

Officer's Report

Application Number	HGY/2023/0259
Type	Non-Material Amendment
Location	Flat 1, 52 Kitchener Road, Tottenham, London, N17 6DX
Proposal	Non-Material Amendments to planning reference HGY/2022/3860 for the alterations to rear and side elevations including the replacement of a door with a window
Case Officer	Sabelle Adjagboni
Valid Date	26/01/2023
Applicant	Ms Emily Spence
Agent	Ms Katja Leszczynska

RECOMMENDATION

Approve

REPRESENTATIONS

No representations were received in response to notification and publicity of the application.

REASONS FOR GRANTING PERMISSION

The application site relates to the ground floor flat in a two-storey building with two flats.

The surrounding area is wholly residential in character. The site is not located within any conservation area and does not fall within the curtilage of a listed building.

The planning history of the site has been taken into account when coming to this decision.

- HGY/2022/3860 | Alterations to rear and side elevations. | Granted

This is non-material amendment to previously approved scheme under reference HGY/2022/3860. The proposed amendments are as follows:

- The proposal is for a minor alteration on the side elevation which is to replace the existing door with a window of the same width. The new window will have same height as the existing adjoining window giving the side elevation a more cohesive appearance.

All other aspects of previously approved application remain unchanged with regard to footprint, scale and bulk, particularly the proposed external materials and finishes remain the same and match the existing.

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 'nonmaterial'. 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 amendments are considered minor, acceptable and would not have any significant material impact of the external appearance of the building. Additionally, the proposal would not have any adverse impact on the amenities of the adjoining occupiers. The proposal is considered a non-material amendment and this application is therefore recommended for approval.

The proposed development is in general accordance with Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

GRANT PERMISSION FOR NON-MATERIAL AMENDMENT