



Officer Report

Application Number:	HGY/2026/1633
Application Type:	Non-Material Amendment
Address:	St Matthews Court 7b, Coppetts Road, Hornsey, London, N10 1NW
Proposal:	Non-Material Amendment to planning permission (ref: APP/Y5420/W/22/3308350) dated 03/05/2023 for the construction of a new residential building (use class C3), together with landscaping, cycle and car parking, and associated works; namely to remove of part of enclosing perimeter walls at lower ground floor level, introduction of a predominantly open-sided undercroft, with more than 50% of the perimeter open, provision of partially uncovered parking areas & retention of structural support through columns/pilotis rather than enclosed walls.
Case Officer:	Ben Coffie
Valid Date:	09/06/2026
Applicant:	Henry C/O Savills
Agent:	Henry Bell

RECOMMENDATION

Approve

1. PROPOSAL

This application seeks a non-material amendment under Section 96A of the Town and Country Planning Act 1990 (as amended) to planning permission HGY/2023/2653 (APP/Y5420/W/25/3361804), granted on appeal for the demolition of the existing building and the erection of a new residential building (Use Class C3) comprising six residential units, together with associated landscaping, cycle parking and car parking, at St Matthews Court, 7B Coppets Road, Hornsey, London, N10 1NW.

The application seeks to vary Condition 2 (Approved Drawings) attached to the above permission, specifically in relation to the undercroft car parking area at lower ground floor level.

Proposed changes:

- Removal of part of the enclosing perimeter walls at lower ground floor level;
- Introduction of a predominantly open-sided undercroft, with more than 50% of the perimeter open;
- Provision of partially uncovered parking areas; and
- Retention of structural support through columns rather than enclosed walls.

2. ANALYSIS/ASSESSMENT

Legal/Policy Context

Section 96A of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to make a change to a planning permission where it is satisfied that the change is non-material. An application for a non-material amendment may only be made by, or on behalf of, a person with an interest in the land to which the planning permission relates. The application may only relate to the part of the permission affecting that land.

The National Planning Practice Guidance (NPPG) states that there is no statutory definition of a "non-material" amendment, as this depends 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 therefore be satisfied that the amendment sought is non-material before granting the application.

As an application for a non-material amendment is not an application for planning permission, the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 relating to statutory consultation and publicity do not apply. Local Planning Authorities therefore have discretion as to whether, and how, they choose to inform interested parties or seek their views.

The NPPG further states that, when determining such applications, the Local Planning Authority must have regard to the effect of the proposed change, together with any previous changes made under Section 96A. It must also take into account any representations made 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.

Site and Background

The application site forms part of St Matthews Court and was the subject of a successful planning appeal (Ref. HGY/2023/2653 / APP/Y5420/W/25/3361804), which granted permission for the redevelopment of part of the site to provide a new residential building comprising six residential units, together with associated landscaping, cycle parking and car parking.

Planning Considerations

The primary consideration is whether the proposed amendments are non-material or whether a fresh planning application is required. As such, it is necessary to assess the proposed changes against planning permission HGY/2023/2653 (APP/Y5420/W/25/3361804).

The approved scheme provides for the demolition of the existing building and the erection of a new residential building (Use Class C3) comprising six residential units, together with associated landscaping, cycle parking and car parking.

Proposed changes:

- Removal of part of the enclosing perimeter walls at lower ground floor level;
- Introduction of a predominantly open-sided undercroft, with more than 50% of the perimeter open;
- Provision of partially uncovered parking areas; and
- Retention of structural support through columns/pilotis rather than enclosed walls.

The proposed changes are shown on drawing 767-P-01 (Proposed General Arrangement Plan – Lower Ground Floor, Revised Undercroft Layout), which will replace approved drawing 20169-LSI-AAA-LG-DR-A-1300 SO P03, and drawing 767-P-02 (Proposed General Arrangement Elevations), which will replace approved drawing 20169-LSI-AAA-00-DR-A-1001 SO2 P02.

Undercroft Parking Area – Removal of Enclosing Walls

The proposed amendments would remove part of the enclosing perimeter walls to the undercroft parking area at lower ground floor level, replacing them with a predominantly open-sided arrangement in which more than 50% of the perimeter would be open. Structural support would be retained through columns/pilotis rather than enclosed walls, and parts of the parking area would be partially uncovered.

These changes are confined to the treatment of the undercroft enclosure and would not affect the building's height, scale or massing, the number of residential units, the overall site layout or landscaping strategy, or the approved access arrangements and parking provision. The number and layout of parking spaces, together with the position of the lift, cycle store and bin store, would remain as approved.

The proposed changes would also improve natural ventilation within the car park, removing the need for mechanical ventilation.

- There would be no change to the building's height, footprint or siting;
- There would be no increase in overlooking, loss of privacy or sense of enclosure;
- There would be no change to daylight or sunlight impacts; and
- The proposal would retain the approved level of car parking provision and would not alter access or circulation within the site.

The proposed amendments maintain the overall architectural composition established by the appeal scheme, improve openness at lower ground floor level, and do not alter the scale or massing of the building.

As such, the proposed changes would not alter the fundamental characteristics of the approved scheme and are therefore considered non-material. The amendments are considered to constitute non-material amendments for the purposes of Section 96A of the Town and Country Planning Act 1990 (as amended), and the variation of Condition 2 is acceptable in planning terms.

3. RECOMMENDATION

GRANT Non-Material Amendment.