TOWN AND COUNTRY PLANNING DEVELOPMENT CONSULTANTS

25 YEARS 1996-2021

16th June 2023

Our Ref: SWLC.LPC.4325

Wiltshire Council
Planning Services (North)
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Dear Sir/Madam

Section 73 (of the Town and Country Planning Act 1990) application to vary the design of the replacement dwelling permitted under planning permission PL/2022/08003 at Brockhurst Stables, Greenhill, Hook, Swindon, Wiltshire, SN4 8EH

I am instructed by Mr & Mrs M Wason to submit a Minor Material Amendment application to vary the development permitted under the above planning permission.

The site has an extensive history and currently accommodates a dwelling with a Lawful Development Certificate (LPA Reference 18/02724/CLE), and which has had permission recently renewed for its replacement with a detached four bedroomed dwelling (LPA reference PL/2022/03124).

Additionally, and separate from the range of stables and storage buildings to the north western part of the site the block-built range of stable adjacent to the above property has also had consent granted to be converted to provide 1 No three bedroomed dwelling (LPA reference PL/2021/07191).

The most recent application (LPA reference PL/2022/08003) sought permission to swap both sanctioned residences and redevelop the combined site for a single new dwelling, designed to meet my client's aspirations for a single detached family residence and enhance the overall built environment. The development, the subject of the application was granted planning permission on the 3rd April 2023, subject to eight conditions.

Proposed Section 73 Application

Section 73 of the Town and Country Planning Act 1990 (as amended) allows an application to be made to vary or remove conditions associated with a planning permission.

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This current section 73 application is made to seek Minor Material Amendments (MMAs) to the design of the approved development by varying condition 2 of the planning permission which is follows:- .

Condition 2
The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- *1:2500 Site Location Plan dated 13/10/2022*
- *LPC 4325 SK 01 (Site Plan) dated June 2022*
- *LPC 4325 PR 202 (Proposed House - Ground Floor Plan) dated June 2022*
- *LPC 4325 PR 203 Rev.A (Proposed House - First Floor Plan) dated 28/03/23*
- *LPC 4325 PR 204 (Proposed House - North & East Elevations) dated June 2022*
- *LPC 4325 PR 205 Rev.A (Proposed House - South & West Elevations) dated 28/03/23*

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

Proposed Minor Material Amendments

The Planning Practice Guidance advises that there is no statutory definition of a 'minor material amendment' but 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 (Paragraph: 017 Reference ID: 17a-017-20140306).

This application proposes minor alterations to the fenestration and boundary treatments which do not substantially alter the appearance of the approved scheme. The purpose of the proposed MMAs is to improve the overall appearance and quality of the development.

The proposed MMAs are as follows:-

a. Minor changes to the fenestration and doors, to include:-
   - A reduction to the size of the windows in the front elevation of the dwelling;
   - A reduction to the size of the windows and openings in the rear elevation of the dwelling;
   - The slight repositioning of the ground floor window in the east side elevation
   - The introduction of a first floor window in the west side elevation that will be obscurely glazed.

b. The removal of a chimney from the east side elevation of the dwelling;

c. A new natural stone boundary wall along the north and east boundaries as shown on drawing no.PL205 Site Plan – As Proposed.



Approved Front Elevation



Proposed Front Elevation

The majority of the proposed design alterations are considered to be non-material amendments. However, due to the fact that conditions 4 and 5 of the planning permission remove permitted development rights within certain classes of Parts 1 and 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), and to capture all proposed amendments within a single application all proposed amendments have been included within this MMA application.

The proposed design alterations do not significantly alter the approved development; however they are considered to be alterations that improve the overall appearance of the dwelling. The proposed boundary walls will be constructed using natural stone and would help define the residential curtilage of the property. The boundary wall will not alter the access arrangements and are within the limitations of Part 2, Class A of the GPDO.

The proposed MMAs are shown on the submitted plans and it is proposed that condition 2 be varied as follows to include these plans:-

Proposed Condition 2
The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- 1:2500 Site Location Plan dated 13/10/2022
- Drawing no.PL205 (Site Plan – As Proposed)
- Drawing no.PL210 (Floor Plans – As Proposed)

- Drawing no.PL215 (Elevations – As Proposed [including external finishes])
- Drawing no.PL220 (A3 Perspectives)

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

Should you require any further information to help positively determine the application please do not hesitate to contact me.

Yours faithfully



Simon Chambers
Director

Enc.

Cc Mr and Mrs Wason