

## Applying for a Minor Material Amendment

This guidance sets out how Oxford City Council will deal with minor material amendments, for applicants and their agents as well as other interested parties, including neighbours, to understand the basis for any decision.

You can apply under S73 of the Town and Country Planning Act 1990 to change plans approved under a planning application. This creates a new permission but does not extend the period for implementation.

There is a fee of £170 for a minor material amendment application.

### What are 'minor-material amendments'?

Oxford City Council considers that Minor Material amendments are changes that are more significant than 'non-material' amendments and are described as being changes whose scale and nature results in a development which is not substantially different from the one which has been approved.

The changes will still need to be minor and may include changes to the building that result in small reductions to its scale, height or footprint but still not alter the description of the development or the red edged area of the application.

Changes need to be wholly acceptable, uncontroversial and be of limited impact. Slight increases to the footprint or scale of buildings may be acceptable under this process but only where there is no impact upon neighbouring properties.

### How do I apply for a 'minor material amendment'?

Requests for this procedure can only be made where the original planning permission has a condition stating that 'The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below, unless otherwise agreed in writing by the local planning authority' or similar wording.

If there is no condition saying this then you will need to first apply for a 'non-material amendment' to the original permission to add a condition listing the approved plans or alternatively apply for a fresh planning permission which may be quicker.

An approved application will result in a new permission and all the relevant conditions from the previous permission will be added along with any others that are required, including a condition listing the new approved plans.

The new permission will still expire at the same date as the original permission and the decision notice will include a condition with this date on it.

If your application has been refused you can appeal and this must be within 12 weeks if the application relates to a householder planning permission or within 6 months in all other cases

You may also need to vary your s106 agreement to take into account the new permission.