

LONDON BOROUGH OF BROMLEY

**TOWN PLANNING
RENEWAL AND RECREATION DEPARTMENT**

DELEGATED DECISION on 29th May 2020

19/03134/AMD

10 Highland Road

**Stephanie
Gardiner**

**Bromley
BR1 4AD**

Description of Development

Non material amendment to Planning Ref 19/03134/FULL1 to allow changes to the facades; roof and internal layouts.

Proposal

This application seeks a non-material amendment to planning ref: 19/03134/FULL1, which was for the 'Demolition of existing garages to the rear of 10 Highland Road and the erection of a single two storey 3-bedroom house.'

Proposed amendments include:

- o Amendments to the facades of the building, including the introduction of Herringbone tiles to the front elevation instead of red brick.
- o Amendments to the size/shape of the windows on the front, side and rear elevations.
- o Changes to the internal layouts with relocation of bedrooms and bathrooms and the creation of a new double/twin room.

The Government's National Planning Practice Guidance (NPPG) explains that there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme - an amendment that is non-material in one context may be material in another. The local planning authority must therefore be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

Conclusion

In deciding whether the proposed changes are acceptable as non-material amendments, careful consideration needs to be given to the following three points:

1. Do the proposed changes differ in substance from the development that was granted planning permission?
2. Is the new development considered to deprive those who should have been consulted from such additional consultation as it may have a detrimental impact on the amenities of the neighbouring properties or the character of the area generally?
3. Does the cumulative impact of this alteration result in a development that is quite different from the original permission?

The original application allowed for the construction of a detached three bedroom dwelling and that is what is described on the description of development. The proposed amendments to the design of the facades would not differ in substance to the approved development. However, the internal configuration would result in the creation of a further double bedroom, which would increase the size of the approved dwelling from a 3 bedroom 6 person units to a 4 bedroom 8 person unit. The change would result in a development of a different description, character and scale. Accordingly, the amendments would result in a development which differs in substance to the granted planning permission.

Objections were raised in relation to the approved scheme and these included concerns with overlooking. The proposal includes amendments to the windows including an enlargement to the upper floor windows on the front elevation and installation frameless glazed boxes to the side, which used to be a zinc clad bay arrangement. It also now would introduce a large two storey frameless window to the rear elevation. This would include an area of opaque glazing at first floor level to help prevent overlooking, but visually, the introduction of this large glazed window and wider amendments would be very noticeable change to the approved development and could give rise to greater perceptions of overlooking. Therefore, allowing this amendment would deprive neighbours from additional consultation.

Having regard to the above it is considered that the proposed amendments would not constitute a non-material amendment in the context of the original permission.

Decision

Amendment Requires Planning Permission

For conditions or grounds of refusal please refer to the Decision Notice