

Officer's Report

Application Number	HGY/2023/1136
Type	Non-Material Amendment
Location	39-41 High Road, Wood Green, London, N22 6BH
Proposal	Non-material amendment following a grant of planning permission reference HGY/2022/2695. Amendments sought are for the addition of a vinyl frosting to the window to prevent vision onto the back of till units, and alteration to shopfront entrance position.
Case Officer	Daniel Kwasi
Valid Date	25/04/2023
Applicant	James Waller
Agent	Mr Mark Cherrett

RECOMMENDATION

Approve

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Approve

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

HGY/2022/2695: New shopfront on existing retail unit.

Proposed Amendments

The alterations sought comprise the amendment of drawing to show vinyl to window required for security to stop vision onto back of till units, and an alteration to shopfront entrance by moving it to the south boundary, south of the ground floor pillar at the centre of the shopfront.

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 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.

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.

The proposed amendments comprise the amendment of the drawing to show vinyl to window required for security to stop vision onto back of till units, and the moving of the entrance door 7840mm to the south boundary. Overall, the proposed works would move the entrance door adjacent to the south boundary of the site, and therefore on the south side of the ground floor pillar at the centre of the shop front. The outcome maintains the character of the existing shopfront, albeit the entrance door would be adjacent to the south boundary of the site.

The additional vinyl would be added to the window on the front elevation for security, to stop vision onto back of till units. The vinyl would cover a third of the shopfront window on the north side of ground floor central pillar, and would be on the adjacent to the north boundary. The alteration to the shopfront would also alter the internal retail space by shifting the existing tills northwards to make space for the new entrance. The changes are considered to be minimal, and therefore the amendments are considered to be acceptable.

All other relevant policies and considerations, including equalities, have been taken into account.

The proposed non-material amendment should be granted for the reasons set out above.