

- 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 proposed amendment to the decking area would include the removal of the raised decking area to the south west side elevation of the property. The decking is now to the rear elevations of the existing extension, the decking area to the south east rear elevation has increased in depth by 3m (5.7m from the rear wall), this 3m section of the new decking area has a 0.14m lower depth leading to steps to the main garden area. Trellis screening has been installed spanning the width of the south west and south east elevations of the decking area with a height of 1.8m from the floor level of the raised platform and 2.5m from the ground floor level. Overall it is considered that the design of the decking is still acceptable and appropriate. As such it is considered that it is not considered that this alteration would have a material impact on the development as a whole or on the visual amenity and character of the wider area.
- (iii) Effect on neighbouring properties
- 5.5 In terms of the impact upon the neighbouring property to the south west elevation (No.61), the decking area to the south west elevation has been removed and now only protrudes from the rear elevation of the rear extension. The installation of the timber trellis screening with a height of 1.8m from floor of the raised platform (2.5m from the ground floor level) spanning the width (2.4m) of the raised decking area to the south west elevation facing with No.61 would reduce any possible overlooking from the scheme as previously approved and therefore the proposed changes can be considered as non material in this respect.
- 5.6 Regarding the neighbour at number 57 Rowlands Avenue, the 3-metre distance between the properties is less than that of the neighbour at number 61, however this property is upslope at a visibly higher level. The 1.8m high trellis screening has also been installed along this shared

boundary to eliminate the possibility of any overlooking and loss of privacy concerns. It is therefore considered the proposed changes can be considered as non material in this respect.

- 5.7 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 raised platform area 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/21/00299 subject to the following conditions

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

Application Form - Received 25 March 2021
Proposed Floor Plan - Received 25 March 2021
Screening Details - Received 25 March 2021

Reason: - To ensure provision of a satisfactory development.