

Amendment and Negotiation on Planning Applications

Process note (May 2026)



1. Overview

To support timely decisions, effective use of resources, and clarity for all parties, the council has introduced this Planning Amendments Protocol.

Changes to a planning application once validated can introduce delay, not only to the application in question but across the wider caseload managed by officers.

Post-submission amendments typically require reassessment of the proposal, updates to officer reports, management of revised documentation, and, in many cases, re-consultation with statutory consultees and neighbours. This has significant time, resource and financial implications, and can create uncertainty for applicants and the wider community.

2. Objective

This protocol provides a framework for when amendments to planning applications will be accepted.

Amendments to planning applications will only be accepted in the limited circumstances set out below. This ensures a fair and transparent approach for all applicants and agents.

The protocol aims to:

- Encourage high-quality, complete submissions at the outset.
- Provide clarity for applicants, agents and officers.
- Support timely and efficient decision-making.
- Reduce the need for repeated reassessment and re-consultation.
- Promote early engagement through pre-application advice.
- Enable officers to focus on determining valid applications.
- Reduce application backlogs.

3. Importance of early engagement

There is no statutory duty on a local planning authority to negotiate amendments to a 'live' application that would otherwise be refused.

- Under Section 70 of the Town and Country Planning Act 1990, the Council may grant or refuse planning permission. Early engagement is therefore strongly encouraged.
- The [National Planning Policy Framework](#) emphasises the importance of front-loading the planning process.
- [Paragraph 40](#) highlights that early engagement can significantly improve efficiency and effectiveness.
- [Paragraph 41](#) states that while pre-application engagement cannot be required, authorities should actively encourage its use.

Early engagement can:

- Identify and resolve issues prior to submission. Clarify information requirements.
- Improve application quality.
- Reduce delays during determination.

The Council strongly encourages the use of its [Pre-application Advice Service](#) and, for complex proposals, Planning Performance Agreements (PPA).

tewkesbury.gov.uk/services/planning/planning-enquiries

4. The council's approach to amendments

The council's primary duty is to determine valid applications efficiently and within statutory timeframes. Where a proposal is unacceptable, there is no obligation to enter into negotiations to make it acceptable.

General principles

- Amendments must be initiated or agreed in advance by the case officer.
- Unsolicited amendments will not be accepted.
- The decision to invite or accept amendments is entirely discretionary.
- Applications will generally be determined as submitted ("as lodged").

The below approaches will be taken for the following application types:

Householder applications

Applications will be determined as submitted.

Only **non-material amendments**, requested by the case officer, will be accepted. Amendments requiring re-consultation will not be accepted unless exceptional circumstances apply.

Applicants should ensure compliance with relevant policies, including:

- [Tewkesbury Borough Plan](#) Policy RES10
- [Joint Core Strategy Policies](#) SD4 and SD14

Failure to comply is likely to result in refusal.

Minor and other applications

Applications will be determined as submitted.

Only **non-material amendments** requested by the case officer will be accepted. Amendments requiring re-consultation will not normally be accepted.

You are therefore advised to make sure you have read our [adopted policies](#) prior to applying.

Major applications (including outline & reserved matters)

Where no pre-application engagement has taken place, or where pre-application advice has been disregarded, applications will be determined as submitted unless exceptional circumstances apply.

Where pre-application advice has been followed, the council may allow one round of amendments, at the case officer's discretion, subject to an agreed extension of time.

It is strongly advised that applications for large major and strategic scale development consider entering into a Planning Performance Agreement (PPA) from pre-application stage through to decision to achieve a more timely and effective application process.

Applications subject to PPAs will be considered in accordance with the timetable and terms set out within the agreement and will be exempt from the terms of this protocol.

Condition discharge applications

Applications will be determined as submitted.

Amendments will only be accepted where requested by the case officer.

Where multiple conditions are submitted, the Council may issue a split decision.

Certificates of lawfulness

No amendments will be accepted.

These applications seek legal determination of lawfulness rather than an assessment against planning policy. The Council must assess them on the basis of the evidence submitted.

Prior approval applications

No amendments will be accepted.

These applications are subject to strict statutory timeframes, after which approval may be deemed to have been granted.

Key principles:

Applicant responsibilities

Applicants are expected to:

- Submit complete and policy-compliant applications.
- Seek pre-application advice.
- Fully consider and address any pre-application feedback.
- Provide clear justification where advice has not been followed.
- Submit all required information at validation stage.

Additional expectations:

- Do not submit unsolicited amendments.
- Do not engage directly with consultees.
- All correspondence should be directed to and through the Case Officer.
- Meet all deadlines for additional information.
- Agree extensions of time where amendments are requested.
- All correspondence should be through a single point of contact where an agent is instructed.

What you can expect from the council

The council will:

- Provide a clear and consistent validation process.
- Offer a proportionate pre-application advice service.
- Determine applications as quickly as possible.
- Consolidate amendment requests wherever possible.
- Normally allow only one round of amendments.
- Set clear deadlines for responses.
- Seek extensions of time where required.
- Where a proposal is unacceptable in principle or requires substantial change, will determine the application as submitted.

5. When amendments will be invited

Amendments may be accepted

- Information required for validation was not previously requested. Additional clarification is necessary to enable proper assessment.
- The amendment is **non-material and** proportionate and minor in nature. Changes are required to address technical consultee feedback.
- The case officer considers the amendment necessary to facilitate a decision. All amendments must be agreed in advance with the case officer in writing.

6. When amendments will not be accepted

While not an exhaustive list, amendments will not be accepted where:

- They are unsolicited.
- The proposal is unacceptable in principle.
- No pre-application engagement has taken place (particularly for major schemes).
- Pre-application advice has been disregarded resulting in an unacceptable scheme.
- The red line boundary changes.
- The nature or description of development materially changes.
- Additional development or uses are introduced.
- Amendments would introduce new planning harms.
- Required technical information cannot be provided within a reasonable timeframe.
- Where significant change is required, applicants will be expected to withdraw and resubmit.
- The council will not hold applications in abeyance pending further information

7. Important notes

- This protocol cannot cover all circumstances. Exceptions may be agreed at the discretion of senior officers.
- The case officer's professional judgement is central to the application of this protocol.
- Unsolicited amendments will not be accepted.
- A single point of contact (agent) is strongly recommended.
- Amendment submissions must clearly explain what has changed and why.
- Applications will be determined as submitted where deadlines are not met.
- Applications may be withdrawn at any time prior to determination.

If you are unsure, please contact the planning case officer for advice before submitting any revised plans or documents.