

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	10/09/2023
Planning Manager / Team Leader authorisation:	ML	12/09/2023
Planning Technician final checks and despatch:		

Application: 23/01225/NMA **Town / Parish:** Frinton & Walton Town Council

Applicant: Ms. Frances Delhoy

Address: 21 Warley Way Frinton On Sea Essex

Development: Non Material Amendment to application reference 23/00446/FULHH for change of material on the dormer window from render to slate tiles to match the roof finish.

1. Town / Parish Council

Not required

2. Consultation Responses

Not required

3. Planning History

00/00425/FUL	Loft conversion and garage extension	Approved	02.05.2000
91/00066/FUL	Extension of bay window on front elevation.	Approved	28.02.1991
09/60046/HOUEN Q	Convert garage to habitable space		24.11.2009
22/01493/FULHH	Proposed front and rear extensions, and loft conversion incorporating side dormer.	Approved	16.12.2022
23/00125/NMA	Non Material Amendment to application reference 22/01493/FULHH for roof tiles to be changed to slate roof tiles to client specification (Or similar approved).	Approved	21.02.2023
23/00446/FULHH	Proposed front and rear extensions, and loft conversion incorporating side dormer (Amendment to approved planning 22/01493/FULHH for changes to external finish).	Approved	12.05.2023
23/01225/NMA	Non Material Amendment to application reference 23/00446/FULHH for change of material on the dormer window from render to slate tiles to match the roof finish.	Current	

4. Relevant Policies / Government Guidance

Not required

5. Officer Appraisal (including Site Description and Proposal)

From 1st October 2009 a new provision under 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

This application seeks permission for a Non-Material Amendment to application reference 23/00446/FULHH the change will include;

- change of material on the dormer window from render to slate tiles to match the roof finish.

The degree of change being proposed compared to the original approval would not be significant in terms of the overall appearance of the development.

The proposed change will be in keeping with other elements in situ on the main house and are of a minor nature which would not result in a harmful impact to the overall appearance and character of the dwelling, development and area.

The proposal will be publicly visible, however, as the change will allow for the use of materials which will match the existing house it is considered not to diminish the character and appearance of the host dwelling or locale.

The proposed alteration will not result in any additional loss or harm to the amenities or neighbouring sites and no third parties who participated or were informed of the original proposal would be disadvantaged in any way.

Conclusion

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 23/00446/FULHH.

6. Recommendation

Approval – Non-Material Amendment

7. Conditions

1 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any

successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

8. Informatives
Not required