



Officer Report

Application Number:	HGY/2026/1826
Application Type:	Lawful development: Proposed use
Address:	Triangle Community Centre, 91-93 St Anns Road, Tottenham, London, N15 6NU
Proposal:	Certificate of Lawfulness for the proposed replacement of existing canopies with a new L-shaped canopy, as shown on Proposed General Arrangement Plan SKK4316/103.
Case Officer:	Oskar Gregersen
Valid Date:	29/06/2026
Applicant:	Mr Kian Jafari
Agent:	Mr Ian Kirichok Sunjhoreea

RECOMMENDATION

Permitted Development

1. DESCRIPTION OF APPLICATION

This is an application for a Certificate of Lawfulness to confirm that the proposed works are operations which do not materially affect the external appearance of the building and therefore do not constitute development by virtue of Section 55(2) of the Town and Country Planning Act 1990.

2. PLANNING HISTORY

HGY/2000/0171 – 59 White Hart Lane Day Nursery, White Hart Lane, Wood Green, N22 5SJ – Extension to the existing day-care nursery providing an additional main space, service rooms and alterations to the entrance – Approved.

3. RELEVANT LEGISLATION AND GUIDANCE

Section 55(1) of the Town and Country Planning Act 1990 (as amended) states that "development" (which requires planning permission) means the carrying out of building, engineering, mining or other operations, or the making of a material change in the use of land. Section 55(1A) of the Act states that "building operations" include demolition, rebuilding, structural alterations or additions to buildings, and other operations normally undertaken by builders. Section 55(2) excludes certain operations from the definition of development, including works for the maintenance, improvement or other alteration of a building which affect only the interior of the building or do not materially affect its external appearance. Section 336 of the Act defines a building as including "any structure or erection".

Case law has clarified that operations for the purposes of the Act are activities which result in some physical alteration to the land with a degree of permanence, and that the primary factors in determining whether something constitutes a building are its size, permanence and physical attachment.

4. ANALYSIS / ASSESSMENT

The submitted plans show the proposed installation of a new steel canopy with a polycarbonate roof, together with a series of minor alterations to the existing play area, including: pencil-style fencing separating each class play area; stepped timber seating formed around the existing central birch tree; new role-play enclosures finished in treated timber; a new curved access ramp serving the lower and upper play areas; new stepping stones within the lower play area; a low-level outdoor seating area; additional planting within the south-eastern corner of the site; and a new play area in the form of a road/racetrack with various surface finishes.

These alterations would not be visible from the public realm and are considered minor in nature. The proposed works would not materially affect the external appearance of the host building. It is therefore considered that the proposal would not constitute development and that a Certificate of Lawfulness can be granted.

5. RECOMMENDATION – GRANT CERTIFICATE

The Council hereby certifies that the proposed works comprise operations which do not materially affect the external appearance of the building and therefore do not constitute development by virtue of Section 55(2) of the Town and Country Planning Act 1990. Accordingly, a Certificate of Lawfulness should be granted.