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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **KH** | | | | **Date:** | **01.04.22** | **Manager:** | |  | | **Date:** |  |
| **Site Notice displayed** | **N/A** | **Photos uploaded** | | | | **N/A** |  | | | | | | |
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| **Application Ref:** | | | 3/2022/0308 | | | | | |  | | | | |
| **Date Inspected:** | | | N/A | | | | | |
| **Officer:** | | | **KH** | | | | | |
| **DELEGATED ITEM FILE REPORT: NMA** | | | | | | | | | **Decision** | | **REFUSE** | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | | Non-Material Amendment of condition 4 (buildings to be demolished) of planning permission 3/2019/0356 to retain and re-orientate building number 8 and relocated building number 2 and temporarily site a static caravan for the duration of the build. | | | | | | | | |
| **Site Address/Location:** | | | | | Startifants Farm Goose Lane Chipping PR3 2QB | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | |
| No comments. | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
|  | | | | | N/A | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| **National Planning Policy Guidance** | | | | | | | | | | | | | |
| **Relevant Planning History:**  3/02019/0356 Demolition of existing farm house and erection of replacement dwelling. Change of use of barn to one live/work unit including conversion of an existing building to garage. Demolition of existing farm buildings. (Re-submission of 3/2018/1081) – Approved with conditions.  3/2018/1081 Demolish and re-build the main farmhouse. Change of use of barn to one live/work unit including conversion of existing building to garage unit and demolition of existing farm buildings – Refused.  3/2017/0742 Demolish existing farmhouse and re-build. Change of use of agricultural barn to two dwellings. Change of use of mono-pitch farm building to a garage for the barn conversion. Demolish four farm buildings. Dismantle and rebuild one timber-framed agricultural building in new location on the site. Reorientation of one steel-framed agricultural building – Withdrawn.  3/2014/1007 Change of use of barn to dwelling – Refused.  3/2004/0644 Part conversion of ban building to ice cream making workshop – Approved. | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The site is located within an agricultural holding within an Area of Outstanding Natural Beauty. The immediate site consists of other associated agricultural buildings and farmhouse and is accessed off Longridge Road. | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Non-Material Amendment Amend of condition 4 (buildings to be demolished) of planning permission 3/2019/0356 to retain and re-orientate building number 8 and relocated building number 2 and temporarily site a static caravan for the duration of the build. | | | | | | | | | | | | | |
| **Principle of Development:**  The site is in within an Area of Outstanding Natural Beauty. Permission has been granted under 3/2019/0356 to demolish and rebuild the farmhouse; convert the barn to one live/work unit and convert a building to a garage to serve approved live/work unit as well as demolish eight other building within the site.  This application seeks to amend condition 4 of the approval to retain and re-orientate building 8 and relocate building 2 as well as site a static caravan on the site for the duration of the build. | | | | | | | | | | | | | |
| **Nature of Non-Material Amendment:**  Consent is sought for a non-material amendment to application 3/2019/0356which granted permission for the existing farmhouse to be demolished together with the conversion to a live/work unit and associated garage and the remainder of the buildings to be removed.  Criteria contained within the Development Control Procedure Note that went to Planning and Development Committee on the 14 January 2010 explains the criteria which the Local Planning Authority considers must be met for an amendment to be considered non-material.  It states that if a proposed amendment conflicts with conditions then it will not be regarded as non-material and therefore a revised application would be required. It also states that for amendments to be considered non-material they should not result in siting of a building to be moved. In this case it is proposed to retain two buildings which were required to be removed by condition and move one of these as well as site a caravan which was not considered as part of the original application.  In this instance the amendment sought relates to retaining two buildings and the siting of a caravan that was not included in the previous application this result in a material change to the nature of the proposal and should be dealt with as a variation of condition application in order for the scheme to be fully considered and if necessary revised conditions be attached to any grant of permission. | | | | | | | | | | | | | |
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| **Observations/Consideration of Matters Raised/Conclusion:**    Whilst there is no statutory definition of a non-material amendment it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.  As such, it is considered that the proposed amendments in this instance would result in a fundamental change to the originally approved development.  Taking the above into account, it is considered that the proposed changes would fall within the realm of a material planning consideration. The applicant should therefore seek to submit a revised application or vary plans under Section 73 of The Town and Country Planning Act 1990. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | Refuse Non-Material Amendment. | | | | | | | | | |