

Delegated Report

Planning Application

Planning Application No: 20221171

Location: 123 Singlewell Road, Gravesend DA11 7QA

Description: Application for non-material amendment to planning permission reference number 20220274 to allow the bin store and front door to be relocated, front door replaced with a window, shop and flat retained in existing position along with the staircase.

Applicant: Mr Abul Kalam

Site Visit Date: Various

Submitted Documents/Plans

Application form
Drawing no. 2021/47/23A (proposed elevations)
Drawing no. 2021/47/21A (proposed ground floor plan)
Drawing no. 2021/47/22A (proposed first floor plan)
Drawing no. 2021/47/20A (site location and block plan)

Relevant Planning History

20220274 Erection of part single storey rear extension to form a one bedroom one person flat, part two storey extension and alterations to existing flat arrangement to provide a one bedroom two person flat. Retention of the existing shop.

Approved 9 May 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.

Officer's 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 front elevation (shop front) remains unchanged. Changes are proposed to the elevation facing Mead Road. The original application showed an entrance door in the northern elevation and an entrance to the bin store and amenity space. This is proposed to be altered to a window and a roller shutter:

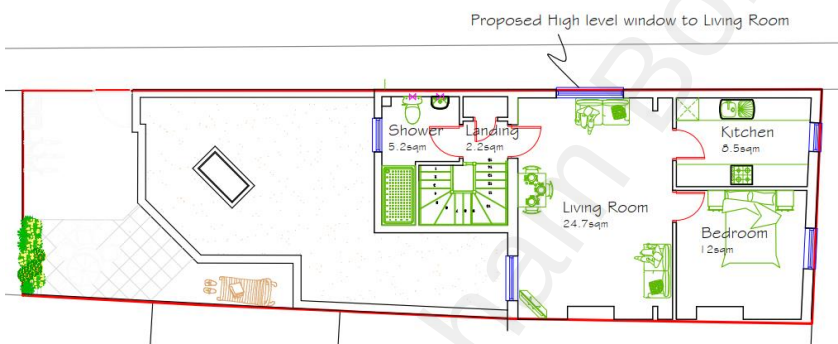
Originally proposed:



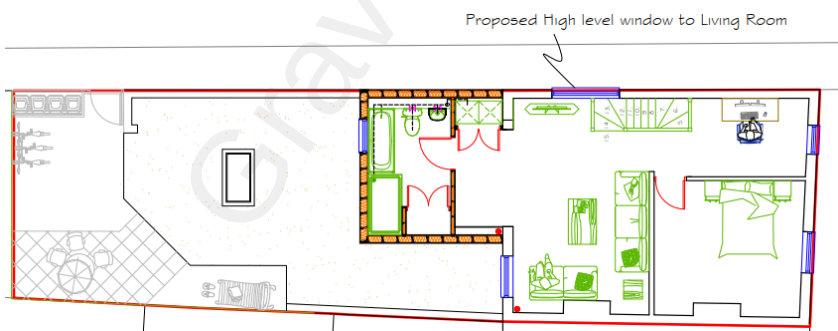
Now proposed:



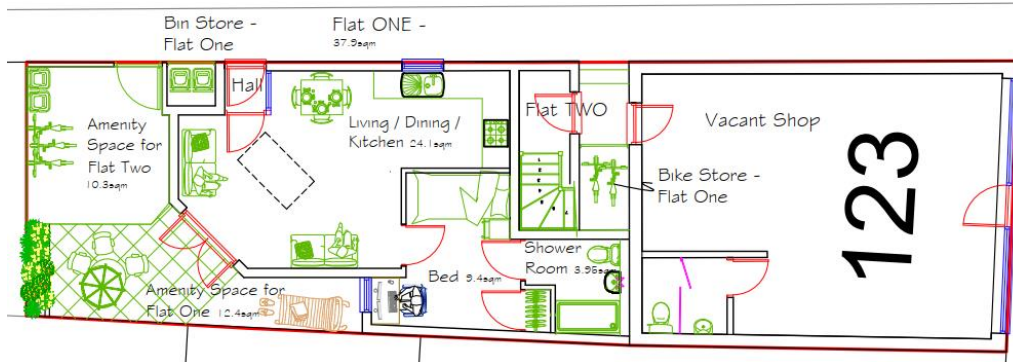
The first floor has been altered to remove the internal stairs and move these into the shop:
Original first floor plan:



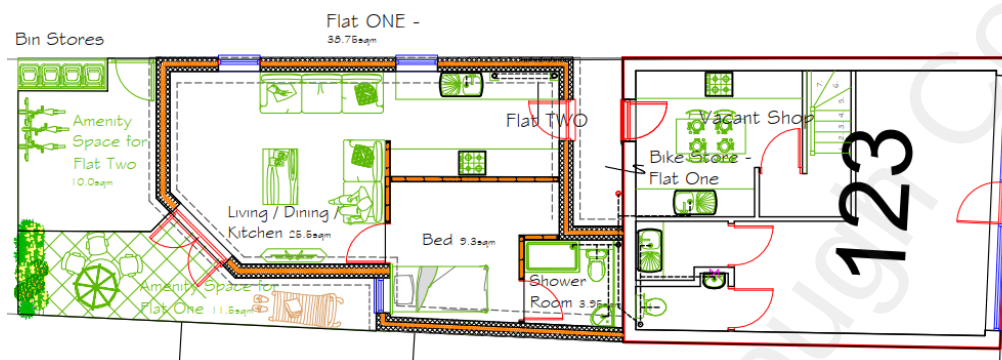
Now proposed:



The ground floor is slightly larger and there is now an entrance and kitchen in the ground floor shop:
Original ground floor plan:



Now proposed:



Proposal

The application seeks a non-material amendment to remove the entrance to flat 1 and its replacement with a window. This is a minor change and no objections are raised.

The bin store is now located adjacent to the amenity space for flat 2 and serves both flats. The removal of the boundary wall and its replacement with a roller shutter is significantly different to the original proposal in terms of external appearance and therefore cannot be dealt with as a non-material amendment. The amenity space for this flat is now slightly smaller however, the loss of space is minimal at approx. 0.3sqm.

The access to flat 1 is now located between the existing shop and the extension. No objection is raised to this but it is noted that the cycle store has been removed from the plans. This appears to be an error and an informative is recommended to ensure the applicant is aware that this should still be provided.

The amenity space for flat 1 has also been reduced. This appears to be because the flat has been built larger than what the permission granted. The external wall facing Mead Road is now approx. 9.05m long and the approved external wall was 8.82m long. Whilst this is approx. 0.23m wider and therefore not significant, it is nonetheless wider. The width of the flat originally was to be approx. 4.64m and is now shows to be 4.74m which is 0.1m wider. Again, it is not significant but it larger than approved.

The access stairs have been removed from the extension and instead installed into the ground floor shop. Externally, this does not change the appearance of the building however, the plans show that a significant amount of the shop floor space is being taken up by residential use, specifically a kitchen diner and the stairs. This requires a change of use application and cannot be dealt with as a non-material amendment.

Conclusion

The proposed extension is larger than the approved plans showed and there appears to be a change of use of the shop to part residential. The gate to the front of the bin store is being replaced with a roller shutter which is materially different to that which was approved. All these changes require planning permission and therefore the application is recommended for refusal on the grounds that it cannot be considered a non-material amendment.

Recommendation:

The Local Planning Authority is of the opinion that the proposed alterations, notably the increase in size of the new extension and installation of a roller shutter, represent a material change to the original permitted application. In addition to this, the plans now show the use of part of the shop as residential incorporating the kitchen and stairs for flat 2 which requires a change of use application and therefore cannot be dealt with as a non-material amendment.

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	9 November 2022	Dated:	16th November 2022