

Officer Report

Application Number: HGY/2023/2468
Application Type: Non-Material Amendment
Address: Tottenham Hotspur Football Club, 748, High Road, London, N17 0AP,
Proposal: Non-Material Amendment following a grant of planning permission HGY/2015/3000, in order to amend condition F17 (Wind Mitigation), to change the requirement for submission from the submission of 'landscape' reserved matter application to 'appearance' reserved matter application.
Case Officer: Samuel Uff
Valid Date: 14/09/202
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Applicant: Mr Richard Serra
Agent: Mr James Beynon

RECOMMENDATION

Approve

RECOMMENDATION

GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

HGY/2015/3000 - Proposed demolition and comprehensive phased redevelopment for stadium Class D2) with hotel (Class C1), Tottenham Experience (sui generis), sports centre (Class D2); Community (Class D1) and/ or offices (Class B1); housing (Class C3); and health centre (Class D1); together with associated facilities including the construction of new and altered roads, footways; public and private open spaces; landscaping and related works. Details of "appearance" and "landscape" are reserved in relation to the residential buildings and associated community and / or office building. Details of "appearance" and "scale" are reserved in relation to the sports centre building. Details of "appearance" are reserved in relation to the health centre building. Proposal includes the demolition of 3 locally listed buildings and includes works to a Grade II Listed building for which a separate Listed Building application has been submitted (Ref: HGY/2015/3001). The proposal is EIA development.

Proposed amendments

This submission is a S.96a application for a Non-Material Amendment to change condition F17 attached to the Tottenham Hotspur Stadium permission approved 15 April 2016. Condition F17 requires that the "landscape" reserved matters application (RMA) be accompanied by a statement outlining how wind mitigation has been incorporated into the Plot 5 (residential) design. This states:

"F17 Wind Mitigation: The submission of the reserved matters application for landscape for the residential development will be accompanied by a statement outlining how wind mitigation has been incorporated in to the Plot 5 detailed design / appearance and landscaping scheme. Reason: To protect the environment and amenities of the locality."

ANALYSIS/ASSESSMENT

Legislation came into force on 1 October 2009 which legally allows the Council to approve non-material changes to approved developments (Statutory Instruments 2009 No. 2261 Town & Country Planning (General Development Procedure) (Amendment no 3) (England) Order 2009.

Assessment

As currently worded, Condition F17 requires that the "landscape" reserved matters application (RMA) be accompanied by a statement outlining how wind mitigation has been incorporated into the Plot 5 (residential) design. The landscape RMA was submitted in December 2022 and is currently pending determination by the Council under reference HGY/2022/4504.

The submission was supported by a statement to address the requirements of Condition F17; however, it is not possible to conclude the position on wind mitigation until the subsequent "appearance" RMA is submitted, as this will have a potential further influence on the wind mitigation strategy of Plot 5 through the detailed design of the development. As such, it is considered appropriate that Condition F17 be modified through an NMA to require a further wind mitigation statement as part of the "appearance" RMA.

The proposed modifications are shown in red text below:

F17 Wind Mitigation:

The submission of the reserved matters application ~~for landscape~~ for 'appearance' for the residential development will be accompanied by a statement outlining how wind mitigation has been incorporated in to the Plot 5 detailed design / appearance and landscaping scheme. Reason: To protect the environment and amenities of the locality."

CONCLUSION

The spirit of the condition, to further consider wind mitigation for the completed development is considered to be reasonably achieved when the final reserved matter application is submitted and that any study of wind will be better assessed when the final design is known. The final RMA will be required prior to development, so the change to the trigger would not compromise any future design. As such this is sufficient to be a non-material amendment.

RECOMMENDATION

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