



Delegated Report

Non Material Amendment

Planning Application No: 20240233

Location: Parsonage Farm The Street Cobham Gravesend

Description: Application for a non-material amendment to planning permission reference number 20230584 to allow amendment to Condition 2 Approved Drawings List and Condition 6 Pre-commencement Condition.

Applicant: Mr Richard Scripps

Submitted Documents/Plans

Application Form

P 101 A Revision A – Proposed Roof and Site Plan (Showing proposed trench)

Cover Letter

Decision Notice Planning Reference 20230584

Email from Agent dated 05.04.24 confirming agreement to amended wording to condition 6

Relevant Planning History

Reference	Description	Decision	Decision Date
20230584	Conversion of barn to provide 2 dwellings consisting of a three bed dwelling and a one bed dwelling.	Permitted	01.08.2023

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.

Consultations, Publicity and Representations

No consultation has been undertaken as consultation is not required for application seeking Non-Material Amendment.

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 proposed changes for to this application are amendment to condition 2 (Approved drawings) to add an additional drawing and amendment to condition 6 (Sustainable Urban Drainage) to remove the requirement of the details to be submitted and approved prior to commencement of the scheme.

Condition 2 (as approved)

Condition 2 is as follows:

The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:

*Application Form
Site Location Plan
P101 Rev A - Proposed Roof and Site Plans
P110 Rev A - Proposed Plans and Elevations
P102 Rev A - Proposed Ground Floor Plans
P103 Rev A - Proposed First Floor Plans
P300 - Proposed Section 1-1 - Details
Cover Letter
Bat Survey Report
3D Visualisations
Planning, Heritage and Design Statement
Environmental Assessment
3D Visualisations
Heritage Statement
Email confirmation of facts*

Reason: For the avoidance of doubt and in the interests of proper planning.

The proposed change to this condition would be to essentially add drawing no. 1038972/P 101 A Revision A – Proposed Roof and Site Plan to the list. This drawing shows the location of a trench.

Condition 6 (as approved)

Condition 6 is as follows:

Before the commencement of development, a scheme for the whole site to provide for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in accordance with the details approved pursuant to this condition and shall be completed prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme submitted pursuant to this condition shall include the following, as appropriate:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.*
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run-off.*
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).*

Reason: In order to ensure adequate arrangements for the disposal of surface water and in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy September 2014).

The cover letter provides a proposed amended wording to the condition. This wording would read as follows:

Before the commencement of development, other than limited engineering operations shown on Plan 1038972/P 101A A, a scheme for the whole site to provide for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by

the Local Planning Authority. The drainage works shall be implemented in accordance with the details approved pursuant to this condition and shall be completed prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme submitted pursuant to this condition shall include the following, as appropriate:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.*
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run-off.*
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).*

The change to condition 6 would essentially allow the carrying out of engineering operations shown in Drawing no. 1038972/P 101 A, Revision A. Only these engineering works could be carried out prior to submission and approval of the required SUDs Details.

The cover letter supplied identifies that the intent is to allow the digging of the trench before these details are submitted and approved. However, the term 'engineering works' can refer to a number of works. Whilst the digging of the small trench shown on the plan provided, would be a minor operation which would not be likely to impact any previously assessed material matters, other engineering works may. As such, the wording of the condition would need to be more specific to be deemed non-material. Following discussion with the planning agent, proposed wording which reads as follows would be acceptable as a Non-Material Change.

Before the commencement of development, other than limited engineering operations shown on Plan 1038972/P 101A A relating only to the indicated trench, a scheme for the whole site to provide for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in accordance with the details approved pursuant to this condition and shall be completed prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme submitted pursuant to this condition shall include the following, as appropriate:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.*
- b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run-off.*
- c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).*

Conclusion & Recommendation

It is considered that the above changes are non-material and the material considerations of the scheme as a whole would not be impacted.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
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Signed:		Signed:	
Dated:	5 th April 2024	Dated:	09 April 2024