

APPLICATION FOR A NON-MATERIAL AMENDMENT CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04394
APPLICATION TYPE:	NON-MATERIAL AMENDMENT
SITE ADDRESS:	Pauls Dene House, 213 Castle Road, Salisbury, SP1 3RY
DEVELOPMENT DESCRIPTION:	Non-Material Amendment (Amend wording of Condition No.5 (plans list condition) to reduce the number of referenced Plans/Documents) relating to application PL/2024/02541.
RECOMMENDATION:	That the non-material amendment be GRANTED

PROPOSAL

The proposal is to amend the plans and details list in Condition 5 of outline approval granted under PL/2024/02541 (with all matters except access reserved) for nine dwellings and associated works.

PLANNING HISTORY

PL/2024/02541 Outline planning application (with all matters except access reserved) for nine dwellings and associated works. Approved subject to conditions on 15 Jan 2025

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 "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 but a careful assessment of the details to be removed has been undertaken below.

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.

The outline application sought consent for the principle of development and the means of access only, with all other matters reserved for future consideration. The scheme is therefore potentially subject to significant change at the reserved matters stage. Certain plans and documents listed in Condition 5 were not of direct relevance to the approval of the principle of the development and the detailed matter of access. It is therefore reasonable to remove reference to those plans and documents that are not pertinent to those considerations, including those plans that reflected the potential layout and landscaping of the site and which were intended to serve for illustrative purposes only and would be subject to change at the Reserved Matters stage.

Condition 5 lists plans and documents that were not required for the LPA to include on the decision notice, as the outline application sought approval for the means of access only. The LPA agrees with the applicant that it was not required to approve the development against a number of the plans and documents that have been referenced in the condition. A detailed breakdown of the documents listed and reasons why they can be omitted follows:

5. The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule:

Site Location Plan and Existing Site Plan ref 427-02-001 Rev A dated Dec 2023 received 12/6/24 - retained with received date corrected

~~*Site Location Plan and Proposed Site Plan ref 427-02-003 Rev B dated Dec 2023 received 4/12/24 - agree to omit – the proposed site access is identical to that shown on 427-02-001 Rev A retained above*~~

~~*Proposed Site Plan ref 427-02-004 Rev B dated Feb 2024 received 4/12/24 - agree to omit – the proposed site access is identical to that shown on 427-02-001 Rev A to be retained. Site plan and layout may significantly change at RM stage*~~

~~*Proposed Landscape Plan ref 427-02-003 Rev A dated Feb 2024 received 4/12/24 – agree to omit, as was not a reserved matter and can be dealt with at RM stage.*~~

~~*Design and Access Statement ref 0437-02-001 dated Feb 2023 received 12/6/2024 - agree to omit, as a D&A Statement is background information and may be subject to change at RM stage.*~~

Transport Statement dated Feb 2024 received 12/6/2024 - retained

Planning Statement ref R19-018 received 12/6/2024 - retained

~~*Arboricultural Impact Assessment re 2219 dated 28/2/24 - agree to omit, as this document must be updated to reflect final layout at RM stage.*~~

~~Preliminary Tree Protection Plan ref 2219-01 dated Feb 2024 (copied in AIA)~~ agree to omit, as this document must be updated to reflect final layout at RM stage.

Ecological Assessment dated March 2024 - retained

~~Response to Ecology comments dated 18/9/24~~ agree to omit as this is background information

~~Response to Highway comments dated 15/4/24~~ agree to omit as this is background information

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 minor and non-material in nature for the following reasons:

The outline application sought consent for the principle of development and the means of access only, with all other matters reserved for future consideration. The scheme is therefore potentially subject to significant change at the reserved matters stage. Certain plans and documents listed in Condition 5 were not of direct relevance to the approval of the principle of the development and the detailed matter of the access. It is therefore reasonable to remove reference to those plans and documents that are not pertinent to those considerations, including those plans that reflected the potential layout and landscaping of the site and which were intended to serve for illustrative purposes only and could be subject to change at the Reserved Matters stage.

The changes are therefore considered to be non material.

Recommendation: APPROVE

Subject to the following amendment to Condition 5 of PL/2024/02541 to amend the approved plans list:

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

Site Location Plan and Existing Site Plan ref 427-02-001 Rev A dated Dec 2023
received 12/6/24

Transport Statement dated Feb 2024 received 12/6/2024

Planning Statement ref R19-018 received 12/6/2024

Ecological Assessment dated March 2024

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

Please attach this letter to your Decision Notice.