

London Borough of Lewisham Validation Checklist: Non-Material Amendment to a Planning Permission (Section 96a and the Town and Country Planning Act (1990) as amended)

The following tables set out what information **must** be submitted with your application to be made valid and what information may be required. If an application is submitted without meeting these requirements it will not be made valid and you will be informed that you have 21 days to provide the necessary information before it is withdrawn.

NB - This local list does not limit the Council's ability to request additional information in the event that further issues arise during the determination period.

Pre-application Service

There is no statutory definition that sets out what can be considered a 'non-material' amendment to a planning permission under s.96a. Whether a change is considered to be non-material to a planning permission as a whole is at the Local Planning Authority's discretion, as set out in the National Planning Practice Guidance (NPPG) [here](#). It is therefore recommended that you seek pre-application advice prior to the submission of an application under s.96a. The Council offers a pre-application service through which you can discuss your proposals, including validation requirements, with a planning officer and receive written advice. For further information please see the Council's website [here](#).

National List of Requirements (required for all applications)

No.	Validation Requirement	What is required?	Statutory Basis, Development Plan Policy, National Policy and/or Guidance
1.	<i>Appropriate Fee</i>	Payment must be made online at time of submission through the Planning Portal.	The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)
2.	<i>Completed application form (including ownership certificate)</i>	<p>This must include sufficient information to enable the Local Planning Authority to identify the amendment(s) being sought including which planning condition(s) are required to be amended.</p> <p>This should be together with the planning reference numbers for any approved applications 'non material' amendments under s.96a and/or 'minor material' s.73 applications that have been approved relating to the planning permission.</p> <p>In terms of ownership, please note that if the declaration on the application form is dated more than 21 days after the date on which notice was served on owners, the application will be invalid.</p>	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Local List of Requirements

No.	Validation Requirement	What is required?	Statutory Basis, Development Plan Policy, National Policy and/or Guidance
3	<i>Planning Statement</i>	<p>Clear and convincing justification (alongside any supporting evidence) setting out why the amendment is necessary, and why it is considered to be 'non-material' in the context of the planning permission as a whole and any approved 'non material' amendment(s) under s.96a and/or 'minor material' amendments under s.73.</p> <p>This should also set out the new proposed wording of the condition(s) sought to be amended.</p> <p>If the planning permission that is sought to be amended has an associated S106 agreement, a Deed of Variation may be necessary to vary the agreement alongside the permission. This should be set out within the planning statement.</p>	<p>NPPG</p> <p>Dependent on the amendment(s) proposed.</p>
4	<i>Approved relevant plans or documents with marked up/annotated amendments</i>	<p>Where amendments are sought to the approved plans, a set of the relevant approved plans should be provided. These plans should be marked up and annotated with the proposed amendments.</p> <p>If an approved supporting document requires amendments, this should be submitted in its approved form.</p>	<p>NPPG</p>
5	<i>Proposed plans and/or proposed</i>	<p>If plans /drawings are required to be submitted (either in isolation or appended to documents) these must:</p> <ul style="list-style-type: none"> • be drawn to an identified metric scale (e.g., 1:20 1:50, 1:100, 1:200) • Include a scale bar showing a length of 1metre and 10 metres • include a title and drawing number (with the relevant revision number as necessary) • show the direction of north 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p>
6	<i>Supporting information</i>	<p>This will depend on the nature and scale of amendments proposed, but could be in the form of additional or addendum reports, and should be discussed with officers at pre-application stage.</p>	<p>Dependent on the amendment(s) proposed.</p>