



Delegated Report

Application No:	20220750
Location:	Former Bailiffs Cottages Lower Higham Road Gravesend Kent
Description:	Application for non-material amendment to planning permission reference number 20160092 to allow relocation of parking bays to facilitate provision of low retaining wall required by actual site levels.
Applicant:	SUV 600 Ltd, Mantle Developments Ltd

Proposal

Application for a non-material amendment to planning permission reference 20160092 for the demolition of existing dwelling and the erection of 3no. four bedroom houses and 8no. three bedroom houses, with associated amenities and parking. The non-material amendment is to allow the relocation of the parking bays to facilitate provision of low retaining wall require by actual site levels.

The application consists of the following
Application Form;
Photos of Parking Areas ;and
Drawing No. 6780-L101G – Landscaping Detail.

Relevant Planning History

20211333 - Application for non-material amendment to planning permission reference number 20160092 approved on 01.09.2017 and discharge of conditions planning permission 20190687 approved of on 23.04.2020, which included Condition 11 Landscaping, to allow; changes to the condition as Quercus Rubor trees can no longer be imported. 2no trees thus specified (north west and south east corners) have been amended for those already approved elsewhere on the site. Regarding the hard landscaping, the proposed pathway and inner road finishes are as shown on

the accompanying drawing 6870-L101B. **Approval of non-material amendment 23.11.2021**

20210411 - Application for non-material amendment to planning permission reference number 20190687 to allow a change in specification of brickwork due to non-availability. **Approval of non-material amendment 11.02.2021**

20210133 - Application for non-material amendment to planning permission reference number 20190687 to change the terracotta roof and vertical wall-hanging tiles to similar products by a different manufacturer. **Approval of non-material Amendment 11.02.2021**

20190687 - Application for the approval of conditions 3, 4, 6, 9, 10, 11, 12 and 13 attached to planning permission reference number 20160092 relating to details of the road serving the development from the carriageway of the existing highway network (Lower Higham Road), Code of Construction Practice, scheme for sustainable surface water drainage, additional details of all the external facing materials to be used in the construction of the building, a scheme detailing the proposed hard surface treatments and screening by walls, fences or other means, a scheme detailing the proposed soft landscaping, details of all proposed external lighting and details of the refuse storage containers. **Approved 23.04.2020**

20160092 –Demolition of existing dwelling and the erection of 3no. four bedroom houses and 8no. three bedroom houses, with associated amenities and parking. **Permitted 01.09.2017**

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.

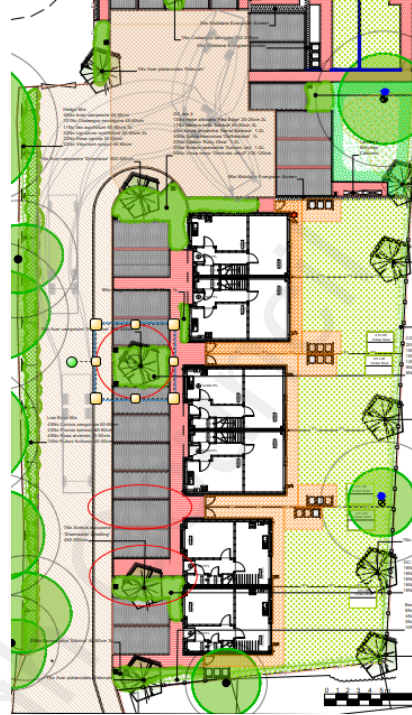
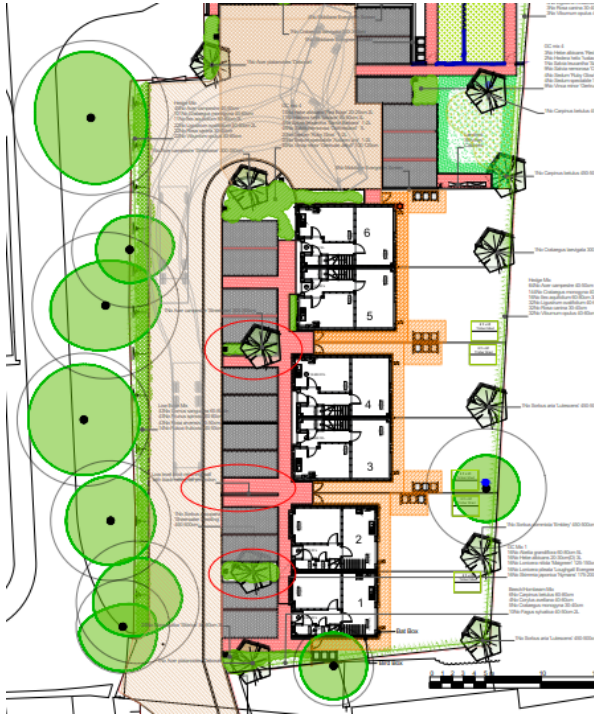
Analysis

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 for to this application are shown below and essentially there are still 12 spaces but spaces between the spaces altered with a small retaining wall included after the 5th space from the southern boundary. This is shown below (areas in red highlight the changes).

Proposed Layout Plan

Approved Layout Plan 20190687



The retaining wall (with railings on top) has already been constructed and is shown below



One neighbour comment has been received providing various background information to the site and requests the following:

we think it is appropriate to ask the case officer as a prerequisite to any approval for the inclusion of stone as the 'facing material' of a low retaining wall on this site and to ask her if she can request Kentish Ragstone blocks as the preferred material choice of stone and flint blocks as a substitute.

It is considered that the above request is not justified as the proposed retaining wall/railings is in keeping with the character of the new development. The site is not within a Conservation Area, setting of a listed building or visible from a public highway.

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

See draft Decision

Case Officer:	Mr Richard Hart	Team Leader:	Miss Faye Hobbs
Signed:	<i>R Hart</i>	Signed:	
Dated:	25th July 2022	Dated:	26 July 2022