

PLANNING REPORT

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Application reference: 24/1641/NMA ST MARGARETS AND NORTH TWICKENHAM WARD

| Date application received | Date made valid | Target report date | 8 Week date |
|---------------------------|-----------------|--------------------|-------------|
| 28.06.2024 | 28.06.2024 | 26.07.2024 | 26.07.2024 |

Site:

Twickenham Film Studios, The Barons, Twickenham, TW1 2AW

Proposal:

Non material amendment to planning permission 21/0094/FUL to alter the description of development to the following:

Phased development including erection of a new four-storey block (Block A), comprising a ground floor cafe (Use Class E(b)) with the upper floors in office use (Use Class E(g)(i)) at the front corner of St Margarets Road and The Barons, together with the partial demolition of Block C and the construction of a single storey extension, the construction of an additional storey and external stair access to Block E, the construction of an additional storey above Block H and the refurbishment and modernisation of all existing blocks within the site along with new signage.

Status: Pending Decision (If status = HOLD please check that all is OK before you proceed any further with this application)

APPLICANT NAME AGENT NAME C/O Agent Mr Mark Batchelor C/O Agent Gainsborough House C/O Agent 59-60 Thames Street C/O Agent Windsor SL4 1TX C/O Agent C/O Agent United Kingdom SL4 1TX C/O Agent

DC Site Notice: printed on and posted on and due to expire on

Consultations: Internal/External:

Consultee Expiry Date

Neighbours:

-

History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: GTD Application:01/T0201

Date:05/03/2001 Lime - Remove Lower Trunk Growth To First Lateral Branch. Crown Thin By

30 . Crown Thin.

Development Management

Status: GTD Application:01/T0199

Date:05/03/2001 * Please Note That This Specification Was Altered In Consultation With Your

Client * (1) Horse Chestnut - Western Tree - Crown Reduce By 25 (2) Horse Chestnut - Middle Tree - Remove (3) Horse Chestnut - Eastern-most

Tree - Crown Reduce By

Development Management

| Status: GTD Date:05/03/2001 | Application:01/T0200 |
|--|--|
| Development Management | Row Of Leyland Cypress - Reduce By Approximately 50 |
| Status: WDN | Application:90/0435/DD01 |
| Date:30/01/1991 | Details Pursuant To Condition (b) (staircase) Of Planning Permission |
| | 90/0435 Dated 21/5/90. |
| Development Management | Application: 00/0425/51 II |
| Status: GTD Date:21/05/1990 | Application:90/0435/FUL Two Storey Front Extension To Restaurant. |
| Development Management | Two otorey From Extension to restaurant. |
| Status: GTD | Application:91/0499/FUL |
| Date:09/05/1991 | Part Ground,part Two Storey Rear Extension |
| Development Management | A 1' 1' 00 /000 F /FI II |
| Status: GTD Date:28/05/1993 | Application:93/0085/FUL Erection Of An Additional Floor To Existing 3 Storey Office Block To Provide |
| Date:20/03/1993 | 2 No Additional Offices. |
| Development Management | |
| Status: REF | Application:94/T3684/PO |
| Date:06/02/1995 | Fell Chestnut T3 |
| <u>Development Management</u> Status: GTD | Application OF /4 42 4 /FLIII |
| Date:30/06/1995 | Application:95/1424/FUL Complete Refurbishment Of Existing Dressing Rooms And Ancillary |
| Date:00/00/1000 | Accomodation To Sound Stage 1 Including New External Walls And Raising |
| | And Fitting New Roof And New Bridge Link |
| Development Management | A II I 20/0/20 |
| Status: PNR Date:06/10/1998 | Application:98/2166 Pole Antennae Fixed To Existing Structure And Equipment Housing. |
| Development Management | Fole Aftermate Fixed To Existing Structure And Equipment Housing. |
| Status: GTD | Application:77/0439 |
| Date:30/08/1977 | The erection of a single storey building comprising ten cutting rooms, |
| | involving the demolition of existing temporary buildings together with the |
| De element Management | formation of car parking area. |
| <u>Development Management</u> Status: GTD | Application:77/1160/DD01 |
| | |
| Date:10/01/1979 | Erection of a two storey building for use as cutting rooms and offices, |
| Date:10/01/1979 | Erection of a two storey building for use as cutting rooms and offices, including the provision of two external fire escape staircases. (Detailed |
| Date:10/01/1979 | including the provision of two external fire escape staircases. (Detailed drawings tree planting and landscaping). Condition No. 42 of planning |
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| Development Management | including the provision of two external fire escape staircases. (Detailed drawings tree planting and landscaping). Condition No. 42 of planning permission 77/1160 dated 15/3/78. |
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| Development Management Status: GTD | including the provision of two external fire escape staircases. (Detailed drawings tree planting and landscaping). Condition No. 42 of planning permission 77/1160 dated 15/3/78. |
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| | horizontal position. (Additional drawing M205/1 received 24/3/83). |
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| Development Management | |
| Status: GTD | Application:83/0559 |
| Date:12/07/1983 | Provision of 15 parking spaces at the side of an estate road and the |
| | provision of five additional spaces within the site all for use in conjunction |
| Development Monogoment | with new two-storey office building approved under Ref: 80/0601. |
| <u>Development Management</u> Status: GTD | Application: 94/0651 |
| Date:21/08/1984 | Application:84/0651 The demolition of the existing warehouse building and the erection of a new |
| Date:21/00/1904 | building containing new sound studios and cutting rooms and 31 parking |
| | spaces. (Revised drawing GJ1/P8 rev.1 received 11.7.84). |
| Development Management | , |
| Status: GTD | Application:84/1187/DD01 |
| Date:21/06/1985 | The demolition of the existing warehouse building and the erection of a new |
| | building containing new sound studios and cutting rooms, and 31 parking |
| | spaces. (Detailed Drawings - Materials). Condition No. 3 of planning |
| | permission 84/1187 dated 17.12.84. |
| <u>Development Management</u> | Anni lination 10 4 / 4 4 0 7 |
| Status: GTD Date:17/12/1984 | Application:84/1187 The demolition of the existing warehouse building and the erection of a new |
| Date. 17/12/1964 | The demolition of the existing warehouse building and the erection of a new building containing new sound studios and cutting rooms, and 31 parking |
| | spaces. |
| Development Management | opacco. |
| Status: GTD | Application:85/0256 |
| Date:10/05/1985 | Resiting of cold water storage tank onto roof of Richmond House. |
| Development Management | |
| Status: GTD | Application:85/0923 |
| Date:18/09/1985 | Erection of part three storey part four storey building comprising car parking, |
| | cutting rooms, dubbing and post-syne theatres and offices. (Plan Nos. |
| - | GJ1/BR2 Rev.2 amended on 2nd August 1985). |
| <u>Development Management</u> Status: GTD | Application: 00/0000 |
| Date:27/06/1986 | Application:86/0806 Erection of gate, screen wall and security gate house. |
| Development Management | Erection of gate, screen wall and security gate nouse. |
| Status: GTD | Application:47/2743 |
| Date:21/11/1951 | The use of the existing premises for light engineering work involving the |
| | manufacture of radar equipment. |
| Development Management | |
| Status: GTD | Application:47/3576 |
| Date:24/10/1952 | Erection of a nissen hut. |
| Development Management | Annalis ation (47/0004 |
| Status: GTD Date:20/11/1952 | Application:47/3664 Erection of a nissen hut. |
| Development Management | Erection of a hissen flut. |
| Status: GTD | Application:47/5168 |
| Date:27/07/1954 | Retention of nissen hut for use as canteen. |
| Development Management | |
| Status: GTD | Application:47/5309 |
| Date:04/10/1954 | The erection of a temporary building. |
| Development Management | |
| Status: GTD | Application:47/5338 |
| Date:04/10/1954 | Erection of brick building for administration purposes. |
| Development Management | Ann lineting 47/0454 |
| Status: GTD Date:22/06/1955 | Application:47/6151 The erection of dressing room block. |
| Development Management | The election of diessing footh block. |
| Status: GTD | Application:47/6394 |
| Date:25/08/1955 | The erection of boiler house. |
| Development Management | |
| Status: GTD | Application:47/8041 |
| Date:11/06/1957 | The use of two Nissen huts for light engineering purposes and the use of the |
| | office block for clerical purposes. |
| Development Management | |
| | |

| Chahuai CTD | Application: 47/0000 |
|--|--|
| Status: GTD Date:30/01/1958 | Application:47/8883 Erection of a new sound departmental building. |
| Development Management | Election of a new sound departmental building. |
| Status: GTD | Application:59/0195 |
| Date:28/05/1959 | Erection of new stage, viewing and dubbing theatre, and property store. |
| Development Management | 2. Collection of them enager, therming and dabbing theather, and property elected |
| Status: GTD | Application:59/0195/DD01 |
| Date:30/10/1959 | Erection of new stage, viewing and dubbing theatre, and property store. |
| | Condition No. (a) of planning permission 0195/59 dated 28th May, 1959. |
| Development Management | |
| Status: GTD | Application:59/1018 |
| Date:30/11/1959 | Erection of re-recording and music scoring theatre and ancillary block. |
| Development Management | |
| Status: GTD | Application:65/0015 |
| Date:19/02/1965 | Addition to existing building for cutting room facilities. |
| Development Management | A 1' 1' 07/4000 |
| Status: GTD | Application:67/1226 |
| Date:21/08/1967 | Erection of temporary workshops and offices. |
| Development Management | A = = 1 = = 4 = = = C7/4000/DD04 |
| Status: GTD | Application:67/1226/DD01 |
| Date:20/10/1967 | Erection of temporary workshop and offices. Condition No. (a) of planning |
| Davidonment Management | permission 67/1226 dated 21st August, 1967. |
| <u>Development Management</u> Status: GTD | Application:67/1227 |
| Date:03/01/1968 | Demolition of existing workshop and erection of two-storey workshop, four- |
| Date:03/01/1900 | storey block of offices and provision of 66 car parking spaces. |
| Development Management | storey blook or offices and provision or oo car parking spaces. |
| Status: GTD | Application:72/3440 |
| Date:22/11/1973 | Demolition of existing buildings and erection of three-storey block of offices |
| Date:22/11/10/0 | over semi-basement car park; provision of 22 parking spaces. |
| Development Management | over comm bacoment can pain, providen of 22 paining spaces. |
| Status: GTD | Application:47/0604 |
| Date:14/04/1949 | The erection of Nissen huts as temporary workshops and stores and the |
| 20.011.70.710.10 | provision of a temporary covered way. |
| Development Management | |
| Status: GTD | Application:11/T0175/TPO |
| Date:16/05/2011 | T1 -T2 - Horsechestnut - crown reduce by 30% and 15% thin and prune |
| | back chestnut overhanging street lamp |
| Development Management | |
| Status: GTD | Application:14/0735/FUL |
| Date:09/07/2014 | Erection of extensions at third floor level (following removal of zinc screened |
| | tank room) and elevational changes (front, side and rear) to the |
| | administration building; second floor extension to Stage 2 and 3 building. |
| Development Management | |
| Status: GTD | Application:14/0736/ADV |
| Date:22/09/2014 | Proposed non-illuminated 'Twickenham Studios' signage to end flank wall of |
| | 116 St Margarets Road; large scale painted numbering to three stage (1, 2 |
| · | and 3) buildings. |
| Development Management | A . II . I . I . I . I . I . I . I . I . |
| Status: REF | Application:14/T0839/TPO |
| Date:21/01/2015 | T1 - Horse Chestnut, Aesculus hippocastanum, Remove to low stump and |
| | poison, this is due to damage to built structures around the tree, cracks in |
| | walls and proximity to the substation. The tree is also causing a deficit in |
| | safe passage width for emergency purposes between the building and the |
| | soil bed. T2 - Horse Chestnut, Remove to a low stump and poison, tree is causing cracking and has outgrown its reasonable limit for its location and |
| | has caused significant changes in subsoil level nearby. heavy cracking has |
| | been repaired in the nearest building with cracks over 1cm wide opening up. |
| | Both trees will be re-planted with Cersis siliquastrum or Davidia involucrata |
| Development Management | Don't 1909 Will be to planted with Octob Singulation of Davidia involuciata |
| Status: GTD | Application:14/0735/DD03 |
| Date:05/02/2015 | Details pursuant to condition BD12 - Details - Materials to be approved of |
| _ 3.0.00, 02,2010 | planning permission 14/0735/FUL. |
| Development Management | 1 01: |

Status: GTD Application:14/0735/DD02 Date:05/02/2015 Details pursuant to condition U73027 - Details of Screen of planning permission 14/0735/FUL. **Development Management** Status: GTD Application:14/0735/DD01 Date:05/02/2015 Details pursuant to condition U73029 - Details of Doors and Windows of planning permission 14/0735/FUL. **Development Management** Status: GTD Application:14/0735/DD04 Date:06/03/2015 Details pursuant to condition U73028 - Further Plan of planning permission 14/0735/FUL dated 9 July 2014. **Development Management** Application:15/1512/VRC Status: GTD Date:09/07/2015 Variation of condition U73026 (DV48 Approved Drawings) of planning permission 14/0735/FUL dated 9 July 2014 to allow enlargement of lift over run, replacement of existing zinc coping to aluminium coping to the existing castle effect parapet to front, side and rear elevations and insertion of a door to southwestern (side) elevation to allow service access to members bar terrace area. **Development Management** Status: GTD Application: 15/1520/FUL Installation of awning above third floor windows/doors on south eastern Date: 17/06/2015 elevation (The Barons frontage) and the installation of cable balustrade between castle effect parapet to third floor of the Admin building. **Development Management** Status: WNA Application:16/2623/FUL Date: 19/12/2017 Proposal for the installation of white UPVC windows to two elevations of the Mill building. **Development Management** Status: REF Application:20/T0955/TPO Date: 18/02/2021 T1 and T2 - Horse Chestnuts - Reduce back to previous points of reduction, roughly 1.5 to 2m to be removed from each branch extent to control height and spread. Pressure on the path to the rear of one of the studios is once again at a troubling stage. The crown is to be reduced from 8m x 5m down to 7m x 3.5m **Development Management** Status: GTD Application:21/0094/FUL Date:14/01/2022 Erection of a new four-storey block (Block A), comprising of a ground-floor café (Use class E(b)), with the upper floor in office use (Class E(g)(i) at the front corner of St Margarets Road and The Barons, together with the partial demolition of Block C and the construction of a single storey extension, the construction of an additional storey and external stair access to Block E, the construction of an additional storey above Block H and the refurbishment and modernisation of all existing blocks within the site along with new signage **Development Management** Status: WNA Application:21/0095/ADV Date:17/10/2023 Installation of internally illuminated fascia sign on block A **Development Management** Status: GTD Application:21/4385/FUL Date:11/03/2022 Elevational changes to Block E. Alterations to windows/doors, replacement external stair and rooflight. **Development Management** Status: PDE Application:24/1641/NMA Date: Non material amendment to planning permission 21/0094/FUL to alter the description of development to the following: Phased development including erection of a new four-storey block (Block A), comprising a ground floor cafe (Use Class E(b)) with the upper floors in office use (Use Class E(g)(i)) at the front corner of St Margarets Road and The Barons, together with the partial demolition of Block C and the construction of a single storey extension, the construction of an additional storey and external stair access to Block E, the construction of an additional storey above Block H and the refurbishment and modernisation of all existing blocks within the site along with new signage.

| Development Management Status: PCO Date: | Application:24/1642/VRC Variation of planning approval 21/0094/FUL - Condition Number(s): U0117515 (approved plans), U0117516 (Construction Method Statement), U0117517 (Ecological Construction Management Plan), U0117518 (Arboricultural Method Statement) and U0117520 (Sustainable Drainage Strategy). Conditions(s) Removal: To facilitate the phased delivery of the approved development. Please refer to the covering letter. |
|--|--|
| Building Control Deposit Date: 15.09.1995 Reference: 95/1152/FP | Alterations and extension to dressing rooms on sound stage 1 |
| Building Control Deposit Date: 27.11.1995 Reference: 95/1462/FP | Refurbishment of main reception |
| Building Control Deposit Date: 05.10.2005 Reference: 05/2065/IN | Internal alterations to form open plan and cellular rooms on first floor and form link bridge at first floor between two buildings |
| Building Control Deposit Date: 03.12.2012 Reference: 12/2226/IN | Refurbishment of office accommodation, ground first and second floors |
| Building Control Deposit Date: 24.07.2014 Reference: 14/1717/IN | Complete refurbishment of admin block including formation of terrace and private members club at 3rd floor level, new WC facilities and lift overhaul, refurbishment of Mill mezzanine and Mill dock area, replace Fulcon Vaults with new two storey timber frame building, formation of theatre school area within theatre 2, new communication room and engineering studio including general refurbishment of theatre |
| Building Control Deposit Date: 07.02.2018 Reference: 18/FEN00761/GAS | Install a gas-fired boiler SAFE |
| Building Control Deposit Date: 26.11.2021 Reference: 21/1949/IN | Internal alterations, refurbishment and material alteration to form co-working space, cafe/bar and cinema plus facade alterations, internal refurbishment and external stair and the rebuilding of the attached storage building |
| Enforcement Opened Date: 19.08.2005 Reference: 05/0418/EN/UBW | Enforcement Enquiry |
| Enforcement Opened Date: 26.11.2013 Reference: 13/0607/EN/UCU | Enforcement Enquiry |
| Enforcement Opened Date: 19.12.2017 Reference: 17/0678/EN/UBW | Enforcement Enquiry |

| Application Number | 24/1641/NMA |
|---------------------------|--|
| Address | Twickenham Film Studios |
| | The Barons |
| | Twickenham |
| | TW1 2AW |
| Proposal | Non material amendment to planning permission ref: 21/0094/FUL |
| | dated 14.01.2022 to alter the description of development to the |
| | following: |
| | Phased development including erection of a new four-storey block |
| | (Block A), comprising a ground floor cafe (Use Class E(b)) with |
| | the upper floors in office use (Use Class E(g)(i)) at the front corner |
| | of St Margarets Road and The Barons, together with the partial |
| | demolition of Block C and the construction of a single storey |
| | extension, the construction of an additional storey and external |
| | stair access to Block E, the construction of an additional storey |
| | above Block H and the refurbishment and modernisation of all |
| | existing blocks within the site along with new signage. |
| Contact Officer | Alice Murphy |
| Target Determination Date | 26/07/2024 |

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

Twickenham Film Studios (TFS) is located to the east of The Barons and is bounded by St Margaret's Road to the south and the overland railway line, connecting Richmond with Waterloo in central London to the east. The site is located in both St Margaret's and North Twickenham wards.

Twickenham Studios comprises of a number of buildings (labelled and referred to as Blocks A-H), with the most prominent buildings fronting the Barons. The Studios have operated from the site since 1913 and caters for both film production and post-production. The Studios have several stages that are sound-proofed.

The corner of St Margaret's and The Baron is the only part of the TFS site, which falls into Conservation Area 49 (Crown Road St Margaret's). The Conservation Area consists of late 19th century residential infill built in the aftermath of the railway and in terms of character, the adjacent designated secondary shopping frontage, railway station and other buildings form a relatively unified frontage in terms of architectural style and materials. The buildings date from the late 1880s and include a number of original shopfronts, and good quality detail such as terracotta panels. The Tavern public house opposite creates a major landmark and the area has a distinct physical identity, designed in a Stucco Italianate style.

The application site is situated within Character Area 4 of the St Margarets Village planning guidance and is designated as:

- Article 4 Direction restricting basement development
- Article 4 Direction restricting Class E to C3
- Area of Mixed Use St Margarets
- Area Susceptible To Groundwater Flood Environment Agency
- Conservation Area CA39 Crown Road St Margarets
- Critical Drainage Area Environment Agency
- Increased Potential Elevated Groundwater GLA Drain
- Industrial Land / Business Park Twickenham Film Studios
- Land Use Past Industrial Car and Coach Repairs (1987-2004)
- Land Use Past Industrial Ironmongers (1948-1950)
- Network Rail Safeguarding Zone
- Protected View Petersham Park to Twickenham
- Protected View (Indicative View) View 4 from near Ham House to Orleans House
- Protected View (Indicative View) View to Marble House (north)
- Secondary Street Frontage
- Surface Water Flooding (Area Susceptible to) Environment Agency
- Throughflow Catchment Area (Throughflow and Groundwater Policy Zone)
- TPO Reference T0130 T1, T2, T3 Horse Chestnuts.

3. DESCRIPTION OF THE PROPOSED AMENDMENTS AND ANY RELEVANT PLANNING HISTORY

Planning permission 21/0094/FUL was granted on 14th January 2022 and approved the following development –

"Erection of a new four-storey block (Block A), comprising of a ground-floor café (Use class E(b)), with the upper floor in office use (Class E(g)(i) at the front corner of St Margarets Road and The Barons, together with the partial demolition of Block C and the construction of a single storey extension, the construction of an additional storey and external stair access to Block E, the construction of an additional storey above Block H and the refurbishment and modernisation of all existing blocks within the site along with new signage."

The application seeks approval for a non-material amendment to the description of development to allow for the development to be phased. Specifically the wording '*Phased development including*...' will be added to the beginning of the description of development. The proposed will also involve the addition of a phasing condition.

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

- **14/0735/FUL** Erection of extensions at third floor level (following removal of zinc screened tank room) and elevational changes (front, side and rear) to the administration building; second floor extension to Stage 2 and 3 building. **Granted.**
- 21/0094/FUL Erection of a new four-storey block (Block A), comprising of a ground-floor café (Use class E(b)), with the upper floor in office use (Class E(g)(i) at the front corner of St Margarets Road and The Barons, together with the partial demolition of Block C and the construction of a single storey extension, the construction of an additional storey and external stair access to Block E, the construction of an additional storey above Block H and the refurbishment and modernisation of all existing blocks within the site along with new signage. Granted.
- **21/4385/FUL** Elevational changes to Block E. Alterations to windows/doors, replacement external stair and rooflight. **Granted.**
- 24/1642/VRC Variation of planning approval 21/0094/FUL Condition Number(s): U0117515 (approved plans), U0117516 (Construction Method Statement), U0117517 (Ecological Construction Management Plan), U0117518 (Arboricultural Method Statement) and U0117520 (Sustainable Drainage Strategy). To facilitate the phased delivery of the approved development. Pending consideration.

4. CONSULTATIONS CARRIED OUT

An application to make a non-material change under s.96A is not an application for planning permission, so the existing Town and Country Planning (Development Management Procedure) Order 2015 provisions relating to statutory consultation and publicity do not apply. Local planning authorities have discretion in determining whether and how they choose to inform other interested parties or seek their views.

Neighbours were not consulted on the amendment application.

5. TOWN AND COUNTRY PLANNING ACT 1990

The application seeks approval under s.96A(4) of the Act for non-material changes to planning permission. Section 96A(1) states: "A local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material."

Section 96A(2) states: "In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

S96A was introduced by the Parliament to allow for a degree of flexibility to be introduced into the planning system. Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.

Although what defines a non-material amendment is to the discretion of the local authority concerned and lacking in legal definition, the following key tests could be applied in assessing the acceptability of a change

to an approved scheme under the non-material amendment procedure:

- Is the proposed change material/significant in terms of its scale (magnitude, degree etc) in relation to the original approval?
- Would the proposed change result in a development that will appear noticeably different to what interested parties may have envisaged or could result in an impact on the amenity of occupiers of adjoining properties?
- Would the interests of any third party or body who participated in or where informed of the original decision be disadvantaged in any way?
- Would the amendments be contrary to any planning policy of the Council?

If none of these tests are positive then it is considered that the change could be dealt with as a non-material amendment.

6. EXPLANATION OF OFFICER RECOMMENDATION

Government guidance within the document 'Greater flexibility for planning permissions' (DCLG 2010) advises that the local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under s.96A of the Town and Country Planning Act 1990. There is no statutory definition of 'non-material'; this will be dependent on the context of the overall scheme. In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with any previous changes on the originally approved development.

Whilst there is no statutory guidance as to what constitutes a non-material amendment, materiality is a matter of judgement and that materiality is to be judged by reference to the overall context including the nature and scale of the permission being altered. Judgement on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original permission however the cumulative effects of any previous amendments would also need to be assessed.

The main considerations to arise from this application are whether the proposed amendments would be considered to be non-material and whether it would require the submission of a new planning application.

There are four key tests that the Local Planning Authority (LPA) will need to be satisfied with in order that a proposal is considered a non-material amendment, these are as follows:

1.Is the proposed change significant in terms of its scale, (magnitude, degree etc.) in relation to the original approval?

The amendment is concerned with the order or phasing of the development and would not materially increase the size of any of the development and results in no change to the development as approved.

2. Would the proposed change result in development that will appear noticeably different to what interested parties may have envisaged or could result in an impact on the amenity of occupiers of adjoining properties?

N/A. The proposal results in no change.

3. Would the interests of any third party or body who participated in or were informed the original decision be disadvantaged in any way?

There is no change to the form of the development.

4. Would the amendments be contrary to any planning policy of the LPA?

The amendment to a phased development would result in a scheme which would continue to comply with adopted policies.

Conclusion

In the context of the above, it is therefore considered that the proposals are acceptable and that the proposed changes to the approved scheme, which should be read in conjunction with the original permission is considered to be non-material and a new planning application would therefore not be required.

The Council is satisfied that the proposed changes to the approved scheme, which should be read in

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conjunction with the original permission would be non-material.

7. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the process and it is considered the current application satisfies Section 96A of the Town and Country Planning Act (1990) as amended.

| Approv | e | |
|----------------|---|--|
| | nendation: mination of this application falls withir | n the scope of Officer delegated powers - YES / NO |
| I therefor | re recommend the following: | |
| 1. 2. 3. | REFUSAL PERMISSION FORWARD TO COMMITTEE | |
| This appl | ication is CIL liable | YES* NO (*If yes, complete CIL tab in Uniform) |
| This appl | ication requires a Legal Agreement | YES* NO (*If yes, complete Development Condition Monitoring in Uniform) |
| (which ar | ication has representations online e not on the file) ication has representations on file | YES NO |
| Case Offi | cer (Initials):AM | Dated:12/07/2024 |
| I agree th | ne recommendation: CTA | |
| Team Lea | ader/Head of Development Managem | ent/Principal Planner |
| Dated: | 12/07/2024 | |
| of Develo | pment Management has considered | tions that are contrary to the officer recommendation. The Head those representations and concluded that the application can g Committee in conjunction with existing delegated authority. |
| Head of [| Development Management: | |
| Dated: | | |
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| CONDIT | TIONS: | |
| INFORM | MATIVES: | |
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The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0092945 NMA Informative U0092947 CIL Liable

U0092946 Composite Informative