

Trust5focus10Our ref: 51209/JB/RD
PP Ref: PP-11182090



South Downs National Park Authority
Planning
South Downs Centre
Midhurst
West Sussex
GU29 9DH

13 April 2022

Dear Sir/Madam,

APPLICATION FOR THE REMOVAL OR VARIATION OF A CONDITION FOLLOWING A GRANT OF PLANNING PERMISSION AT THE OMP STUD, BREWERS LANE, WEST TISTED, ALRESFORD, SO24 0HQ

On behalf of The OMP Stud Limited, Pro Vision are instructed to prepare and submit this Minor Material Amendment application which seeks to vary Condition 2 of planning permission SDNP/21/01638/FUL, under section 73 of the Town and Country Planning Act 1990 (as amended) (TCPA 1990).

The application is submitted through the Planning Portal (ref. PP-11182090) and comprises the following:

- Application form and certificate;
- Planning statement (included in this covering letter); and
- Proposed Cottage, drawing no. 51209/P2-01 Rev B, 1:100 @ A1

The planning application fee of £234, plus the Planning Portal admin fee of £32.20 has been paid by the applicant via the Planning Portal.

The requisite CIL PAAIR Form is also included with the submission.

Background

Planning permission was granted under application ref. SDNP/21/01638/FUL on 21 October 2021 for a detached dwelling, following the removal of a temporary mobile home, replacement stable building and two storey extension to an existing stable block.

On reviewing the details of the approved replacement dwelling, the applicant considered the internal dimensions of the proposed utility room would not provide sufficient functional space to meet the requirements for the Equestrian Manager's day-to-day use.

The Proposal

This s73 application therefore seeks to amend Condition 2 of SDNP/21/01638/FUL ('Plans Referred to in Consideration of this Application'), substituting the approved dwelling plan for an amended plan as set out below:

Approved Plan	Amended Plan
Permanent Dwelling Plan and Elevations Existing and Proposed, drawing no. 3290 – (L) – 04 Rev H	Proposed Cottage, drawing no. 51209/P2-01 Rev B

The proposed alteration to the dwelling will increase the internal length of the building by 0.5 metres. To clarify, the approved length of the replacement dwelling is 13.5 metres and the proposal seeks to extend this to 14 metres. The width of the dwelling approved at 5.5 metres is not proposed to be altered. The Gross Internal Area of the dwelling will therefore increase from the approved 148.5 m² to a proposed 154 m².

The approved location, ridge height and overall massing of the dwelling will not be altered.

In addition to the lengthening of the dwelling, an oak framed porch is proposed in place of the flat canopy on the northern elevation, whilst a new window is added to the north east elevation.

Planning Policy

Since the original application was determined, the Development Plan has not changed or been updated. The Development Plan therefore still comprises the South Downs Local Plan 2014-2033 (adopted 2 July 2019).

Assessment

The changes to the approved scheme under s73 of the TACP 1990 (as amended) relate specifically to the plans for the proposed replacement dwelling only, as referenced in Condition 2 of SDNP/21/01638/FUL. No other changes to the site are sought.

The National Planning Practice Guidance (PPG) states¹:

“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.”

“Where an application under s73 is granted, the effect is the issue of a new planning permission sitting alongside the original permission, which remains intact and unamended².”

¹ NPPG Paragraph: 017 Reference ID: 17A-017-20140306.

² NPPG Paragraph: 015 Reference ID: 17A-015-20140306.

Therefore, in determining this s73 application, the Local Planning Authority will need to consider any material changes since the original permission was approved. As above, we consider there have been no material changes in policy since the granting of the original permission.

The proposed alterations to the approved dwelling are sought to provide more useable internal space in the utility area, without compromising on the ground floor living space. Retaining the living space is important as this dwelling is for occupation by the Equestrian Manager and their family. The accommodation should therefore be of a size commensurate with the size and importance of the establishment, which this minor addition will assist with. Externally, the proposed alterations will not result in any real material difference between what was approved previously and what is now proposed.

With regard to the visual impact of the minor addition from within or outside of the site, there will be no effect on surrounding amenity and privacy, nor would it increase overlooking. The size of the extension is minor and therefore unnoticeable, relative to the approved scheme, from any public viewpoint.

The alterations to the porch will provide a modest sized shelter in the event of adverse weather conditions, whilst the installation of a new window on the north east elevation of the dwelling will allow more natural light into the dwelling without impacting on privacy, amenity and overlooking. The dwelling is located amongst The OMP Stud and therefore the impact of the external changes will be negligible from both within the site, but particularly from longer-distance views of the site.

With respect to site itself, this is a fully functioning competition and training equestrian yard. The ability of the Manager to manage horses at the yard and therefore the building's function as an Equestrian Manager's dwelling is directly linked to the utility provision, as the work regularly results in work clothing and equipment becoming easily and frequently soiled and so the regular washing and drying of these items is necessary. The utility area within the temporary dwelling and the dwelling consented under SNDP/21/01638/FUL fails to provide sufficient space for these activities to take place.

The addition to the modest approved dwelling, which will remain commensurate to the size of the site, is therefore necessary and there is an operational need for suitable space which provides sufficient room for these activities associated with the day-to-day operations of The OMP Stud.

In determining this s73 application, it is necessary to consider whether the amendment to the scheme fundamentally alters the nature of the approved development. The Council's determination is limited to the condition proposed to be varied and is therefore not an opportunity to revisit the merits of the scheme as a whole.

We consider the proposed amendments to the dwelling can be dealt with under s73 as the amendments are minor and the overall nature of the scheme is not significantly different, as explained above. The proposed minor amendments remain in accordance with Local Plan policies and the scheme remains sympathetic to its sensitive landscape setting and is able to continue to respond positively to the local context of the area in terms of design quality and amenity.

In conclusion, the minor amendments proposed will result in a development that continues to respect the amenities and character of the area and is not a significant change from the details approved previously.

The additional space created by the 0.5 metre expansion of the utility room will provide a more useable space and will help the dwelling to function better as an Equestrian Manager's dwelling. The changes proposed should therefore be approved through the variation of Condition 2, under this s73 application.

Should you require any further information to assist with the determination of this application, please do let me know.

Yours faithfully,



JAMES BLAKE MRTPI
SENIOR PLANNER
JamesB@pro-vision.co.uk

cc. The OMP Stud Limited