

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0125-25 **Applicant:** Seagate Homes

Proposal: Residential development - Erection of 188 dwellings - Approved under H09-0287-24. Modification of Conditions 1 and 2 to allow amendments to previously approved plans

Location: Land Off Damgate Holbeach Spalding

Terminal Date: 19th May 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
06	Developer Contributions
10	Meeting Assessed Housing Requirements
28	The Natural Environment
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving Sustainable Development
Section 5 - Delivering a sufficient supply of homes
Section 11 - Making effective use of land
Section 12 - Achieving well designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is a Section 73A seeking to vary Conditions 1 and 2 of planning approval H09-0287-24, to allow amendments to the previously approved external materials and for the alteration, in respect of size and positioning, of the garage associated with Plot 157.

The application in which this submission seeks to vary, under reference H09-0287-24, was itself an application under Section 73 which permitted the 'substitution of house types, changes to the position of some garages of selected plots, and changes to the design of plots to the entrance to the development'. The development, which was initially approved under H09-0332-16, granted permission for residential development in the form of the erection of 188 dwellings.

The proposed changes in materials, subject to this Section 73 application, includes:

Plots 9, 16-18, 32-47, 58-62, 65-73, 88-104, 126-134, 141, 142, 147-150, 158-161, 163, 164, 167-169, 172, 173,
175-182 and 186 - to change from 'Trinity Cream Gilt Stock' to 'Stamford Weathered Buff'.

Plots 165 and 188 - to change from 'Trinity Cream Gilt Stock' to 'Wickford'.

Plot 186 - to change from 'Trinity Cream Gilt Stock' to 'Stamford Stone'.

The proposed changes to the garage of Plot 157 comprises its increase in size, to incorporate a double garage, along with alterations to do drive alignment for this plot.

Site Description

The application site, at the time of the original approval prior to the commencement of development, comprised land that was greenfield in nature and 8.41 hectare in size. The south and east at the site boundary was a watercourse and open fields beyond.

To the north, the site abutted the rear gardens of development along Fleet Road, Damgate and Greenfields. To the west, the site fronted onto open playing fields. There are a number of protected trees within the site (Fleet and Holbeach Tree Preservation Order No. 1 1987) and large, mature trees to the south, east and west boundaries. There is a significant pond within the site. The trees are still present on site.

History

H09-0332-16 - Full application - Residential development - erection of 188 dwellings. Approved - 3rd May 2018. Subject to a S106 agreement dated 2 May 2018.

H09-0523-20 - Details of Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 H09-0332-16. Approved - 3rd September 2020.

H09-0277-20 - TPO Tree Works - Works to Fleet and Holbeach Tree Preservation Order No. 1 198.

H09-0230-21 - S.191 Certificate of Lawful Use - The implementation of planning permission H09-0332-16 for residential development on land adjacent to Dam Gate, Holbeach, by works to lay out an access road and foundations for a garage. Approved - 23 March 2021.

H09-1081-19 - Modification of 106 Agreement to reduce amount of affordable housing from 33.3% to 25% (Planning Approval H09-0332-16). Notice of Non Determination - 20th January 2023.

H09-0372-23 - Modification of S106 Agreement relating to the reduction of affordable housing. Approved - 15 January 2024.

H09-0287-24 - Section 73A - Residential Development - Erection of 188 Dwellings - approved under H09-0332-16. Modification of Condition 2 to allow amendments to previously approved plans - Approved - 08 August 2024.

Consultation Responses

Holbeach Parish Council

No Comments.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Planning Considerations

Evaluation - Section 73

The proposal relates to the variation of Condition 1 and 2 of H09-0287-24, through seeking permission under Section 73 of the Act. The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with an existing planning permission. These applications are used to allow for amendments to an approved scheme and can be made both retrospectively and prior to a permission being implemented, as long as the permission is extant.

The Act is very clear that: "On such an application the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted." As such, the Local Planning Authority are not able to revisit the principle of development and only matters relevant to the specific conditions can be considered. The effect of granting permission would be to issue a new permission with Condition 1 and 2 amended, together with any other relevant conditions from the original permission, or subsequent relevant revisions since this permission.

Planning practice guidance highlights that where less substantial changes are proposed, amending a proposal can occur through 'Amending the conditions attached to the planning permission, including seeking to make minor material amendments'.

The PPG clarifies that "Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted". There is no statutory definition of a 'minor material amendment'; but this is likely to include any amendments where its scale and/or nature results "in a development which is not substantially different from the one which has been approved".

In this instance, the subsequent amendments, submitted under this Section 73 application, have not varied the description of development.

In the case of R (Vue Entertainment Limited) v City of York Council, it was concluded that the decision gives clear support for use of s.73 in respect of changes to condition which go beyond 'minor' amendments. It places a clear emphasis on preserving the precise terms of the grant. If an amendment to a condition can be made which keeps the description of the development intact it may well be appropriate to make such an application under a s.73, even if the affect of the change will be significant".

Principle of Development and Sustainability

The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including 'Minor Service Centres', with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan indicates that within 'Minor Service Centres', development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. This policy goes on to detail that development within Minor Service Centres will normally be limited to Allocated and Committed sites and infill.

The application in this instance comprises a Section 73A, whereby permission is sought to vary conditions 1 and 2 of a previously permitted development which was approved under reference H09-0287-24. The variations relate solely to the external materials of the proposed development and a minor alteration to increase the garage of Plot 157 to a double garage alongside drive realignment. These amendments do not seek to alter the siting, or quantum of development proposed beyond this.

In light of this, the the principle of developing this site has been established within the earlier approvals. As such there is no objection in principle with the development.

The proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle, being a committed site, given the aforementioned extant permissions on site. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape

surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The purpose of this Section 73A application is to amend the proposed materials of plots throughout the site. The proposed alterations, in respect of wall construction, comprises of:

- Plots 9, 16-18, 32-47, 58-62, 65-73, 88-104, 126-134, 141, 142, 147-150, 158-161, 163, 164, 167-169, 172, 173, 175-182 and 186 - to change from 'Trinity Cream Gilt Stock' to 'Stamford Weathered Buff'.
- Plots 165 and 188 - to change from 'Trinity Cream Gilt Stock' to 'Wickford'.
- Plot 186 - to change from 'Trinity Cream Gilt Stock' to 'Stamford Stone'.

The materials to be utilised for the external walls for plots 165, 186 and 188, although altering from those previous materials permitted, seek to vary the finish to an alternative material that has been permitted within other plots within the scheme. Given the limited number of plots seeking these changes, to Wickford and Stamford Stone, which are to be utilised elsewhere within the scheme, it is not considered that this would cause an adverse impact to the character or appearance of the scheme or surrounding context.

Furthermore, whilst the largest change subject to this application relates to the revision of several plots from 'Trinity Cream Gilt Stock' to 'Stamford Weathered Buff', this change is also considered to be suitable. This variation introduces a new external wall material, in the form of 'Stamford Weathered Buff' bricks; however, this brick is not vastly different in visual appearance to that previously permitted for these plots. As such, the overall impact of this change is limited and remains appropriate.

Further variations are sought in regard to the materials used within the scheme, such as the use of 'Russell Galloway Anthracite roofing, in place of the previously permitted 'Sandtoft Calderdale Slate'. Whilst it may be viewed that slate would be a preference; the use of this alternative roof tile is not considered unacceptable.

The proposed changes in materials, when viewed as a whole, comprising those outlined within the submitted plans (which go beyond those explicitly stated within this section of the report), are considered to be acceptable and would not give rise to an unacceptable impact or harm to the character or appearance of the surrounding area, or adversely impact upon the character of the resultant scheme.

The final amendments, comprising the increase in garage to accommodate a double garage to Plot 157, alongside drive realignments, are considered to be minor in nature. This plot is located within the residential scheme and would not give rise to an increased harm to the character of the area.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

This section 73a proposal seeks to solely vary conditions 1 and 2, proposing to amend the material finish of plots and the enlargement of the garage serving Plot 157, within the residential development previously approved. The resultant development would not result in any changes to the layout of the development, nor the scale, siting or vehicular access previously permitted beyond this.

The proposed variations would not give rise to additional adverse impact in respect of residential amenity and the proposal is therefore considered to be acceptable in this regard.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

The proposal relates solely to the variation of conditions 1 and 2, proposing to amend the material finish of plots within the residential development previously approved, with the exception of the garage and drive changes to Plot 157.

The changes to the garage comprise an increase in its size, to provide a double garage, with the remaining changes in this regard being provided to accommodate this alteration. This change would not adversely impact the parking on site, given its increase in size and would not give rise to an increase in highway impacts.

There are no changes to the vehicular access, movement or overall parking provision beyond this, compared with the approved scheme. As such, there would be no additional impact in regard to highway matters as a result of this amendment.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Flooding Considerations

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people

and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

Paragraph 174 goes on to state that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being the tool to demonstrate this.

Paragraph 175 details that "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in Zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

There are no changes to the proposals in terms of flood risk compared with the existing approval. The proposal solely to the variation of conditions 1 and 2, proposing to amend the material finish of plots and the garage of Plot 157, within the residential development previously approved. The details associated with the approved Flood Risk Assessment are as part of approval H09-0332-16 by Inspire reference KBB-1193-01-FRA-001 P5, dated April 2017. The decision notice reflects this aspect.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

Notwithstanding this, the proposal relates to a section 73A and as such, the development, given the timeframe of the initial approval in which the proposal seeks to vary, is exempt and therefore not subject to the mandatory biodiversity net gain.

Section 106

It is noted that the original grant of permission, under H09-0332-16, was subject to a S106 agreement dated 2 May 2018. Further to this, the Local Planning Authority received a subsequent 'Modification of S106 Agreement', which related to the 'reduction of affordable housing'. This was considered under reference H09-0372-23, and was subsequently approved on 15 January 2024.

Given the nature of the application, a Deed of variation was concluded on 10 January 2024.

The S106 agreement, which is outlined above, details under para 8.13 that:

"It is agreed between parties that where planning permission is issued in relation to the Development pursuant to an application made under section 73 of the Act this Deed shall continue to bind the Development and shall be in full force and effect subject to and in accordance with the provisions contained herein and shall in addition bind the Development in respect of any subsequent planning permission granted pursuant to section 73 of the Act AND PROVIDED THAT in the event that upon receipt of an application under section 73 of the Act the Councils considers that the obligations contained in this Deed should be varied or amended it is agreed and acknowledged that the Council should retain the right not refuse such application unless and until a deed of variation or alternative agreement has been entered into to secure the appropriate obligations".

As such, the S106 agreement runs with the land and is unaffected by the current proposal under consideration. Any permission subject to this Section 73 application would still maintain the requirements of the section 106 Agreement.

Conditions

This Section 73 application is subsequent to a previous Section 73 approval on site, under reference H09-0287-24. Prior to this, permission was initially granted under H09-0332-16, a Full Planning Application.

The previous Section 73 approval contained 23 conditions attached to the permission. With the exception of updates to the wording of the relevant provisions of the National Planning Policy Framework, given its revision in December 2024, conditions 3-23 will remain unaltered. These conditions are recommended to be attached to this permission, providing the same effect as previously attached.

Conditions 1 and 2 will be varied, in accordance with the permission sought via this current Section 73a proposal. Condition 1 will be varied, as to reflect the updated list of approved plans and documents. Likewise, condition 2, which relates to the external materials permitted throughout the development, will be varied to accurately reflect the revised material schedules and plans.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

The application site is subject to the grant of planning permission for 188 dwellings, in which this application seeks to vary the conditions attached to the most recent iteration of this permission - reference H09-0287-24. The principle of development, comprising 188 dwellings, is established, with the aforementioned permission having been commenced and therefore being extant.

This proposal solely seeks to vary condition 2 (approved Plans) and condition 3 (external materials), in order to vary the external materials utilised within numerous plots throughout the scheme and increase the garage size of plot 157. The predominate alteration, albeit the changes are not limited to these, comprises the replacement of several plots that had previously been permitted using 'Trinity Cream Gilt Stock' with the use of 'Stamford Weathered Buff'.

The proposed alterations to materials and increase of the garage of plot 157, as illustrated within the submission, are considered to be acceptable. As such, the proposal is considered acceptable and it is recommended that the application be approved subject to conditions.