

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H19-0609-24 **Applicant:** Mr B Cobb

Proposal: Demolition of existing barn (building 2) and erection of dwelling. Approved under H19-0783-22. Amendment to windows & doors

Location: The Oaks 251 Broadgate Road Sutton St Edmund

Terminal Date: 13th August 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2023

Representations:

	Object	Support	No Obj.	Comments
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for demolition of an existing barn (building 2) and erection of dwelling (ref H19-0783-22). This application is to amend the windows & doors, including the following:

- Enlargement of bathroom window on northern elevation
- Reduction in size of doors strapped back on northern elevation
- Addition of high level rooflight on southern elevation serving the master bedroom.

Site Description

The site is located on the western side of Broadgate to the north of The Oaks (house) and is occupied by a single storey brick and slate barn. A two storey dwelling (no. 255) has recently been constructed to the north and a barn conversion (no. 255A) is situated along the frontage to the north-east on the opposite side of the access.

Three new dwellings (nos. 257, 257A and 257B) are located further to the north and thereafter a converted chapel (no. 259). St Edmund's Church (grade II listed) is situated approximately 115 metres to the north. Residential properties are also located opposite.

Planning History

H19-0852-15 - Full - Change of use of 3 no. redundant farm buildings to residential - Granted 3 November 2015.

H19-0329-16 - Cond Comp - Details of Desk-Top Study and Archaeological Investigation (Conditions 17 and 18 of H19-0852-15) - Approved 31 May 2016.

H19-0757-18 - Full - Demolition of existing barn and erection of new building for use as a single residential dwelling - Granted 23 October 2018.

H19-0838-18 - S73 - Change of use of 3 redundant farm buildings to residential - approved under H19-0852-15 - Modification of Condition 2 to allow amendments to previously approved plans.

H19-0167-19 - S73 - Demolition of existing barn and erection of new building to use as residential dwelling - approved under H19-0757-18. Modification of Conditions 2, 7 & 9 to allow amendments to previously approved plans to include doors and windows - Granted 15 April 2019.

H19-0980-19 - Full - Demolition of existing barn and rebuild as dwelling (Building 2) - Withdrawn 5 June 2020.

H19-0783-22 - Full - Demolition of existing barn (building 2) and erection of dwelling - Approved 4 October 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.

In this case the proposal complies with the relevant criteria outlined above. In particular, the proposal would not result in a fundamental change in the design of the building, would not result in potential overlooking of neighbouring property and would not exacerbate concerns raised by third parties at the original planning application stage.

Conclusion

The proposal 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.