

Officer's Report

Application Number	HGY/2023/1104
Type	Non-Material Amendment
Location	59 Holmesdale Road, Hornsey, London, N6 5TH
Proposal	Non-material amendment following the grant of planning permission reference HGY/2022/1686 for the erection of a ground floor rear and side infill extension and alterations to rear fenestration. The amendments sought comprise the change of the previously approved rear bifold door to a french window style door and window, and the change of the glazed part of the infill extension roof from a cranked glass roof to a flat glass roof.
Case Officer	Oskar Gregersen
Valid Date	12/04/2023
Applicant	Thomas Cuvelier
Agent	Mustafa Acikgoz

RECOMMENDATION

Approve

RECOMMENDATION

GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

HGY/2022/1686 - Erection of a ground floor rear and side infill extension and alterations to rear fenestration.

Proposed Amendments

The amendments sought comprise the change of the previously approved rear bifold door to a french window style door and window, and the change of the glazed part of the infill extension roof from a cranked glass roof to a flat glass roof.

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 changes proposed comprise the following:

- Alterations to the approved door arrangement at the rear of the infill extension. The proposal seeks to change the previously approved full width bi-fold doors to the rear to a french style window door and large window.
- The change of the glazed part of the approved infill extension roof from a cranked glass roof to a flat glass roof.

These changes would not have any adverse impact on neighbouring amenity or design and on this basis, are considered that a non-material amendment can be granted.

RECOMMENDATION

GRANT Non-Material Amendment