

Officer's Report

Application Number	HGY/2022/4339
Type	Non-Material Amendment
Location	43 Leith Road, Wood Green, London, N22 5QA
Proposal	Non-material amendment to combine the enlarged roof shown in approved application Ref: HGY/2021/3543 without the rear dormer structure, and the larger version of the ground floor extension approved from application Ref: HGY/2022/2408.
Case Officer	Kwaku Bossman-Gyamera
Valid Date	06/12/2022
Applicant	Ms and Ms J and M Duhra and Hancock
Agent	Mr Richard Fisher

RECOMMENDATION

Approve

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

3.1 This is Non-material amendment (NMA) following a grant of planning permission HGY/2021/3543 to combine the enlarged roof shown in this approved without the rear dormer window and the approved single storey rear extension approved under planning application reference HGY/2022/2408.

3.2 This NMA seeks Local Planning Authority's approval for the roof details under planning permission HGY/2021/3543 which allows a combination of hip and gable roof style over the side extension without the approved dormer window.

3.3 This amendment also sought to utilise the approved single storey rear extension under planning permission Ref: HGY/2022/2408. The approved single storey measures 2.3m deep and 5.0m wide with a pitched roof details.

Site and Surroundings

3.4 The application site is a two-storey end of terrace property situated on northern side of Leith Road, close to the junction with Stirling Road. Property has an existing single storey side extension. The surrounding area is residential in character.

3.5 The site is not located within a conservation area and does not fall within the curtilage of a listed building. The site is not subject to any Site – Specific Policy Designations.

Relevant Planning and Enforcement history

3.6 The most recent planning history in relation to the site is as follows.

- HGY/2022/2408 – GTD – 19/10/2022 - Front extension at ground and first floor with new front porch and extended main roof. Ground floor side extension.
- HGY/2022/1068 – GTD – 07/06/2022 - Non - material amendment following a grant of planning permission ref: HGY/2021/3543. Alterations to rear windows at 2nd floor level and

ground floor level. Replacing the approved Velux roof window on the main front roof-slope with narrower Velux windows.

- HGY/2021/3543 – GTD – 27/01/2022 - Loft conversion with rear dormer window including raising the ridge height of the roof to match adjoining property. Two-storey side extension. Ground floor side extension.

4. MATERIAL PLANNING CONSIDERATIONS

4.1 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 nonmaterial 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.

4.2 The NPPF 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.

Other considerations

4.3 The “test” as to whether the proposed revisions can be approved through the non-material amendment procedure relates to their materiality and significance in the context of the Extant Planning Permission.

4.4 Taking the above “test” into account, the proposals would constitute a non-material amendment as defined under Section 96A of the Act for the following reasons:

4.5 The proposed host building would increase height of the relatively low ridge of the Roof to match up with the adjoining property at No.45 Leith Road. Currently the roof ridge is below roof ridge of nos.45, 47 and 49. Proposed increased ridge height will be in line with adjoining row of terraces mainly, 45, 47 and 49 Leith Road and as such this is considered acceptable in design terms. The design and appearance of the roof would compliments existing rood design and would not detract from the immediate adjoining properties. The retention of the roof details without the approved rear dormer window is considered acceptable in this instance.

4.6 The approved single storey rear extension is considered modest in size and its position in relation to the adjoining neighbours would not have any significant harm to the living condition of the adjoining occupiers.

Conclusion

4.7 The principle of the alterations and changes to this property have already been accepted by virtue of the consents in questions with this application for a non-material amendment raising no specific issue or concerns.

4.8 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

5. RECOMMENDATION

GRANT NON-MATERIAL AMENDMENT.