normal provisions relating to notification do not apply.

ARTICLE 35

N/A

ISSUES AND ASSESSMENT:

PROPOSAL

This application relates to a proposal for non-material amendments to a previously approved planning application granted under reference 21/00161/FUL. Planning permission granted was for the erection of a single storey rear extension on 24 September 2021.

The proposed amendments sought for that planning approval involve the omission of 2 no. full length windows within the western side elevation; and the enlargement of the roof lantern. The application is supported by drawings showing the proposed floor plans and elevations which show the amendments to the scheme.

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02

SITE AND SURROUNDINGS

The application relates to a two-storey, detached dwelling, on Hillcrest Avenue. The dwelling is located at the end of a cul-de-sac and is surrounded by other residential plots. The site is designated as an area for Primarily Residential Area on the Local Plan Policies Map.

S96A PROCESS

The non-material amendment procedure is an addition to the Planning Act under Section 96A. This provides a mechanism to make non-material changes to existing planning permission through an application to deal with new issues that may arise after planning permission has been granted.

Section 96A of the Planning Act state the *“in deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted”* The decision for the LPA is whether the change proposed is considered ‘material’ then a planning application would need to be submitted under Section 73 of the Planning Act for a variation of the approved plans condition to make changes (Minor Material Amendment).

Any decision made only relates to the non-material amendments sought. It is not a reissue of the original planning permission, which still stands. The two documents should be read together.

POLICY CONSIDERATIONS

The application complies with the above noted planning policies.

The Local Planning Authority must have regards to whether the amendments would present a material change from the previously approved permission. The principal consideration for this application relates to whether the revised scheme would materially affect the visual and residential amenities of neighbouring properties and the area.

DESIGN, ACCESS AND CRIME PREVENTION

The extension as approved would project 4 m from the rear elevation and have a width of 7.7 m which would span the full width of the property. The approved details show a flat roof attaining a height of 2.8 m with a centrally located glazed roof lantern protruding approximately 540 mm above the flat roof. The approved detail includes the installation of bi-fold doors to the rear elevation and 2 no. full length windows to the south western side elevation facing No. 25 Hillcrest Avenue.

The proposed amendments would involve the omission of the 2 no. full length side windows which would revert to a blank side elevation. Other amendments involve changes to the roof lantern. The approved plans show that the roof lantern would be set in from the front edge of the flat roof by 700mm, from the side by 780 mm and to the rear by 400 mm. The amendments would see the enlargement of the roof lantern such that it would extend wider and deeper over the flat roof. The amendments would result in the gaps from the edge of the flat roof reducing to dimensions of approximately 300mm to the front and sides and abutting up to the rear boundary of the host dwelling. The height of the roof lantern, at 540 mm high would not be altered.

It is not considered that the omission of the windows or the roof lantern would result in any harm to the character of the proposed extension or the host dwelling. The extension would not extend beyond the gable elevations of the host dwelling and there would therefore be limited or no views of the extension from the street and thus no impact on the street scene or the visual amenity of the area in general.

As such it is considered that the proposed revisions would have no further material impact on the visual amenities of the area than the approved scheme. The proposal remains to comply with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

HIGHWAYS

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The proposed revisions raise no highway issues.

RESIDENTIAL AMENITY

The impact of the approved development on the amenity of the neighbouring properties was considered acceptable in relation to impacts on outlook / level of light enjoyed by neighbours and privacy concerns. In that regard consideration was given to the host dwelling being set behind the adjacent properties, Nos. 25 and 29 Hillcrest Avenue. The extension would protrude in the region of 8m beyond the rear elevation of No.25, although the extension would be set in over 3.5m from common boundary. Taking the distance and the height of the extension into account, it was not considered that the extension would have a significant effect on the outlook or loss of light for that property.

The extension would be set in approximately 1m from the common boundary with the neighbour at No. 29. It is noted that Officers indicated at the approval stage that the very outer corner of the extension would breach the 45-degree line from the nearest habitable window of No. 29, which given the height, and the set back from the boundary it was considered that approved extension would not unduly affect the amenity levels of the occupiers of No. 29.

No privacy concerns are raised and the removal of windows from the scheme would not have any impact on neighbours.

Amendments would not result in the solid footprint of the extension coming any closer to the neighbouring properties. Whilst the roof lantern would be greater in width and depth it would not be any higher than approved. Given the above and the glazed nature, it is considered that the proposed revisions would have no greater material impact on the residential amenities of the neighbours than the approved scheme. The proposal remains to comply with Policies CS2 and CS19 of the Core Strategy and Saved Policies H5 and H8 of the UDP.

CONCLUSION

On the basis of the above, the proposed amendments are not considered to result in any material change or result in any materially different impacts from the development as approved. As such the revisions can be considered non-material.

RECOMMENDATION:

The amendment proposed by this application is considered to be a non-material amendment pursuant to s96A of the Town and Country Planning Act 1990.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
04/03/2022	0003/21/FA	REV. A	PROPOSED DRAWINGS

Maxine Wishart
27 April 2022

Alan Kilroe
28 April 2022

Document Reference	Document Issue Number	Document Issue Date
PS/DC/OP04/05	003	23/9/02