

**The Beeches, Heyford Road, Steeple Aston,
Bicester, OX25 4SN**

23/01397/NMA

Case Officer: Michael Sackey

Recommendation: Approval

Applicant: Mr Vincent Stokes

Proposal: Amendments related to two sides of the house - the North and South elevations. North elevation - there are four casement windows, each measuring 2.4m in width - to reduce each casement from a quadruple to a triple, so that each measures 1.8m in width. South elevation - to reduce one casement window on the left of the elevation to a double and remove the face glazing above (proposed as non-material amendment to 22/01613/REM)

Expiry Date: 27 June 2023

Extension of Time: No

1. APPLICATION SITE AND APPROVED DEVELOPMENT

- 1.1. The application relates to land and outbuildings associated with The Beeches, a single dwelling sitting at the edge of Steeple Aston. The Beeches is a large two-and-a-half storey property with brick and painted rendered elevations under a clay tiled roof, sitting within a substantial garden. To the north-east of the main dwelling towards the northern boundary is a single-/two-storey rendered outbuilding providing garage/workshop accommodation with home-office space at first floor level, and a further separate single storey timber-clad garage building. There are several further, low-rise outbuildings within the site associated with a narrow-gauge railway that has been built within the site.
- 1.2. The Beeches sits to the south-west of residential properties fronting onto Heyford Road. A further dwelling (Orchard House) sits immediately to the east of the Beeches. The site is served by an existing access and private driveway which rises up from Heyford Road. Land levels drop across the site from the north-west to the south-east, down to the adjacent highway. The site contains several significant trees and predominantly bounded by mature hedgerows again including mature trees, with paddock and open countryside beyond.
- 1.3. In terms of site constraints, whilst the site is not within the designated Steeple Aston Conservation Area, the boundary of the Rousham Conservation Area lies on the opposite side of Heyford Road. The site is within an area of high archaeological interest and is within a Minerals Consultation Area. A Public Right of Way (ref. Footpath 364/8/10) crosses land west of the site. There are records of protected and notable species (including: Swifts and Eurasian Badgers) as being present within the vicinity of the site. The site sits within an area where the geology is known to contain natural occurring elevated levels of Arsenic, Nickel and Chromium; as seen across much of the district, and further, an area of higher probability (10-30%) of natural occurring Radon Gas being above Action Levels.

2. DESCRIPTION OF PROPOSED AMENDMENT(S)

- 2.1. The application seeks consent for changes to planning permission ref. 22/01613/REM which was for a reserved matters application for the details of appearance, landscaping and layout, in relation to a proposed two-storey detached dwelling.

- 2.2. The proposed changes to the left side of the front or south elevation relates to the reduction in the size of the openings and number of panes from four panes to three panes at both the ground floor and first floor level.
- 2.3. The proposed changes within the rear or north elevation relates to the reduction in the size of the openings and number of panes from four panes to two panes at both the ground floor and first floor level.
- 2.4. There are no changes proposed within the side elevations.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

Application: 19/01206/OUT Not proceeded with 20 February 2023

Erection of up to 8 dwellings with all matters reserved except the means of access on to Heyford Road.

Application: 21/02147/OUT Permitted 17 January 2022

Outline:- 1 new dwelling

Application: 22/01613/REM Permitted 26 July 2022

Reserved matters application to 21/02147/OUT – Details of appearance, landscaping and layout

Application: 22/03254/DISC Permitted 5 January 2023

Discharge of Conditions 2 (schedule of materials) and 3 (Landscaping Scheme) of 22/01613/REM

Application: 22/03385/DISC Permitted 18 April 2023

Discharge of Conditions 5 (specification details), 6 (surface water drainage scheme), 7 (Sustainable Construction Statement), 8 (covered cycle storage), 9 (biodiversity method statement), 10 (Construction Traffic Management Plan) and 12 (water efficiency limit) of 21/02147/OUT

Application: 23/01273/F

Variation of Condition 1 (plans) of 22/01613/REM - Position of the house is amended to allow the house to be moved back towards the North edge of the plot by 1.5m to avoid the well.

4. PUBLICITY AND CONSULTATION

- 4.1. There is no statutory requirement to consult on, or publicise, applications seeking approval for non-material amendments to an existing planning permission.

5. APPRAISAL

- 5.1. The key issue for consideration in this case is whether the proposed changes can be accepted as non-material; there is no consideration of the planning merits of the proposed changes.
- 5.2. Section 96A of the Town and Country Planning Act 1990 (as amended) states that: "A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material". It is also stated that: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted".
- 5.3. The National Planning Practice Guidance states that: "There is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme - an amendment that is non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application". The judgement on materiality in any particular case is one of fact and degree, also taking into account the likely impacts of the amendment. Materiality is considered against the development as a whole, not just part of it. The benchmark for forming the judgement on materiality is always the original permission.
- 5.4. The most significant amendment is the reduction in the size of the openings and the proposed changes would not raise any new issues or have any bearing on the impacts of the development.
- 5.5. The proposed amendments would change the visual appearance when compared to the previously approved application reference (22/01613/REM), but the changes are considered to be minor and would not significantly affect the character of the development or raise any new issues in relation to residential amenity. None of the proposed changes would raise any new issues and none would necessitate further consultation with any third party consulted at the time of the planning application.

6. **CONCLUSION**

- 6.1. The proposed changes are considered to be non-material and the application is therefore recommended for approval.

In accordance with drawing No "2110160.STO-07 Rev E" and "2110160.STO-09 Rev E"

Case Officer: Michael Sackey

DATE: 27 June 2023

Checked By: Nathanael Stock

DATE: 27.06.2023
