

LOCATION: HAWK FARM, CHURCH LANE, BISLEY, WOKING, GU24 9EA
PROPOSAL: Non Material Amendment to planning permission SU/77/0405 (erection of a nursery manager's dwelling and garage) to allow the repositioning of windows, altered location for the front door and canopy.
TYPE: Non Material Amendment
APPLICANT: Mr S Howard
OFFICER: Jonathan Partington

This application would normally be determined under the Council's Scheme of Delegation, however, at the request of Councillor Mansfield it has been called in for determination by the Planning Applications Committee.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY AND BACKGROUND

- 1.1 This application seeks Non-Material Amendments (NMA) to planning permission SU/77/0405/3.
- 1.2 Application 77/0405 granted a detailed application (pursuant to outline consent BGR 8745) for the erection of an agricultural worker dwelling and attached garage. For the full planning history pertaining to this site please see application 15/1100 reported elsewhere on this agenda.
- 1.3 Planning Policy Guidance (PPG) advises that there is no statutory definition of 'non-material' because what may be non-material in one scheme may not be in another and ultimately the Local Planning Authority (LPA) 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 (TCPA) 1990 (ref: Paragraph: 002 Reference ID: 17a-002-20140306).
- 1.4 This procedure is most commonly used by applicants to seek minor amendments to the plans approved as part of an application, however section 96A (3) (b) allows for planning conditions to be removed or altered, or additional conditions imposed.
- 1.5 The PPG further advises that as a NMA is not an application for planning permission the provision of the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to publicity do not apply and the LPA has discretion in whether and how they choose to consult. Immediate neighbours in the vicinity have been consulted on this application and no letters of representation have been received.

2.0 PROPOSAL

- 2.1 The proposal seeks permission for amendments made to the fenestration of the dwelling and for an altered location for the front door and canopy.
- 2.2 The original plans indicated that the dwelling's windows would have small grid patterned window panes. The dwelling as built maintains small grid patterned windows panes but also with top openings. On the front elevation the original plans indicated two smaller windows serving a downstairs W.C. cloakroom and study respectively. These two windows have been replaced with one larger window serving the study (the cloakroom has been relocated within the dwelling).
- 2.3 The original plans indicated that the position of the front door and canopy above would not be positioned slightly closer to the garage. The dwelling as built has repositioned the front door centrally.

3.0 ASSESSMENT

- 3.1 The revisions are minor having no significant impact on the appearance of the dwelling and no greater impact on the Green Belt, character of the area or upon residential amenities than the original permission. It is therefore considered that these changes are consistent with the spirit of the original consent and are non-material.
- 3.2 Nevertheless, in order to be consistent with application 15/1100, given the complex planning history relating to this site it is considered necessary and reasonable to remove permitted development (PD) rights.

4.0 RECOMMENDATION

- 4.1 It is recommended that the proposed variations be approved with a condition to remove PD rights.

APPROVE

- 1. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order) no extensions or outbuildings shall be erected without the prior approval in writing of the Planning Authority. For the avoidance of doubt the established residential curtilage is as shown on drawing no. 574-P-16-4 (approved under 15/1100).

Reason: To retain control in the interests of the Green Belt and to comply with the National Planning Policy Framework 2012.