

Officer's Report

Application Number	HGY/2023/0837
Type	Non-Material Amendment
Location	32 North Grove, Tottenham, London, N15 5QP
Proposal	Non-material amendment following a grant of planning permission HGY/2020/0224. Amendment to simplify the studios, reducing their height and scale by removing the mezzanine floor from both studios.
Case Officer	Kwaku Bossman-Gyamera
Valid Date	23/02/2023
Applicant	Mr Robbins
Agent	Mr Povilas Jurevicius

RECOMMENDATION

Approve

1. REPRESENTATIONS

1.1 No representations were received in response to notification and publicity of the application.

2. REASONS FOR GRANTING PERMISSION

2.1 The application site relates to the land to the rear of No. 24 – 36 North Grove. Immediately to the south of the application site is the 'L' shaped rear garden of No.32 North Grove and extending to the north and south adjoining the rear gardens of properties between No.24 to 36 North Grove. To the rear of No.32 North Grove which contains a number of workshops operation a light industrial use (Use class B1).

2.2 The site is accessed via a narrow private road leading from North Grove to a yard fronted by one storey buildings, each containing creative studios. The lawful use of the site will be discussed further in this report adjacent to the side flank wall of No.32 North Grove.

2.3 The surrounding area is wholly residential in character. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

2.4 The planning history of the site has been taken into account when coming to this decision.

- HGY/2020/0224 Granted 04/08/2021 Approval of details pursuant to condition 3 (Samples of materials), condition 6 (Construction Method Report) attached to planning permission HGY/2020/0224.

- HGY/2020/0224 GTD 13/03/2020 Proposed three new studios to replace the existing artists' studios that occupy this part of the site.

2.5 This is non-material amendment to previously approved scheme under reference HGY/2020/0224. The proposed amendments are as follows:

- Non - Material Amendment to simplify the studios, reducing their height and scale by removing the mezzanine floor from both studios, reshaping the studios and realigning them on the site.

- The size of units has been reduced to 23 sq.m each. Height is reduced from two-storey 4.8m to single storey structure at 2.5m eaves height on the boundary line.
- The new footprint allows more open space for the yard behind 32 North Grove.

2.6 All other aspects of previously approved application remain unchanged with regard to footprint, scale and bulk, particularly the proposed external materials and finishes used in the construction of the studio remains the same.

2.7 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 nonmaterial 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.

2.8 The NPPF 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.

2.9 The proposed amendments are considered minor, acceptable and would not have any significant material impact of the external appearance of the building. This would help avoid any potential overlooking to the adjacent school in particular adjoining neighbouring property at 32 North Grove and would provide additional and improved northern orientation light to the adjoining occupiers. Proposal would not have any adverse impact on the amenities of the adjoining occupiers. The proposal is considered a non-material amendment and this application is therefore recommended for approval.

2.10 The proposed development is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

2.11 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

GRANT PERMISSION FOR NON MATERIAL AMENDMENT