

Officer Report

Application Number:	HGY/2023/2839
Application Type:	Non-Material Amendment
Address:	Land and Railway Arches to the South of Page Green Road, London N15 4PG
Proposal:	Non-Material Amendment application to the approved planning application reference HGY/2023/1393 for the amendments to the proposed site layout and siting of the office, to replace it with a single modular office unit.
Case Officer:	Sarah Madondo
Valid Date:	20/10/2023
Applicant:	Land and Railway Arches to the South of Page Green Road
Agent:	Miss Emma Rawson

RECOMMENDATION

Approve

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

HGY/2023/1393: Change of use of existing arches to a rental vehicle premises and vehicle storage site (Sui Generis Use) including demolition of existing structures, installation of rental vehicle office and rental vehicle wash bay, rental vehicle storage, car parking and associated works.

Site and Surroundings

The application site comprises of a generally triangular area of land amounting to around 0.5ha, comprising predominantly of hardstanding but with railway arches sitting centrally within the site underneath an active railway line that runs through the middle of the site southwest to northeast. The site is located to the south of Page Green Road and is accessed direct from Page Green Road opposite its junction with Stamford Road which goes off to the north. The southern boundary of the site is formed by another active railway line. The predominant land use in the surrounding area is commercial and industrial but immediately to the west of the site is a row of terraced houses. To the northwest, on the western side of Stamford Road, there is another row of terraced houses. However, to the northeast, on the eastern side of Stamford Road, and to the east of the Site generally, the predominant use is commercial and industrial including the Hale Business Centre to the north and various vehicle repair businesses immediately to the east of the site accessed from Markfield Road. To the south of the site is an active railway line with Markfield Park to the south of that. To the southwest is Gladesmore Community School and Crowland Primary School within a predominantly residential area.

Proposed Amendments

Non-Material Amendment application to the approved planning application reference HGY/2023/1393 for the amendments to the proposed site layout and siting of the office, to replace it with a single modular office unit.

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 2015¹ 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.

The proposed amendments would comprises of minor amendments to the approved planning permission reference HGY/2023/1393. It is proposed to change the layout, siting and type of building. Firstly, the layout of the proposed modular building would be slightly smaller, would be located further away from the residential properties and the type of building changed to a single modular structure instead of an office building. It is considered that the proposed amendments are minor as the modular building would not have any impact on the character and appearance of the area nor would it water down the approved scheme. Furthermore, the office will be located further back into the site therefore less visible from the public highway and the the proposed development will still accord with the approved description of development, under reference HGY/2023/1393.

The proposed amendments would be in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.