DELEGATED REPORT

Recommendation Made: 12 October 2011

Reference:- 11/00760/NOMAT **Parish:- Bagworth Parish Council**

Applicant:- Mrs Estelle Burton
4 Bloxsom Close
Bagworth
Coalville
Leicestershire

Location:- 4 Bloxsom Close Bagworth Coalville Leicestershire LE67 1HJ

Proposal:- NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 11/00339/FUL FOR THE ERECTION OF A SINGLE STOREY CONSEVATORY TO THE REAR OF THE PROPERTY.

Introduction:-

This application seeks approval for a non-material amendment to planning permission 11/00339/FUL for the erection of a single storey conservatory to the rear. The proposed amendment consists of the installation of a 4.3m wide concertina door to the rear elevation to replace the original proposal of a 3m wide double door with two 1.4m wide full length windows each side. The proposed amendment also includes the installation of four 0.7m wide top-opening windows to replace the originally proposed two 2.1m wide non-opening windows.

Relevant Planning History: -

01/00522/REM - ERECTION OF 75 DWELLINGS AND ASSOCIATED WORKS - Approved - 15.08.2001

01/01041/REM - EXTERNAL BUILDING MATERIALS AND LANDSCAPING - Approved - 07.12.2001

02/00120/REM - RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS FOR 10 DWELLINGS (AMENDED LAYOUT) FOLLOWING THE GRANTING OF OUTLINE PLANNING PERMISSION 99/00820/OUT - Approved - 17.04.2002

02/00236/REM - RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS FOR 50 DWELLINGS - Refused - 09.10.2002

02/00374/REM - ERECTION OF 55 DWELLINGS AND ASSOCIATED WORKS - Approved - 10.10.2002

99/00820/OUT - RESIDENTIAL DEVELOPMENT AND ASSOCIATED OPEN SPACE INCLUDING VILLAGE GREEN AND PLAY AREAS AND PROVISION OF A LOCAL RETAIL FACILITY - Approved - 01.05.2001

11/00339/FUL - ERECTION OF A SINGLE STOREY CONSERVATORY TO THE REAR OF THE PROPERTY - Approved - 17.06.2011

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 Bagworth.

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 the approved erection of a single storey conservatory constitutes a non material amendment to the approved planning permission and if the proposed amendment is acceptable in planning terms.

The approved scheme was deemed to have no impact on residential amenity for neighbouring properties and the proposed amendments will not increase overlooking as the minor addition of glass from the concertina door will only be present at a low level.

Given the location, at the rear of the property, and its lean to form and scale the proposed amendment will not have any adverse impact on the street scene or the character of the existing dwelling.

It is considered that had the proposed amendment to install a concertina door and four top opening windows been included in the original application in place of a double door and two non opening windows, this would have not affected the decision to approve the original application. 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 CL-9801 Rev. B; Drawing CL-9804 Rev. B received on 20th 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