

DELEGATED APPLICATION REPORT

Address: 15 Kidmore Road

Application No: 180870/NMA

Proposal: Non-material amendments to planning permission 151264 (Demolition of existing house and construction of new private dwelling) for minor changes to window and door sizes and locations.

Applicant: Mr & Mrs Winchester

Date received (valid from): 25/05/2018

Target Decision date: 22/06/2018

Agreed Extension of Time:

Case officer: Tom French

1. Site Description and Surrounding Area

The application relates to a 2 storey detached dwelling located on the west side of Kidmore Road, between the junctions with The Mount and Highmoor Road.

2. The Proposal

Non-material amendment to planning permission 151264 granted on 13/07/2016 (amended by non-material amendment 162136 - granted 15/12/2016) is proposed. Alterations are proposed to the location and size of some of the windows and doors. More specifically, the window and door arrangement to the front elevation of the side projection would be replaced by two double windows. With regards to the rear elevation, an additional window is proposed in the garage, the first floor windows of the main house would be changed and the ground floor glazed doors would be altered. Changes are proposed to the glazed doors in the west side elevation and to the windows along the single storey rear projection. Regarding the east side elevation the roof lights are no longer proposed, a high level ground floor window would be relocated and an additional door is proposed.

3. Public Consultation

Neighbour Consultation

No statutory requirement for any for this type of application.

4. Consultations

No statutory requirement for this type of application.

5. Plans Considered

The Council, in reaching its recommendation, has taken into consideration the following documents:

Approved plans at time of application 151264

Drawing No:

1320-204 rev B - Proposed North & West Elevations

1320-203 rev B - Proposed South & East Elevations

1320-201 rev C - Proposed Ground & First Floor Plans

As received: 13/07/2018

1320-200 rev B - Proposed Site Plan

1320-202 - Proposed Roof Plan

As received: 30/03/2018

1320-205 - Proposed Roof Plan

1320-105 - Existing North & West Elevations

1320-104 - Existing East & West Elevations

1320-103 - Existing Floor Plans

1320-102 - Existing Site Plan

1320-100 - Location Plan

As received: 20/07/2018

Approved plans as part of non-material amendment 162136

Drawing No:

1320-201 rev D

1320-202 rev B

1320-203 rev C

1320-204 rev C

As received: 11/11/2016

Proposed plans as part of this application

Drawing No:

1320-700 - Proposed Elevations

1320-701 - Proposed Floor Plans

As received: 25/05/2018

6. Relevant Planning History

050439 - Erection of a front boundary wall - Application Permitted

150223 - Demolition of existing house and construction of new 4-bedroom Dwelling - Application Withdrawn

151264 - Demolition of existing house and construction of new private dwelling - Application Permitted

162136 - Application for a non-material amendment following a grant of planning permission (151264) - alterations to fenestration, roof and realignment of garage - Agree

7. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

8. Relevant Planning Guidance

Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"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."*

9. Relevant Policies

The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

10. Appraisal

In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom or neighbour amenities. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed changes being of a relatively minor scale and nature in this context.

An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the substantive permission, and is bound by all conditions attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

11. Conclusion

The local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment subject to the following condition:

1. The drawings hereby approved as a Non-material Amendment to original planning permission 151264, notwithstanding the amendments agreed by Non-material Amendment 162136, is as follows:

Drawing No:
1320-700 - Proposed Elevations
1320-701 - Proposed Floor Plans
As received: 25/05/2018

Reason: To clarify which plan is approved.

Informatives:

1. This permission relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 13/07/2016 under reference number 151264, and is bound by all the conditions attached to

that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development) should be read together.

2. In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.
3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within reasonable timeframes.