1. **APPLICATION SITE AND LOCALITY** 
   1. The site is an ‘L’ shaped steel-framed agricultural barn finished in metal sheet cladding set in open countryside, south of the village of Bodicote. The site is accessed via an existing gated access off Church Street. The existing building and surrounding land is in agricultural use. Land levels rise to the north with residential properties on the edge of the village of Bodicote sitting at an elevated position above the site. The site is bounded by mature hedgerows and trees to the west and north, with post and rail/wire fencing and open countryside to the other boundaries.
2. **DESCRIPTION OF PROPOSED DEVELOPMENT**
3. Permission was granted on site in 2016 for the conversion of the agricultural building on the site to a dwelling under 16/01587/F. Subsequent minor material amendments were made to the scheme approved under application 18/00121/F. This current application seeks further proposed amendments to the approved revised scheme (18/00121/F) which relate to revised fenestration detailing and include:

Proposed North Elevation:

* Position of first floor windows slightly dropped down from eaves and minor reduction in size;

Proposed South Elevation:

* Position of first floor windows slightly dropped down from eaves and minor reduction in size;
* Glazed sliding door section increased in width and increased in number from two door panels to four;
* End gable glazing design amended to smaller panels;
* Minor increase in utility door width screen added;

Proposed East Elevation:

* Position of first floor windows slightly dropped down from eaves;
* Glazed sliding door section in end gable increased in width and increased in number from two door panels to three;
* Minor repositioning and increased of ground and first floor French doors;

Proposed West Elevation:

* End gable glazing design amended to smaller panels, with reduced width but increased height;
* Main glazed entrance revised design with reduced width;
* Additional first floor window;
* Increased in size of ground floor window to full height glazed panel.

1. **RELEVANT PLANNING HISTORY**
2. The following planning history is considered relevant to the current proposal:

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| Application Ref. | Proposal | Decision |
| 15/01578/Q56 | Prior approval for the conversion of barn to dwellinghouse under Schedule 2, Part 3, Class Q(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). | Un-determined |
| 15/01780/CLUP | Certificate of Lawfulness of Proposed Use for the conversion of agricultural barn to dwelling | Application Permitted |
| 16/01587/F | Conversion of agricultural building to dwelling following Certificate of Lawful Development 15/01780/CLUP | Application Permitted |
| 17/00177/DISC | Discharge of condition 4 (cladding) of 16/01587/F | Application Permitted |
| 18/00121/F | Minor material amendment to 16/01587/F - to increase structural steel columns in section, alterations to the window fenestration and increase in ridge height of 450mm and eaves height of 450mm | Application Permitted |

1. **PRE-APPLICATION DISCUSSIONS**
2. No formal pre-application discussions have taken place with regard to this proposal, however officers have advised as to what could be considered as a minor amendment.
3. **PUBLICITY AND CONSULTATION**
   1. No publicity or consultations are required for this type of application.
4. **APPRAISAL**
5. The key 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 an previous changes made under this section, on the planning permission as originally granted”.*
6. 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.
7. The key issue for consideration in this application is whether the proposed changes constitute non-material amendments to the approved development.
8. The proposed amendments would not affect the general nature, scale or form of the previously approved barn conversion development. And given the context of the site and its relationship with surrounding properties, being relatively divorced from other residential properties, the proposed new and revised window and door openings would not introduce any further impacts on neighbour amenity as previously assessed.
9. Officer consider that whilst the proposed amendments would affect the external appearance of the proposed barn conversion, the relocated and revised fenestration detailing would not significantly alter the general character and appearance of the dwelling as previously approved and would not detract from the visual amenities of the site or its setting within the wider area.
10. Given that the proposed amendments would not introduce any further material planning considerations above those previously assessed and considered acceptable, and further that the amendments proposed could potentially be constructed/undertaken at a later date under permitted development rights, it is considered that the amendments could be considered non-material in the context of the scheme of development as a whole, in this instance.

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| 1. **RECOMMENDATION**   Cherwell District Council, as Local Planning Authority, hereby approves as non-material amendments to 18/00121/F the changes set out in the description of development in accordance with the drawings numbered: 3528/40F and 3528/41C  The non-material amendment application, hereby approved, does not nullify the conditions imposed in respect of planning permission 18/00121/F. These conditions must be adhered to so as to ensure that the development is lawful. |

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| Case Officer: | Bob Neville | DATE: 04/10/2018 |
| Checked By: | Nathanael Stock | DATE: 04.10.2018 |