

Delegated Report

Non-Material Amendment Application

Planning Application No: 20250785

Location: Woodside Valley Drive Gravesend Kent

Description: Application for a non-material amendment to planning permission reference number 20110012 to allow proposed 3no rooflights to kitchen/ dining room and 3no rooflights to family room enlargement of existing kitchen/ dining room door.

Applicant: Mr Amrik Lall

Proposal

This is an application for a non-material amendment to planning permission 20110012 to allow proposed 3no rooflights to kitchen/ dining room and 3no rooflights to family room enlargement of existing kitchen/ dining room door.

The application consists of the following;

- Application Form
- Drawing No: 2090.CL.01 Rev A (Proposed Plans, Elevations and Sections)

Relevant Planning History

Reference	Description	Outcome	Decision Date
20250442	Application for a Proposed Lawful Development Certificate; Proposed new 3 rooflights on the rear lower roof. Proposed enlargement of the existing kitchen/dining door.	Certificate Refused	16.07.2025
20110012	Erection of two storey side and front extension to form family room, garage, utility room, study and lobby at ground floor level with two bedrooms, bathroom/wc, two ensuite shower room/wc's and dressing room at first floor level.	Permitted	03.03.2011

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.

Preliminary Matters

It is noted that the originally approved plans did not show any roof lights in the single storey rear extension and appear to have been installed without planning permission. However given the passage of time and the minor nature of the deviation from the originally permitted plans under 20110012, the

already installed roof lights are not deemed to be problematic and will be regularised through this application.

Officer's Analysis

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

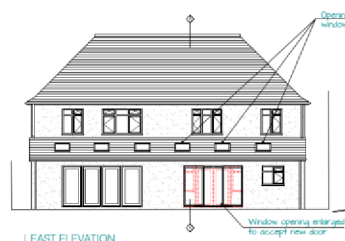
Are the Proposed Changes Non-Material?

The proposed changes to 20110012 comprise alterations to the fenestrations including the insertion of roof lights in the single storey rear extension and enlargement of existing kitchen/dining room door.

The plan extracts below compare the approved elevations (20110012) and the proposed elevations.

Approved Elevations (20110012)

Proposed Elevations



The proposed alterations to the fenestrations are not considered to have a detrimental impact on the character of the area, or to have any significant impact on the approved design of the extended dwelling. They will also safeguard neighbour amenity.

Therefore, 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

Approval of Non-material amendment

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	14 th August 2025	Dated:	14 August 2025