



Officer Report

Application Number:	HGY/2026/0790
Application Type:	Non-Material Amendment
Address:	44A Blythwood Road, London, N4 4EX
Proposal:	Non-material amendment to planning application HGY/2025/1950 for the “Demolition of three existing garages and the erection of a part two-storey, part three-storey dwellinghouse, including associated front and rear soft landscaping, boundary walls, gates, cycle storage, and bin enclosure”, to amend the scheme by repositioning and setting in the boundary flank wall of the dwelling.
Case Officer:	Roland Sheldon
Valid Date:	20/03/2026
Applicant:	Mr Courtney Algar
Agent:	

RECOMMENDATION

Approve

1. Background

Planning permission HGY/2025/1950 granted consent for the demolition of three existing garages and the erection of a new dwellinghouse with associated landscaping, boundary treatments, and ancillary facilities.

2. Assessment of the Proposed Amendment

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a Local Planning Authority to make changes to a planning permission where it is satisfied that the changes are non-material in nature. There is no statutory definition of what constitutes a “non-material” amendment; this is assessed on a case-by-case basis, taking into account the context of the approved development.

National Planning Practice Guidance (NPPG) confirms that an amendment considered non-material in one context may be material in another, and it is for the Local Planning Authority to determine whether the proposed changes are non-material. As an application for a non-material amendment is not a planning application, statutory consultation and publicity requirements under the Town and Country Planning (Development Management Procedure) (England) Order 2015 do not apply. Any consultation undertaken is therefore at the discretion of the Authority.

In determining such applications, the Authority must have regard to the impact of the proposed change and any previous changes made under Section 96A. Section 38(6) of the Planning and Compulsory Purchase Act 2004 is not engaged.

The primary consideration is whether the proposed alteration constitutes a non-material amendment or whether a fresh planning application would be required.

The approved scheme provided an internal floor area of 149 sqm, which exceeded the 106 sqm minimum floorspace requirement set out in the London Plan for a four-bedroom, six-person dwelling. The proposed repositioning of the boundary flank wall would result in a modest reduction of internal floorspace of approximately 4.75 sqm, giving a revised internal area of 144.25 sqm.

This revised floorspace would continue to exceed the London Plan minimum standards and would still provide a satisfactory standard of accommodation for future occupiers.

The amendment would not result in any material change to the scale, massing, appearance, or overall design quality of the dwelling and would not give rise to any additional impacts on neighbouring amenity or the surrounding area.

Furthermore, the proposal continues to meet the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. The minor amendment would not harm the established character or appearance of the area.

On this basis, the proposed change is considered non-material.

3. Conclusion

The proposed repositioning and setting in of the boundary flank wall would result in only a minor alteration to the approved scheme, with no material impact on design, amenity, policy compliance, or floorspace standards. The amendment meets the legal tests set out under Section 96A of the Town and Country Planning Act 1990.

4. Recommendation

GRANT Non-Material Amendment