

Delegated Report

Non-Material Amendment Application

Application No:	20260209
Location:	Port Of London Authority London River House Royal Pier Road Gravesend
Description:	Application for a non-material amendment to planning permission reference number 20250381 to allow alteration of flood defence wall at Port Control Centre, River Thames.
Applicant:	Mr Michael Atkins

Proposal

Application for a non-material amendment to planning permission reference 20250381 to allow alteration of the flood defence wall at Port Control Centre, River Thames.

The application consists of the following:

- Application Form;
- Drawing no. PCC-BA-90-ZZ-DP-A-0 – Rev. P5 – Proposed Site Surface Types;
- Drawing no. PCC-HDR-XX-ZZ-DR-S-02121 Rev. C01 – Flood Defence Wall Construction Phasing Plan Mid Construction Phase;
- Drawing no. PCC-HDR-XX-ZZ-DR-S-02122 Rev. C01 – Flood Defence Wall Construction Phasing Plan End Phase;
- Flood Risk Assessment;
- Cover letter from the Environment Agency dated 09/01/2026 for new environmental permit; and
- Permit from the Environment Agency for the permanent alteration of flood defence wall at the Port Control Centre, River Thames.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250435	Application for the approval of condition 12 and 13 attached to planning permission reference number 20221294 relating to a condition assessment of the site's tidal Thames flood defence and carry out such works as to provide a minimum 20-year service life for the site's tidal flood defence without the need for further intrusive works during this time. These repair works must be detailed in a report	Approved	27.10.2025
20250381	Application for variation of condition 2 attached to planning permission reference number 20221294 for Demolition of an external stairwell, construction of a new single storey	Permitted	03.12.2025

	roof space, removal and relocation of the radar mast, internal refurbishment, improvements to the exterior facades and new landscaping to provide a level access to London River House and the PCC. The existing link between the PCC and Grade II listed Royal Terrace Pier will be enhanced, and repaving works is proposed in the forecourt area of the listed pier; to allow landscaping changes and amendment to the plans.		
20221294	Demolition of an external stairwell, construction of a new single storey roof space, removal and relocation of the radar mast, internal refurbishment, improvements to the exterior facades and new landscaping to provide a level access to London River House and the PCC. The existing link between the PCC and Grade II listed Royal Terrace Pier will be enhanced, and repaving works is proposed in the forecourt area of the listed pier.	Permitted	20.04.2023

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 change in this application is to allow the permanent alteration of the flood defence wall at the Port Control Centre, River Thames.

The applicant states that they wish to make this amendment as "it has been agreed with the Environment Agency to amend the line of the existing flood defence wall which will increase the total flood storage volume in the area which will not impede the flood protection. Agreed with EA through EA permit (ref: EPR/MB3340UR) Granted 9th January 2026".

Planning permission was granted for "Demolition of an external stairwell, construction of a new single storey roof space, removal and relocation of the radar mast, internal refurbishment, improvements to the exterior facades and new landscaping to provide a level access to London River House and the PCC. The existing link between the PCC and Grade II listed Royal Terrace Pier will be enhanced, and repaving works is proposed in the forecourt area of the listed pier" under application ref. 20221294 on 20.04.2023.

The applicant then submitted an application (ref. 20250381) for "Application for variation of condition 2 attached to planning permission reference number 20221294 for Demolition of an external stairwell, construction of a new single storey roof space, removal and relocation of the radar mast, internal refurbishment, improvements to the exterior facades and new landscaping to provide a level access to London River House and the PCC. The existing link between the PCC and Grade II listed Royal Terrace Pier will be enhanced, and repaving works is proposed in the forecourt area of the listed pier; to allow landscaping changes and amendment to the plans". Amongst the changes proposed was the removal of a small section of the flood defence "bull nose' towards the front part of the site. The Environment Agency did not object to this as they did

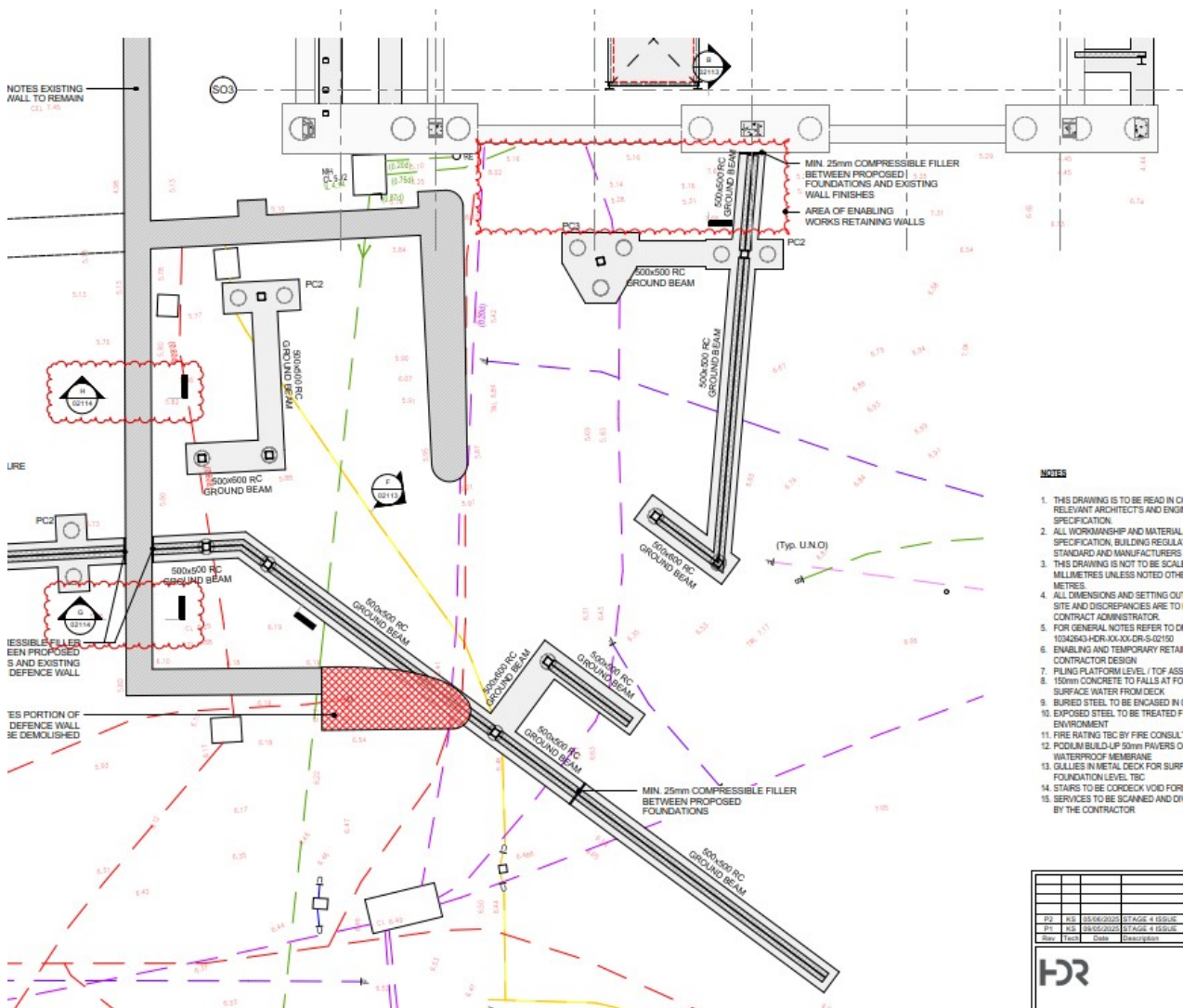


not believe that the removal of this section of flood defence would increase flooding to the surrounding area.

Whilst application ref. 20250381 was being considered, the applicant also submitted an application for approval of condition nos. 12 (a condition assessment of the site's tidal Thames flood defence) & 13 (works to provide a minimum 20-year service life for the site's tidal flood defence) under application ref. 20250435. This was approved on 27/10/2025.

Application ref. 20250381 was approved on 03.12.2025.

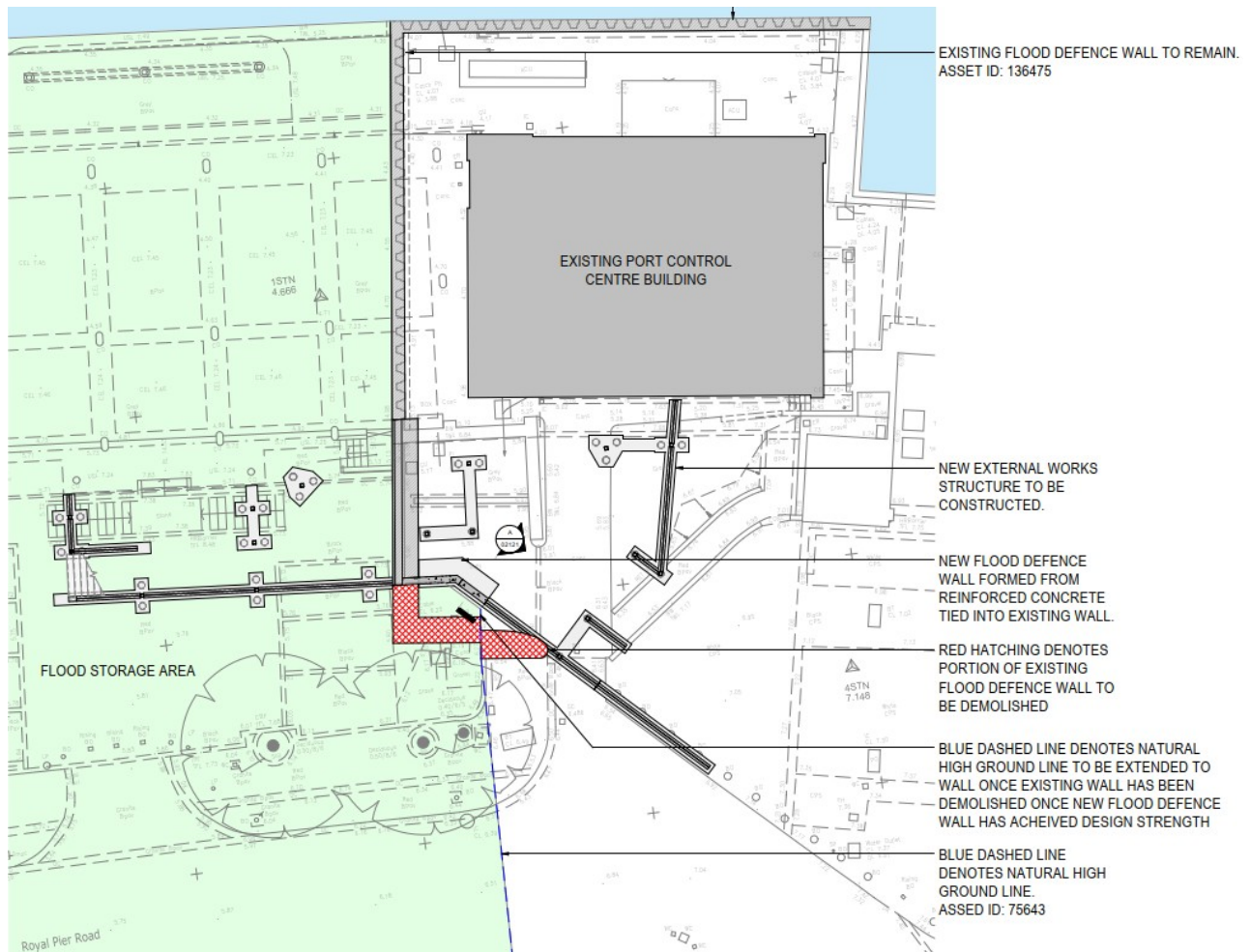
Within the Flood Risk Assessment that was approved under application ref. 20250381, the section of flood wall approved to be removed was the bull nose part of the wall to the front of the building as shown in the below extract from the approved drawing (the red hatched area):



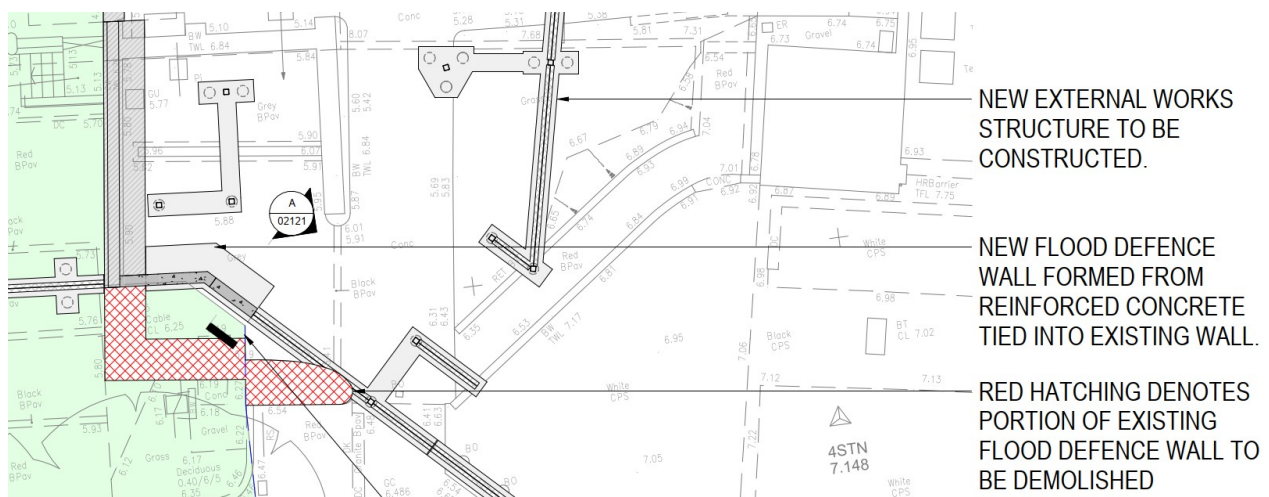
It is also shown in the below image (red hatched area):



The proposed amendment in this application is to demolish a further section of the flood wall next to the bull nose section and construct a new section of flood wall just in front of these two removed sections. It is to be formed from reinforced concrete and tied into the existing wall as shown in the below extract from the drawing:



A close up of the additional section of wall to be removed next to the bull nose section already approved under application ref. 20250381, and the new section of flood wall proposed:



The revised Flood Risk Assessment submitted in this application is amended on page 12 showing the amended works to the flood wall.

The application is accompanied by a cover letter from the Environment Agency dated 09/01/2026 which encloses a permit for the 'permanent alteration of flood defence wall at the Port Control Centre, River Thames'. It states that the Environment Agency is satisfied that the Port of London

Authority can carry out their activities in accordance with the enclosed permit without increasing flood risk or harming land drainage or the environment. In Schedule 1 – Operations it states that

“The activity shall be commenced within 2 years of the date of the grant of the permit and completed within 12 months of commencement.

The activities shall be carried out in accordance with the section drawing reference:

- Titled: Flood defence wall construction phasing plan mid construction phase, Drawing No: PCC-HDR-XX-ZZ-DR-S-02121, Rev: C01, dated 24/10/25
- Titled: Flood defence wall construction phasing plan end phase, Drawing No: PCC-HDR-XX-ZZ-DR-S-02122, Rev: C01, dated 24/10/25”.

These are the same two drawings that have been submitted with this non-material amendment application. The Environment Agency are therefore happy with the proposed removal of the additional section of flood defence wall and the building of the new section of wall.

The removal of a section of flood wall and erection of a new section would not normally constitute a non-material amendment as this would need to be assessed very carefully for its impact on flooding, with the key consultee being the Environment Agency, to see whether it would be acceptable or not. In this case the applicant, the Port of London Authority, has already first applied to the Environment Agency for a permit for the proposed works and the Environment Agency has assessed the proposed works and has granted a permit for them. In doing so the Environment Agency state in the covering letter to the permit that they are satisfied that the Port of London Authority can carry out their activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage or the environment.

Therefore, in this case the Environment Agency have already assessed the proposed works of removal of part of the flood wall and erection of a small section of new flood wall, and they are happy with them and have granted a permit for them. They are the consultee whose views are needed as to whether the proposed works are acceptable or not and we have those views. The essential purpose of a variation of condition application (which would be the course of action if this non-material amendment application is refused) would be to consult the Environment Agency in order that their views could be obtained; but the views of the Environment Agency are already known – they deem the proposed works to be acceptable and have issued a permit for them to be carried out.

On this basis and these specific sets of circumstances, it is considered on balance that the proposed alteration of the flood defence wall at the Port Control Centre in respect of removal of a section of the wall and erection of a new section of wall would constitute a non-material amendment.

Conclusion

The proposed amendments to the development approved under application ref. 20250381 are considered acceptable and are deemed to constitute a non-material amendment.

Recommendation

Approval for Non-Material Amendment

(See draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>F Walsh</i>
Dated:	31st March 2026	Dated:	02 April 2026