

## DECISION DELEGATED TO HEAD OF PLANNING

|                 |                                                                                                                                                                    |            |                                                       |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------------------------------|
| Application No: | H22-0006-24                                                                                                                                                        | Applicant: | Scott Park Prestige Homes Limited (In Administration) |
| Proposal:       | Residential Development - Erection of 3 Dwellings including demolition of existing building. Approved under H22-1064-21. Amended external design to Plots 1, 2 & 3 |            |                                                       |
| Location:       | Rear Of The Hollies 30 Austendyke Road Weston Hills                                                                                                                |            |                                                       |
| Terminal Date:  | 1st February 2024                                                                                                                                                  |            |                                                       |

### Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2023

### Representations:

|  | Object | Support | No Obj. | Comments |
|--|--------|---------|---------|----------|
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### CASE OFFICER ASSESSMENT

#### Proposal

The site has planning permission for 3 dwellings consisting of 2 no. 5 bed chalets (plots 1 and 2) and 1 no. 3 bed bungalow (plot 3). Full application ref. H22-1064-21 refers. This application is to amend the scheme, including the following:

- Plot 1: Removal of chimney stack, additional rooflight at the rear (bedroom), enlarged dormer at the rear (bedroom) and rear patio doors in lieu of window.
- Plot 2: Revised fenestration on rear elevation plus addition of roof lights on side elevations (kitchen).
- Plot 3: Revised front elevation, addition of attic rooflight on front elevation.

#### Site Description

The site (some 0.2ha - formerly brownfield land) is situated on the northern side of Austendyke close to the junction with Broadgate. It included a yard area with an industrial building within the southern section. The bungalows have now been constructed.

Houses are located to the east off Broadgate and also to the south off Austendyke. New houses have recently been constructed to the west.

#### Relevant Planning History

H22-1137-18 - O/A - Residential development (2 plots) - Approved 8 January 2019.

H22-0381-19 - Cond Comp - Details Relating to Contamination (Condition 8 i) and ii) of H22-1137-18) - Approved 18 December 2020.

H22-1064-21 - Full - Residential Development - Erection of 3 Dwellings including demolition of existing building - Approved 10 March 2022.

H22-0944-22 - Cond Comp - Details of external materials, storage & disposal of refuse & recycling, contamination method statement and ecological biodiversity measures (Conditions 3, 8, 10 & 13 of H22-1064-21) - Approved 21 December 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 would not conflict with the South East Lincolnshire Local Plan, 2019.
3. The proposal would not exacerbate concerns raised by third parties. Issues raised related to blockage of light, the size of the properties (chalets as opposed to bungalows) and removal of trees. The amendments do not affect any of these matters.
4. No specific conditions were imposed relating to the amendments.
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. The rooflights proposed are either high level or are attic related. The enlarged rear dormer window on plot 1 is satisfactorily shielded from neighbouring dwellings by the roof of the rear projection.
8. The alterations wouldn't fundamentally change the design concept 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.