

Appendix O: Draft version of “Local Validation Guidance – Chapter 13: Non-Material Amendment Applications”

Key

Blue highlight = hyperlink to be inserted to link to relevant page/section in the Local Validation List (Appendix B)

Yellow highlight = hyperlink to be inserted to link to the relevant page in another chapter/section of the Local Validation Guidance (Appendices C to R)

Pink highlight = hyperlink to be inserted to the webpage on which the List and Guidance documents will be published

Green highlight = hyperlink to be inserted to link to the Index document which is to be published alongside the List and Guidance Documents (Appendix S)

Chapter 13: Non-Material Amendment Applications

Introduction

Applications for Non-material amendments can be submitted for relatively small changes to a previously approved consent. By their very nature they must be non-material, that is to say they must not result in a change that would in the judgement of the Local Planning Authority have a material harmful impact upon matters recognised as material planning considerations e.g. residential amenity, visual amenity, parking provision etc.

Personal or Sensitive Data

Please note all Planning and Planning related applications (i.e. listed building consent, advertisement consent, applications for details reserved by condition etc) are held in the public domain. The majority of plans and other documents submitted with an application, and any consultee responses received during the consultation process are required under The Town and Country Planning Act 1990 (as amended) to be held in a Public Register, which in the case of East Suffolk is held electronically and can be accessed by anyone via the [Public Access](#) pages of our website.

Therefore, please bear in mind that anything you submit is likely to be published online. We do redact certain personal details such as personal contact phone numbers and email addresses, but if you are making statements of a personal nature revealing certain personal details such as the reasoning behind a proposal for an extension being linked to a disabled member of the family, they will not necessarily be redacted from the application description (see [below](#)) and whilst in accordance with our [Privacy Statement](#) we will seek to redact such references from separate reports/documents it is useful if you can highlight this at the submission stage.

Some applications will require the submission of financial information in the form of [Viability Assessments](#). The National Planning Policy Framework (NPPF) requires that such documents are published/publicly available (currently paragraph 58). Therefore, whilst such

documents need to include sufficient information to enable the financial situation to be understood, those submitting them may wish to consider the level of potentially commercially sensitive or personal data they include.

In terms of those commenting on applications, as explained in our [Privacy Statement](#), we publish the postal addresses of those making representations. These are required to enable those reading them to understand and applicants/agents to potentially seek to overcome any objections or concerns raised. For example, if the neighbour objects on the basis that an extension would result in a loss of light to their living room, the reader needs to know which property is concerned about light loss to see if it is something that can be overcome by amending the scheme by say moving the extension away from the boundary with that property.

Application Descriptions

Please note that the exact wording you place on the application form will usually be used as the description on the formal application including on the public access area of our website, on all correspondence that is sent out by ourselves as part of the consultation process, on the site notice and in the advertisement in the newspaper (if one is required) and on the final decision notice. The only exceptions would be if we agree a revised description with you either at registration stage or during the course of the application. Therefore, make sure that this is the description you are wanting on the decision forever more.

Therefore, it is recommended that you avoid including personal details and do not say anything that you would not want your neighbours or the wider public to know. For example, if you are proposing a single storey detached office to provide adapted accommodation for a disabled members of staff and visitors, you should not include that reasoning in the description on the application form.

Please note, it is extremely rare for the Local Planning Authority to be able to give material planning weight to the personal circumstances of the applicant when determining a planning application, and therefore removing such personal references within the application description is unlikely to put you at any disadvantage.

However, if you wish the planning case officer to be aware of your personal circumstances this is best done outside of the application description. A separate statement or letter clearly labelled as containing personal information to be redacted could be submitted as part of application or you could contact the case officer by telephone once the application has been registered.

Applications for non-material amendments should make clear reference to the permission that is sought to be varied. For example:

“Non Material Amendment on DC/22/9999/FUL – Erection of 12 Dwellings”

It can also be useful to indicate what the amendments sought are, but a balance needs to be struck between the usefulness of including this information in the description and the overall length and complexity of the resulting description. For example, this description is far too long and complex:

“Non Material Amendments (swapping ground floor rear windows on plot 3 and 4, side doors replaced with french doors on plots 2, 3, 9, and 11, omission of chimneys on plots 3, 5 and 7, use of brown composite cladding instead of black composite cladding on the gable ends of plots 1 – 3, 7, 8 and 12, and on the front bay windows of plots 2, 4, 6, 8, 10 and 12, use of red blocks instead of concrete slabs on patio areas of all plots and tarmac instead of pavements on parking areas) on DC/22/9999/FUL – Erection of 12 Dwellings”

This form of description would be more appropriate:

“Non Material Amendments (fenestration, chimneys, cladding and hard surfacing) on DC/22/9999/FUL – Erection of 12 Dwellings”

Documents/Drawings to be submitted

Applications for Non-Material Amendments must include the following as a minimum:

- Application Form
- Fee
- A schedule or list of proposed changes,
and
- Plans showing the proposed changes. As with all other applications, the plans must be drawn to scale as detailed within the validation list. The plans/drawings required would be dependent upon the changes proposed. They are likely to include:

- **proposed Block /Site Layout Plans** (e.g. if the position or size of the building is proposed to be altered)
- **proposed elevational drawings.**
- **Proposed Floor Plans** (if the external elevations are changing e.g. altering the size or location of a door, this will also alter the floor plans)

Please note:

- **submitted plans must be drawn to scale, and a photograph of a plan is not acceptable, as the process results in the photograph showing an image which is not at the same scale as that stated in the image. All plans must therefore be either drawn to scale electronically or drawn by hand and if being submitted electronically then scanned to scale, not photographed. Therefore, if photographs are submitted of plans (e.g. *.jpg *.png *.gif) they will not be accepted as valid plans, and the application will be invalid until 'to scale' drawings are submitted.**
- **It is the applicant's responsibility to ensure that all submitted plans/drawings are drawn accurately, including in terms of how any surrounding buildings and trees are presented in relation to the application site and the proposals. They must be sure that development could proceed fully in accordance with the drawings/plans that are submitted. Inaccurate representation of the size or position of neighbouring buildings and/or buildings within the application site and/or the proposals could invalidate any consent. It is therefore recommended that all plans are drawn based upon measured surveys or in the event that an Ordnance Survey plan is used, that they are checked on the ground by the applicant/their agent for accuracy prior to submission.**
- **Although not a validation requirement, it is recommended that existing and proposed drawings/plans of the same type are drawn to the same scale as one another, in the interests of clarity and ensuring that it is as easy as possible to understand what the proposed changes are.**