

Officer's Report

Application Number	HGY/2023/1589
Type	Non-Material Amendment
Location	Redlands, Summerhill Road, Tottenham, London, N15 4HE
Proposal	Non-Material Amendment for the demolition of sections of the existing boundary wall which surrounds the site as structurally unsafe.
Case Officer	Sarah Madondo
Valid Date	16/06/2023
Applicant	Mr Sutherland
Agent	

RECOMMENDATION

Approve

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

HGY/2020/1779: Redevelopment of existing garages and parking area for the provision of 8 residential units, comprising 6 apartments in two blocks fronting West Green Road and Summerhill Road and 2 houses at the rear of the site with associated access, amenity space, refuse/recycling and cycle storage facilities and landscaping.

Proposed Amendments

This application seeks an amendment to the approved scheme - planning application ref: HGY/2020/1779 relating to land at Redlands, Summerhill Road, N15 4HE to include the demolition of sections of the existing boundary wall and replacement with timber fencing.

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[1]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.

This application seeks to include the demolition of sections of the existing boundary wall which surrounds the site as they are structurally unsafe and replaced with concrete posts, 300mm gravel board, 1800mm close boarded timber fencing and 300mm trellis. In June 2022 ATC Structural Engineers Ltd undertook an appraisal on the condition of the existing boundary walls at Redlands. The report concluded that the walls are generally in very poor condition and structurally unsafe. Given that the existing wall has been deemed as structurally unsafe and that the replacement wall would not be higher than the existing, it is considered that the amendments are acceptable and non material.

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

RECOMMENDATION

GRANT non-material amendment.