

LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2022/2714

Ward:

Date received: 29/09/2022

Drawing number of plans: 014 REV D,001 & 010

Address: 135 Boundary Road N22 6AR

Proposal: Non-material amendment application following a grant of planning permission HGY/2021/2655 for the use of square profile corrugated cladding, intermittent Iroko slate, relocation of the rear SVP and alteration of the ground level planters at the rear.

Applicant: Mr & Mrs Michelle and Dan Meagher

Officer contact: Sarah Madondo

2. RECOMMENDATION

GRANT Non-Material Amendment

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Approved development

Erection of a rear roof dormer including the insertion of 2 front and 2 rear rooflights and installation of large rear facing window. Replacement of existing uPVC porch with a new brick, timber framed and metal framed glazed porch. New bike and bin storage in front garden. New decking, pergola and installation of 2x doubled glazed doors at the rear. Erection of outbuilding for storage in rear garden.

3.2 Proposed amendments

Non-material amendment application following a grant of planning permission HGY/2021/2655 for the use of square profile corrugated cladding, intermittent Iroko slate, relocation of the rear SVP and alteration of the ground level planters at the rear.

3.3 Site and surrounds

The subject site is a mid-terrace dwelling. The site is not located within any conservation area. There is no previous planning history of the site.

4. 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-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.

The proposed changes are not considered to materially impact the design intent of the scheme. The amendments will not result in any increased impacts of overlooking for the neighbours. It would also not result in any material impact on the character and visual amenity of the property or surrounding area. On this basis, it is considered that a non-material amendment can be granted.

5. RECOMMENDATION

GRANT Non-Material Amendment