

MALVERN HILLS

*Amending your planning application following
the granting of planning permission*



Guidance notes

Occasionally an applicant may wish to make alterations to a scheme after it has been granted planning approval. Minor changes to approved plans can be dealt with under amended plan procedures:

- a). a non material minor amendment
- b). a material amendment through the formal variation of the approved application



a). Non material amendment:

What can be handled as a non-material minor amendment?

We will in most cases accept the following as minor amendments to previously approved plans:

- Reduction in the volume/size of the building/extension or all forms of operational/engineering development that requires planning permission
- Reduction in the height of the building/extension or all forms of operational/engineering development that requires planning permission
- Amendments to windows/doors/openings that will not have any impact on neighbouring properties.

We could not accept amendments as non-material if (for example):

- The application site area (red line) differs from the original application
- The application description differs from the original application
- The proposal would result in changes to the external details (e.g. facing materials or roof shape) that would materially alter the appearance of the building
- The amendment significantly increases the size of any part of the development
- The development moves more than 1 metre in any direction
- The height of the building or structure is increased.

- If the amendment locates any part of the development closer to a neighbour unless the development as amended is in excess of 5 metres from the common boundary with the neighbour
- The amendment results in a fundamental change in the design of the building
- If the amendment changes windows or doors in any elevation facing a neighbour which increases overlooking in any way
- The amendment would result in a greater visual intrusion, loss of light or feeling of enclosure to neighbours
- There were any relevant objections to the original proposal which would be compromised by the proposed minor amendment.

What is the process for applying for a non-material minor amendment?

A standard application form will need to be completed and fee paid.

[Application for a non-material amendment following a grant of planning permission](#)

[Help notes](#)

[Guidance notes](#)

if the application is a householder; £34
in any other case; £234

- No Design and Access Statement is necessary
- Neighbour notification and consultation is discretionary; the council will not undertake notification and consultation in most cases
- The application is not for a new permission so it will not be necessary to repeat conditions from the original permission
- Conditions on the original application cannot be varied or removed through this process.
- If the amendment is such that a new condition is necessary, then it cannot be a non-material amendment and a fresh application or a material amendment will be required

- Applications and decisions must go on the planning register
- The council have to take into account any comments received within 14 days of any notice being served on an owner
- There is no prescribed form of decision, but it must be in writing
- Normal rights of appeal apply.

What timescale do we look to respond to minor amendment applications?

We will endeavour to respond within 28 days of receipt of the application form and fee to advise you if the changes can be accepted as an amendment to the approved scheme, or whether a material amendment or formal planning application needs to be made.

b). Material amendment through the formal variation of the approved planning permission

Minor material amendment

Recent planning decision notices include a condition requiring the works to be carried out in accordance with the approved plans. In some instances it is possible to amend this condition, in order to substitute an amended plan. Where this is the case, you can apply for a minor material amendment when:

- the character and description of the amended scheme remains the same, and;
- the development is one whose scale and nature results in a development which is not substantially different from the one which has been approved.

Detailed revised plans and elevations should be submitted setting out the proposed amendments and these should be accompanied by a completed application form and fee below:

[Application for removal or variation of a condition following grant of planning permission](#)

[Help notes](#)

[Checklist](#)

Fee of £234

The submitted details will be checked on receipt. We will contact you in writing for any additional clarification, if required.

Variation of condition

You can seek to remove or vary a condition attached to your permission for unimplemented extant permissions granted on or before 1 October 2010. A statement setting out the reasons why the condition should be removed or varied should accompany the application.

Detailed revised plans and elevations should be submitted setting out the proposed amendments, and these should be accompanied by application form and fee below:

[Application for removal or variation of a condition following grant of planning permission](#)

[Help notes](#)

[Checklist](#)

Fee of £234

The submitted details will be checked on receipt. We will contact you in writing for any additional clarification, if required.

Significant changes which cannot be considered to be a minor amendment.

For all other cases a fresh planning application will need to be submitted. The council's full information requirements remain relevant for a revised application. In some instances, a fee may not be required and you should consult with the planning team for further information.

Please note: you are unable to apply for a non-material amendment following approval for Listed Building Consent. You will need to apply for a new [Listed Building Consent application](#). must be submitted detailing the proposed amendments. A revised Conservation Area consent application will only be required if you propose a lesser or greater amount of demolition than already approved.

Further detailed guidance from the Department of Communities and Local Government is available from

www.gov.uk/government/publications/greater-flexibility-for-planning-permissions-guidance

Email address: developmentcontrol@malvernhillsgov.uk
or Malvern Hills District Council, Planning Services (Development Control)
The Council House, Avenue Road, Malvern WR14 3AF

For further information please contact
us on 01684 862221