LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/1669 **Ward:** Noel Park

Date received: 01/06/2016

Drawing number of plans:

Address: 47 Westbury Avenue N22 6BS

Proposal: Non-material amendment following a grant of planning permission HGY/2014/3331 to alter the number of bedrooms in each flat to 3 x 2 bed and 2 x 1 bed.

Applicant: Mrs Eva Kouma

Officer contact: Nanayaa Ampoma

2. RECOMMENDATION

GRANT Non-Material Amendment

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Approved development

HGY/2014/3331: Extension of basement and reconfiguration of ground floor to allow the conversion of the property from an existing 7-bed HMO (with permission for conversion to 2x1-bed and 2x2-bed flats) to 3x1-bed and 2x2 bed flats. – *Grant 06/11/2016*

3.2 Proposed amendments

A non-material amendment is sought to amend the description of the proposal. The original plans submitted failed to annotate a bedroom and as such this was not included in the description. The amendment is sought to clarify the proposal for any future buyer of the property.

4. ANALYSIS/ASSESSMENT

A non-material amendment is sought to correct the proposal description has written on the approved Decision Notice. The original plans submitted failed to annotate a bedroom and as such this was not included in the description. The amendment is sought to streamline the application as a whole and provide clarification to any future buyer of the property.

Under Section 96A of the Town and Country Planning Act 1990 (brought into force on 1 October 2009) via the commencement of Section 190 of the Planning Act 2008 a local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. As there is no specified statutory definition as to what is 'non-material' the Local Planning Authority must use their discretionary powers to make these decisions. In general, the following are unlikely to be accepted as Non Material:

- An amendment that relates to the application site and another site not mentioned on the original application form.
- A change that requires outside consultation.
- An increase in floor space
- An amendment to a listed building application
- The demolition of house
- Any development that would adversely affect the amenity of any neighbour.

After formal considered of the details submitted, it is concluded that the current amendment (to alter the proposal description) accords with what can be considered as a non-material for the reason that the proposed change would make no difference to the approved plans or any legal agreement or obligation. There would also be no impact to any neighbour.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

5. RECOMMENDATION

GRANT Non-Material Amendment

For the purposes of this decision, the application description as approved has been amended to:

Extension of basement and reconfiguration of ground floor to allow the conversion of the property from an existing 7-bed HMO to a 2x2-bed and 3x2 bed flats.

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