



Officer Report

Application Number:	HGY/2023/2162
Application Type:	Non-Material Amendment
Address:	108, Vale Road, London N4 1TD
Proposal:	Non-Material Amendment application to planning reference HGY/2022/0044 to allow the canopy height to be increased and curtain wall height to be increased.
Case Officer:	Sarah Madondo
Valid Date:	09/08/2023
Applicant:	.
Agent:	Miss Victoria Orbart

RECOMMENDATION

Approve

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

HGY/2022/0044 Application for full planning permission for a comprehensive redevelopment of the site to provide four buildings comprising flexible light industrial floorspace (Class E) and storage and distribution units (Class B8), together with car and cycle parking, plant and all highways, landscaping and other associated works

Proposed Amendments

Non-Material Amendment application to planning reference HGY/2022/0044 to allow the canopy height to be increased and curtain wall height to be increased.

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 for minor design changes to part of the scheme and the design officer was consulted and advises that following additional drawings/clarification the minor amendments are acceptable as these have been justified. The proposed amendments would not water down the scheme, therefore it is considered that proposed changes are considered to be minor amendments.

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