

Officer's Report

Application Number	HGY/2023/0681
Type	Non-Material Amendment
Location	7 Wood Vale, Hornsey, London, N10 3DJ
Proposal	Non-Material Amendment following a grant of planning permission HGY/2022/3541 seeking the following changes to the approved scheme: Windows in the front bay to be replaced (new timber framed windows omitting transoms); Size of proposed window openings on rear first floor and rear dormer increased; Alterations to approved extension from sloped roof to flat roof.
Case Officer	Laina Levassor
Valid Date	09/03/2023
Applicant	Mr Luca Oglina
Agent	Mr Dominic ORIordan

RECOMMENDATION

Approve with Conditions

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

HGY/2022/354: Erection of a single storey rear extension, formation of rear terrace containing external air source heat pump and rainwater storage tank, the construction of a hip to gable extension with installation of solar panels and rooflights to front roof slope, construction of a rear dormer extension with solar panels to the flat roof, replacement of an existing front porch, replacement of front elevation windows, replacement of rear elevation windows, replacement of side elevation window, installation of external wall insulation and the installation of electric vehicle charging point to driveway.

Proposed amendments

Non-Material Amendment following a grant of planning permission HGY/2022/3541 seeking the following changes to the approved scheme: Windows in the front bay to be replaced (new timber framed windows omitting transoms); Size of proposed window openings on rear first floor and rear dormer increased; Alterations to approved extension from sloped roof to flat roof.

Original proposal also included an increase in the depth of the approved rear extension. This has been removed from the NMA application and the plans have been amended accordingly.

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 will not materially impact on the external appearance of the development or on the residential amenities of the neighbours. On this basis, it is considered that a non-material amendment can be granted.