

Officer's Report

Application Number	HGY/2022/2802
Type	Non-Material Amendment
Location	21-23, High Road, Wood Green, London, Haringey, N22 6BH, London
Proposal	Non-material amendment following a grant of planning permission reference HGY/2020/2825 to amend the drawings and details approved under Condition 2 (Approved Plans) to allow alterations to the approved front and rear elevations and the ground floor layout.
Case Officer	Neil McClellan
Valid Date	20/12/2022
Applicant	Mr Neil Quantrill
Agent	Mr Steve Mills

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

2.1 Approved development

Conversion of the upper floors and part of ground floor from retail and ancillary retail space (Class E) to residential (C3) to create 7 no. apartments in conjunction with the erection of a roof extension; provision of a rear roof terrace; cycle and refuse storage; and alterations to shopfront.

2.2 Proposed amendments

- Amendment 01 – Retain the existing window positions and size on the rear elevation.
- Amendment 02 – Increase the size of the window openings on the front elevation.
- Amendment 03 – Changes to ground floor layout including moving the cycle store away from rear and closer to stair core and omitting access to rear alley.

2.3 Site and surrounds

The application site is located on the western side of the High Road, Wood Green within the designated Metropolitan Centre. It contains a three-storey building, which acts as the central feature building within a parade of buildings built in the early 20th century. The

wings of the parade either side of the application building are lower giving the group of buildings a pleasing symmetry. The ground floor is currently occupied by a double fronted currently vacant retail use and the upper floors are ancillary to this use.

The site is designated primary retail frontage/ The site is not within a conservation area and is not listed.

3. ANALYSIS/ASSESSMENT

3.1 Legislation

S96 of the Town and Country Planning Act 1990 (as amended) allows the Council to make a change to any planning permission if satisfied that the change is not material. An application for a non-material amendment can only be made by or on behalf of a person with an interest in the land to which the planning permission relates and the application may be made only in respect of so much of the planning permission as affects the land in which the person has an interest.

The National Planning Practice Guidance (NPPG) sets out 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. As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

The NPPG states that when making a decision the local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

3.2 Consideration of proposed changes:

1) Retain the existing window positions and size on the rear elevation: Extensive demolition and new masonry would be required at the rear elevation to achieve the planning approved design. The position of the existing windows is deemed sufficient to provide adequate daylight, sunlight and outlook. The changes are considered acceptable and non-material in nature, maintaining the existing rear elevations appearance.

2) Increase the size of the window openings on the front elevation: The window positions are high in relation to the internal floors of the rooms they would be serving. This results in the daylight and sunlight to some of the approved unit's key habitable rooms being limited, particularly for the approved studio unit; it also reduces outlook from these rooms and makes the windows difficult to operate. The proposal is to increase the length of the

windows by moving the bottom of the openings closer to the internal floor levels of the rooms they serve. The changes result in a relatively minor increase in the window sizes, will improve the quality and living standards of the approved units while maintaining the design approach and intended appearance of the approved development. The building in question is the central feature building of the wider terrace and as such the overall symmetry of the terrace will be maintained. As such, the changes are considered acceptable and non-material.

3) Changes to ground floor layout including moving the cycle store away from rear and closer to stair core and omitting access to rear alley: The number and quality of cycle spaces will be maintained. They will be accessed from the front entrance to the residential accommodation as approved in the original permission. Access to the rear alley will no longer be possible but given its narrowness, distance from the nearest street it is considered particularly safe or usable as a secondary residential access. Waste collection will not be affected as it was always intended to be collected from the High Road through the Council's daily refuse bag collection service that operates along the length of the town centre's frontage. As such, the changes are considered acceptable and non-material.

3.3 Other Considerations:

No amenity, transport or other material impacts would result from the proposed amendments.

3.4 Conclusion:

On this basis, it is considered that a non-material amendment can be granted.