

# Officer's Assessment Sheet

**Application Number** OTH/2022/2725  
**Type** Non-Material Amendment  
**Location** Eleven Acre Shaw, Redbrook Street, Woodchurch, TN26 3QR  
**Proposal** Non material amendment to planning permission 19/01785/AS (Amendment Demolition of existing buildings and removal of residential caravan; erection of four dwellings with carports and landscaping enhancements. Alternative to application 18/01575/AS). It is proposed that the minor internal track layout alteration and moving units 2 & 3 subtly back within their plots  
**Case Officer** Georgina Galley  
**Registration Date** 24/10/2022 **Consultation Ends**  
**Valid Date** 24/10/2022 **Deadline Date** 21/11/2022  
**Applicant** CPL Estates Ltd  
**Agent** Mr Patrick Durr

## Environmental Impact Assessment

Is EIA Required: Reason: Not Applicable

## RECOMMENDATION

Approve

### Summary:-

Is the site in a designated area for EIA regs? **NO**

Did an EIA accompany the original application? **NO**

Does the amendment in addition to the original development result in the need for an EIA or an amendment to an existing EIA? **NO**

Is this a non-material minor amendment and why:- (Please refer to internal procedure note)

### Relevant History

19/01785/AS - Demolition of existing buildings and removal of residential caravan; erection of four dwellings with carports and landscaping enhancements. (Alternative to application 18/01575/AS). PERM 13/05/2020.

### Legislation

Town and Country Planning Act 1990 (Section 96A)

## **Consultations/Representations**

No consultation took place.

## **ASSESSMENT**

A non-material minor amendment is sought in relation to planning permission 19/01785/AS for demolition of existing buildings and removal of residential caravan, erection of 4 dwellings with carports and landscaping enhancements.

The proposed non-material amendment being sought under Section 96A relates to the layout of the internal track and the repositioning of Units 2 and 3 further back within their plots.

The proposed amendments seek to retain 7-9 trees and work with the existing features of the site. This relates to an Ordnance Survey data which erroneously demonstrated the woodland buffer to be smaller than existing.

The proposed amendments are detailed in the supporting letter dated 6/10/2022 (and specifically at Figure 1) and shown on drawing no. 2018-453-(BR)-1000-B (Proposed Site Plan). This plan would replace approved drawing no. 2018-453-(P)-005-A (Proposed Site Plan).

The applicant has confirmed that the red line development boundary has not changed and neither has the description of the proposal or the nature of the development. No built footprint has been altered or enlarged either.

Given the nature of the proposed amendments, as well as the relationship to the nearest neighbouring properties, I am satisfied the changes would not materially alter the appearance of the host dwellings and would not result in any visual or residential harm. On this basis, it is considered the development constitutes a non-material minor amendment and should be approved.

## **Human Rights**

I have also taken into account the human rights issues relevant to this application. In my view the "Assessment" section above and the Recommendation below represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties) and the wider public interest.

## **Informatives:**

- The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

<b>Title</b>	<b>Description</b>	<b>Date</b>
Application Form		24 October 2022
Proposed Block plan	(BR) 1000 Rev B	24 October 2022
Supporting Letter		24 October 2022

REASON: For the avoidance of doubt and in the interests of proper planning.