

Delegated Report

Non-Material Amendment Application

Application No: 20240902

Location: 196 And 197 Parrock Street, Gravesend, Kent, DA12 1EW

Description: Application for a non-material amendment to planning permission reference number 20230794 to allow the creation of a new doorway and blocking off an existing doorway.

Applicant: Mr Donald Holden

Submitted Documents/Plans

- Application Form – dated 03 October 2024;
- Drawing no. PSH014 – Rev. A – First Floor Plan Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240906	Application for Listed Building consent for the conversion of existing building, currently categorised as office accommodation to a one bedroom flat and nine bedroom House of Multiple Occupation.	PENDING	N/A
20230795	Application for Listed Building consent for the conversion of existing building, currently categorised as office accommodation to a one bedroom flat and nine bedroom House of Multiple Occupation.	PERMITTED	29.09.2023
20230794	Conversion of existing building, currently categorised as office accommodation to a one bedroom flat and nine bedroom House of Multiple Occupation.	PERMITTED	29.09.2023

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.

Officer's Analysis

As a non-material amendment does not relate to listed building consents, the applicant has submitted a revised listed building consent to reflect the changes subject to this application (ref. 20240906). This application is pending decision as shown in the planning history section above.

What is a Non-Material Amendment

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.

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. Therefore, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views. As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary.

The Borough Council does not have any published guidance on what it considers can or cannot be considered as a non-material amendment generally following the guidance in the NPPG and the Planning Portal as well as taking into advice generally used accords the Kent authorities and that from the Planning Officer's Society. The former guidance suggest that we would not normally accept amendments as non-material if:

- The application site area (red line) differs from the original application
- The application description differs from the original application
- The proposal would result in changes to the external details (e.g. facing materials or roof shape) that would materially alter the appearance of the building
- The amendment significantly increases the size of any part of the development
- The development moves more than 1 metre in any direction
- The height of the building or structure is increased
- If the amendment locates any part of the development closer to a neighbour unless the development as amended is in excess of 5 metres from the common boundary with the neighbour
- The amendment results in a fundamental change in the design of the building
- If the amendment changes windows or doors in any elevation facing a neighbour which increases overlooking in any way
- The amendment would result in a greater visual intrusion, loss of light or feeling of enclosure to neighbours
- There were any relevant objections to the original proposal which would be compromised by the proposed minor amendment

Are the Proposed Changes Non-Material

The proposal is to change the materials approved in the planning permission for conversion of the building into a one bedroom flat and nine bedroom House in Multiple Occupation (ref. 20230794). To summarise the change proposed is as follows:

- the creation of a new doorway and blocking off an existing door opening.

The proposed new doorway opening and blocking up of the existing doorway do not involve any external alterations to the building and would therefore have no impact on the character of the area or any significant impact on the approved design.

Therefore, it is considered that the above change is non-material in terms of the change to the approved development and the application can be supported.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:	<i>Ethan Bonthron</i>	Signed:	<i>R Hart</i>
Dated:	5 th February 2025	Dated:	6th February 2025