

Officer's Report

Application Number	HGY/2023/0171
Type	Non-Material Amendment
Location	Land to the rear of 19 Caxton Road, Wood Green, London, N22 6TB
Proposal	Non-Material Amendment application following the grant of planning permission HGY/2019/2355 for the erection of 3 no. two bed houses, in a new part two storey, part single storey and part basement building. The amendments being sought are for alterations to the buildings elevations to reflect what has been built.
Case Officer	Neil McClellan
Valid Date	18/01/2023
Applicant	GV Building Services
Agent	michael david

RECOMMENDATION

Approve

RECOMMENDATION

GRANT Non-Material Amendment.

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

Planning permission granted under application reference HGY/2019/2355 for the erection of 3 no. two bed houses, in a new part two storey, part single storey and part basement building.

Proposed amendments

The amendments being sought are:

- Minor change in the overall height of the building, increasing the height of the 2nd storey parapet by 14mm.
- Minor changes to front and rear fenestration.
- Changes to the screens/railing over the front elevation openings.
- Installation of drain pipes to the rear elevation.

Site and surrounds

The subject site is a new development under construction comprising a terrace of three 2-storey houses. The site is opposite the rear of the Woodgreen Shopping centre. It is not located within any conservation area and does not fall within the curtilage of a listed building.

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 very minor increase in the height of the building would not result in any increased amenity impacts for the neighbours. It is noted that the approved scheme indicated a lighter buff brick than the dark grey brick that has been used. However the final choice of external material was conditioned and the original approval allowed for a potentially different external material to be secured by condition. The local area around the development site exhibits a wide variety of external material type and colour. The materials that have been used in the development as built are therefore not considered out of keeping with the character of the area.

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

RECOMMENDATION

GRANT Non-Material Amendment.