

Officer Report

Application Number:	HGY/2023/2014
Application Type:	Non-Material Amendment
Address:	146 Cranley Gardens, Hornsey, London, N10 3AH
Proposal:	Non-Material Amendment to planning permission HGY/2022/0467 to make changes to a consented rear extension at ground level.
Case Officer:	Josh Parker
Valid Date:	25/07/2023
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Applicant:	Mrs Clara Hermann
Agent:	Mr Ivan Henshell

RECOMMENDATION

Approve

1. PROPOSED & APPROVED DEVELOPMENT.

Approved development: HGY/2022/0467 Rear Extension at ground level and associated works. Refurbishment of existing side extension and garage. Approved 21/03/2022.

This is an application for a Non-Material Amendments to planning reference HGY/2022/0467. The changes can be summarised by the following:

1. Marginally smaller volume overall with a slightly lower level of roof at the front.
2. Slightly reduced rooflight sizes and sliding door openings, avoiding excess heat loss/gain with smaller glazing quantities.
3. One lesser glazed panels to the rear garden.
4. The rear gutter has a modified detail - overall dimensions for the bulk of the extension are the same.
5. The flat roof is set at a slightly lower level, avoiding alteration needed to the 1st floor side window.
6. Minor adjustment to utility rooflight away from neighbouring property.
7. No extension to the front of the garage.
8. Raising a parapet wall on the land of the application site only to improve acoustic resistance between properties. The height of this wall is lower overall than is implied by the roof given consent with the parapet details themselves not fully shown on the previous permission drawings.

The subject site is a two storey semi detached dwelling house with a large rear garden. The local area is comprised with residential dwellings with a range of architecture, however there are continuous pockets of continuous architectural styles. The site is not located within a conservation area, nor within the curtilage of a listed building.

2. ANALYSIS/ASSESSMENT

Legal/ policy context

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.

Assessment/Discussion

The extension and additions to the dwelling of the approved permission HGY/2022/0467 have been revised as outlined above. The revisions are modest and aim to downsize the glazing, roof and remove the front extension. Alterations would make the works more financially feasible with a similar outcome as the footprint and envelope is similar but slightly lesser than the approved scheme.

The materials proposed will remain the same and will be of a high quality. The alteration will not introduce any material implications for the neighbouring properties or streetscape, as the changes are minor and sympathetic to the approved plans. The raised parapet will add a small amount of bulk by raising them however, will not have introduce any harm on the neighbouring properties garage at No. 144 because of the size and nature of the addition.

The revised scheme falls within the non-material threshold consistent with s96 of the Town and Country Planning Act 1990 and therefore acceptable.

4. RECOMMENDATION

GRANT Non-Material Amendment