

Conservation Area: Not applicable.

5 Planning Considerations

- 5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.
- 5.2 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
- (i) Principle of development
 - (ii) Appropriateness of design and impact on the character of the area
 - (iii) Effect on neighbouring properties
- (i) Principle of development
- 5.3 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development control criteria.
- (ii) Appropriateness of design and impact on the character of the area
- 5.4 The proposal would involve the revision to the first floor balcony railing to change shape of glass on east and west sides. This is not considered to have a negative impact upon the character of the area. Due to nature and scale of the works it is not considered to undermine the architectural balance of the elevations in the street scene and are non-material in nature.
- (iii) Effect on neighbouring properties
- 5.5 As the balcony is located to the front of the property and balustrade would start from 1.7 metres in height it is not considered to have an adverse impact in terms of overlooking to the neighbouring properties. No conditions were imposed on the extant planning permission APP/22/00224 relating to the provision or form of this balustrading.
- 5.6 The proposed changes are relatively modest and it is considered they are unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

6 Conclusion

- 6.1 Overall, the proposed alterations to APP/22/00224 are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

7 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/23/00156 subject to the following condition:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed First Floor Plan - 113.B

Proposed West Elevation - 203.B

Proposed East Elevation - 204.B

Proposed South Elevation - 205.B

Reason: - To ensure provision of a satisfactory development.