HUNTINGDONSHIRE DISTRICT COUNCIL

24/02244/NMA

OFFICER REPORT

Case No: **24/02244/NMA** **Non Material Amendment**

Proposal: **Non-material amendment to 21/02494/FUL to revise the approved drawings**

Location: **North East Of 157 Duck Lane St Neots**

Applicant: **Mr Kyle Crush**

Grid Ref: **518971 259711**

DESCRIPTION OF SITE AND APPLICATION

This application relates to a non-material amendment to approved drawings for planning permission 21/02494/FUL for the "Demolition of 6 garages and construction of two 3 bed dwellings with associated external works" on Land northeast of 157 Duck Lane, St Neots.

This application seeks permission to make an amendment to the plans approved under planning permission 21/02494/FUL for changes to the rear boundary treatments.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

RELEVANT PLANNING HISTORY

21/02494/FUL - Demolition of 6 garages and construction of two 3 bed dwellings with associated external works - Permission - 13.12.2022
23/02229/NMA - Non material amendment of 21/02494/FUL to revise elevation drawing CH-903-P9-01 Rev D to add PV - Consent - 07.12.2023
23/80473/COND - Discharge of Conditions 6 (Cycle Storage), 9 parts C and D (Contamination Verification/Remediation) and 17 (Surface Water Drainage Maintenance) for 21/02494/FUL - Approved - 21.11.2024

CONSULTATIONS

None

REPRESENTATIONS

None

SUMMARY OF ISSUES

Section 96A of the Town and Country Planning Act allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material.

The main issue for consideration is whether the proposed amendment can be treated as 'non-material'.

This power includes the power to impose new conditions and to remove or alter existing conditions. These provisions have been introduced by the Government to provide a quick, formal method of dealing with small changes to approved schemes to give greater flexibility within the planning system. Government guidance on non-material amendments is set out in the Planning Practice Guide; this advises that there is no statutory definition of 'non-material' because it will be dependent on the context of the overall scheme.

In this instance, Officers are unable to consider if the proposed amendment is non-material on the grounds that the change in the boundary treatments will result in a materially different built form to the public facing development.

Therefore, the application goes beyond the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended).

Therefore, it is considered that the proposed amendment is not supported as non-material, a separate application to vary the plans and materials is required.

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CONTACT OFFICER:
Enquiries about this report to **Andrea Dollard**