

Application reference: 24/2854/NMA EAST SHEEN WARD

Date application received	Date made valid	Target report date	8 Week date
21.01.2025	21.01.2025	18.02.2025	18.02.2025

Site:

7 The Mall, East Sheen, London, SW14 7EN

Proposal:

Erection of a single storey rear extensions to dwellinghouse [Non-material amendment to planning permission 24/2854/HOT to extend the approved rear extension utility room by 730mm.]

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

APPLICANT NAME

Mrs Jacquelyn Hongshen Yu
7 The Mall
East Sheen
London
SW14 7EN

AGENT NAME

Mrs Lerida Cuko
The Bungalow, Elm Road
London
KT17 2EU

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:01/2472
Date:05/06/2002 Erection Of A Two Storey Dwelling House In Grounds Of 9 The Mall.

Development Management

Status: REF Application:03/3803/HOT
Date:10/02/2004 Proposed Loft Extension With Rear Dormer And Velux Rooflights.

Development Management

Status: RNO Application:13/T0682/TCA
Date:14/11/2013 T1- Conifer, to fell and replace with something suitable i.e sorbus.

Development Management

Status: RNO Application:18/T0833/TCA
Date:05/12/2018 T1 - Eucalyptus - Reduce height and crown by approx. 2.5m

Development Management

Status: GTD Application:24/2854/HOT
Date:16/12/2024 Erection of a single storey rear extensions to dwellinghouse

Development Management

Status: PDE Application:24/2854/NMA
Date: Erection of a single storey rear extensions to dwellinghouse [Non-material amendment to planning permission 24/2854/HOT to extend the approved rear extension utility room by 730mm.]

Building Control

Deposit Date: 26.02.2002

New two storey three bedroom detached dwelling. (Built under Land adj. 9)

Reference: 02/0359/FP

Building Control

Deposit Date: 25.11.2021

Install a gas-fired boiler

Reference: 22/FEN00236/GASAFE

Building Control

Deposit Date: 24.12.2024

Reference: 24/1573/IN

Application Number	24/2854/NMA
Address	7 The Mall, East Sheen, London, SW14 7EN
Proposal	Erection of a single storey rear extensions to dwellinghouse [Non-material amendment to planning permission 24/2854/HOT to extend the approved rear extension utility room by 730mm.]
Contact Officer	Kerry McLaughlin

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

The proposal property is a two-storey dwelling, located on the northern side of The Mall.

The application site is subject to the following planning constraints:

Area Susceptible to Groundwater Flood - Environment Agency	Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 1647
Article 4 Direction Basements	Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018
Article 4 Direction Conservation	ART4/CA13.1 - Christ Church Road 4(2) / Ref: ART4/13/1 / Effective from: 23/12/2003
Conservation Area	CA13 Christchurch Road East Sheen
Protected View (Indicative Zone)	View 7 RICHMOND PARK TOWARDS ST PAULS CATHEDRAL
Village	East Sheen Village
Village Character Area	Christ Church Road - Character Area 13 & Conservation Area 13 East Sheen Village Planning Guidance Page 43 CHARAREA05/13/01
Ward	East Sheen Ward

3. RELEVANT PLANNING HISTORY

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

Ref	Proposal	Decision
24/2854/HOT	Erection of a single storey rear extensions to dwellinghouse	Granted Permission

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.

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.

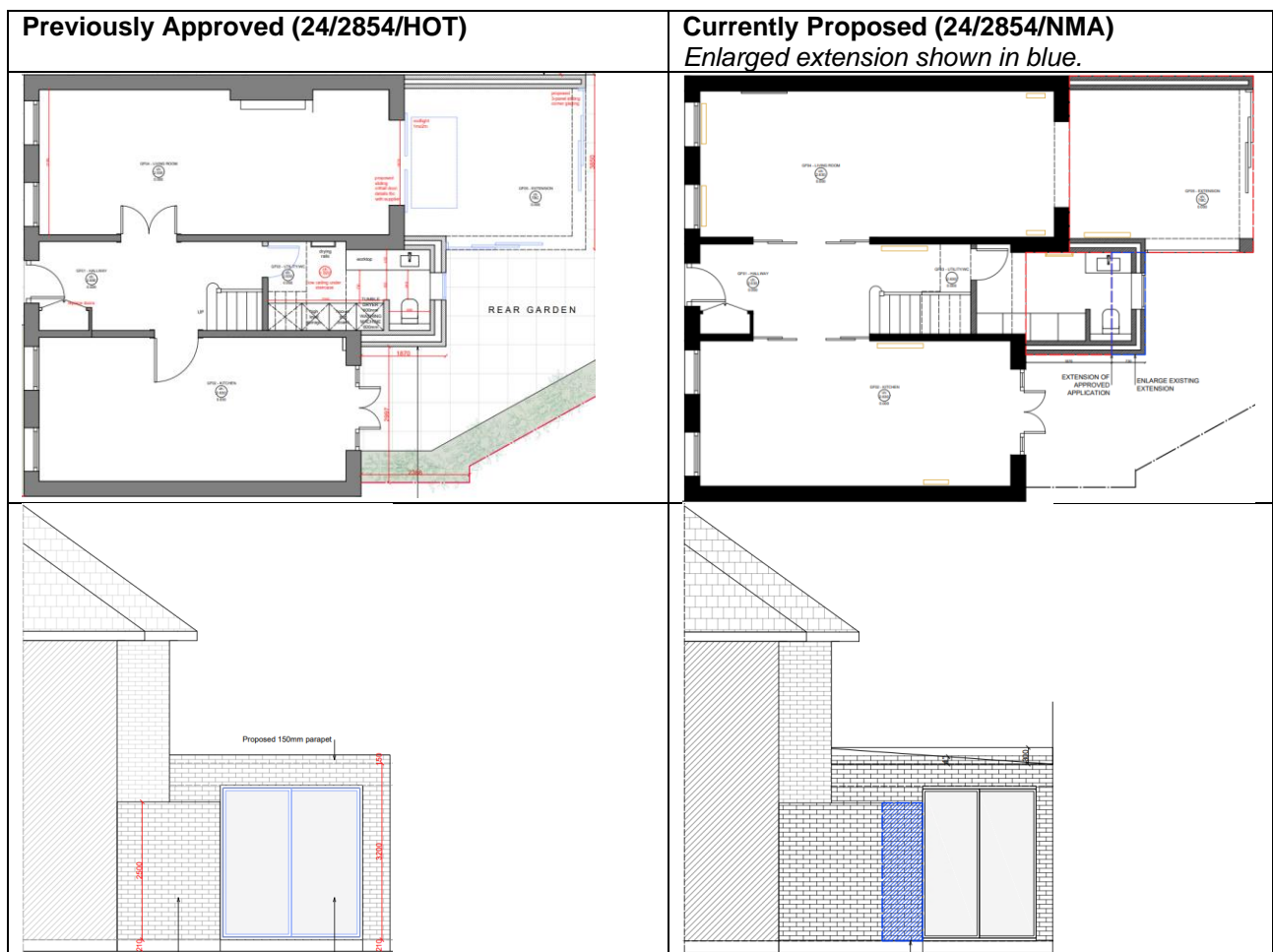
Although what defines a non-material amendment is to the discretion of the local authority concerned and lacking in legal definition, the following key tests could be applied in assessing the acceptability of a change to an approved scheme under the non-material amendment procedure:

- 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

The proposal seeks to extend the approved rear extension utility room by 730mm.





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

The alterations would not create a significant visual difference to the previously approved scheme.

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?

The proposed alterations would not cause any further impact on neighbouring amenity to the previously approved scheme and those properties surrounding the application site would not be unduly affected as a result of the proposed amendment.

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

The proposed changes would not have any detrimental impact on the amenity of occupiers and character and appearance of the area over the approved scheme, to the point where any third party on the original decision would be prejudiced or disadvantaged in any way.

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

The amendments would result in a scheme which would continue to comply with the relevant policies.

It is therefore considered that the proposed alterations would constitute as a “non-material” change.

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.

Grant

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / ~~NO~~

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
 (*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
 (*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online YES NO

Official

(which are not on the file)

This application has representations on file YES NO

Case Officer (Initials): KM

Dated: 24/01/2025

I agree the recommendation:

Senior Planner

VAA

Dated: 24.01.2025