

Officer's Report

Application Number	HGY/2023/0402
Type	Non-Material Amendment
Location	21 Clifton Road, Hornsey, London, N8 8JA
Proposal	Non-material amendment is sought to planning permission HGY/2020/0333 dated 17/04/2020 for the reduction of the rear extension by 600mm from the southern neighbouring boundary, and to reduce the size of the proposed window to the rear elevation.
Case Officer	Ben Coffie
Valid Date	09/02/2023
Applicant Agent	Sharon Toong

RECOMMENDATION

Approve

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

Planning permission was approved for the erection of single storey ground floor side infill extension and external alterations to existing single storey rear projection.

Proposed amendments

Non-material amendment is sought for the reduction of the rear extension by 600mm from the southern neighbouring boundary, and to reduce the size of the proposed window to the rear elevation.

The proposal initially incorporated the addition of solar panels above the roof of the host dwelling however this has been omitted.

Site and surroundings

The subject site is a two-storey end of terrace single dwellinghouse. The site is within the Muswell Hill 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 nonmaterial 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 NPPF 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 amendment involves the reduction of the approved extension by 600mm from the southern neighbouring boundary and to reduce the size of the proposed window to the rear elevation. The change will not result in any material increase in height, scale, width, or depth of a building.

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