

Delegated Report

Non-Material Amendment Application

Application No: 20250008

Location: 35 Cheyne Walk, Meopham, Gravesend, Kent, DA13 0PF

Description: Application for a non-material amendment to planning permission reference number 20231160 to allow alteration to size and position of rear windows, removal of shed and raised eaves at porch.

Applicant: Mrs Sophie Fever

Submitted Documents/Plans

- Application Form – dated 07 January 2025;
 - Ordnance Survey Site Location Plan (scale – 1:1250);
 - Drawing no. 01 – Existing Elevations;
 - Drawing no. 02 – Existing Floor and Roof Plans;
 - Drawing no. 03 – Rev. 2 – Proposed Elevations;
 - Drawing no. 04 – Proposed Floor and Roof Plans;
 - Drawing no. 05 – Existing Block Plan;
 - Drawing no. 06 – Proposed Block Plan.
- ~~Drawing no. 03 – Proposed Elevations – SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20231160	Erection of a two storey rear extension, removal of chimney stack, changes to fenestration and alteration to front porch.	PERMITTED	12.01.2024
20220066	Demolition of existing front and rear extensions and lean-to storage structure at the side and erection of a single-storey front extension and a two-storey rear extension to create a 4-bedroom dwelling.	REFUSED	30.03.2022
19930607	Erection of single storey front extension to form a porch.	PERMITTED	01.12.1993
19780701	Erection of a single storey extension to form a reception room at the front of the dwelling	PERMITTED	05.10.1978
19760518	Erection of a single storey extension at rear to form additional living accommodation	PERMITTED	02.08.1976

Development Plan

As an application under S.96A of the Town and Country Planning Act the considerations turn to whether the proposals are non-material. The application is not assessed under the development plan.

Officer's Analysis

What is a Non-Material Amendment

There is no statutory definition of 'non-material'. This is because it is so dependent on the context of the overall scheme - what may be non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application under s.96A.

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views. As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary.

The Borough Council does not have any published guidance on what it considers can or cannot be considered as a non-material amendment generally following the guidance in the NPPG and the Planning Portal as well as taking into advice generally used accords the Kent authorities and that from the Planning Officer's Society. The former guidance suggest that we would not normally accept amendments as non-material if:

- The application site area (red line) differs from the original application
- The application description differs from the original application
- The proposal would result in changes to the external details (e.g. facing materials or roof shape) that would materially alter the appearance of the building
- The amendment significantly increases the size of any part of the development
- The development moves more than 1 metre in any direction
- The height of the building or structure is increased
- If the amendment locates any part of the development closer to a neighbour unless the development as amended is in excess of 5 metres from the common boundary with the neighbour
- The amendment results in a fundamental change in the design of the building
- If the amendment changes windows or doors in any elevation facing a neighbour which increases overlooking in any way
- The amendment would result in a greater visual intrusion, loss of light or feeling of enclosure to neighbours
- There were any relevant objections to the original proposal which would be compromised by the proposed minor amendment

Are the Proposed Changes Non-Material

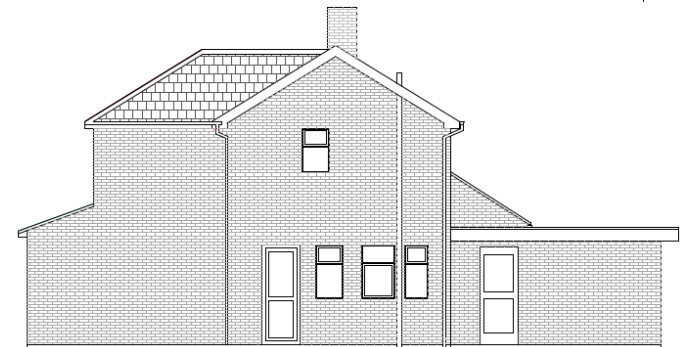
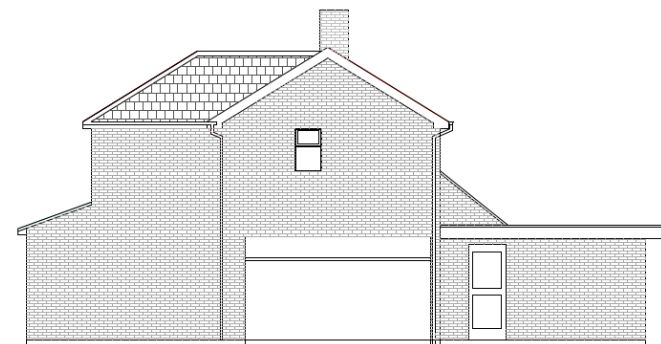
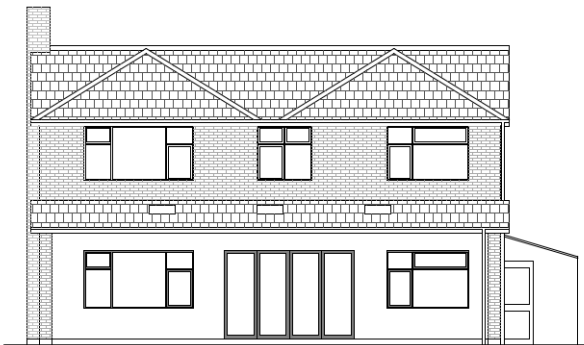
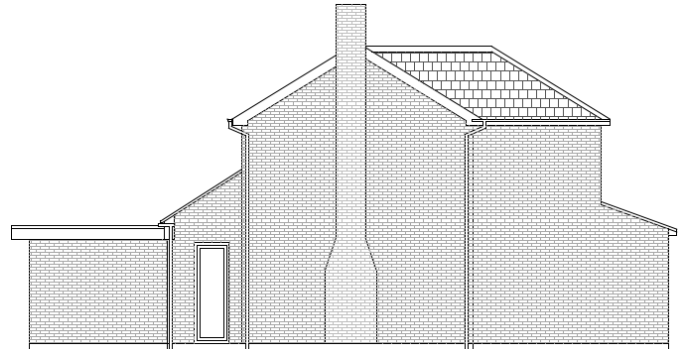
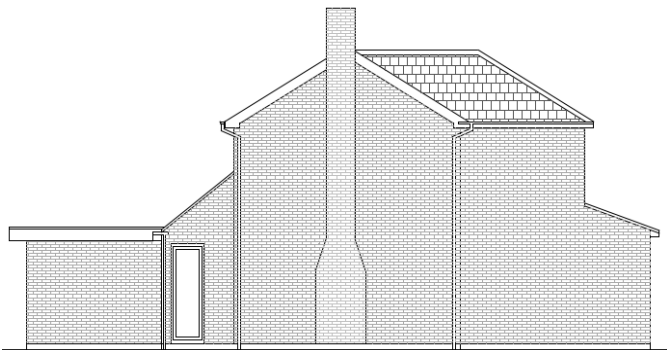
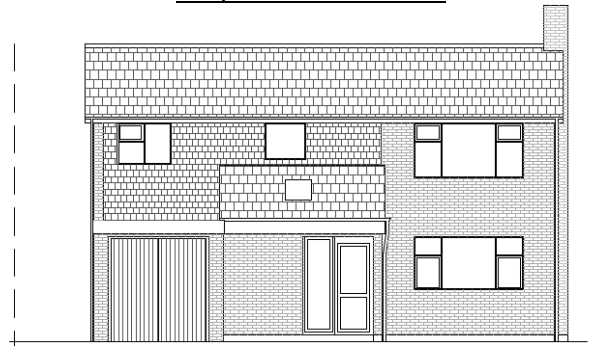
The changes proposed to 202301160 are as follows:

- alteration to size and position of rear windows;
- raised eaves height of porch
- removal of lean-to shed

The plan extracts below compare the approved elevations (20231160) and the proposed elevations, following an amendment sought by the Local Planning Authority to ensure that the facia on the porch matched the garage, which was considered to improve the external appearance:

Approved Elevations (20231160)

Proposed Elevations



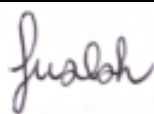
The proposed increase in the eave height of the porch, alteration to rear windows and removal of lean-to shed are not considered to have a detrimental impact on the character of the area, or to have any significant impact on the approved design of the extended dwelling.

Therefore, it is considered that the above changes are non-material in terms of the size of the development and the application can be supported.

Recommendation

Approval of Non-material amendment

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	5 th February 2025	Dated:	06 February 2025