



Delegated Report

Non-Material Planning Application

Planning Application No: 20260102

Location: Land At Market Square And Horn Yard Car Parks New Swan Yard
Gravesend DA12 2EN

Description: Application for a non-material amendment to planning permission reference number 20200343 to allow the amendment of the wording for the eight affected conditions to enable the phased occupation of the scheme, these conditions are as follows Condition 2, Condition 10, Condition 12b, Condition 19, Condition 21, Condition 24, Condition 25, Condition 29.

Applicant: Reef and Partners

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Phasing Plan – Phase 1: E03;
Phasing Plan – Phase 2: E02, MSCP and E01;
Phasing Plan – Phase 3: E01 Duplexes; and
Covering Letter.

Relevant Planning History

There is extensive planning history on this site which includes a large number of conditions. The following is the original planning permission to which this application relates:

Reference	Description	Decision	Decision Date
20200343	Erection of 242no. residential units for Build to Rent (C3 Use Class), within three blocks ranging from 3 to 10 storeys, together with multi-storey car park as well as access, pedestrian links, landscaping, highway and other associated works	Permitted	21.12.2020

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.

Officer's Analysis

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.

The proposal seeks to allow the amendment of the wording for the eight affected conditions to enable the phased occupation of the scheme, these conditions are as follows Condition 2, Condition 10, Condition 12b, Condition 19, Condition 21, Condition 24, Condition 25 and Condition 29.

The proposed amendments are;

Condition 2 – Approved Plans

To include phasing wording at the end of the existing wording to state;

Phase 1: Block E03 complete 6th Feb 26 (dated 26/01/2026).;

Phase 2: Blocks E01 (except 4x GF duplex units), E02 and Car Park complete 17th Apr 26 (dated 26/01/2026).; and

Phase 3: Block E01 4x GF duplex units and remaining highway/landscaping works complete 26th Jun 26 (dated 26/01/2026).

The rest of the condition remains unchanged.

Condition 10 – Sustainable surface water drainage

The final paragraph of the condition to be amended from;

The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of the development and thereafter maintains and managed in accordance with the approved scheme.

To;

The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of each phase of the development and thereafter maintained and managed in accordance with the approved scheme. For the avoidance of doubt, the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development.

The rest of the condition remains unchanged.

Condition 12b – Air Quality

The condition to include the wording "each phase of the development".

Condition 19 – Hard Surface and Boundary Treatments

The final paragraph of the condition to be amended from;

The approved works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of any of the residential units or opening of the multi-storey car park, whichever is sooner.

To;

The approved works shall be completed in accordance with the approved details prior to the completion of each relevant phase of the development, or the first occupation of any of the residential units in that phase or opening of the multi-storey car park (if forming part of that phase), whichever is sooner. For the avoidance of doubt, the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development.

The rest of the condition remains unchanged.

Condition 21 – Parking Spaces

The condition to replace the wording “any part” to “each relevant phase”, and the addition of the following wording; “and the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development”.

Condition 24 – Cycle Storage

The condition to include the wording “of each relevant phase” and the following wording at the end; “For the avoidance of doubt, the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development.”

Condition 25 – Refuse Arrangements

The condition to include the wording “of each relevant phase” and the following wording at the end; “For the avoidance of doubt, the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development.”

Condition 29 – Bat/Bird roosting opportunities

The condition to include the wording “of each relevant phase” and the following wording at the end; “For the avoidance of doubt, the occupation of one phase shall not be prevented by the outstanding completion of works in any other phase of the development.”

The proposed amendments as laid out above are to respond to the new phased programmed of the development and do not result in any changes to the approved scheme.

It is considered that the above changes are non-material in terms of the nature of the development and the application can be supported.

Conclusion and Recommendation

The proposed changes are considered to be non-material amendments, and a separate planning permission would not therefore be required.

(For detailed informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	23 rd February 2026	Dated:	23rd February 2026