

Development Control Procedure Note Non-Material Minor Amendments to Planning Permissions

Section 96A of the Town and Country Planning Act 1990 (introduced by s. 190 of the Planning Act 2008) makes it possible to apply to make a non-material amendment to existing planning permissions.

The Council is therefore introducing a system whereby 'minor amendments' to a scheme can be considered as a way of allowing the planning system to respond in a reasonable and flexible manner to small changes to an approved scheme without seeking a fresh application.

The discretion rests with the Council as to whether the amendments constitute a non-material revision to a planning permission which would not take it outside the scope of the original permission.

This practice note sets out the circumstances in which minor amendments to approved planning applications will be accepted as non-material.

All of the following criteria must be met for amendments to be considered under this procedure:

1. There would be no alteration to the application site boundary (red edge).
2. The amendment would not conflict with Development Plan Policies or other Government Guidance.
3. The proposal would not exacerbate concerns raised by third parties at original planning application stage.
4. The proposed change would not be contrary to a condition on the original approval.
5. The approved footprint/siting of the building will not be moved materially and will not have a material impact on a neighbour.
6. The height of the building or extension would not be increased.
7. The amendment would not result in any potential overlooking of any neighbouring property.
8. The amendments must not result in a fundamental change in the design of the building.
9. The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

The criteria set out above are designed to prevent amendments being accepted that would have a detrimental impact upon neighbours or amenity in the wider public interest. If these criteria cannot be met a new full application will be required. Minor changes would not normally require any publicity. If, in the opinion of the council, a proposed amendment warrants re-consultation, it will not be regarded as minor and therefore will not be considered without a fresh application.