**DELEGATED REPORT**

**Recommendation Made: 28 April 2010**

**Reference:- 10/00156/NOMAT** **Parish:- Higham On The Hill Parish Council**

**Applicant:- Mr Kevin Thorpe**
**Spinney Bank Farm**
**Higham Lane**
**Stoke Golding**
**Nuneaton**

**Location:- Spinney Bank Farm Higham Lane Stoke Golding Nuneaton Leicestershire**

**Proposal:- NON MATERIAL AMENDMENT TO PLANNING PERMISSION 09/00893/REM TO REPLACE THE TWO DORMER WINDOWS TO THE FRONT ELEVATION WITH AN EYEBROW WINDOW**

**Introduction:-**

This is an application for a non-material amendment to replace two dormer windows with one eyebrow dormer window to a new agricultural workers dwelling approved at Spinney Bank Farm.

Spinney Bank Farm is a working farm and the principle for a tied workers dwelling has been established by an earlier grants of planning permission see below.

Planning history

96/00241/FUL erection of two agricultural buildings
Approved 06.06.96

97/00328/FUL erection of three agricultural buildings
Approved 29.05.97

00/00238/FUL erection of agricultural building
Approved 24.05.00

03/01120/OUT erection of agricultural workers dwelling
Withdrawn 01.04.04

04/00412/FUL erection of agricultural mobile home
Approved 14.07.04

05/00708/FUL erection of agricultural building
Approved 30.08.05

06/00187/OUT erection of agricultural workers dwelling
Withdrawn 03.05.06

06/00941/OUT erection of farm shop & tea room
Withdrawn 08.11.06

07/00480/OUT erection of agricultural workers dwelling
Approved at appeal.

07/00458/FUL erection of agricultural workers dwelling
Withdrawn

09/00573/REM Erection of One Agricultural Dwelling with Garage
Withdrawn

09/00893/REM Erection of Agricultural Workers Dwelling
Approved 07.01.10

**Consultations:-**

There are no consultations on an application of this type.

**Development Plan Policies:-**

BE1
NE5

**Appraisal:-**

The proposed eyebrow dormer window does not result in the creation of any further floor space than the previously approved two dormer arrangement and therefore is in accordance with the financial appraisal of the agricultural unit.

There are no other dwellings in the locality and therefore no residential amenity issues arising.

The dormer by virtue of its curved form does not alter the overall character of the previously approved two dormer arrangement. The dormer is sited within the roof space between two dominant gables and is therefore is a subservient roof feature of the property. The proposal does not alter the scale or mass of the proposal and is compatible with character and appearance of the previously approved arrangement.

The dwelling is located within close proximity of the Ashby Canal Conservation Area, however by virtue of the dwellings orientation the dormer will not be easily seen from the Conservation Area and cannot therefore have any impact on the character and appearance of the Conservation Area.

In summary, the dormer only has a different form to the previously approved dormers but does not materially alter the appearance of this dwelling.

**Recommendation:- Permit subject to the following conditions:-**

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: TD22010.01 Feb 2010 received 26 February 2010.

**Reasons :-**

1 For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:-** **James Hicks Ext 5762** **Date Printed: 5 May 2010**