

Development Management Delegated Decision Report

B/19/0125/NMA



SUMMARY OF APPLICATION

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| Application Reference | B/19/0125/NMA |
| Application Type | Non-material Amendments |
| Proposal | Application for Non-Material Amendment to approval B/19/0125 (Erection of 4 two storey dwellings) to change the parking arrangements including amendment to designated parking provision within adjacent public house car park |
| Location | Land to the rear of The White Hart, Church Road, Old Leake, Boston PE22 9NS |
| Applicant: | Scott, Elms Property Development Ltd |
| Agent: | Mr Neil Dowlman, Neil Dowlman Architecture Ltd |
| Target Decision Date: | |
| Statutory Expiry Date: | 29-Nov-2021 |
| Extension of Time: | |
| Recommendation | APPROVE Non-Material Amendment |
| Report by: | Megan Epton |
| Date: | 10-Jan-2022 |

Proposed amendments relate to:

- Proposed change to parking arrangements (removal of previously approved parallel parking to frontage) including amendment to designated parking provision within adjacent public house car park

Officer Appraisal / Comments:

The Government recognises that issues can arise following the grant of a planning permission which may require modification to the proposals. Where such a change is not felt to be significant, this may be through the submission of a non-material amendment application under Section 96A of the Town and Country Planning Act 1990. There is no statutory definition of what constitutes a non-material amendment, but the Local Planning Authority must have regard to the effect of the change on the scheme as a whole.

Condition 2 of planning permission B/19/0125 (06-Nov-2019) required the development to be carried out in accordance with Drawing Number 'A/3305 102 Rev E- Proposed Plans and Elevations'. Within the 'roof plan' on this drawing the parking provision for the development was shown. It consisted of a proposed 'Grasscrete' parallel parking area on the frontage of each dwelling, and 5no additional parking bays adjacent to the development with a note that additional parking is available within the adjacent public house. Existing parking bays on the opposite side of the public highway were also included within the drawing.



The applicant has now submitted drawing number 'A/3517-4005B Site Plan' for consideration- this drawing shows the proposed parallel parking areas along the frontage of each dwelling replaced by lawned areas and private footpaths. The 5no. 2.4m x 5.0m parking spaces within the adjacent car park serving the public house are still shown to be provided in line with Condition 4 of the original permission.

4. *"The parking area as shown on plan ref A/3305 102 Rev E (consisting of five spaces within the adjacent car park of the public house i.e. land outlined in blue) for visitors and occupants of the dwellings hereby approved shall be made available for use before the dwellings are occupied and shall be retained for that use thereafter.*

Reason: To ensure a sufficient level of car parking provision for visitors and occupants of the dwellings and to accord with the objectives of policy 36 of the South East Lincolnshire Local Plan (2011-2036)."

Policy 36 of the South East Lincolnshire Local Plan indicates that all new development should provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6. Therefore, this proposed shortfall in parking results in an unbalanced scheme and in theory is in contrary to Policy 36. However, paragraph 107 of the NPPF states that "local parking standards ... should take into account: the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport..."; therefore, as the site is considered to be within a sustainable location with ample existing parking, the shortfall is considered to be acceptable.

Thus, it is considered that the proposals are in accordance with the relevant provisions of National Planning Practice Guidance in relation to Non-material Amendments, and accordingly, as the proposed amendments do not significantly alter the approved scheme when taken as a whole, it is recommended that the amendments are approved.

NOTES FOR DECISION NOTICE:

CONDITIONS / LIST OF AMENDED PLANS

2. The development hereby permitted shall be carried out in strict accordance with the application received 28-Mar-2019 and in accordance with the associated plans referenced:
- Location Plan, scale 1:1250;
 - Proposed Plans and Elevations Coloured ref: A/3305 102 Rev E (excluding Roof Plan section);
 - Site Plan ref: A/3517-4005 Rev B