

Officer's Report

Application Number	HGY/2022/3873
Type	Non-Material Amendment
Location	555, White Hart Lane, Tottenham, London, N17 7RP
Proposal	Non-material amendment following a grant of planning permission HGYP/2020/0635 to substitute a planted area for reinforced turf grass to allow emergency vehicle access alongside the Unit 8 service area.
Case Officer	Valerie Okeiyi
Valid Date	28/10/2022
Applicant	Ryan Walker
Agent	Mr Ryan Walker

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

2.1 Approved development

HGY/2020/0635 - 555 White Hart Lane London N17 7RP - Demolition of existing structures and construction of two buildings to provide eight units for light industrial (Use Class B1(c); industrial (Use Class B2); and/or storage and distribution (Use Class B8)) purposes, with ancillary offices and associated landscaping, car parking, servicing and access arrangements. - Grant permission - 21/12/2020.

2.2 Proposed amendments

2.2.1 This application seeks approval for Non-material amendment following a grant of planning permission (HGYP/2020/0635) to make the following revisions to the approved scheme;

- Minor changes to the landscaping and planting layouts, namely substituting a planted area for reinforced turf grass
- Minor adjustment to the landscaping adjacent to the boundary to the south of the substation, to facilitate access

3. ANALYSIS/ASSESSMENT

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.

Officers consider the proposed amendments as set out in section 3.2.1 above would not have any detrimental effects on the quality and appearance of the landscaping scheme and strategy and will still allow the 'bodpave' (Interlocking pavers designed for grass reinforcement and gravel retention) to function as intended in the consent scheme.

The proposed amendments are not anticipated to have any impact upon transport and highways matters relating to the consented scheme.

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

4. RECOMMENDATION

GRANT Non-Material Amendment.