OFFICER REPORT

Case No: 25/00799/NMA Non Material Amendment

Proposal: Non-material amendment of 25/02388/S73 to include reduction to amount of openable areas on the SE elevation, 2 x single windows replaced with one larger window at first floor on SW elevation

Location: Stonely House 37 Main Road Stonely

Applicant: Thomas Salkield

Grid Ref: 510907 267009

DESCRIPTION OF SITE AND APPLICATION

Stonely House is a Grade II Listed Building fronting onto Main Road (B645) within the Stonely Conservation Area. The site lies at the junction of Main Road with Easton Road. It backs onto open fields but it is flanked by and lies opposite Grade II listed buildings, including 35, 47 and 49, and 52 Main Road respectively. The house is a mid-Georgian farmhouse with several later extensions to the rear. It has been vacant for some time and is in poor repair.

Planning permission (reference 22/00793/FUL) was granted on 18th July 2023 for 'Renovation and extension of existing listed building, demolition and reconstruction of outbuilding to rear, erection of 1 No. proposed dwelling, detached garage and associated works'.

A subsequent application (reference 25/02388/S73) under Section 73 of the Town and Country Planning Act (1990) was granted on 25th April 2025 to vary condition 2 to allow for amendments to the detached garages approved under planning application 22/00793/FUL

This non-material amendment application seeks to reduce the amount of openable areas on the SE elevation, 2 x single windows replaced with one larger window at first floor on SW elevation of the new dwelling on the site.

PLANNING HISTORY

0601497FUL - Erection of dwelling - Withdrawn.
0604131FUL - Erection of dwelling and garage - Approved.
1000153REP - Replacement of planning permission 0604131FUL for erection of dwelling and garage - Approved.
17/00619/FUL - Renovation and extension of existing listed dwelling, demolition and reconstruction of outbuilding to rear, erection of 1 no proposed dwelling and associated works - Approved.
17/01008/LBC - Renovation and extension of existing listed dwelling, demolition of outbuilding to rear - Approved.
20/00123/FUL - Demolition and reconstruction of rear outbuilding of listed building and associated renovations and repairs to re-establish two attached dwellings to rear of existing house. Erection of three new dwellings including new drive and associated landscaping and services - Withdrawn.
20/00124/LBC - Demolition and reconstruction of rear outbuilding of listed building and associated renovations and repairs to re-establish two attached dwellings to rear of existing house - Withdrawn.

21/00099/FUL - Renovation and modification of existing listed dwelling including demolition of rear outbuilding. Erection of 1no. proposed dwelling & associated works - Withdrawn.
21/00100/LBC - Renovation and modification of existing listed dwelling including demolition of rear outbuilding - Withdrawn.
22/00794/LBC - Renovation and extension of existing Listed dwelling - Approved.
22/00793/FUL - Renovation and extension of existing listed building, demolition and reconstruction of outbuilding to rear, erection of 1 No. proposed dwelling, detached garage and associated works – Approved.
25/02388/S73 - Variation of condition 2 to allow for amendments to the detached garages approved under planning application 22/00793/FUL - Approved

CONSULTATIONS

None

REPRESENTATIONS

None received at time of determination.

SUMMARY OF ISSUES
Section 96A of the Town and Country Planning Act allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material. These provisions have been introduced by the Government to provide a quick, formal method of dealing with small changes to approved schemes to give greater flexibility within the planning system.

The main issue for consideration is whether the proposed amendments can be treated as 'non-material'.

The proposals are considered to represent a non-material alteration to the approved development (25/02388/S73). The application will result in fenestration changes to the south west rear elevation, replacing two smaller windows on the first floor with a single larger window to match that on the ground floor, resulting in a more balanced design. Reconfiguration of fenestration details on the south-east side elevation will reduce the number of windows from 10 to 5. The HDC Conservation Team were consulted informally on the application and confirmed verbally, that as the changes are to the new dwelling on the site and reduce the fenestration detail, they have no objections. It is considered that the proposed amendments are non-material to the approved development and can therefore be supported.

*Conclusion
The proposed amendment to reduce and reconfigure the fenestration detail on the south-east elevation, and to replace 2 x single windows with one larger window at first floor on south-west elevation of the new dwelling on the site is considered to be non-material in the context of the overall scheme and accords with the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended).

The decision only relates to the non-material amendments sought and is not a reissue of the S73 permission or the original planning permission which still stand. The S73 permission and NMA application should be read together.

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CONTACT OFFICER: Enquiries about this report to **Olivia Manton**