



Officer Report

Application Number: HGY/2026/1449
Application Type: Non-Material Amendment
Address: 8 Eastern Road, Hornsey, London, N2 9LD
Proposal: Non-Material Amendment to the application HGY/2025/0897 as approved on 21/08/2025 for:

Demolition of side garage and erection of new single storey side extension together with new insulated render finish to side and rear elevations, new and adjusted window openings and internal remodelling. Solar Panel are to be added the rear elevation roof slope.

The proposed amendments sought are:

- alterations to window positions
- amendments to the style of the original windows
- installation of PV panels on rear roof slope

Case Officer: Adam Silverwood
Valid Date: 23/06/202
Applicant: 6
Agent: Mr Robert Dibble
Mr Joseph Mercer

RECOMMENDATION

Approve

1. ANALYSIS/ASSESSMENT

This is an application for Non-Material Amendments to planning reference HGY/2025/0897 as approved on 21/08/2025 for:

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The ammendments are considered individually as part of this report.

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 reference: HGY/2025/0897.

This extant application was approved on the 21st August 2025 with conditions requiring the development to be constructed within three years of the date of the decision, in accordance with the approved plans, with external materials that match that within the submitted plans and with an additional condition that requires that the replacement windows match those on the existing building in terms of colour texture and appearance.

Alterations to window positions

The plans show alterations to windows and doors on the rear elevation including the reduction in width of the rear window/ doors on the ground floor. The first floor windows are not described within the development plans but are depicted as no longer being sash windows. The leftmost window is reduced in width.

The approved decision notice for the parent application included the condition 'Notwithstanding the approved plans and for the avoidance of any doubt, the replacement windows hereby approved shall match those of the existing building in terms of colour, texture, appearance and architectural detailing, including windows horn detail and shall be maintained as such thereafter.'

The proposed amendments to the rear façade windows are not considered to conflict with condition 4 as placed on the extant planning application. The wording 'notwithstanding the approved plans' which was designed to ensure that the upper windows on the rear elevation should match the conservation style is considered to apply in even after the reduction in width of the leftmost upper window. There are no concerns regarding the window/ doors on the ground floor.

S93 application do not have the capacity to remove or vary conditions, this would be subject to a S73 application. The obligations within condition 4 as placed upon the application decision notice are still considered to apply.

There are amendments to the ground floor flank windows. These are not considered to be detrimental to the reasoning for the approval of the extant application and are therefore considered non-material. Clarifying information has been received that indicates that the proposed windows will be retained as opaque. This is welcomed.

Photovoltaic Panels

As part the extant application, photovoltaic panels were to be installed on the southern flank of the outrigger. This application extends this to the eastern facing roof slope.

The principle of solar panels in in this loaction was accepted in principle within the extant permission with this non-material amendment providing additional solar panels. While the addition of any photovoltaics may have the capacity to alter the character and appearance of any host property, those proposed are within acceptable permitted development limits and are therefore considered to be acceptble and a non-material amendment to this planning application.

While this application is not considered to materially alter or undermine the reasoning for imposition of the original conditions or significantly erode the qualities of the original development as proposed.

No additional floorspace, amendments to the curtilage of the proposed buildings or other matters that could potentially impact upon the amenity of adjacent occupiers are proposed as part of this application.

3. RECOMMENDATION

APPROVE Non-Material Amendment

Informatives

For the avoidance of doubt, the plans approved under application HGY/2025/0897 as approved on 21/08/2025 shall be superseded by:

- 03-001-NMA-Site Plan.pdf
- 03-110 NMA - First Floor Plan
- 03-200 NMA - Elevations
- 03-100 NMA - Ground Floor Plan
- 03-300 NMA - Section AA
- 03-320 - Section CC (received 21/07/2026)

All conditions as placed upon the original decision notice still apply.

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