

Planning Department
Sevenoaks District Council
Council Offices
Argyle Road
Sevenoaks
TN13 1HG

09 October 2023

Dear Sir,

Section 96A of the Town and Country Planning Act 1990

Non-material amendment application – 23/00354/FUL- Erection of 2no. detached dwellings with associated access, parking and landscaping following demolition of existing dwelling and garage.

Site: Streathfield, Shoreham Road, Otford

We are instructed to act on behalf of the applicant and request a non-material amendment to planning permission 23/000354/FUL.

The application is made under Section 96A of the Town and Country Planning Act 1990, with a statutory period of 28 days for determination.

This application is supported by the following drawings:

- 2195-201-02 Proposed Site Plan
- 2195- 202-02 Proposed Plans and Elevations (Plot A)
- 2195- 204-02 Proposed Street Scene
- 2195-206-02 Proposed Street Scene and materials

These drawings would replace the following approved drawings:

- 2195-201-01 Proposed Site Plan
- 2195-202-01 Proposed Plans and Elevations (Plot A)
- 2195-204-01 Proposed Street Scene
- 2195-206-01 Proposed Street Scene and materials

The non-material amendments result in minor changes to the approved elevations of Plot A only and include swapping the chimney from the south elevation to the north elevation and changes to the window and door arrangement at ground floor only (flank elevations). These very minor changes are a result of changes to the internal layout at ground floor.

Hedley Clark

The minor amendments do not increase or change the size, proportions, or siting of the approved development.

There is no statutory definition of 'non-material' with the Planning Practice Guidance (NPG) stating that when assessing whether an amendment is material or not, the local planning authority must have regard to the effect of the change, together with any previous changes made under Section 96A of the Town and Country Planning Act 1990.

It is recognised that in issuing a decision for a NMA the original permission still stands and the NMA decision should be read in conjunction with the original permission.

It is further noted that the proposed non-material amendments do not impact on any condition attached to permission 23/00354/FUL.

APPRAISAL

In granting planning permission for 2no. dwellings on this site the Council concluded the design and appearance of the dwellings was acceptable and caused no harm to the character of the area.

The non-material amendments involve swapping the approved chimney on Plot A from the southern elevation to the northern elevation. The design/scale of the chimney remains as approved. Below the as approved and as proposed front elevation is shown for comparison purposes.



Above – Proposed NMA



Above – As approved

As evidenced by the above, the amendments do not materially change the appearance, design, size or proportions of the approved scheme.

The changes to the ground floor window and door would not result in any greater impact on the amenity of neighbouring residents, or cause harm to future occupants of either approved dwelling. A comparison between the as approved and as now proposed is shown below to highlight the insignificant nature of this non-material amendment.



Above – Proposed layout/window/door arrangement at ground floor level



Above – Approved layout/window/door arrangement at ground floor level

The amendments do not impact on first floor windows and as such conditions 4, 5, 6 and 7 of permission 23/000354/FUL would not be prejudiced or affected.

The alterations are insignificant and do not alter the scale, size, proportion or character of the approved development. Furthermore, the amendments would not materially change the appearance of the approved development and, for these reasons, we respectfully ask the Council support this application.

Yours faithfully

Karen Clark
BSc (Hons), DIP TP, MRTPI
Director of Planning

Hedley Clark