

Officer Report

Application Number:	HGY/2026/1380
Application Type:	Non-Material Amendment
Address:	86 Southwood Lane, Hornsey, London, N6 5SY
Proposal:	Non-material amendment to planning permission HGY/2025/2929 for design and material changes to south boundary retaining wall.
Case Officer:	Nathan Keyte
Valid Date:	15/05/2026
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Applicant:	Mr Andrew Ardill
Agent:	

RECOMMENDATION

Refuse

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

This is an application for a Non-Material Amendments to planning reference HGY/2025/2929, which granted planning permission for a two storey side extension; rear extension; alteration to boundary retaining wall; ASHP; solar panels; alterations to existing building facade and roof; alterations to windows and doors; and associated changes.

The proposed amendment to the scheme seeks changes to south boundary retaining wall design and materials.

The building is not listed, but the site is located within the Highgate Conservation Area and part of the Southwood House Estate.

The Southwood House Estate is on the site formerly occupied by Southwood House and its garden. The house was built in c.1746 but burnt down in 1953. The former boundary wall to the south is a locally listed 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 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.

3. Application/site history

HGY/2026/0905,

Address: 86 Southwood Lane, Hornsey, London, N6 5SY

Proposal: Approval of details pursuant to conditions 3 (windows) and 4 (brickwork) attached to planning permission ref. HGY/2025/2929 for extensions to the property and associated changes granted on 27/01/2026.,

Decision Date: 14 May 2026

Decision: Approve

PRE/2025/0028,

Address: 86 Southwood Lane, Hornsey, London, N6 5SY

Proposal: Deep retrofit and side extension to current family home which is also targeting Passivhaus EnerPHit certification. Retaining wall repair/ new works.,

Decision Date: 5 March 2025

Decision: Long Advice Given

HGY/2025/2929,

Address: 86 Southwood Lane, Hornsey, London, N6 5SY

Proposal: Two storey side extension; rear extension; alteration to boundary retaining wall; ASHP; solar panels; alterations to existing building facade and roof; alterations to windows and doors; and associated changes.,

Decision Date: 27 January 2026

Decision: Approve with Conditions

4. Planning Consideration

The primary consideration arising from this application is whether the amendments to the changes to the retaining wall as approved under 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 reference:

HGY/2025/2929.

Assessment/Discussion

The proposals form three parts, changing the concrete finish and altering the locally listed walls position and its junction to the concrete wall below.

How the locally listed wall will be rebuilt following its dismantling is a fundamental aspect of how the proposal would have an impact on the significance of this heritage asset, and was subject to significant scrutiny during the original application.

The original coping was chosen as it reflected the material found elsewhere on the locally listed wall where this changed to a wider plinth/buttress and this was specified by the applicant as an appropriate material for this junction. The proposed material change would cause the proposed development to have a different (worse) heritage impact on the locally listed wall.

The proposed changes in this application include a different build-up and a different position of the wall rebuilt wall which would have a different impact on the heritage asset.

The proposed sections shows the location of the wall and its build-up differing from the previously approved changing its location and its relationship the sections of wall which were to be retained and protected during the course of these works. Altering this relationship would cause the proposed development to have a different (worse) heritage impact on the locally listed wall. It is also noted that no amended plan (currently PLA-04 Rev P7) has been provided to fully assess this impact.

The proposed change to the concrete material finish, a different vertical line pattern would not have an impact on the heritage assets, but this does not negate the differences discussed above.

The alteration to the locally listed boundary wall from the approved design cannot be considered to be non-material in nature with regards to design and heritage considerations.

As such, a non-material amendment cannot be granted.

5. RECOMMENDATION

REFUSE Non-Material Amendment

Refusal Reasons:

The alteration to the locally listed boundary wall from the approved design cannot be considered to be non-material in nature with regards to design and heritage considerations. As such, a non-material amendment cannot be granted.