

## **DELEGATED DECISION REPORT**

<b>Application Reference Number</b>	16NP0040
<b>Description / Site Address</b>	Non Material Amendment to planning permission 10NP0041 construction of one multi-purpose holiday/education units and 5 no. holiday accommodation units and creation of a new highway access at Land to rear of Greystones, Lanehead, Tarsset, NE48 1NT
<b>Expiry date of publicity / consultations</b>	N/A
<b>Last date for decision</b>	26 May 2016

### **Details of Proposal & Site**

The proposal seeks to make amendments to the elevations of five bothies approved under planning application reference 10NP0041, which the applicant believes to constitute non-material amendments to the scheme. The changes proposed relate to all five of the bothies, three of which have been constructed at the time of writing.

The application form states that the changes being sought permission for are the relocation of a flue pipe and Velux windows. The changes from the original permission that are shown on the elevation plans submitted consist of:

- The relocation of a rooflight by approximately 500mm on the north elevation;
- The relocation of a rooflight by approximately 500mm on the south elevation;
- Relocation of a flue, which would now project from the roof slope of the north elevation of the bothies, rather from the south elevation;
- The size location of the flue has also been slightly amended so that it sits approximately 300mm below the ridge height, rather than level with it;
- Widening of the door in the south elevation by 100mm;
- Reduction in the eaves height of the buildings by approximately 100mm;
- The inclusion of six photovoltaic panels on the roof slope of the south elevation;

Changes are also shown on the site plan that has been submitted. The site plan shows a relocation of paths which allow access to the bothies and also amendments to the mound/bund that surrounds the pond at the north west of the site.

### **Planning Policy & Guidance**

→ *NNPA Core Strategy and Development Policies Document (Core Strategy)*

Policy 1 Delivering Sustainable Development

Policy 3 General Development Principles

Policy 20 Landscape Quality and Character

→ *National Planning Policy Framework (NPPF)*

→ *Planning Practice Guidance (PPG)*

→ *NNPA Building Design Guide Supplementary Planning Document (Design Guide SPD)*

→ *NNPA Landscape Supplementary Planning Document (Landscape SPD)*

### **Relevant Planning History**

**12NP0023** – Approval of details reserved by conditions 3, 4, and 6 of planning permission 10NP0041 (approved April 2012)

**10NP0041** – Construction of one multi-purpose holiday/education unit and 5 no. holiday accommodation units and creation of a new highway access (refused October 2010, allowed on appeal ref. APP/T9501/A/10/2141524 in March 2011)

### **Consultation/Representations**

Nil

## **Assessment**

The key issues identified for consideration in this application are whether the proposed amendments to the approved scheme would have any material impacts, particularly in terms of visual amenity and any impacts on the wider surroundings.

### **Windows/Door/Flue/Eaves**

The changes relating to the relocation of the windows, door, flue and eaves height are extremely minor in their nature. There would be no additional appreciable impact on the design and appearance of the buildings, their affect on visual amenity or the wider character of the landscape. These amendments can be considered to be non-material.

### **Path Layout**

The changes to the layout of the paths are also relatively minor in their nature. The proposal still provides an access path, which has been brought further east on these proposals, with a single access path to each of the five bothies off-shooting from it. The paths cover a slightly larger area, but it is not considered that they would have a material impact on visual amenity or on the surrounding area. The changes to the path are considered to be non-material.

### **Solar Panels**

It is considered that the provision of solar panels on the south facing roof slopes would materially affect the visual appearance of the bothies. Therefore this element of the proposals does not constitute a non-material amendment.

The solar panels, as proposed, would not fall within permitted development rights under Part 14 Class J of the GPDO 2015, as they are sited within 1 metre of the external edge of the roof. A planning application would therefore be required for the installation of these solar panels.

### **Bund/mound adjacent to the pond**

The plans accompanying 12NP0023 (approval of details, including landscaping) amended the location of this bund. However, this has actually been engineered of a similar size and shape, but further away from the northern and western site boundaries. The plans now submitted seek to reflect this.

As this application proposes amendments to an aspect of the development that involves fairly substantial engineering operations, it is not considered that this constitutes a non-material amendment. A planning application would therefore be required for the changes to the bund/mound in the north-west corner of the site.

## **Summary**

As set out in the assessment of the proposal above, the majority of the proposed amendments to the building are considered to be non-material. The changes to the paths are also considered to be non-material amendments.

However, the installation of solar panels on the bothies and changes to the bund adjacent to the pond are considered to be material changes to the scheme and the application cannot be approved as a non-material amendment to the approved scheme.

## **Recommendation**

It is recommended that the application to allow the proposed changes as a non-material amendment to 10NP0041 is refused, as many of the changes included within this application are considered to be material changes.

## **Background Papers**

- Planning application file 10NP0041
- Planning appeal decision APP/T9501/A/10/2141524
- Approval of details application file 12NP0023
- Non-material amendment file 16NP0040

	Signature	Date
<b>Planning Officer</b>		
<b>Head of Development Management</b>		