

# Development Management Delegated Decision Report



SUMMARY OF APPLICATION	
<b>Application Reference</b>	B/23/0084/NMA
<b>Application Type</b>	Non-material Amendments
<b>Proposal</b>	Application for a non-material amendment following grant of permission B/23/0084 (Construction of a drive-thru coffee shop (Use Class E) alongside car parking, landscaping, and associated works) to make amendments to condition 2
<b>Location</b>	Land south east of McDonalds, Swineshead Road, Boston, PE21 7JF
<b>Applicant:</b>	Carta Real Estate (Boston) Ltd
<b>Agent:</b>	Mrs Charlotte Perry, Planning Potential Ltd.
<b>Target Decision Date:</b>	
<b>Statutory Expiry Date:</b>	23-Apr-2024
<b>Extension of Time:</b>	
<b>Recommendation</b>	Non Material Amendment Approved
<b>Report by:</b>	Charlie Parry
<b>Date:</b>	17-Apr-2024
<p>Proposed amendments relate to:</p> <p>The application is to cover elevation changes, including:</p> <ul style="list-style-type: none"> <li>- External walls on main elevation to be red render</li> <li>- Enlarged main entrance with additional glazing panel above</li> <li>- Amended shop front window design on main elevation</li> <li>- Additional cladding to roof of kiosk on front elevation</li> <li>- Additional cladding to roof of kiosk on rear elevation</li> <li>- The external panel within the timber arch feature on the rear elevation to be changed to white</li> <li>- The arch feature on the side elevation will change to red cedar timber cladding</li> <li>- A canopy on the kiosk module will change to anthracite on the side cladding</li> <li>- Additional cladding to roof of kiosk module.</li> </ul>	
<p>Officer Appraisal / Comments:</p> <p>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</p>	



significant, this may be through the submission of a non-material amendment application under Section 96 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 consider the extent of the changes proposed, set against those previously considered. The Local Planning Authority must be satisfied that the amendment sought is non-material in terms of its effects upon the scheme as a whole.

The proposed alterations would not result in an increase to the footprint or height of the building. In addition the applicant does not propose to relocation the siting of the building. The proposed alterations (listed above) are predominantly to materials and appearance. The proposed alterations are not considered to have an adverse impact on the character and appearance of the area, on residential amenity as well as other material considerations such as highway related matters and flood risk.

The proposal, on balance, is therefore deemed to be acceptable. The non-material amendment is therefore acceptable.

**NOTES FOR DECISION NOTICE:**

**AMENDED CONDITION(S):**

The development hereby permitted shall be carried out in strict accordance with the following drawings and documentation:

- J9522-04 Rev A Site Location Plan
- J9522-03 Rev A Block Plan
- J9522-01 Rev A Proposed Site Layout
- 1800 Rev P3 Plans and Elevations
- 1800(SIDE)-03D Costa 1800 Sq Ft Standard Building Roof Plan (Side Entrance)
- J9522-02 Rev A Hard Landscaping Plan
- MEL-549-002 Rev P2 Detailed Soft Landscaping-Plot 5 COSTA
- 14.6 External Barriers
- Costa Parasol 2x2
- Transport Statement Rev A – dated February 2023
- Travel Plan – dated February 2023
- RT-MME-158477-02 Preliminary Ecological Appraisal
- P18-006B/SI Issue 1 Phase II Geo-environmental Assessment
- P22-405-XX-XX-HYD-RP-C-9000 Preliminary Flood Risk and Drainage Impact Assessment
- DAC/ED/J9522/D&AS/07.02.23 Design & Access Statement
- 5813-1r1 Air Quality Assessment
- Planning Statement 22/6613 – dated March 2023
- Environmental Noise Impact Assessment ADT 3381/ENIA/2 – dated November 2022
- Drawing 266-100 - General Arrangement Plan
- Drawing 266-101 Rev C

Reason: To ensure that the development is undertaken in accordance with the approved details, and to comply with Policies 2, 3, 4, 28, 29 and 36 of the South East Lincolnshire Local Plan 2019.

<b>LIST OF PLANS TO BE SUPERCEDED</b>
<ul style="list-style-type: none"><li>- 1800(SIDE)-01F Costa 1800 Sq Ft Standard Building (Side Entrance) G.A Plan</li><li>- 0060 Rev P3 Elevations</li></ul>