



Delegated Report

Non-Material Amendment Application

Application No: 20220946

Location: Long Mead Tanyard Hill Shorne Gravesend

Description: Application for non-material amendment to planning permission reference number 20220157 to allow rendering of the proposed extension and rear/sides of the existing property and orangery

Applicant: Mr Nicholas Harris

Proposal

The application consists of the following
Application Form;
Proposed Floor Plans and Elevations

Relevant Planning History

Application No.	Description	Status	Decision
19580563	Erection of nine detached dwellinghouses with garages	PERMITTED	21.12.1959
20220157	Erection of rear single storey (orangery) and two storey extension (utility room and master bedroom en-suite).	PERMITTED	14.04.2022

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.

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 requirement to determine the application in accordance with the Development Plan (i.e.:S38 (6) of the Planning and Compulsory Purchase Act 2004) does not apply. This is explained by the NPPG under the section 'Flexible options for planning permissions'.

Para (2) of S96A, the legislation allowing for NMAs, states that;

'In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted'.

In the context of this application the original proposal was essentially for minor extensions to the dwellinghouse. The proposed changes for to this application are to the materials. The existing dwellinghouse uses facing brick work and tile hanging. The approved extensions and alterations under ref 20220157 requested render to be used in the application form. However, condition 3 of that approval required that all external materials match those on the existing dwellinghouse.

This application for non-material amendment would result in the entire ground floor including extensions to the rear and sides being rendered. However, this site is not in a Conservation Area nor does it form part of any other constrained area's which would require greater consideration of impact to the character and design than would usually be required. Whilst there may be some views of the ground floor rendering to the sides, given the set back nature of the dwellinghouse and close planting to the side boundaries any such visibility is not likely to be significant in such a manner which would materially impact the character and setting of this dwellinghouse. Plus it is noted that whilst this row of dwellinghouses are predominantly brick built, in the wider setting there is evidence of a variety of materials used externally.

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

Recommendation:

Approval on non-material amendment

See draft Decision

Case Officer:	Lisa Williams (for Ethan Bonthron)	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	

Dated:	13th September 2022	Dated:	14 September 2022
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Gravesham Borough Council