

Officer's Report

Application Number	HGY/2023/0611
Type	Non-Material Amendment
Location	Land at Haringey Heartlands, between Hornsey Park Road, Mayes Road,, Coburg Road, Western Road and the Kings Cross / East Coast Mainline,, Clarendon Gas Works, Olympia Trading Estate, and 57-89 Western Road, London, N8
Proposal	Non-material amendment following a grant of planning permission HGY/2017/3117 for amendments to approved drawings relating to Block B4 fenestration at ground floor and external boundary treatment
Case Officer	Valerie Okeiyi
Valid Date	01/03/2023
Applicant	Mr Ranjeet Dhanjal
Agent	

RECOMMENDATION

Approve

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GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

Proposal: Hybrid planning permission (part Outline, part Detailed) for the demolition of Olympia Trading Estate and Western Road buildings and structures, and a phased, residential led mixed use development comprising the construction of buildings across the site to include the following 163,300sqm GEA Use Class C3 Residential; 7,500sqm GEA Class B1 Business; 1,500sqm to 3,950sqm GEA Class A1-A4; 417sqm GEA Class D1 Day Nursery; and up to 2,500sqm GEA Class D2 Leisure; New Basement Level; two Energy Centres; Vehicular Access, Parking; Realignment of Mary Neuner Road; Open space; Associated Infrastructure and Interim Works; Site Preparation Works.

- Outline Permission is sought for 103,150sqm Class C3 Residential; 7,168sqm to 7,500sqm Class B1 Business Use; 1,500sqm to 3,950sqm Class A1-A4; and up to 2,500sqm Class D2 Leisure Use; Buildings up to 103.90m AOD; associated cycle and car parking provision; new basement level; energy centre; new public square, public realm works and landscaping; vehicular access and new servicing arrangements; associated highway works; and facilitating works. Appearance, Landscaping, Layout, Scale and Access are Reserved Matters. Vehicular access into the Basement Car Park from Mary Neuner Road and Western Road are submitted in detail.

- Detailed Permission is sought for the construction of Building A1-A4, B1-B4 and C1; ranging from 2 to 15 storeys to accommodate 622 residential units; 332sqm Class B1 Business Use/Class A1-

A5 Use; 417sqm Day Nursery; associated cycle and car parking provision; two basements; energy centre; public realm works and landscaping; vehicular access and new servicing arrangements; associated highway works; realignment of Mary Neuner Road. This application is accompanied by an Environmental Impact Assessment

Proposed Amendments

This application seeks approval for amendments to the approved drawings relating to Block B4 fenestration at ground floor and external boundary treatment as listed below:

- Replacement of existing fixed glazing on northern elevation with openable glazing units;
- Adjustment to curtain walling on the eastern elevation to provide 'in-out' door to Nursery reception;
- Installation of retractable canopy on eastern elevation to provide wet weather and shade cover to external play space;
- Change of material and position of external boundary treatment to provide additional external amenity play space to the north and east with secure gated access;
- Addition of external buggy store to northern elevation.

The plans have been revised to address the Design Officers concerns. The revisions include:

- Changes to the fencing to make it appear playful with variation rather than a plain timber fence by incorporating 2 no. gates constructed from 125 x 35mm stained Thermowood (Accoya) and recycled plastic boarding with castellated top 'wave' profile.
- The buggy store to be fully enclosed with Thermowood and four colours of recycled plastic boarding or similar set 25mm apart, with 2 no. gates with digital lock. To be lit internally with movement sensor switches.

Internal Comments

Although no consultations are required for an NMA, this application was considered by the Councils Design Officer to ensure the plans didn't unacceptably impact on the original design quality of the scheme.

LBH Design Officer - I think this looks excellent; I'd be happy to say I have no further concerns with this and would be happy to recommend it be approved in this form.

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 and justification as set out in section 3.2 above are minor in nature given the size of the development as a whole and would not have any detrimental effects on the external appearance of the ground floor of Block B4. The fencing proposed would be playful and provide improved wayfinding and identity to the nursery and provide visual interest on the frontage. The proposed changes also takes into consideration the Cultural Strategy by Dallas–Pierce–Quintero approved as part of the hybrid planning permission consent (HGY/2017/3117). In addition the Design Officer is satisfied with the proposals.

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

RECOMMENDATION

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