

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	TF	09/12/2019
Planning Development Manager authorisation:	AN	17/12/19
Admin checks / despatch completed	CC	18/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	18/12/19

Application: 19/01797/NMA **Town / Parish:** Frating Parish Council

Applicant: Mr Gary Dingwall

Address: Land North of Tokely Road Frating

Development: Non material amendment to planning application 18/00194/FUL - Relocation of substation.

1. Town / Parish Council

N/A

2. Consultation Responses

N/A

3. Planning History

14/30063/PREAPP	Development of the site for residential purposes, potentially with new community facilities.	Refused	24.03.2014
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.	Refused	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19/00612/DISCON	Discharge of conditions 3) Landscaping Scheme & 10)	Withdrawn	04.06.2019

	Boundary Walls/Fences - to Approved Planning Application 18/00194/FUL.		
19/00613/DISCON	Discharge of conditions 17) Environmental Construction Management Plan - to Approved Planning Application 18/00194/FUL.	Approved	05.06.2019
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	Withdrawn	26.04.2019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.	Approved	02.08.2019
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.	Approved	31.05.2019
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.	Approved	06.08.2019
19/00684/DISCON	Discharge of condition 20 (RAMS) of approved application 18/00194/FUL.	Approved	02.08.2019
19/00686/NMA	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.	Approved	28.05.2019
19/01603/DISCON	Discharge of condition 15 (materials) of planning permission 18/00194/FUL.	Approved	25.11.2019
19/01797/NMA	Non material amendment to planning application 18/00194/FUL - Relocation of substation.	Current	

4. Relevant Policies / Government Guidance

N/A

5. Officer Appraisal (including Site Description and Proposal)

Following 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 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 proposal 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:

- A marginal northwards relocation of the proposed electric substation, within the new village green, in recognition of an existing ditch and the inappropriateness of placing this facility within the ditch. The substation housing unit would measure 2.8 x 2.8m and would have a maximum height of 2.4m and would be finished in either mid brown or dark green colour. Around the perimeter of the substation housing unit would be a 1m deep maintenance strip comprising either paving slabs or wood chippings. Access to the facility would be taken from a 10m long/4m wide grasscrete drive served off the principal estate road.

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 / Reasons for Refusal

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan drawing no. 001R

General Arrangement drawing no. GTC-E-SS-0002_R3-4_1_of_1

Reason - For the avoidance of doubt and in 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.

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