



Delegated Report

Non-Material Amendment Application

Application No:	20240230
Location:	Chalk Scout Group, Castle Lane, Gravesend, Kent, DA12 4TQ
Description:	Application for a non-material amendment to planning permission reference number 20210514 to allow a replacement of concrete roof tiles colour red with Eternit Slate roofing tiles.
Applicant:	Mr Jamie Masters, Bespokebuilds Kent Ltd

Submitted Documents/Plans

- Application Form – dated 11 March 2024;
- Supplementary Information – Photograph of Slate Tiles;
- Supplementary Information – Photograph of House 1;
- Supplementary Information – Photograph of House 2;
- Ordnance Survey Site Location Plan (scale – 1:1250).

Relevant Planning History

Reference	Description	Decision	Decision Date
20210514	_REVISED DESCRIPTION_ Demolition of the existing building and erection of two detached 3/4 bedroom chalet style bungalows.	PERMITTED	07.04.2022

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.

Consultations, Publicity and Representations

Dickens Protection Society – The Society would wish to comment that it is neutral about the roofing material being changed from red tile to slate. The Society is however very concerned about the mobile home type dwelling that has been installed on the north part of the site without planning permission and considers that enforcement action should be taken.

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 proposal is to change the materials approved in the new dwellings (ref. 20210514). To summarise the changes proposed are as follows:

- Replacement of approved red concrete roof tiles, with Eternit Slate roofing tiles.

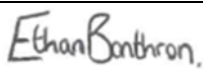
The proposed eternit slate roof tiles for the new dwellings is not considered to have a detrimental impact on the character of the area, or to have any significant impact on the approved design of the dwellings.

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

Permission – approval of non-material amendment

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	4 th April 2024	Dated:	08 April 2024

