

Application No. 18/00173/NMA - Garages South East Of Eagle Hill, Upper Norwood, London, ,

1. SUMMARY

1.1 This report concerns an:
Application for a non-material amendment following a grant of planning permission for:

Demolition of garages and erection of a two-storey building comprising 4 one bedroom and 4 two bedroom flats together with landscaping and other associated works (amendment to planning permission 16/06275/FUL)

2. DECISION

Approved

- 1 The proposed plans are not considered to be materially different from the permitted proposal and a further planning permission is not therefore required.

Officer Report:

2 The principal issues relate to: whether or not the proposed changes are considered to be non-material in relation to Planning Permission 16/06275/FUL. Section 96A of the Town and Country Planning Act 1990 (as inserted on 1st October 2009 by section 190 of the Planning Act 2008) allows a local planning authority to make a change to any planning permission if they are satisfied that the change is non-material. In deciding whether a change is material, the authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted. The National Planning Policy Guidance states 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 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". The main consideration is whether the proposed alterations would substantially alter the original planning permission granted.

The application proposes to alter the following details:

- Inset the front entrances to the ground floor units into the building envelope. These will further move these entrances from the southern boundary by 0.4 metres. This reduction does not impact upon the character and appearance of the development, neither does it impact upon any other material consideration.

- The proposed internal layouts of the ground floor units are reduced but all units continue to adhere with the Technical Housing Standards in relation to the unit and bedroom sizes.
- The proposed kitchens throughout the units would also become enclosed and are considered acceptable.
- The proposed scale of the cycle and refuse storage would be reduced in depth but increased in width. This would ensure that the proposed bin storage gates open internally on site as it will be further set in from the front boundary. The proposed amendments are not considered to materially alter the previous approved application.
- The proposed amendment above would be also see alterations to the proposed entrance area, removal one entrance gate and relocating the other. These again do not fundamentally alter the proposal.
- The proposed access to the first floor unit is proposed to be via a steel walkway rather than proposed land alterations to raise the land to the required levels. Due to the screening positioned along the front boundary, there would not impact on the street scene and is therefore considered acceptable.

It is considered that the proposed amendments would be non-material in nature. The applicant has also requested that the proposed plans details below are added to condition 1 from the previous approval. Therefore, overall it is considered that the proposal would not alter any of the material planning considerations linked with the originally approved scheme and therefore are considered under section 96A of the Town and Country Planning Act 1990 to be non-material. It is therefore recommended that the application be approved.

- Location Plan 1040_9A_001 P7 Received 21.12.2016
- Site plan 1040_9A_100 P7 Received 21.12.2016
- Roof plan 1040_9A_102 P7 Received 21.12.2016
- Sections 1040_9A_111 P7 Received 21.12.2016
- Elevations 1040_9A_121 P4 Received 21.12.2016
- Elevations 1040_9A_122 P4 Received 21.12.2016
- Site plan 1040_9A_200 P8 Received 15.01.2018
- Floor plans 1040_9A_201 P9 Received 15.01.2018
- Roof plan 1040_9A_203 P9 Received 15.01.2018
- Sections 1040_9A_211 P9 Received 15.01.2018
- Elevations 1040_9A_222 P8 Received 15.01.2018
- Landscaping/Planting 1040_9A_241 P6 Received 15.01.2018
- Elevations 1040_9A_224 P2 Received 15.01.2018
- Floor plans 1040_9A_400 P7 Received 15.01.2018
- Floor plans 1040_9A_202 P9 Received 22.03.2017
- Elevations 1040_9A_221 P10 Received 15.01.2018
- Other 1040_9A_223 P3 Received 15.01.2018
- Landscaping/Planting 1040_9A_242 P6 Received 15.01.2018

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