DELEGATED REPORT

Recommendation Made: 13 October 2011

Reference:- 11/00665/NOMAT **Parish:- Carlton Parish Council**

Applicant:- Mr Andrew Mitchell
7 Bostock Close
Elmesthorpe
Leicestershire
LE9 7SR

Location:- Fernlea House Barton Road Carlton Nuneaton Leicestershire

Proposal:- NON MATERIAL AMENDMENT TO PLANNING PERMISSION 10/00268/FUL FOR AMENDMENTS TO PLOT 4 OF PLANNING PERMISSION 06/00826/FUL

Introduction:-

This application seeks approval for a non material amendment to planning permission 10/00268/FUL for the alterations to Plot 4 of planning permission 06/00826/FUL. The proposed amendment consists of the installation of a 2.4m wide patio door to the rear elevation to replace the originally proposed 1.2m wide double window, the replacement of a 0.6m wide single window with a 1.2m wide double window to the front elevation and the installation of a 0.9m wide door to the southern elevation to replace the originally proposed 2.1m wide double window.

Relevant Planning History: -

97/00319/FUL - ERECTION OF SWIMMING POOL EXTENSION AND DOUBLE GARAGE - Planning Permission - 28.05.1997

04/00039/FUL - DEMOLITION OF EXISTING HOUSE AND ERECTION OF 7 NEW DWELLINGS WITH GARAGING - Withdrawn - 09.03.2004

04/01481/FUL - DEMOLITION OF EXISTING DWELLING AND NEW RESIDENTIAL DEVELOPMENT COMPRISING SEVEN HOUSES AND ASSOCIATED GARAGING - Refused - 06.04.2005

06/00826/FUL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF FIVE DWELLINGS WITH ASSOCIATED PARKING AND ACCESS - Planning Permission - 18.09.2006

09/00565/FUL - AMENDMENT TO PLANNING PERMISSION REF 06/00826/FUL BY PROVISION OF ALTERATIONS TO THE SECOND FLOOR OF PLOT 1 - Planning Permission - 10.09.2009

10/00018/FUL - ALTERATIONS TO PLOTS 2 & 3 OF PLANNING PERMISSION
06/00826/FUL - Planning Permission - 15.03.2010

10/00268/FUL - ALTERATIONS TO PLOT 4 OF PLANNING PERMISSION
06/00826/FUL - Planning Permission - 07.06.2010

11/00767/CONDIT - VARIATION OF CONDITION 2 ON PLANNING APPLICATION 06/00826/FUL FOR AMENDMENTS TO PLOT 4 - Pending Decision

Consultations:-

There are no consultations on an application of this type.

Development Plan Policies:-

Adopted Hinckley and Bosworth Local Plan (2001)

The site is located within the settlement boundary defined for Carlton

BE1: 'Design and Siting of Development'

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Greater Flexibility for planning permissions Guidance (Non material amendments) states that the local planning authority must have regard to the effect of the change, together with any previous changes made under this section. This procedure, which has no consultation requirements, and minimal notification requirements, cannot be used to make a material amendment.

Appraisal:-

The main issues in respect of this application are whether or not the proposed amendments to Plot 4 constitute a non material amendment to the approved planning permission and if the proposed amendment is acceptable in planning terms.

The proposed replacement of a window with a French window in the rear elevation will have no impact on residential amenity of neighbouring properties as the French window will overlook countryside. The scale and design of the proposed French window matches the two previously approved French windows located on the rear elevation. In terms of design it is considered acceptable

The 1.2m wide double window, proposed to replace the originally approved 0.6m single window to the front, matches the scale and design of the previously approved windows to the side elevation. The window will also have no further impacts on the scale and design of the front of the dwelling or the residential amenity of neighbouring properties than the original window it replaces. In terms of design and impact on residential amenity it is therefore considered acceptable.

The installation of a 0.9m wide door in the southern elevation in place of the originally approved 2.1m wide window respects the scale and design of the dwelling. The door is well screened by a mature hedge along the southern boundary and will therefore not impact on the overall design of the dwelling.

Overall it is considered that the proposed amendments will not have any adverse impact on the residential amenities of neighbouring properties or the character of the existing dwelling.

It is therefore considered that the proposed amendments can be considered as a non material amendment.

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: Drawing 03.1718.36 G; Drawing 03.1718.32 G; 03.1718.35 G received on 30th September 2011.

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 6 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:- Robert Morgan Ext:- 5775