



Town Planning

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Application No : / DC/15/02452/AMD
Date :

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 96A (as amended by Section 190 of the Planning Act 2008)

NOTICE OF DECISION TO APPROVE NON-MATERIAL AMENDMENT

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the above Act, **APPROVE** your application received on 17th June 2019, as a non-material amendment to planning permission reference DC/15/02452

at : Bromley Court Hotel Coniston Road Bromley BR1 4JD

Proposal: AMENDMENT: to wording of Condition 22 pursuant to the permission 15/02452/FULL1 to allow the submission and approval of kitchen ventilation equipment/odour control details prior to the commencement of above ground works.
Final description of condition to state:

22. In respect of the full planning permission hereby approved detailed plans of the appearance of and the equipment comprising a ventilation system for the kitchens which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall be submitted to the Local Planning Authority for approval prior to the commencement of development above ground floor level; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.

REASON: In the interest of the visual and residential amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan 2019.

Subject to the following conditions **and for the reasons set out below**:-

22. In respect of the full planning permission hereby approved detailed plans of the appearance of and the equipment comprising a ventilation system for the kitchens which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall be submitted to the Local Planning Authority for approval prior to the commencement of development above ground floor level; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby

permitted first commences and shall thereafter be permanently retained in an efficient working manner.

REASON: In the interest of the visual and residential amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan 2019.

You are further informed that :

- 1 The Applicant is reminded that the conditions/informatives pursuant to the original permission 15/02452/FULL1 remain applicable in perpetuity and that any remaining conditions that have yet to be approved will require the details to be submitted to the Local Planning Authority.

Please be advised that this s96a Non-material Amendment Application has been assessed and permission granted only in relation to the works specified within the application description and this consent does not provide acceptance or otherwise pertaining to further amendments to the original planning permission, any outstanding conditions or subsequent applications. Furthermore, the applicant is advised that this permission forms part of the original permission and unless otherwise stated within this decision notice all other conditions attached to the original permission are still applicable to the amended scheme.

Signed:



CHIEF PLANNER

On behalf of the London Borough of Bromley Council
YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 2015 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>. If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>

Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

AN IMPORTANT FOOTNOTE

Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 2015 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

ACCESS FOR PEOPLE WITH DISABILITIES

Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.