DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-1217-22**	**Applicant:**	**Mr W Ravell**
Proposal:	Demolition of agricultural building and erection of detached dwelling - approved under H13-1269-21. Modification of Condition 2 to allow amendments to previously approved plans - approved under H13-0526-22. Amendment to brick type.		
Location:	Eaugate Road Moulton Chapel Spalding		
Terminal Date:	20th January 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for demolition of an existing agricultural building and erection of a detached dwelling (ref. H13-0526-22). This application is to amend the brick type from a Charnwood Sussex Red Multi brick to a Yorkshire Brick Company Meales Blend.

Site Description

The site is located on the western side of Eaugate Road and is currently occupied by an agricultural building. A drain runs along the frontage and trees are situated along the northern boundary. A dwelling (Rose Cottage) is situated opposite.

History

H13-0446-15 - PAA - Change of use of agricultural building into dwelling - Refused 19 June 2015.

H13-1094-19 - PAA - Change of use of agricultural building into dwelling - Approved 6 January 2020.

H13-1269-21 - Full - Demolition of existing agricultural building and erection of dwelling - Approved 26 January 2022.

H13-0526-22 - S73 - Demolition of agricultural building and erection of detached dwelling - approved under H13-1269-21. Modification of Condition 2 to allow amendments to previously approved plans - Approved 11 July 2022.

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 external appearance of the buildings;
4. No specific conditions were imposed relating to external appearance;
5. No building would be moved;
6. The height would not be increased;
7. No potential overlooking issues would arise as a result of the amendment;
8. The amended bricks are similar to those originally proposed. The alterations 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.