



Officer Report

Application Number:

HGY/2026/0432

Application Type:

Removal/variation of conditions

Address:

49 Twyford Avenue, Hornsey, London, N2 9NR

Proposal:

Variation of Condition 1 (Approved Plans) attached to planning permission HGY/2016/0758, as previously varied by HGY/2025/1322, to amend the approved scheme by replacing the extension's metal roof with a flat roof; substituting metal cladding with facing brickwork; removing the side balcony; relocating the external side stair away from the boundary; omitting the new masonry wall to the Ringwood Avenue boundary in favour of traditional fencing and tall shrubs with a slatted-panel bin enclosure; and altering the structural glazed link to introduce framed obscured glazing, with the pane facing the neighbouring property reduced or replaced with a solid element.

Case Officer:

Eunice Huang

Valid Date:

17/02/2026

Applicant:

MR DAN DIANA

Agent:

Mr Dan Diana

RECOMMENDATION

Approve with Conditions

1. Approved development

HGY/2016/0758 - Planning permission for proposed rear ground floor level and basement level extension with the demolition of the existing rear conservatory and terrace. Other alterations to the original building include a new dormer window and extended porch over the main entrance.

Approved with Conditions 22/06/2016.

It is understood that development had commenced under HGY/2016/0756, rendering the consent active.

HGY/2025/1322 - Variation of condition 2 (approved plans) and removal of condition 3 (privacy screens) attached to planning permission HGY/2016/0758 to amend the approved scheme to reduce rear excavation, reduce lower ground floor area, and add side porch extension. Approved with Conditions 08/08/2025.

2. Proposed amendments

This application seeks to vary Condition 1 (Approved Plans) attached to planning permission HGY/2016/0758, as previously varied by HGY/2025/1322, to amend the approved scheme by replacing the extension's metal roof with a flat roof; substituting metal cladding with facing

brickwork; removing the side balcony; relocating the external side stair away from the boundary; omitting the new masonry wall to the Ringwood Avenue boundary in favour of traditional fencing and tall shrubs with a slatted-panel bin enclosure; and altering the structural glazed link to introduce framed obscured glazing, with the pane facing the neighbouring property reduced or replaced with a solid element.

3. Consultation response

No consultation was required for this application.

4. Local representations

No representations received from neighbours, local groups, etc in response to notification and publicity of the application.

5.Planning Assessment

An application can be made under S.73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a S.73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. A S.73 application results in a new permission being issued.

Guidance for determining S.73 applications is set out in the NPPG which states that a minor material amendment is one “whose scale and nature results in a development which is not substantially different from the one which has been approved”. This is not a statutory definition but the Department for Levelling Up, Housing and Communities agree with this statement. It is further stated that the development which the application under S.73 seeks to amend will by definition have been judged to be acceptable in principle at an earlier date. Consequently, the extent of the material planning considerations are somewhat restricted and only the amendments being applied for should be considered at this stage. Having said that, when determining the application, the local planning authority (LPA) will have to consider the application in the light of current policy. The LPA therefore has to make a decision focusing on national or local policies which may have changed significantly since the original grant of planning permission as well as the merits of the changes sought.

Assessment

The amendments specifically involve the following:

- Replacing the extension’s metal roof with a flat roof; involving a minor height increase on the Ringwood Avenue elevation.

Officer’s comment: The proposed flat roof simplifies the roof form of the extension, resulting in a sympathetic appearance that does not dominate the host building. The height increase is located on the Ringwood Avenue elevation, away from neighbouring properties. The amendment thus does not result in a material impact on neighbouring amenity.

- Substituting metal cladding with facing brickwork on the side and rear elevations;

Officer’s comment: The proposed facing brickwork would match existing, which is sympathetic to the host building. The Ringwood Avenue elevation would remain stepped, which assists in modulating the overall length of the brick flank wall.

- Removing the side balcony on the first floor level;

Officer's comment: The removal of the side balcony on the Ringwood Avenue elevation would not have a material impact on the appearance of the site or the amenity of neighbouring properties.

- Relocating the external side stair away from the boundary;

Officer's comment: The relocation of the external side stairs on the Ringwood Avenue elevation allows an enlarged planting bed area behind the boundary fencing, which would support tall shrub planting that would soften the appearance of the elevation.

- Omitting the new masonry wall to the Ringwood Avenue boundary in favour of traditional fencing and tall shrubs, with a slatted-panel bin enclosure; and,

Officer's comment: The proposed fencing style is consistent with existing and is sympathetic to the host building.

- Altering the structural glazed link on the eastern side boundary to introduce framed obscured glazing, with the pane facing the neighbouring property reduced or replaced with a solid element.

Officer's comment: The amendments to the structural glazed link do not alter its height or volume and would not have a material impact on the adjoining property.

Conclusion

The proposal is considered acceptable with regards to its design, appearance and impact on neighbouring amenity.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

6.Recommendation

GRANT PERMISSION

Conditions:

- 1 The development hereby permitted shall be carried out in complete accordance with the approved plans as listed below, other than where those details are altered pursuant to the conditions of this planning permission.

Approved plans list: A-P-020 Revision G, A-P-025 Revision G, A-P-099 Revision G, A-P-100 Revision G, A-P-101 Revision G, A-P-201 Revision G, A-P-202 Revision G, A-P-202.01 Revision G, A-P-203 Revision G, A-P-301 Revision G.

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-
8.00am - 6.00pm Monday to Friday
8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.