

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 11/02100/AMD

Ward:
Copers Cope

Address : Land Rear Of 86 To 94 High Street
Beckenham

OS Grid Ref: E: 537366 N: 169537

Applicant : London And Quadrant Housing Trust **Objections :** YES

Description of Development:

Non-material amendment - Additional windows to first, second and third floor to the south elevation of Building C

Proposal

Planning permission was granted at appeal under ref. 11/02100 for 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access. The application seeks a non-material amendment to the approved scheme to introduce three additional windows to the south elevation of building C. There will be one additional window on each of the first, second and third floors. The windows will face the blank flank elevation of Block B.

There is no requirement to consult nearby residents following applications for non-material amendments. However, representations have been received which can be summarised as follows:

- increased overlooking
- development will be far removed from original plans.

A representation from the Central Beckenham Residents Association has also been received which can be summarised as follows:

- lack of detail regarding proposed changes
- increased overlooking of properties on Church Avenue
- no structural justification for additional windows
- residents were promised there would not be further changes.

The application has been submitted under Section 96A of the Town and Country Planning Act 1990 which allows a non-material amendment to be made to an existing planning permission via a simple application procedure. Government guidance published within the document 'Greater Flexibility for Planning

Permissions (October 2010) states that there is no statutory definition of 'non-material'. It states that this is because it is so dependent on the context of the overall scheme - what may be non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to approve an amendment having regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The principle of development in the manner proposed has been accepted under planning permission reference 11/02100 granted at appeal. The main issues to be considered are as follows:

- whether the proposed changes differ in substance from the development that was granted planning permission
- whether acceptance of the proposed changes as non-material amendments would deprive those who should have been consulted from additional consultation (i.e. if the proposed amendment was submitted during the process of a planning application, would it have been necessary to re-notify the neighbours and other consultees)
- whether the cumulative impact of a series of non-material amendments result in a development that is quite different from the original permission?

The alterations proposed are considered to be minor in their nature, comprising the addition of three windows. The bulk and character of the development would remain consistent with the approved scheme.

The proposed additional windows to Building C will face onto the flank wall of Building B and will not result in a loss of privacy or impact on the amenities of nearby residents. It is considered that the amendment would not require the re-notification of neighbouring properties and in this case can be considered non-material.

There have been no previous amendments to the appearance of the buildings since planning permission was granted. The proposed scheme changes are modest in scale in the context of the overall scheme.

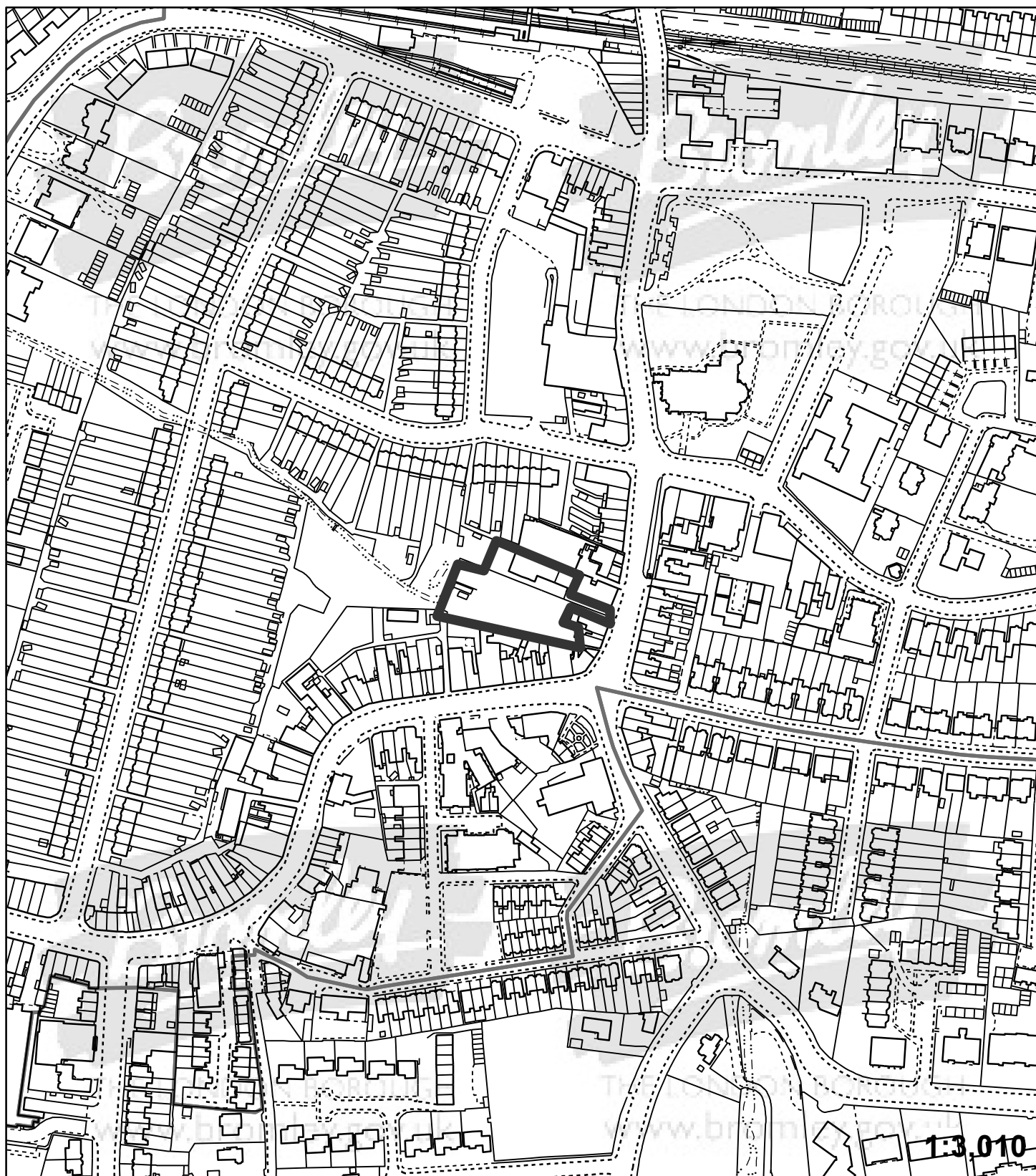
Having had regard to the above it is considered that the alterations proposed can be considered a non-material amendment to the approved scheme and do not require planning permission.

RECOMMENDATION: NON MATERIAL AMENDMENT APPROVED

Application:11/02100/FULL1

Address: Land Rear Of 86 To 94 High Street Beckenham

Proposal: 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

© Crown copyright and database rights 2013. Ordnance Survey 100017661.