

# Officer's Report

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|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Number</b> | <b>HGY/2023/1676</b>                                                                                                                                                                                                             |
| <b>Type</b>               | <b>Non-Material Amendment</b>                                                                                                                                                                                                    |
| <b>Location</b>           | 45-47, Garman Road, London, N17 0UN                                                                                                                                                                                              |
| <b>Proposal</b>           | Non-Material Amendment to vary the plans approved under planning permission Ref: HGY/2022/2293 (position of ground floor storage units, reconfigure the car park layout and replace the facade material on the south elevation). |
| <b>Case Officer</b>       | Kwaku Bossman-Gyamera                                                                                                                                                                                                            |
| <b>Valid Date</b>         | 26/06/2023                                                                                                                                                                                                                       |
| <b>Applicant</b>          | C/O Agent C/O Agent                                                                                                                                                                                                              |
| <b>Agent</b>              | Mr Oscar Mansfield Jones                                                                                                                                                                                                         |

## **RECOMMENDATION**

**Approve**

### **1. PROPOSED DEVELOPMENT AND LOCATION DETAILS**

This is an application for a Non-Material Amendments to planning reference HGY/2022/2293 to vary the position of ground floor storage units, reconfigure the car park layout and replace the façade material on the south elevation.

### **2. ANALYSIS/ASSESSMENT**

#### Legal/ policy context

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.

#### Planning Consideration

The primary consideration arising from this application is whether the amendments to the original scheme are non-material or whether a fresh planning application is required. As such, it is pertinent to assess this application against planning permission references: HGY/2022/2293.

The scheme as consented was for the Redevelopment of the site to provide a self-storage facility (Use Class B8) with associated car and cycle parking, refuse storage, landscaping and other associated works ancillary to the development.

The changes in more detail are outlined below.

- Proposed existing and stair cores are moved to a more central position on the southern side of the building. The proposal would also add two lifts and accompanying stair cores to the western side of the building in order to comply with Building Regulations.
- The car park layout to the north of the building has been inverted, repositioning the car parking spaces further from the store in a more efficient pattern. The customer entry point is to be located further east along the northern side of the store improving access to the car park. It is proposed that the standby generator will be moved further east along the northern boundary of the site and the bike shelter repositioned inside the car park.
- The proposal replaces the façade material on the banding of the south elevation from a brick slip to a cladding finish, to match that above the low-level banding.
- All other aspect of the approved scheme remain unchanged and will not significant affect the approved development appearance.

The changes to the internal layout will improve the legibility and accessibility for end-users of the store. The proposed amends to the façade material relates to a section of banding on the southern elevation, and so will not affect the overall rhythm of the façade or architectural form of the originally approved scheme. The proposed cladding is considered to provide a consistency in facing material in an otherwise completely-obscured façade.

Changes to the car park will not increase the number of parking spaces proposed thus trip generation numbers. Council's Highways officer has raised no objection to the amendments.

The proposed amendments to the scheme as listed above and shown in the drawings are considered to be non-material and acceptable in planning terms. The scheme continues to be appropriate for its context and would not result in any additional adverse impact on the character of the area or on residential amenity.

On this basis, the non-material amendments can be granted.

### **3. RECOMMENDATION**

GRANT Non-Material Amendment