

Development Management Delegated Decision Report

B/20/0409/NMA



SUMMARY OF APPLICATION

Application Reference	B/20/0409/NMA
Application Type	Non-material Amendments
Proposal	Application for a Non-Material amendment following approval B/20/0409 to allow for the installation of a casement window to the front elevation to use as a fire escape.
Location	Boston Organ Centre, 3-5 Pen Street, Boston, PE21 6TJ
Applicant:	Mr Jared Newell, Upstanding Property (Investments) Ltd
Agent:	N/A
Target Decision Date:	--
Statutory Expiry Date:	11-Oct-2021
Extension of Time:	--
Recommendation	APPROVE Non-Material Amendment
Report by:	Megan Epton
Date:	07-Oct-2021

Proposed amendments relate to:

Removal of white uPVC escape window on side elevation (north west) and installation of inward opening timber casement window to the front elevation (north east).

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/20/0409 (14-Dec-2020) required the development to be carried out in accordance with Drawing Numbers 'PEN/A3/08A – Proposed Side Elevation (A)' and 'PEN/A3/09A – Proposed Front Elevation'. These drawings showed a white uPVC escape window at ground floor level on the side elevation and two large windows on the front elevation that are non-opening, except for a small inward opening timber top hung casement window within the window to the left.

The applicant now proposes to omit the white uPVC escape window on the side elevation (Drawing Number 'Pen/A3/08B Proposed Side Elevation' shows the elevation without the



window). Instead, it is proposed to include a larger inward opening timber casement window within the frame of the right-hand-side window on the front elevation (shown in Drawing Number 'Pen/A3/09B Proposed Front Elevation').

The proposed window will allow for a change to fire escape routes in line with the feedback the applicant received from Building Control following the approval of the original application. The proposed window is made out of timber and replicates as practicably as possible the shape and style of the non-opening window already approved in B/20/0409. Therefore it is considered that as a whole, the design of the new window does not significantly alter the appearance of the front elevation and thus, will preserve the character of the historic environment.

It is considered that, had the proposals been presented in this form at application stage, they would likely have been approved.

Therefore, on the basis that the changes will not harm residential amenity or the character of the area it is considered that the proposed amendments are minor in their scale and nature, and will have no substantive effect upon the scheme as a whole. Thus, it is considered that the proposal is in accordance with the relevant provisions of National Planning Practice Guidance in relation to Non-material Amendments.

Accordingly, it is recommended that the amendments are approved.

NOTES FOR DECISION NOTICE:

CONDITIONS / LIST OF AMENDED PLANS

Condition 2 attached to existing permission (ref B/20/0409) has now been amended to read:

The development hereby permitted shall be carried out in strict accordance with the application received on 05/11/2020 and in accordance with the associated plans referenced:

- PEN/A4/12 – Location and Site Plans;
- PEN/A3/03/B – Proposed Ground Floor Plan;
- PEN/A3/08B – Proposed Side Elevation (A);
- PEN/A3/09B – Proposed Front Elevation;
- PEN/A3/10A – Proposed Rear Elevation;
- PEN/A3/11A – Proposed Side Elevation (B);
- Flood Risk Assessment.

Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2021).

LIST OF PLANS TO BE SUPERCEDED

- PEN/A3/08A – Proposed Side Elevation (A); and
- PEN/A3/09A – Proposed Front Elevation.