

Officer's Report

Application Number	HGY/2023/1357
Type	Non-Material Amendment
Location	1 Bedford Road, Hornsey, London, N8 8HL
Proposal	Non-Material Amendment to approved side/rear extension (HGY/2022/4009) to add additional rooflights to extension.
Case Officer	Oskar Gregersen
Valid Date	22/05/2023
Applicant	Packwood and Root
Agent	Daniel Beardsley

RECOMMENDATION

Refuse

1. APPLICATION DETAILS

1.1 Non-Material Amendment to approved side/rear extension (HGY/2022/4009) to add additional roof lights to extension.

2. REPRESENTATIONS

2.1 Three representations were received in response to notification and publicity of the application and their comments were as follows:

2.1.1 Loss of privacy from additional rooflights

2.1.2 Additional noise

2.1.3 Light pollution

3. REASONS FOR REFUSING PERMISSON

3.1 The subject site is an end-terrace two-storey dwellinghouse, that has been sub-divided into two separate dwellings. The site benefits from a large rear garden, with a small front garden, and is positioned 15.48m from the closest property on Crouch Hall Road.

3.2 The site is located within Crouch End conservation area and does not fall within the curtilage of a listed building.

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

3.4 This is non-material amendment to previously approved scheme under reference HGY/2022/4009. The proposed amendments are as follows:

3.4.1 Alterations to side and rear roof light arrangement, change of two westernmost roof lights of single oblong units to two groups of three square units.

3.4.2 Addition of two further roof lights to easternmost edge of the approved extension.

3.4.3 Change of low profile rooflights on roof of extension to larger pyramid style rooflights.

3.5 All other aspects of previously approved application remain unchanged with regard to design, footprint, scale and bulk, particularly the size of the extension remains the same. However the pyramid style rooflights could be seen to increase the maximum height of the approved extension.

3.6 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.

3.7 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.

3.8 The proposed amendments are not considered to be non-material, and would have significant material impact of the external appearance of the building, in specific the pyramid style rooflights would increase the height of the extension, and would be significantly more visible to the upstairs dwelling, potentially causing issues of light pollution into the flat above. Proposal would have adverse impact on the amenities of the adjoining occupiers. The proposal is considered to be a material amendment, and permission should be sought for the proposed changes to permission HGY/2020/4009

3.9 The proposed development would not be 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 would not accord with the relevant policies of the London Plan 2016 and the NPPF.

3.10 The proposal would comply not with Policy DM9 of the Development Management, Development Plan 2017 and will preserve or enhance the character and appearance of the conservation area, as it would introduce features to the rear of the site that would be out of character for the area and could be seen to be negatively impactful to the character of Crouch End Conservation Area.

REFUSE PERMISSION FOR NON MATERIAL AMENDMENT