

Town and Country Planning Act 1990

Application for non-material amendment to planning consent HOU/2022/0123 - render of property to match gable

54 Morse Street, Burnley, Lancashire BB10 4LS

The application is presented to committee as the applicant is Burnley Borough Council.

Site Description:

A brick/blue slate semi-detached house on a street of similar properties, within the Urban Boundary of Burnley as defined within the Burnley Local Plan.

Proposal:

Planning permission HOU/2022/0123 – erection of single storey rear extension, rendering and new windows was granted on 22.07.2022. The rendering elements comprised the gable, bay and the new rear extension leaving the remainder of the front elevation and rear elevation in the original brick. The application was submitted by Burnley Council and consequently determined by the Planning Committee.

It should be noted that this application originally proposed to render the building in its entirety however during the course of the application the scheme was amended to only render in part.

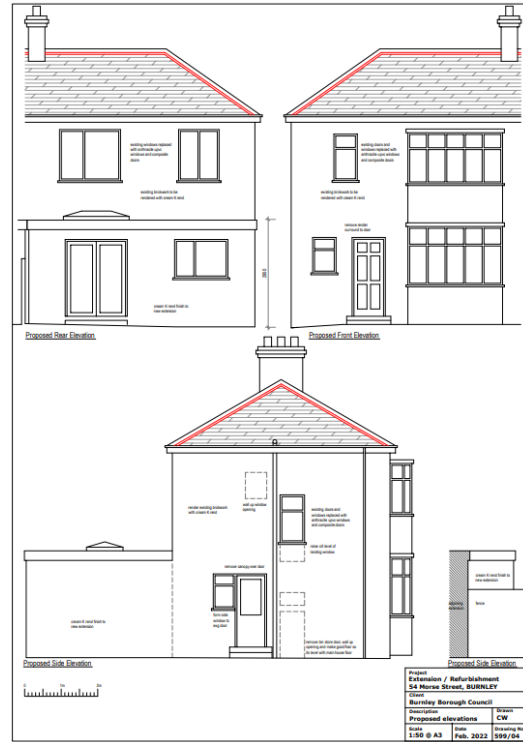
The applicant now seeks to render the whole front elevation and the rear elevation, as now that renovation works are underway it has been discovered that several areas of brickwork will need to be replaced resulting in a patchy appearance. The proposed additional rendering will be a cost effective solution to rectify the defective masonry and pointing.

Amended Drawings:

Drawing No. 599/04 dated Feb 2022 (Proposed Elevations Scale 1:50) replaces Drawing No. 599/04/A dated Feb 2022 (Proposed Elevations Scale 1:50).

Note that Revision A was the version approved under HOU/2022/0123. The version for consideration in this NMA application was that originally submitted under HOU/2022/0123, and subsequently amended to remove reference to render on the front elevation.

Visuals:



The Host Property



Relevant Policies:

Burnley Local Plan (July 2018)

SP4: Development Strategy

SP5: Development Quality and Sustainability

NE3: Landscape Character

National Planning Policy Framework and National Design Guide (2021)

Relevant Recent Planning History:

HOU/2022/0123 – erection of single storey rear extension, rendering and new windows was granted on 22.07.2022

Consultation: No consultation necessary

Assessment:

The only consideration in the determination of the application is whether the change to the previously approved development is considered non-material such that a new planning permission is not required. There is no statutory definition of 'non-material'. This is because materiality is dependent on the context of the overall scheme - an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990 (as amended).

Non-material amendment applications are not an application for planning permission. They do not result in the issuing of a new planning permission and relate only to the amendments sought.

It is considered that the proposal to render the front elevation is not material given that consent exists to render the gable and the extension. This view is reached due to the number of similar houses with rendered fronts on the street, and the lack of likely visual impact on the street scene of the proposal as a result.

It should also be noted that in some circumstances properties may be rendered under permitted development, providing it would be similar in appearance.

Having regard to the above, it is considered that the proposed alteration can be treated as a non-material amendment to planning permission HOU/2022/0123.

Recommendation:

Approval of non-material amendment to planning permission HOU/2022/0123.

Informative

This decision notice forms an amendment to planning permission HOU/2022/0123 and does not constitute a new planning permission. The applicant is advised that planning permission HOU/2022/0123 remains subject to the conditions attached to it, which still apply with full effect except as varies by the non-material amendment hereby approved.