

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0224-23 **Applicant:** Mr A Hubbard

Proposal: Erection of 3 dwellings - outline approval H22-0685-20 - approved under H22-0725-21. Amendment to material of road.

Location: Land To Rear Of 192 High Road Weston Spalding

Terminal Date: 4th April 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for 3 dwellings (ref. H22-0685-20 and H22-0725-21). This application is to revise the materials to be used for the private roadway from permeable block paving to Topmix permeable tarmac.

Site Description

The site (some 0.24ha) is land to the rear of nos. 192 to 200 High Road, which are semi-detached houses. It is accessed by an existing private roadway.

Houses are situated to the east off St Mary's Close and garden land associated with no 202 High Road to the west. Three pairs of semi-detached houses are situated to the south, with long rear gardens (nos. 55-65 (odd) Broadgate).

Relevant Planning History

H22-0685-20 - O/A - Residential development (maximum 3 single storey dwellings) - Granted 8 December 2020.

H22-0747-21 - C/C - Details of construction management, drainage & means of foul water disposal and archaeological investigation (Conditions 9, 10, 11 & 15 of H22-0685-20) - Under consideration.

H22-0725-21 - RM - Erection of 3 dwellings - outline approval H22-0685-20 - Approved 18 August

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 alteration is minor and would not conflict with the South East Lincolnshire Local Plan, 2019;
3. The proposal would not exacerbate concerns raised by third parties. No concerns are raised on highway safety or flood risk grounds.
4. No specific conditions were imposed relating to surfacing of the driveway;
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 alterations wouldn't fundamentally alter 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.