

Delegated Report

Non-material Amendment Application

Planning Application No:	20260502
Location:	WER Packing Supplies Unit J1 Lower Road Northfleet
Description:	Application for a non-material amendment to planning permission reference number 20221142 to allow the installation of solar panels and roof top balustrades. Alterations to fenestration. Removal of single storey rear extension and the relocation of security gates and fences.
Applicant:	W. E. Roberts Pension Fund
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

Application form
 Drawing no. 1079/100 M (Proposed Ground and Site Plan)
 Drawing no. 1079/101 G (Proposed First Floor and Roof Plans)
 Drawing no. 1079/102 F (Proposed Elevations)
 (Original) Drawing no. 1079A/01 (Site Location Plan)
 (Original) Drawing no. 1079A/02 Rev. A (Block Plan)
 (Original) Drawing no. 1079A/03 Rev. A (Existing Ground Floor Plan)
 (Original) Drawing no. 1079A/04 Rev. A (Existing 1st Fl & Roof Plans)
 (Original) Drawing no. 1079A/05 Rev. A (Existing Elevs & Section)
 (Original) Drawing no. 1079A/20 Rev. C (Proposed Ground Floor Plan)
 (Original) Drawing no. 1079A/21 Rev. B (Proposed 1st Floor & Roof Plans)
 (Original) Drawing no. 1079A/22 Rev. A (Proposed Elevations & Section)
 (Previous NMA) Drawing no. 1079A/20 Rev. K (Proposed Ground Floor Plan)
 (Previous NMA) Drawing no. 1079A/21 Rev. F (Proposed 1st Floor & Roof Plans)
 (Previous NMA) Drawing no. 1079A/22 Rev. C (Proposed Elevations & Section)

Relevant Planning History

Reference	Description	Decision	Decision Date
20250935	Application for approval of conditions 3.2 and 3.3 attached to planning permission reference number 20221142 relating to a site investigation scheme (3.2), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken (3.3).	Approval of details	15.12.2025
20250540	Application for a non-material amendment to planning permission reference number 20221142 to allow some minor alterations to the external facade, the internal layout and the car park arrangement.	Approval of Non-Material Amendment	23.06.2025
20230745	Application for approval of conditions 5(i & ii) and 6 attached to planning permission reference number	Approval of details	06.09.2023

	20221142 relating to archaeological field evaluation works, any safeguarding measures to ensure preservation in situ of important archaeological remains and the materials to be used in the construction of the external surfaces.		
20221142	Erection of two storey side extension to existing factory/warehouse unit with mezzanine.	Permitted	28.02.2023

Development Plan

As an application under S.96A of the Town and Country Planning Act 1990 the consideration relates to whether the proposal is a non-material amendment to the planning permission. The application is not assessed under the development plan.

Consultations, Publicity and Representations

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, and consultations/publicity are therefore at the discretion of the local planning authority. Given the nature of the application, consultation was not considered necessary.

Officer's Analysis

The proposal seeks to make the following amendments to the plans:

- The erection of photovoltaic solar panels to the roofs of the existing J1 building and the extension along with rooftop balustrades to protect any maintenance workers from the risk of falling.
- In addition, the insertion of new double doors to the side elevation of the side extension, the removal of the single storey rear extension to the extension and the relocation of the security gates and fences to the new extension.

The applicant states as follows:

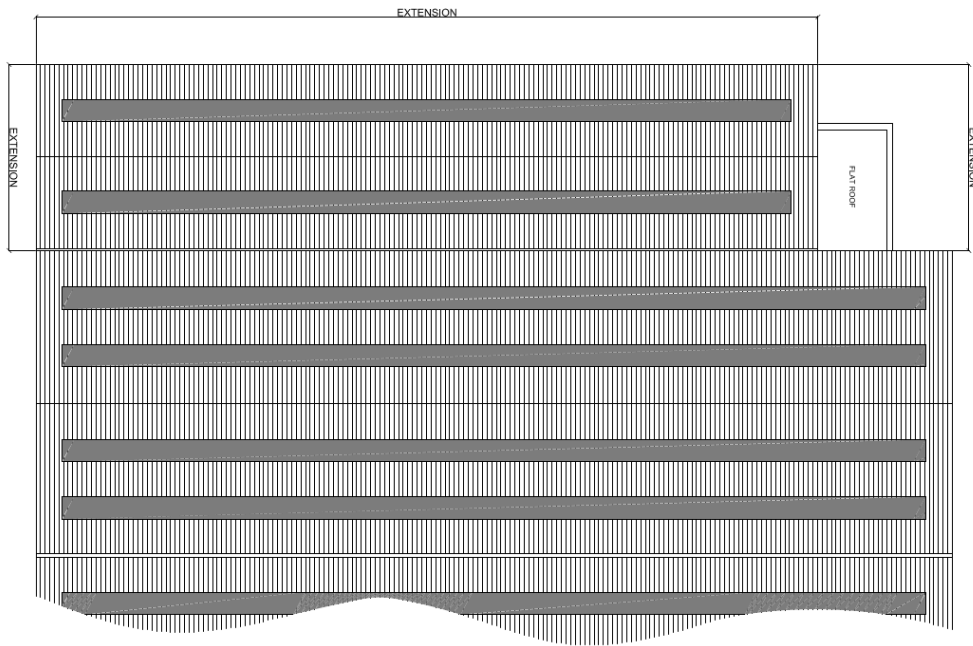
The client wishes to add photovoltaic panels onto the roof of both buildings to reduce the energy costs and to make the buildings much more eco-friendly. The balustrading to the roof edge is to protect workers from a risk of falling when carrying out maintenance of the solar panels. The insertion of the new double doors is due to amendments to the internal layout of the extension. The single storey rear extension is being removed as the toilet provision is now being provided within the existing J1 unit. The relocation of the security gates and fencing front of the extension is to make the manoeuvring of lorries into the site easier.

Elevations granted under previous NMA:

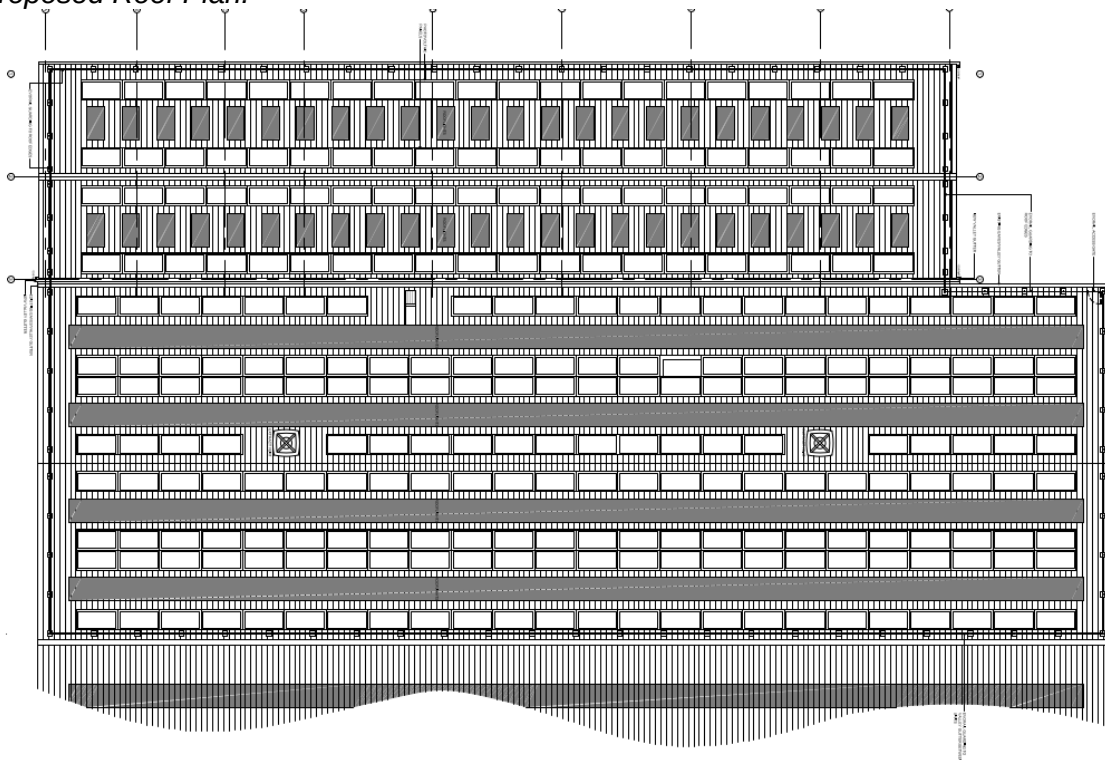
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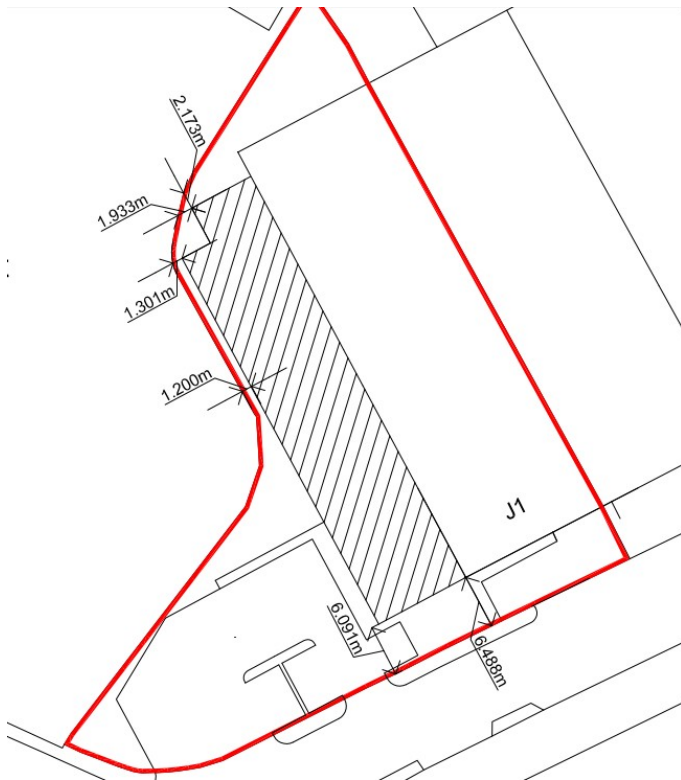
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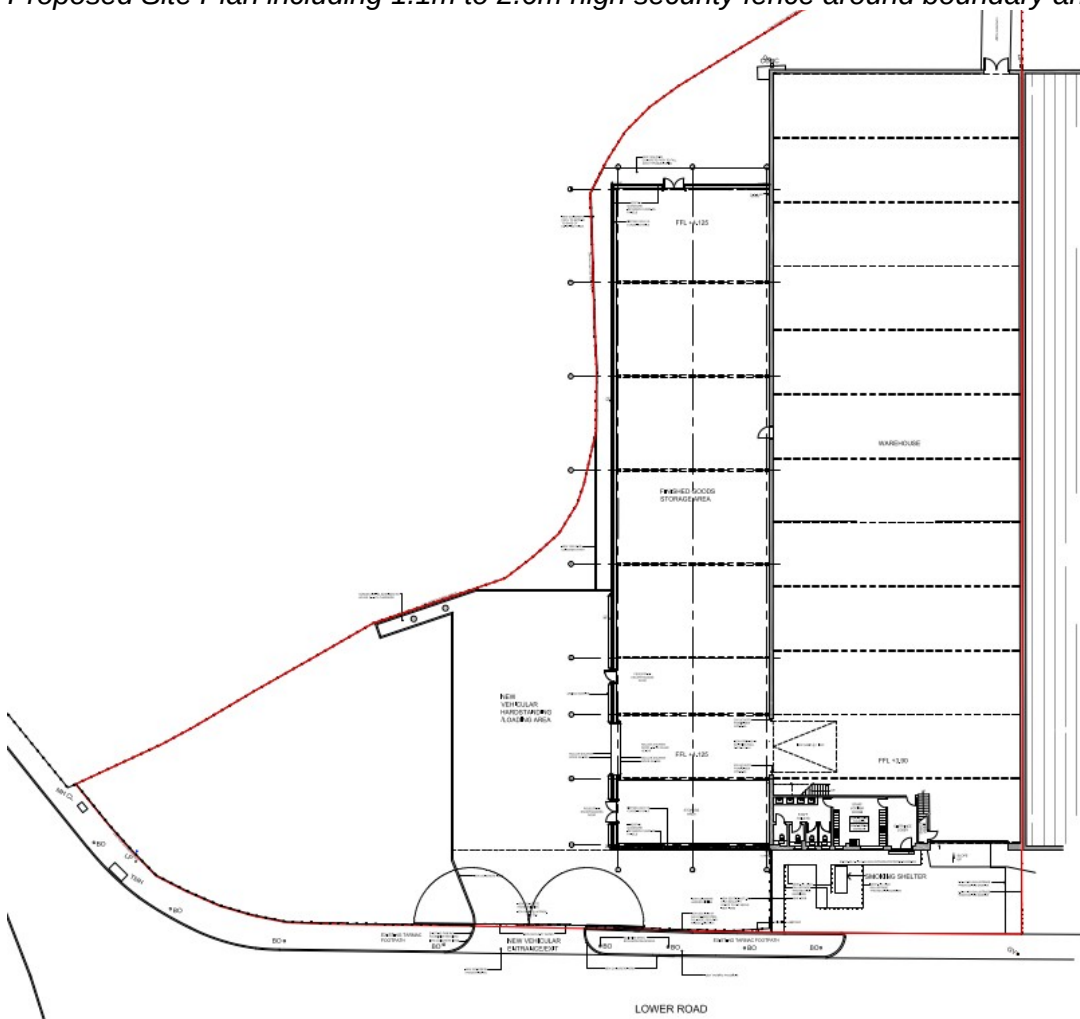
Proposed Roof Plan:



Original Block Plan:



Proposed Site Plan including 1.1m to 2.6m high security fence around boundary and revised entrance:



There is no statutory definition of 'non-material'. This is because it is dependent on the context of the overall scheme – an amendment that is 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. In deciding whether a change is material, regard must be had to the effect of the change on the planning permission. In this case the planning permission 20221142 concerns the erection of a two storey side extension to existing factory/warehouse unit with mezzanine.

There are a number of changes proposed, as set out in the plans above. The removal of the single storey element, insertion of doors and changes to fencing would be considered non-material, but the extent of changes to the roof would be a material change and would alter the nature of the development permitted under the original application. The roof changes introduce discordant features to the original roof proposals and will alter the appearance of the scheme. In particular, whilst the safety aspect of the proposed balustrade is understood, the extent of this around the scale of roof involved is considered excessive and out of keeping.

It is considered that the proposed changes are material in terms of the nature of the development and the application cannot be supported as a non-material amendment.

Conclusion and Recommendation

The proposed changes are considered to comprise a material amendment, and a separate planning permission would therefore be required.

(For detailed informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Richard Hart
Signed:	<i>K. Parkin</i>	Signed:	<i>R Hart</i>
Dated:	9th June 2026	Dated:	10th June 2026