

Officer's Report

Application Number	HGY/2023/0871
Type	Non-Material Amendment
Location	555 White Hart Lane, Tottenham, London, N17 7RP
Proposal	Non-material amendment following the grant of planning permission HGY/2020/0635 to combine units 6 and 7 to create a single unit with removal of internal partition, creation of 2 new openings to the front elevation and amendment to the retaining walls, creation of small customer service point area, removal of planting area, fence and gates at the operational yard, the installation of low level fans to the rear elevation, and addition of a Utilities Cabinet
Case Officer	Valerie Okeiyi
Valid Date	28/03/2023
Applicant	.
Agent	Mr Paul Derry

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 (HGY/2020/0635) to make the following revisions to the approved scheme;

- The removal of the internal partition to combine units 6 and 7;
- Insertion of two additional level access doors to the front elevation of the building. This is to allow vehicle access into the building itself;
- To facilitate vehicle access, the retaining walls of the dock levellers will be realigned to ensure that all other doors can be accessed with delivery vehicles/HGV's in place on the 'other' doors;
- The creation of small customer service point area;
- Removal of the planting area fence and gate to ensure a less cluttered and more open appearance to the front of the unit;
- Installation of 10 low level wall fans at ground floor level;

- Addition of a utilities cabinet measuring 2.8m by 1.4m, with a height of 2.3m located within the service yard against an existing fence finished in dark green paint

2.2.2 Internal comments received:

Although no consultations are required for an NMA, this application was considered by the Councils Design Officer and Transport Officer for a 'belt and braces' approach in order to ensure the plans didn't unacceptably impact on the design quality of the scheme and transportation impact.

LBH Design Officer - I am happy to confirm I have no objection to these proposed amendments. They have barely any effect on the appearance of the development, confined to the internal courtyard facing the entrances of further similar industrial units opposite, with respect to the modest changes to doors, gates and yard areas, and small parts of the rear where it is below ground level and well screened, with respect to additional ventilation grills, and all changes are within the language and palette of industrial components used elsewhere throughout the development.

LBH Transport Officer - There are no transport objections regarding this application.

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 2.2.1 above would not impact on the design principles of the wider estate and will not cause any visual harm.

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

The design officer and transportation team raise no objection to the proposed changes.

The new single storey building would not impact on the amenity of neighbours and would safeguard the visual amenity of the area. The new building is a non material minor amendment when viewed in context with the development as a whole.

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

4. RECOMMENDATION

GRANT Non-Material Amendment