

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-1080-21 **Applicant:** Mr A Wescombe

Proposal: Extend & alter existing bungalow to form 5 bedroom house & detached garage - approved under H11-0116-21. Amendments to brick type

Location: The Hollies 145 Seagate Road Long Sutton

Terminal Date: 15th November 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

Approval is sought for amendments comprising of minor alterations to the proposed bricks, changing from Forterra hampton rural blend brick to Ibstock ivanhoe westminster brick.

Site Description

The site is disconnected from the built-up area of Long Sutton which is further north. It is located only 32 metres away from the ribbon development and 168 metres to the north of A17. Seagate Road adjoins the site to the west. The surrounding land is agricultural open field.

The Hollies is a detached bungalow probably built circa 1980s. There is a driveway laid in gravel that runs to the north of the dwelling. The remainder of the front land is laid in grass as well as the rear garden other than the patio area. The site is heavily enclosed by more than 2 metre high mature conifer hedge on the northern and eastern boundaries whereas the hedge is less dense on the southern boundary.

The dwelling benefits from a timber flat roof extension to the rear. There is a detached concrete

garage to the northern side and a static caravan on the north-eastern corner of the garden. It appears to be used for storage.

History

H11-0116-21 -Extend and alter existing bungalow to form a 5 bedroom house and detached garage
- Approved

Consultation Responses

No representations received.

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.

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 application against the above criteria:

1. No alterations are proposed to the site boundary;
2. The proposal would not conflict with policies in the South East Lincolnshire Local Plan, 2019;
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 positioning of buildings would not be materially altered;
6. There would be no height increase to the buildings;
7. No potential overlooking issues would arise;
8. The amendments do not result in a fundamental change in the design of the scheme;
9. No Environmental Statement was submitted.

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

Overall, it is considered that the proposed amendments satisfactorily comply with the criteria of South Holland District Council's Development Control Procedure Note Non-Material Amendments to Planning Permission and the proposed bricks are similar in appearance to the originally approved. As such the Non-Material Amendment application is considered acceptable.