



# Officer Report

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| <b>Application Number:</b> | <b>HGY/2026/1888</b>                                                                                                                                                                                                                            |
| <b>Application Type:</b>   | <b>Non-Material Amendment</b>                                                                                                                                                                                                                   |
| <b>Address:</b>            | 42 Westerfield Road, Tottenham, London, N15 5LD                                                                                                                                                                                                 |
| <b>Proposal:</b>           | Non-material amendment to planning permission HGY/2026/1149 for Erection of a single storey ground floor rear extension with a 'Sukka' (lantern) rooflight. Proposed amendment: to indicate the correct property on the OS map and floor plans. |
| <b>Case Officer:</b>       | Roland Sheldon                                                                                                                                                                                                                                  |
| <b>Valid Date:</b>         | 06/07/2026                                                                                                                                                                                                                                      |
| <b>Applicant:</b>          | Mr Freylich                                                                                                                                                                                                                                     |
| <b>Agent:</b>              | Mr Joel Stern                                                                                                                                                                                                                                   |

## **RECOMMENDATION**

### **Approve**

#### **1. ANALYSIS/ASSESSMENT**

This is an application for Non-material amendment to planning permission HGY/2026/1149 for Erection of a single storey ground floor rear extension with a 'Sukka' (lantern) rooflight. Proposed amendment: to indicate the correct property on the OS map and floor plans.

#### **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.

### 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/2026/1149. The scheme as consented was for the erection of a single storey ground floor rear extension with a 'Sukka' (lantern) rooflight.

It was noted following approval of the development that the incorrect property had been labelled on the OS map, with the approved OS plan indicating that the property was located 4 properties down from the north of the terrace instead of 6, which would actually be no. 46 as opposed to no. 42.

This did not materially impact the assessment of the original, which is still acceptable with regards to design and amenity impact considerations resulting from the positioning and dimensions of the extensions in relation to neighbouring properties.

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

### **3. RECOMMENDATION**

#### **GRANT Non-Material Amendment**