OFFICER REPORT

Case No: 25/01010/NMA **Non Material Amendment**

Proposal: Non-material amendment of 23/02488/HHFUL to replace flat rooflights to rear with roof lanterns (Retrospective)

Location: 26 High Street Stilton Peterborough

Applicant: Mr Ollie Crofts

Grid Ref: 516301 288998

DESCRIPTION OF SITE AND APPLICATION

This application seeks to make a non-material amendment to the application reference 23/02488/HHFUL which granted permission for the conversion of garages to living accommodation, the erection of a part two storey and part single storey rear extension, a two-storey side extension and first floor side extension along with changes to the material finish.

This application seeks permission to make amendments to the approved flat roof lights (exchanging them for lanterns) in the rear flat roof element (above the kitchen/snug).

During the lifetime of the application the description has been revised to reflect the retrospective nature.

RELEVANT PLANNING HISTORY

23/01742/HHFUL - Proposed two storey rear and side extension including internal alterations (Withdrawn)

23/02488/HHFUL - Conversion of garages to living accommodation, erection of a part two storey, part single storey rear extension, a two-storey side extension and first floor side extension and changes to the material finish (Approved)

CONSULTATIONS

N/A

REPRESENTATIONS

One objection has been received from the occupants of the adjacent dwelling. This is available to view on HDC's Public Access Site but broadly relates to concerns surrounding the visibility of the lanterns from the habitable rooms of the adjacent dwelling and potential impact for light pollution as a result.

SUMMARY OF ISSUES

Section 96A of the Town and Country Planning Act allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material.

This power includes the power to impose new conditions and to remove or alter existing conditions.

These provisions have been introduced by the Government to provide a quick, formal method of dealing with small changes to approved schemes to give greater flexibility within the planning system.

Government guidance on non-material amendments is set out in the Planning Practice Guide; this advises that there is no statutory definition of 'non-material' because it will be dependent on the context of the overall scheme.

The proposed changes represent a minor alteration to the approved development under 23/02488/HHFUL and the overall impacts are considered to be low. A similar lantern had already been approved on the side extension. Whilst the concerns raised in the objection are noted it cannot be considered that the exchange of flat rooflights (as approved) to lanterns which project a minimum distance from the flat roof will present material harm. These are located approx. 6.6m from the common boundary with No. 24b and 4.6m with the common boundary of No 28 High Street. Furthermore, it should be acknowledged that inclusive of the lantern rooflights the overall height remains at approx. 3.4m which is below the threshold for the height of a single storey extension (4m) which is permitted by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order (2015) as amended (GPDO). Whilst it is not suggested that the original works would constitute permitted development such installations are included in permitted development legislation as they are considered not to cause significant material harm to neighbours. As such, a single storey rear extension or conservatory (with a similar degree of glazing allowing light emission) could be located closer to a common boundary with no planning control.

In conclusion, it is considered that the proposed amendment is non-material to the approved development, the amendment can therefore be supported.

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CONTACT OFFICER:
Enquiries about this report to **Kevin Simpson**