

Post Planning Permission Non-Material Amendments Procedure Note

Hyndburn Borough Council

October 2009

Section 96A of the Town and Country Planning act 1990 (introduced by s. 190 of the Planning Act 2008) makes it possible to apply to make a non-material amendment to existing planning permissions.

The Council operates a system where 'minor amendments' to a scheme can be considered as a way of allowing the planning system to respond in a reasonable and flexible manner to small changes to an approved scheme without seeking a fresh application.

The discretion rests with the Council as to whether the amendments constitute a non-material revision to a planning permission which would not take it outside the scope of the original permission.

This practice note sets out the circumstances in which minor amendments to approved planning applications will be accepted

All of the following criteria must be met for amendments to be approved:

- 1. There would be no alteration to the application site boundary (red edge).
- 2. The amendment would not conflict with Development Plan Policies.
- 3. There would be no conflict with any conditions on the planning permission.
- 4. The proposal would not exacerbate concerns raised by third parties at the original planning application stage.
- 5. The approved footprint/siting of the building will not be moved in any direction by more than 1 metre.
- 6. The proposal would not result in an extension to development already approved.
- 7. The height of the building or extension would not be increased.
- 8. The amendment would not result in any potential overlooking of any neighbouring property.
- 9. The amendments must not result in a fundamental change in the design of the building.
- 10. Does not amount to new works or elements not considered by any Environmental Statement submitted with the application

The criteria set out above are designed to prevent amendments being accepted that would have a detrimental impact upon neighbours or amenity in the wider public interest. Minor changes would not normally require any publicity. If, in the opinion of the council, a proposed amendment warrants re-consultation, it will not be regarded as minor and therefore will not be considered without a fresh application

Minor Amendment Submission Requirements

Applicants are encouraged to apply for minor amendments electronically. Electronic plans (PDF) can be submitted to planning@hyndburnbc.gov.uk. All plans must include a linear scale bar and must be accompanied with a letter which refers to the application number and a description of the proposed changes.

If applicants wish to submit minor amendment requests by post they should include one copy of all plans and an electronic copy either on CD/DVD or USB and the relevant planning application form and send to:

Development Control
Scaitcliffe House
Ormerod Street
Accrington
Lancashire
BB5 0PF

Non-material amendments to planning applications **cannot be submitted** electronically using the [Planning Portal](#) . Further information about planning can be found at the www.planningportal.gov.uk .

Period for Determining Minor Amendment Requests

The Council will endeavour to deal with all minor amendment requests within 28 days of receipt of a complete application which must be accompanied by the correct fee (Please see the current [Fee Schedule](#))