

21st October 2025
Our Ref: 24.5091

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Amanda Cue
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Dear Amanda,

**Re: The Charter, New Swan Yard, Gravesend, DA12 2EN - Non-Material Amendment to
Permission ref: 20200343.**

We have been instructed on behalf of our client, Rosherville Ltd, to submit an application pursuant to Section 96a of the Town and Country Planning Act (non-material amendments) to amend planning permission ref: 20200343 at The Charter, New Swan Yard, Gravesend, DA12 2EN ("the Site"). The permission is for:

"Erection of 242no. residential units for Build to Rent (C3 Use Class), within three blocks ranging from 3 to 10 storeys, together with multi-storey car park as well as access, pedestrian links, landscaping, highway and other associated works"

Following the design development process which has been undertaken over the last few months, a number of amendments have been identified by the design team which relate to the following elements of the development:

- Roof;
- Gates;
- Staff Welfare;
- External Doors; and
- Louvres.

The amendments are detailed in this letter and should be read alongside the following:

- Proposed Plans (prepared by Leslie Jones); and
- Summary Pack (prepared by Reef and Partners).

The amendments would not materially affect the planning merits of the permission and are considered non-material in the context of this large-scale redevelopment scheme.

This letter sets out the details of the changes which are proposed to the permission, their suitability and why the Council should view them as non-material.

Procedural Matters



Section 96A empowers a local planning authority to make any change to a planning permission as long as it is satisfied “that the change is not material” (section 96A(1)). The section 96A power extends to amendments to the description of development, changes to approved documents and amendments to conditions, including the imposition of new conditions or removal of existing conditions (section 96A(3)).

The materiality of the proposed change must be assessed having regard to the existing permission as a whole, including the effect of any existing conditions. In deciding whether the change is material, the local planning authority must take into consideration any previous changes under section 96A. This is the second S96a application on the Site. The first involved various changes to the fenestration, amenity areas, room layouts, car parking, as well as the distance between building E01 and the Old Market. (Ref: 20210305, permitted 22nd April 2022).

“Materiality” must be assessed by reference to whether the change is material in planning terms, i.e. whether it materially affects the planning merits or otherwise of the scheme. In this instance, the proposed change must be considered in the context of a major Build to Rent planning permission that allows for the redevelopment of a large brownfield site. The scale of development directly correlates to the scale of amendments that can be made before those changes are considered material.

Summary of Changes

The proposed changes seek to make targeted refinements to the approved scheme and respond to a number of opportunities that have been identified through the design development process, as well as changes resulting from the costings associated with the development since planning permission was originally granted. The list of the amendments are summarised in the table below

Proposed Amendment		Reason for Amendment
Block E01		
1.1	Increase in pitched roof height	Changes in construction build-up to meet Building Regulation requirements.
1.2	Relocation of 2 no. gates	For security reasons and to reduce opportunities for anti-social behaviour within the public realm area.
1.3	Addition of Staff Welfare accommodation	To provide a small staff welfare room for on-site management staff.
1.4	Addition of 2 no. external doors to the Flexible Event Space (double-height space	To provide access to the double-height flexible event space adjacent to Bank Street.
Block E02		
2.1	Increase in pitched roof height	Changes in construction build-up to meet Building Regulation requirements.

Block E03		
3.1	Increase in pitched roof height	Changes in construction build-up to meet Building Regulation requirements.
3.2	Addition of 2 no. small louvres	To provide required natural ventilation provision to internal areas.
E04 Roof Level		
4.1	Increase in Core 01 roof height	Changes in construction build-up to meet Building Regulation requirements.

Changes under Section 96a

The proposed amendments are of a scale that allows them to be determined through a S96a application. The changes are considered non-material in the context of this major development scheme which comprises 242no. BtR units. This section explains why each of the proposed amendments can be considered non-material.

Roof

Generally, all roof heights are equal to or lower than those approved under the previous scheme (ref: 20210305), with the exception of the pitched roofs across the development. These are slightly higher due to necessary changes in construction build-up to comply with Building Regulation requirements. Please see NMA Summary Pack for height increases.

Given that the majority of roof heights remain unchanged, with only the pitched roofs increasing slightly to meet Building Regulation requirements, the change is considered to be non-material.

Gates

Further revisions have also been made to two external gates in Block E01 which allow controlled access into the development from Markey Alley. The gates have been moved closer to Market Alley to reduce opportunities for antisocial behaviour within the public realm area and to improve the security of the site to ensure residents feel safe.

Overall, this small adjustment to the location of the two external gates will not affect the overall design intent and therefore, this change is considered non-material. Please see NMA Summary Pack for further details.

Staff Welfare

A small staff welfare room for on-site management staff is proposed to Block E01 in an area previously identified on the plans for storage. This room will comprise a small kitchenette, dining area, accessible WC/shower and locker facilities.

Given this development will not change the original design intent of the scheme, this change is considered non-material.

External Doors

Two new glazed double access doors have been introduced to the north and south facades of the double-height flexible event space in Block E01. The doors will form part of the full height glazed wall systems previously consented. The proposal also removes the need for the external gates that were previously shown on the Bank Street elevation, as these are no longer required.

As the two new doors follow the existing arrangement of the consented scheme, this change is not considered to materially impact the development and should therefore be considered as non-material.

Louvres

Finally, two small louvres have been added to the east and west elevations of Block E03 at ground level to provide natural ventilation to the internal areas.

Given the small nature of this change, it is considered non-material.

Conclusion

The proposed amendments are a result of further design development and refinement, which will enhance the functionality of the building. Overall, the amendments are very small in nature, consistent with the original design intent and our considered to be non-material. The quantum of development is also consistent with the approved scheme.

It has been demonstrated that the amendments will not have any material impact on the planning permission as a whole and as such, can be dealt with via Section 96A.

We therefore trust that the proposals are acceptable, however if you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

Beth Hill-sanders

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