

Luken Beck Ltd
30 Carlton Crescent
Southampton
SO15 2EW

Date: 21st December 2021

Please ask for: Mr S Davis
Tel: 01903 737874

Your Ref:

Our Ref: Y/172/21/NMA

Dear Mr Johnson,

**Section 96A of the Town & Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order 2015
(as amended) - Article 10**

Non-material amendment following grant of Y/98/21/DOC to replace roof tiles from Imrey Red Plain Clay tiles to Lifestyle Woburn Old Red Clay tiles.

Bonhams Field Main Road Yapton BN18 0DX

I refer to your recent application for a Non Material Minor Amendment. I note that you propose to change the roof tiles approved by Y/98/21/DOC.

Non-material amendments (NMAs) are considered to be those changes which are insignificant and do not change the intensity, form or description of the original planning permission. They cannot breach adopted planning policy, conflict with any conditions of the original permission, result in changes to the external details that would materially alter the appearance of the building or be such that consultation or publicity is required.

It is recognised that the change is required due to there being a shortage of the approved materials and that the new material is similar to the approved. However, in this case, the change requires formal consultation with the Councils Conservation Officer due to the site affecting the setting of a Conservation Area and Listed Buildings. The Conservation Officer has informally considered the change and considers that the approved tiles ones seem to better reflect the neighbouring barn and that the proposed tiles as shown by the submitted colour photo appear almost pink in colour which is not appropriate. As such, it is not possible to agree the change as an NMA.

Furthermore, it is clear from s96A of the Town and Country Planning Act 1990 (as amended) and the online Planning Practice Guidance that NMAs are intended to allow for changes to be made to any planning permission or permission in principle. Application ref Y/98/21/DOC is

not a planning permission but rather an application to approve details reserved by a planning condition imposed by a planning permission. Whilst it is acknowledged that s96A(3) allows for conditions to be altered, this is interpreted to refer to the wording of conditions on a planning permission not to the details subsequently approved by a discharge of condition.

The changes are therefore not considered to be a NMA under section 96A of the Town and Country Planning Act 1990. Please instead submit a new discharge of conditions application in respect of condition 4 of Y/63/19/RES.

I trust this information is of assistance to you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning