

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	SCE	22.05.19
Planning Development Manager authorisation:	AN	23/5/19
Admin checks / despatch completed	SB	28/05/19

ER

Application: 19/00686/NMA **Town / Parish:** Frating Parish Council

Applicant: Mr Gary Dingwall

Address: Land North of Tokely Road Frating Essex

Development: Non-material amendment of application 18/00194/FUL to extend small section of brick work at ground floor next to entrance doors for Maisonettes 1B2P and 2B4P and Housetype 3B5P.

1. Town / Parish Council

N/A – non-material amendment application only

2. Consultation Responses

N/A

3. Planning History

14/01371/OUT	Outline application with all matters reserved (except for principal means of access) for a residential development comprising up to 49 dwellings (including up to 40% affordable housing), open space and vehicular access from Tokely Road.	Allowed at Appeal	24.12.2014
16/01152/DETAIL	Reserved matters application for details of layout, appearance, scale and landscaping pursuant to appeal decision APP/P1560/W/15/3014909 (TDC planning ref 14/01371/OUT) relating to a residential development of 49 dwellings.	Approved	01.12.2016
18/00194/FUL	Erection of 67 dwellings.	Approved	08.03.2019
19/00612/DISCON	Discharge of conditions 3) Landscaping Scheme & 10) Boundary Walls/Fences - to Approved Planning Application 18/00194/FUL.	Current	
19/00613/DISCON	Discharge of conditions 17) Environmental Construction	Current	

	Management Plan - to Approved Planning Application 18/00194/FUL.		
19/00614/DISCON	Discharge of conditions 4) Protection of Trees - to Approved Planning Application 18/00194/FUL.	Withdrawn	26.04.2019
19/00617/DISCON	Discharge of conditions 6) Site Levels, 11) Surface Water Drainage Scheme, 12) Off Site Flooding & 13) Foul Water Strategy to approved Planning Application 18/00194/FUL.	Current	
19/00626/DISCON	Discharge of condition 15 (Materials) to approved Planning Application 18/00194/FUL.	Approved	08.05.2019
19/00627/DISCON	Discharge of condition 9 (Cycle Storage) to approved Planning Application 18/00194/FUL.	Current	
19/00682/FUL	Variation of condition 3 of approved application 18/00194/FUL to add references to 1138-01A Frating soft works, 1138-02B Frating hard works and 1138-02B Frating hard works.	Current	
19/00684/DISCON	Discharge of condition 20 (RAMS) of approved application 18/00194/FUL.	Current	

4. Relevant Policies / Government Guidance

N/A

5. Officer Appraisal (including Site Description and Proposal)

From 1st October 2009 Section 96A of the Town and Country Planning Act came into force allowing a Local Planning Authority, on application, to make a change to any planning permission if it is satisfied that the amendment proposed is non-material. The key test as to the acceptability of an application for a non-material change is whether the change is material to any development plan policy. If the answer is 'no', three further tests should be applied:

1. Is the proposed significant in terms of its scale (magnitude, degree etc.), in relation to the original approval?
2. Would the proposed change result in a detrimental impact either visually or in terms of amenity?
3. Would the interests of any third party or body who participated in or were informed of the original decision be disadvantaged in any way?

Appraisal

In this instance the proposed amendments involve:

- An extension of brick work by approx. 0.7 metres at ground floor next to the entrance doors of the proposed 1 bedroom and 2 bedroom maisonettes

- An extension of brick work by approx. 0.8 metres at ground floor next to the entrance doors of House Type A (3 bedroom dwelling)

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Taking all the relevant issues into account it is considered that the alterations to the approved planning permission does not result in any material amendment to that permission or have any significant detrimental impact on visual or residential amenity or highway safety and thus complies with national and local planning policies.

In this instance it is considered the amendments being sought are minor and are therefore acceptable as a non-material amendment to the approved plans attached to 18/00194/FUL.

6. Recommendation

Approval Non Material Amendment

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: (P06)101 B; (P06)102 A; (P06)200 A; (P11)101 B; (P11)102 A; (P11)200 A; (P12)101 B; (P12)102 A and (P12)200 A.

Reason - For the avoidance of doubt and in the interests of proper planning.

8. Informatives

You are advised that this decision is for minor amendments only and all the conditions on decision notice 18/00194/FUL still apply.

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>		<p>NO</p>
<p>Are there any third parties to be informed of the decision? If so, please specify:</p>		<p>NO</p>