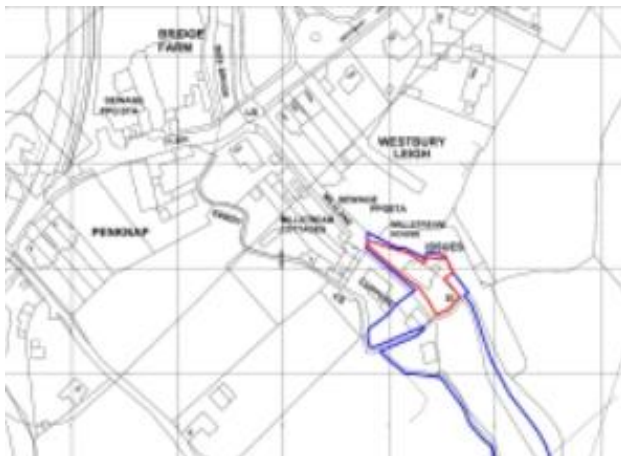


APPLICATION FOR A NON-MATERIAL AMENDMENT CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04142
APPLICATION TYPE:	NON-MATERIAL AMENDMENT
SITE ADDRESS:	Millstream House, Mill Lane, Westbury, BA13 3ST
DEVELOPMENT DESCRIPTION:	Non material amendment on PL/2026/01824 for a proposed slight extension and realignment of the footprint so it follows the angle of the existing foundation from the previous conservatory rather than continuing straight
RECOMMENDATION:	That the non-material amendment be GRANTED

SITE DESCRIPTION

The subject property is a detached, two-storey dwelling located in Westbury Leigh.



Location Plan and Google Earth Site Photo

The mill stream is still visible behind the cottage, and links back to the watercourse Biss Brook within the village, and so the site has increased risk of ground water flooding.

Mill Lane itself, terminates before the property, continuing across meadows as a right of way.

The property is considered a non-designated heritage asset (NDHA) given its historic form and character, and inclusion in the 1st epoch mapping, with 2nd epoch mapping showing the site listed as a corn mill within a larger complex.

The site is within the grey zone of the TBMS and within the Bath and Bradford on Avon bats Special Area for Conservation (SAC).

PROPOSAL

The proposal is for a further increase of side and front projection of the approved side extension (4.7m x 4.6m proposed, 4.2m x 3.9m approved). This corresponds to an extension

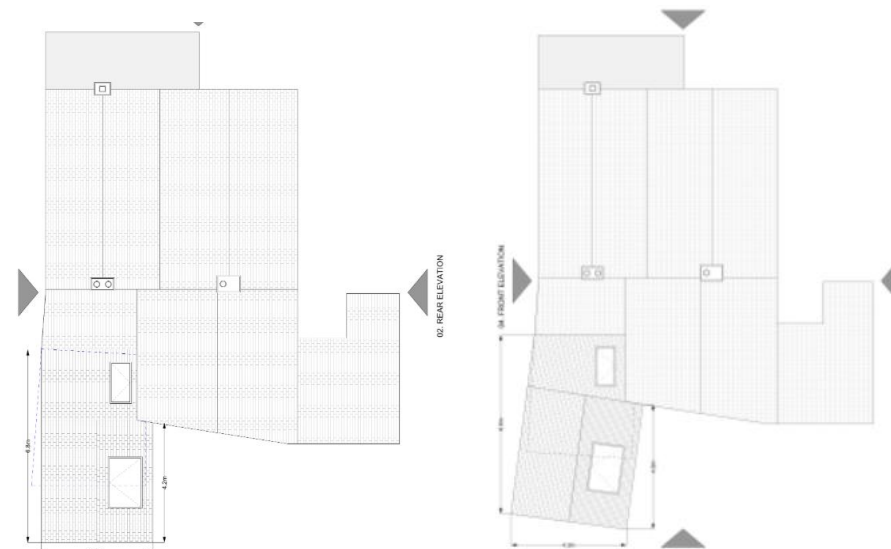
and also realignment of the single storey existing extension, mirroring the existing splay and angle of foundations.

The materials, height and overall design of the proposal would be unchanged.

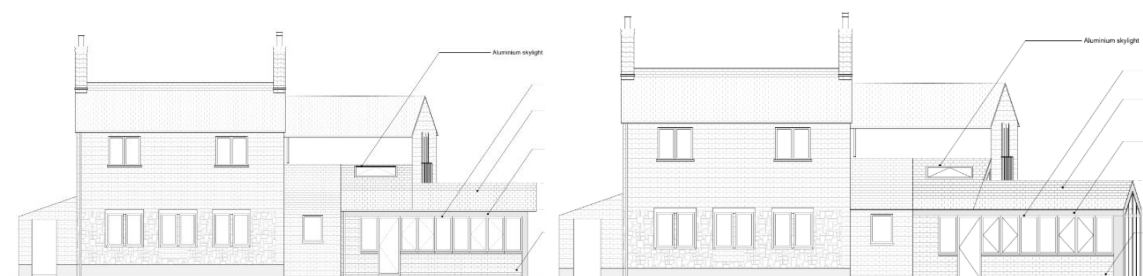
All as per plans and elevations below:



Approved and Proposed Ground Floor Plans



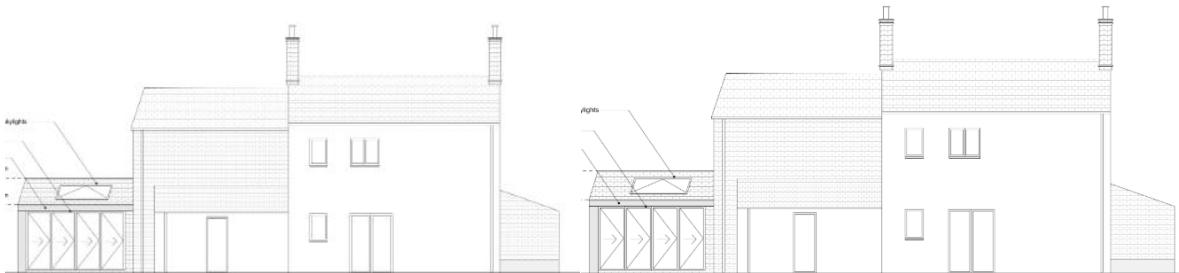
Approved and Proposed Roof Plans



Approved and Proposed Front Elevation



Approved and Proposed Side Extension



Approved and Proposed Rear Elevation

PLANNING HISTORY

Application PL/2026/01824, was approved on 12/05/2026 for an extension to a single storey garden room. Proposed materials included an oak frame, on a reclaimed brick plinth to the front only, to match the host dwelling, concrete roof tiles to match, aluminium rooflights and doors to the rear, oak windows/doors to the front and side elevations. The proposal included rebuilding the front wall of the living space, which is currently flared, to a straight wall.

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 are generally 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 a previously approved 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 effects.

The proposed works represent a modest increase to the side extension (0.5m increased side projection, 0.7m front projection to realign the extension with the existing foundations), which would not result in having a material effect on any other party. The essential character and form of the extension would be very similar, and the NMA submission approach is considered appropriate in this case.

The retention of the splayed front wall of the side extension is a welcome addition and would preserve the historic feature, and existing foundations which raise no concerns regarding massing, overbearing or privacy.

With no immediate neighbours, and no additional wall openings there are no concerns regarding neighbouring amenity.

The proposed changes would not alter the development's overall appearance or character, retaining materiality and design, is proportionate to the original permission, with no negative impact to neighbouring amenity, maintaining the integrity of the previously approved scheme.

CONCLUSION

In conclusion, based on the assessment, it is recommended that the non-material amendment application be granted.

SUMMARY OF REASONS FOR RECOMMENDATION:

The proposed changes are considered to be minor and non-material in nature for the following reasons:

SUMMARY OF REASONS FOR RECOMMENDATION:

The proposed changes are considered to be minor and non-material in nature for the following reasons:

- No negative impact on external appearance or neighbouring amenity.
- Maintains the integrity of the previously approved scheme, in character, scale and materiality.