DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0938-23**	**Applicant:**	**Nigel Morris Builders Ltd**
Proposal:	Erection of 5 dwellings - approved under H05-0389-21. Amendments to increase the length of lounge/dining room to Plot 3		
Location:	North Of Fleet Road Holbeach Spalding		
Terminal Date:	20th November 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2023

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The site has full planning permission for 5 no. 3 bed bungalows (ref. H05-0389-21). This application is for amendments to increase the length of the lounge/dining room to Plot 3, including alterations to the fenestration.

Site Description

The site is located on the northern side of Fleet Road and was formerly agricultural land. A drain and footway run along the frontage. Open land is located to the north. Plots 1-2 and 4-5 have been constructed.

A new estate (Grimwood Close) is situated to the west and land associated with 63 Fleet Road to the east behind a high Leylandii hedge. Residential development is situated opposite.

Site History

H05-0469-16 - O/A - Residential development - Withdrawn 22 August 2016.

H05-0438-17 - O/A - Residential development 5 dwellings (re-submission of H05-0469-16) - Approved 27 July 2017.

H05-0793-18 - O/A - Residential development of up to 5 dwellings - Approved 8 October 2018.

H05-0389-21 - Full - Erection of 5 dwellings - Outline approval H05-0438-17 - Approved 16 June 2021.

H05-0763-21 - Cond Comp - Details of construction management and ecology management scheme (Conditions 6 &10 of H05-0389-21) - Approved 22 October 2021.

H05-0832-23 - NMA - Erection of 5 dwellings - Outline approval H05-0438-17 - approved under H05-0389-21. Amendments to dwelling on plot 3 - Approved 20 October 2023.

Planning Considerations

Section 96A of the Town and Country Planning Act 1990 (introduced by S190 of the Planning Act, 2008) makes it possible to apply for a non-material amendment to existing planning permissions.

The Council has therefore introduced a system whereby 'minor amendments' to a scheme can be considered as a way of allowing the planning system to respond in a reasonable and flexible manner to small changes to an approved scheme without seeking a fresh application.

South Holland District Council's "Development Control Procedure Note: Non-Material Amendments to Planning Permissions" indicates that non material amendments will be approved subject to the following criteria being met:

1. There would be no alteration to the application site boundary (red edge).
2. The amendment would not conflict with Development Plan Policies or other Government Guidance.
3. The proposal would not exacerbate concerns raised by third parties at original planning application stage.
4. The proposed change would not be contrary to a condition on the original approval.
5. The approved footprint/siting of the building will not be moved materially and will not have a material impact on a neighbour.
6. The height of the building or extension would not be increased.
7. The amendment would not result in any potential overlooking of any neighbouring property.
8. The amendments must not result in a fundamental change in the design of the building.
9. The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

The criteria set out above are designed to prevent amendments being accepted that would have a detrimental impact upon neighbours or amenity in the wider public interest.

Assessing the proposal against the above:

1. No alterations are proposed to the site boundary.
2. The proposed alterations are minor and would not conflict with the South East Lincolnshire Local Plan, 2019.
3. No concerns were raised by third parties relating to the design or external appearance of the buildings.
4. No specific conditions were imposed relating to design/external appearance.
5. No building would be moved.
6. The height would not be increased.
7. The western elevation has a larger opening serving the lounge/dining, whilst the opening on the eastern elevation of the rear projection has been removed. The rear opening serving the kitchen has been reduced in size.1.8m high close boarded fencing is proposed along the side boundaries. No potential overlooking issues would arise as a result of the amendment.
8. The proposed alterations are at the rear and wouldn't fundamentally alter the design/appearance of the development.
9. No Environmental Statement was submitted.

Conclusion

The proposal satisfactorily complies with the criteria of the South Holland District Council's "Development Control Procedure Note: Non-Material Amendments to Planning Permissions", and as such is acceptable as a Non-Material Amendment.