

Officer's Report

Application Number	HGY/2022/4282
Type	Non-Material Amendment
Location	39 Pages Lane, Hornsey, London, N10 1PU
Proposal	Non-Material Amendment to planning permission: HGY/2022/1821 to allow: installation of two front rooflights rather than three rooflights, various alterations to fenestration and minor widening of balcony.
Case Officer	James Mead
Valid Date	31/01/2023
Applicant	Mrs Alicia Zur Szpiro
Agent	Ms Xanthe Wilkins

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment.

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

2.1 Approved Development

- HGY/2021/1821: Loft extension and conversion involving: hip to gable extension, installation of a rear dormer and addition of rooflights. Removal of balcony and erection of a single storey rear storage unit extension, incorporating a terrace/balcony. Alterations to fenestration.

2.2 Proposed Amendments

- Change from three front rooflights to two front rooflights.
- Omission of side window and instead block up existing door/window.
- Minor widening of balcony in rear dormer.
- Alterations to windows/doors at second floor and ground floor on rear elevation.

2.3 Site and Surroundings

The application site is occupied by a two storey, semi-detached dwellinghouse, which has three storeys to the rear. This property sits on the northern side of Pages Lane, in a line of semi-detached dwellings located between the junctions with Pages Hill and Creighton Avenue. The area to the north of the site is residential in character, being predominantly made up of a mixture of detached and semi-detached properties. On the opposite side of Pages Lane is a Church and student accommodation. The Muswell Hill Conservation Area (CA) is situated to the south of the site.

3. ANALYSIS/ASSESSMENT

Section 96A 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 original planning permission allowed three rooflights to be installed on the front roof slope. It is intended to alter this, so that instead two larger rooflights would be inserted. It is not considered that the addition of two rooflights, instead of three, would be a change of such scale that it would materially affect the appearance of the development. Therefore, this alteration is considered to be a non-material amendment.

On the western side elevation it is proposed to omit a window approved under the original application. Instead, an existing door and window would be blocked up. The blocking up would be done in matching materials, and therefore this alteration would not materially affect the appearance of the property. As such, this change would equate to a non-material amendment.

To the rear alterations are proposed to the approved dormer window. It is proposed to slightly widen the balcony and associated doors. In addition, the dimensions of the window on the western side of the dormer would be altered. The width of the balcony would be increased by approximately 0.4 metres. This increase is considered negligible and would not materially affect the appearance of the development, nor would it result in materially different views over neighbouring plots/properties. Therefore, this change can be agreed as non-material. The alteration to the dimension of the window on the western side of the dormer would be minor and would not materially impact the appearance of the development. As such, this alteration represents a non-material amendment.

At ground floor level on the rear elevation, it is proposed to slightly increase the width of the doors, which provide access onto the terrace. In addition, it is intended to insert windows of differing style. These changes would be minor in nature and would not materially impact the appearance of the development, nor would they allow any notably different views over neighbouring properties. Therefore, these changes can be agreed as non-material.

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

4. RECOMMENDATION

GRANT Non-Material Amendment.

