



Delegated Report

Non-Material Amendment Application

Application no: 20240196

Location: Darnley Arms 9 Trafalgar Road Gravesend Kent

Description: Application for a non-material amendment to planning permission reference number 20230595 to allow staircase from ground floor to basement reinstated and new door inserted into side elevation (to Clifton Grove).

Applicant: Mr Jagmohan Dobe

Site Visit Date: N/A

Proposal

This is an application for a non-material amendment to planning permission reference 20230595 for conversion and change of use of public house with accommodation over to provide 2 residential units comprising two 2 bedroom flats. the erection of single storey front and rear extension, to allow the existing staircase from ground floor to basement to remain (it was shown as to be removed under the approval) and a new door inserted into the side elevation (to Clifton Grove).

The application consists of the following

- Application Form;
- Drawing no.02A – Floors Plans & Elevations As Proposed.

Reference	Description	Decision	Decision Date
20230595	Conversion and change of use of public house with accommodation over to provide 2 residential units comprising two 2 bedroom flats.	Permitted	31.07.2023

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.

Analysis

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.

The proposed changes to this application are concerning the existing staircase and a new door.

With regards the staircase the approved proposed plans showed the existing staircase from ground floor to

basement to be removed however, it is now proposed to retain this staircase. This is considered to constitute a non-material amendment.

With regards the door, there is a new door proposed in the side (east) elevation facing Clifton Grove to access the staircase. It would be located to the right of the new window that was granted permission to access the study. Given that it would be a door and not a window and would therefore have a lesser amount of glazing than a window would have and due to the location of the door with there being a distance of 25m to the nearest dwelling to the east, together with the new window to the study which has already been approved in that elevation and to which the door would be next to, it is considered that the proposed new door would not result in any further impact over the approval in respect of neighbouring amenity. The door would be a standard four panel design and would match the existing doors on the building, it is therefore considered acceptable in respect of design and would not result in any further impact over the approval in respect of design, character and appearance. This change is also therefore considered to be non-material.

Conclusion

The proposed amendments to retain the existing basement staircase and install a new door in the side (east) elevation are considered to be non-material amendments.

Recommendation:

Approval of non-material amendment

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	12th April 2024	Dated:	12 th April 2024