



Delegated Report

Application No:	20250019
Location:	Former Guru Nanak Darbar Gurdwara Clarence Place Gravesend Kent
Description:	Application for a non-material amendment to planning permission reference number 20220728 to allow amendments to Condition 7 and condition 13 to include subject to receiving satisfactory information, partial approval can be issued for each of the 2 phases of works.
Applicant:	Guru Nanak Darbar Gurdwara

Proposal

Application for a non-material amendment to planning permission reference number 20220728 to allow amendments to Condition 7 and condition 13 to include subject to receiving satisfactory information, partial approval can be issued for each of the 2 phases of works.

The application consists of the following
Application Form
Cover letter

Relevant Planning History

20241026	Application for approval of condition 9 and 10 attached to planning permission reference number 20220728 relating to details of the treatment of verges and eaves and samples and detailed specifications of the rainwater goods.	Approval of details	29.01.2025
20240025	Application for non-material amendment to planning permission reference number 20220728 to allow variation on conditions 19, additional vents to pass through the main roof and 22, CCTV cameras to be located on the front elevation viewing the main entrance to the property.	Permitted	07.02.2024
20240024	Application for approval of condition 15 and 17 attached to planning permission reference number 20220728 relating to a	Approval of details	07.08.2024

landscaping scheme (including details of hard landscaping materials, soft landscaping planting and external lighting design and levels) and details of how the development will enhance biodiversity.

20240023	Application for a non-material amendment to planning permission reference number 20220728 to allow demolition of the two modern side wings and rebuild them in the same position. Removal of the existing modern red stock brick plinth to the front elevation. Removal of the Sikh Symbol on the apex of the roof to the front elevation.	Permitted	
20231041	Application for the approval of conditions 4, 6 and 14 attached to planning permission reference number 20220728 relating to Code of Construction, Historic England Level 3 Report and Railing Details.	Approval of details	24.01.2024
20231017	Application for a non-material amendment to planning permission reference number 20220728 to change the wording of condition 7 to allow that all doors and windows to be replaced on a like for like basis with matching historic materials.	Permitted	06.12.2023
20230276	Application for approval of condition 5 attached to planning permission reference number 20220728 relating to implementation of a programme of building recording	Approval of details	25.04.2023
20220728	Conversion of existing building to accommodate 14 residential apartments with ancillary cycle and bin storage facilities	Permitted	31.01.2023

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 changes for to this application are to vary condition 7 and condition 13. The proposed changes relate to the timing of the requirement of the conditions. Due to the physical constraints on the site each elevation is being worked on in phases and therefore the applicant wishes to discharge these two conditions in phases.

Condition 7 of 20220728 states:

All external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 & 1:2 or full-size scale, and showing the relationship to the wall opening, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The development shall be carried out only in accordance with the agreed details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

This was actually re-worded via a non-material amendment under reference 20231017 to state:

Before the windows and doors hereby approved are installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

As it is not possible to undertake a non-material amendment on a non-material amendment the new wording needs to incorporate both requests (materials to be used on windows and phasing).

In order to allow for the condition to be partially discharged the condition needs to be reworded into phases as per the below:

Before the windows and doors hereby approved are installed, details of their material, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 scale, and ½ or full size, shall be submitted to and agreed in writing by the Local Planning Authority. These details shall be supplied for:

- i) The rear/north elevation*
- ii) The front/south elevation*
- iii) The eastern elevation*
- iv) The western elevation*

The works shall be carried out only in accordance with the agreed window and door details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

For the same reason as the above the applicant wishes to change condition 13 to allow for the details to be submitted in phases.

Condition 13 states:

Before the rooflights, including dormer windows, hereby permitted are installed, a detailed specification of all new rooflights, dormer windows shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be carried out in accordance with the approved details. The rooflight(s) specification shall include details of:

- *Size;*
- *Material;*
- *Colour;*
- *Method of opening;*
- *Method of fixing; and*
- *Appearance.*

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

The re-worded condition below would allow the details to be submitted in phases:

Before the rooflights, including dormer windows, hereby permitted are installed, a detailed specification of all new rooflights, dormer windows shall be submitted to and agreed in writing with the Local Planning Authority. These details shall be supplied for:

- i) The rear/north elevation*
- ii) The front/south elevation*
- iii) The eastern elevation*
- iv) The western elevation*

The development shall only be carried out in accordance with the approved details. The rooflight(s) specification shall include details of:

- *Size;*
- *Material;*
- *Colour;*
- *Method of opening;*
- *Method of fixing; and*
- *Appearance.*

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

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

See draft Decision

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	5 February 2025	Dated:	5 th February 2025