

Development Management Delegated Decision Report

B/20/0445/NMA



SUMMARY OF APPLICATION

Application Reference	B/20/0445/NMA
Application Type	Non-material Amendments
Proposal	Application for a non material amendment to approval B/20/0445 (Residential development consisting of 47no. dwellings with associated hard and soft landscaping, estate roads and access) to amend layouts to house type 13 Blocks B, C, D & I
Location	Former Magnadata International, Norfolk Street, Boston, PE21 9HQ
Applicant:	S Brooman, Longhurst Group
Agent:	Anthony Fry, Core Architects
Target Decision Date:	
Statutory Expiry Date:	10-May-2021
Extension of Time:	
Recommendation	APPROVE
Report by:	Grant Fixter
Date:	29/04/2021

Proposed amendments relate to:

The proposal seeks a non-material amendment to:

- Amend the internal layouts to house type 13 Blocks B, C, D and I.

Officer Appraisal / Comments:

The Government recognises that issues may 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 is "non-material". It is noted that the Planning Practice Guidance offers only limited advice in respect of such requests, this is in light of the suggested flexibility identified above. There is no right of Appeal in relation to requests made under S96A, there are no requirements for consultation and third parties can only challenge the decision by judicial review.

The simple question being asked by the applicants under S96A is, are the proposals non-material when considering the nature and effect of the changes proposed when considered



against the nature and effect of the original condition requirements?

In order to determine whether or not the change is material, due regard must be given to the nature of the changes proposed and effect, along with consideration of these changes within the overall context of the application.

The proposed changes relate to blocks B, C, D and I which form part of a much wider and larger scheme. Upon review of the plans, the changes relate to the ground floor layout and simply involve the reconfiguration of the kitchen/ dining room areas. This is considered extremely minor in relation to the wider scheme and will not materially change the proposal.

Given the nature and extent of the proposed changes, they are deemed non-material.

NOTES FOR DECISION NOTICE:

CONDITIONS / LIST OF AMENDED PLANS

- 664-2-012 Rev B – Block Type B – Proposed Floor Plans;
- 664-2-013 Rev B – Block Type C – Proposed Floor Plans;
- 664-2-014 Rev B – Block Type D – Proposed Floor Plans;
- 664-2-019 Rev B – Block Type I – Proposed Floor Plans.

LIST OF PLANS TO BE SUPERCEDED

- 664-2-012 Rev A – Block Type B – Proposed Floor Plans;
- 664-2-013 Rev A – Block Type C – Proposed Floor Plans;
- 664-2-014 Rev A – Block Type D – Proposed Floor Plans;
- 664-2-019 Rev A – Block Type I – Proposed Floor Plans.