

Officer Report

Application Number:	HGY/2023/1556
Application Type:	Non-Material Amendment
Address:	Flat A, 62 Colney Hatch Lane, Hornsey, London, N10 1EA
Proposal:	Non-material amendment following a grant of planning permission HGY/2022/2448, for removal of existing window on North Elevation and addition of blockwork/facing brickwork to match façade.
Case Officer:	Eunice Huang
Valid Date:	18/07/2023
Applicant:	Mr Laurence Harper
Agent:	Mr Laurence Harper

RECOMMENDATION

Approve

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GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

Planning permission granted under application reference HGY/2022/2448 for loft conversion including mansard roof extension and rooflights, and erection of a single storey rear extension to convert the existing 2no. studio flats, 1no.1-bed flat, and 1no. 2-bed flat into 2no. 1-bed flats and 2no. 2-bed flats.

Proposed amendments

The amendments being sought are:

- Removal of existing window on North Elevation (Ground Floor Bedroom 1) and addition of blockwork/facing brickwork to match façade.

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 amendment seeks to brick up an existing window with materials matching the dwelling façade. This existing window was formerly to an existing kitchen; under the approved development the window was to Bedroom 1 on the ground floor. The removal of the window is intended to improve the aesthetic and insulation performance of the property. The removal of the window will not have a material impact upon the appearance of the subject building; nor will it have a material impact on the amenity of neighbouring properties. The internal amenity of Bedroom 1 will be maintained with the approved window WB-03.

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

RECOMMENDATION

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