

## **APPLICATION FOR A NON-MATERIAL AMENDMENT CASE OFFICER REPORT**

|                                 |                                                                                                      |
|---------------------------------|------------------------------------------------------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b>   | <b>PL/2026/01321</b>                                                                                 |
| <b>APPLICATION TYPE:</b>        | <b>NON-MATERIAL AMENDMENT</b>                                                                        |
| <b>SITE ADDRESS:</b>            | <b>34 Lower Stoke, Limpley Stoke, Bath, BA2 7FR</b>                                                  |
| <b>DEVELOPMENT DESCRIPTION:</b> | <b>Nonmaterial amendment (Material Change)<br/>application relating to application PL/2025/02934</b> |
| <b>RECOMMENDATION:</b>          | <b>That the non-material amendment be GRANTED</b>                                                    |

### **PROPOSAL**

The proposal seeks minor amendments to the previously consented scheme (PL/2025/02934 - Single storey rear and side extensions along with wrap around front porch and altered vehicular access).

The revision seeks to alter the roofing material on the extensions, from zinc profile to clay tiles, alter some of the materials on the elevations, by adding some timber clad elevations, add an additional roof light on the front elevation of the side extension and retain two first floor windows on the side elevation of the host dwelling.

### **PLANNING HISTORY**

PL/2025/02934 - Single storey rear and side extensions along with wrap around front porch and altered vehicular access – Approve with conditions

W/06/03215/FUL Erection of a PVCU conservatory to the rear of the property – Approve with conditions

### **RELEVANT LEGISLATION AND GUIDANCE**

Town and Country Planning Act 1990 (as amended):

- Section 96A: This section provides the legal basis for non-material amendments to an existing planning permission. It allows Local Planning Authorities (LPAs) to make changes to a planning permission without the need for a new application, provided that the changes are considered to be "non-material."
- The Act does not define "non-material," and it is at the discretion of the LPA to determine whether a proposed amendment qualifies as such, considering the specific context of the development and its impacts.

### **CONSULTATION**

As an application for a non-material amendment is not a full planning application, the provisions under the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to statutory consultation and publicity do not apply. Consequently, local planning authorities have discretion regarding whether and how to inform interested parties or seek their views.

Given that the changes proposed are by definition non-material, consultation or publicity are typically not required. Additionally, as the proposed amendments are minor in nature, there would be no significant effects that would necessitate consideration under the Environmental Impact Assessment Regulations 2011. In this instance, it has not been considered necessary to consult.

## **ASSESSMENT**

Non-material amendments are changes that do not significantly alter the scheme's overall impact. They can involve minor adjustments to the design or other aspects of the development but should not fundamentally change its character, scale, or overall effect on the surrounding area.

Having regard to the planning context (particularly the original planning permission to which this application relates) and nature of the proposal, the following key matters are considered pertinent to the assessment of the proposal and are addressed in turn:

- Design and Visual Impact
- Neighbouring / Nearby Residential Amenity Effects

### Design and Visual Impact

The amendment proposes changing the roof materials for the extensions from the previously approved zinc roof to clay plain tiles to match the roof tiles of the host dwelling, a rooflight would also be inserted on the front elevation of the side extension.

The northwest elevation and southwest elevation of the extensions would be clad in timber cladding deviating from the previously approved stone; however, the front elevation of the side extension would remain as stone.

The two first floor windows on the original dwelling, on the northwest elevation would be retained, whereas previously they were to be removed.

Officers are satisfied that the revisions would not be materially impactful compared to the previously approved scheme. The proposal would not appear out of character within the immediate setting, and officers support the use of natural sustainable materials within this village setting.

In this context, the design revision is regarded as being so minor in nature that it would not result in a significant alteration to the previously approved design and officers support the revised scheme.

### Residential Amenity

The minor alterations would not alter the neighbouring amenity impacts, as previously appraised. The addition of a roof light within the front elevation would not raise any overlooking or other neighbouring effect concern.

The retention of the existing side elevation windows at first floor on the host dwelling also raise no objections, and the existing separation distances to neighbouring occupiers would not be altered and as such, no adverse overlooking impacts would occur.

Given the nature of the proposal no objections are raised in relation to any potential adverse overbearing or overshadowing impacts., its impact on the residential amenity of users of the site and neighbouring properties would remain unchanged.

## **CONCLUSION**

Having regard to the above, the proposed changes are considered to be so minor that they are non-material in nature and will not substantially deviate from the previously consented scheme. Consequently, it is recommended that the non-material amendment application be granted.

## **RECOMMENDATION:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan - Received 24.03.2025

Existing Elevations - Received 24.03.2025

Existing Site Plan - Received 24.03.2025

Existing Ground Floor Plan - Received 24.03.2025

Existing Roof Plan - Received 24.03.2025

Updated Parking Plan with Retaining Wall - Received 30.05.2025

Proposed Site Plan Revision A - Received 11.06.2025

Proposed Roof Plan Revision A - Received 11.06.2025

Proposed Ground Floor Plan Revision A - Received 11.06.2025

Existing and Proposed Elevations Revision A - Received 11.06.2025

Proposed Elevations Revision D - Received 25.02.2026

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