

Officer Report

Application Number:	HGY/2026/1374
Application Type:	Non-Material Amendment
Address:	178 Archway Road, Hornsey, London, N6 5BB
Proposal:	Non-Material Amendment to approved development HGY/2025/0079 (Demolition of an existing lightweight timber structure and erection of a new 2-bedroom 3 person, 70 sqm (GIA) dwelling with rear courtyard on the land to the rear of No. 178 Archway Road and fronting Wembury Mews) to alter brickwork and to introduce lintels above openings on front and rear elevations, slight relocation of roof light structure
Case Officer:	Oskar Gregersen
Valid Date:	14/05/2026
Applicant:	Mr Russell Jones
Agent:	Mr Russell Jones

RECOMMENDATION

Approve

1. ANALYSIS/ASSESSMENT

This is an application for a Non-Material Amendments to planning reference HGY/2025/0079 for the following changes:

- Amendments to brickwork and to introduce lintels above openings on front and rear elevations, slight relocation of roof light structure

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 2015¹ 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.

Planning Consideration

The primary consideration arising from this application is whether the amendments to the original scheme are non-material or whether a fresh planning application is required. As such, it is pertinent to assess this application against planning permission references: HGY/2025/0079. The scheme as consented was for the

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The proposed amendments to the approved development would consist of alterations to the fenestration at the front and rear elevations to include lintels, as well as alterations to the facing brickwork to more closely resemble surrounding buildings. The proposal would also see the small structure to the roof relocated to the right slightly.

The proposal still satisfies the legal test of Section 72 (1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires the Local Authority to pay special attention to the desirability of preserving the character and appearance of conservation area.

On this basis, the non-material amendments can be granted.

3. RECOMMENDATION

GRANT Non-Material Amendment