

Officer's Report

Application Number	HGY/2022/4038
Type	Non-Material Amendment
Location	56, Farrer Road, Hornsey, London, N8 8LB
Proposal	Non-material amendment to planning permission ref: HGY/2022/1954 to raise the height of the rear extension to 4m and install patio with steps in the rear garden.
Case Officer	Mark Chan
Valid Date	08/11/2022
Applicant	Mrs SHAMISTA RAJARATNAM
Agent	Mr Gary Arnaoutis

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

2.1 Approved development

HGY/2022/1954 – Demolition of existing rear extension, and erection of a single storey infill front extension and a single storey rear extension. Granted permission 10/10/2022.

2.2 Proposed amendments

The proposed amendments involve raising the height of the rear extension approved under ref: HGY/2022/1954 to 4m and install patio with steps in the rear garden.

2.3 Site and surrounds

The subject site is a two-storey detached property on the northern side of Farrer Road, east of Farrer Mews. The site is not located within any Conservation Area and does not fall within the curtilage of a listed building.

3. 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 amendments involve raising the height of the approved rear extension from 3.05m to 4m and install of a raised decking/patio with steps in the rear garden. The roof form of the raised rear extension would remain flat and be constructed from the same approved material. The raised height would also match the height of the existing rear extension at the adjacent No. 54 Farrer Road. The new raised decking is of appropriate depth (2.2m) and height (0.6m) that would retain majority of the rear garden and would not introduce additional overlooking to neighbours. The amendments are considered to be modest in scale and would not significantly alter the appearance and design nor increase the scale of the approved development. Whilst the amendments would be visible from public view points, it is not considered to harm the character and appearance of the host building and streetscene.

On this basis, it is considered that a non-material amendment can be granted.

4. RECOMMENDATION

GRANT Non-Material Amendment