

Development Management Delegated Decision Report

B/20/0513/NMA



SUMMARY OF APPLICATION

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| Application Reference | B/20/0513/NMA |
| Application Type | Non-material Amendments |
| Proposal | Application for a non material amendment to approval B/20/0513 to amend the position of Plot 9 by approximately 2m out of the easement, and rotate to maintain building line with Plot 8. |
| Location | Baptist Farm, Slippery Gowt Lane, Wyberton, Boston, PE21 7SQ |
| Applicant: | Mrs Rebecca Archer, Chestnut Homes Limited |
| Agent: | |
| Target Decision Date: | --- |
| Statutory Expiry Date: | 16-Aug-2021 |
| Extension of Time: | --- |
| Recommendation | Approve |
| Report by: | Consultant Planning Officer |
| Date: | 22-Jul-2021 |

Proposed amendments relate to:

Planning application B/20/0513 allowed the erection of 12 dwellings at Baptist Farm, Boston, which form part of the larger Heron Park development.

Officer Appraisal / Comments:

Planning Practice Guidance (PPG) contains guidance for determining Non Material Amendment (NMA) applications. This states that the Local Planning Authority (LPA) must 'have regard to the effect of the change' which is proposed, and that the NMA procedure 'cannot be used to make a material amendment'.

PPG states that there is no statutory definition of 'non-material' because 'this will be dependent on the context of the overall scheme - an amendment that is non-material in one scheme may be material in another'. In short, it is for the LPA to decide whether a proposal is appropriate for consideration under the NMA procedure based on the individual material planning considerations of the scheme. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

In this case the amendment is to move Plot 9 by c. 2m to clear an Anglian Water easement and to rotate to maintain alignment with Plot 8. The adjacent footpath has been amended to a small degree to accommodate Anglian Water manholes.



The physical changes on the ground will be slight, and will result in no material impacts on local character or on the future amenity of occupants of the development or the wider public. On the basis that the changes will not harm residential amenity or the character of the area it is considered that these amendments are minor in nature and are acceptable.

As the proposed amendment does not significantly alter the approved scheme, when taken as a whole, it is considered that the proposal would be in accordance with relevant provisions of National Planning Practice Guidance in relation to Non-Material amendments.

Accordingly, it is recommended that the amendments be approved.

NOTES FOR DECISION NOTICE:

CONDITIONS / LIST OF AMENDED PLANS

The development hereby permitted shall only be undertaken in accordance with the following approved plans:

BFB/09 Rev C Site Layout - Plots 6 - 11 & 104-109 received by the LPA on 19 July 2021

925-V4-01 Plans and Elevations received by the LPA on 29/12/20

113-V1(op) 01 Plans and Elevations received by the LPA on 29/12/20

111-V5(op) 01 Plans and Elevations received by the LPA on 29/12/20

913-V1 (3 Block) 02 Elevations received by the LPA on 29/12/20

925-V4-01 Plans and Elevations received by the LPA on 29/12/20

925-V4-116-V1 01 Rev B Plans and Elevations received by the LPA on 29/12/20

913-V1 (3 Block) 01 Plans received by the LPA on 29/12/20

06 (Detail 6) Rev I Wall and Fencing Details received by the LPA on 29/12/20

16-225-01 Topographical Survey received by the LPA on 29/12/20

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 2019.

LIST OF PLANS TO BE SUPERCEDED

BFB/09 Rev B Site Layout - Plots 6 - 11 & 104-109