

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

Babergh District Council

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Shiel Architecture Ltd
The Estate Office
Harkstead Hall Barns
Harkstead
Ipswich
IP9 1DB

Please ask for: Jasmine Whyard
Your reference:
Our reference: DC/19/02501
E-mail: planninggreen@baberghmidsuffolk.gov.uk
Date: 5th June 2019

Dear Mr Shiel

NON MATERIAL AMENDMENT
TOWN AND COUNTRY PLANNING ACT 1990

Proposal: Non Material Amendment to DC/17/05704 - Alteration to fenestration and internal alterations to include an additional shower room

Location: Hill House Farm, Wades Lane, Shotley, Ipswich Suffolk IP9 1EW

I write to confirm that the following amendments to the above proposal have been determined to be approved as listed below.

Amendment Details Approved:

NMA DC/19/02051

Proposal:

Non-Material Amendment to application reference DC/17/05704 seeking to alter the fenestration and internally alter layout.

Location:

Hill House Farm, Wades Lane, Shotley

Amendment Details Approved:

The revision to DC/17/05704 seeking to alter the fenestration and internal layout is considered acceptable as a Non-Material Amendment (NMA) based on the following robust planning reasons:

An alteration to the approved plans in this respect, engages the test of 'fact and degree'. Cases which require a 'fact and degree' judgement must be considered upon sound planning reason(s). Such judgement is considered 'on balance' in full view of all material planning considerations. As a matter

of fact, altering the fenestration and internal layout must be assessed with regard to the degree of public harm caused by the proposed amendment in relation to the approved planning application DC/17/05704. The principle of development approved under planning permission DC/17/05704 has been considered in full view of all material considerations.

The NMA proposal is considered proportionately in relation to DC/17/05704.

- The proposed alteration of fenestration and internal layout is considered with regard to design and layout and residential amenity within DC/17/05704 planning permission. The test here is whether such change to alter the size of 3 sets of fenestration and internal layout is considered material through the 'fact and degree' approach. The material difference between the existing internal layout and size of fenestration under the approved planning permission DC/17/05704 and the proposed increase in size of 3 sets of fenestration hereby considered on the NMA is marginal. The material nature and extent of the proposed change is considered acceptable, as the works would not result in a materially different development.

The Local Planning Authority is satisfied that the change is not 'material', as set out in Section 96A of The Town and Country Planning Act 1990. The NMA hereby submitted is considered acceptable.

If you consider that a particular amendment you have sought is not covered by the description of the amendment(s) above, you should not assume that it has been agreed. Written confirmation of approval of all amendments must be obtained before any such works take place on site.

This decision only relates to the non-material amendment(s) listed above. It is not a reissue of the original decision which still stands. This document should therefore be read in conjunction with the original applications decision notice referenced above.

It is emphasised that this decision is in relation to Planning Legislation only and that separate written approval of any approved amendments must be obtained under the Building Regulations Legislation or any other relevant Legislation.

Yours sincerely

Philip Isbell

Acting Chief Planning Officer – Growth & Sustainable Planning