



Officer Report

Application Number:	HGY/2026/0958
Application Type:	Non-Material Amendment
Address:	98 High Street, Hornsey, London, N8 7NT
Proposal:	Non-Material Amendment to planning permission HGY/2024/2879 to amend the description of development to read: "Construction of a 2-bedroom mews dwelling (Use Class C3); reconfiguration of 2 existing flats (Use Class C3); conversion of the loft into a self-contained flat (Use Class C3); and upgrades to the façade."
Case Officer:	Josh Parker
Valid Date:	01/04/2026
Applicant:	Mr Nicholas Endelman
Agent:	Mr Alexander Trovalusci

RECOMMENDATION

Approve

1. PROPOSAL

This is an application for a Non-Material Amendment to planning permission HGY/2024/2879 from:

"Construction of a 2-bedroom mews dwelling (Use Class C3); reconfiguration of 2 x existing flats (Use Class C3); conversion of loft into office (Use Class E); and upgrades to façade."

to:

"Construction of a 2-bedroom mews dwelling (Use Class C3); reconfiguration of 2 existing flats (Use Class C3); conversion of the loft into a self-contained flat (Use Class C3); and upgrades to the façade."

2. ANALYSIS / ASSESSMENT

Legal and Policy Context

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a Local Planning Authority to make changes to a planning permission where it is satisfied that the proposed amendment 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 and may only relate to that part of the planning permission affecting the land in which that person has an interest.

The National Planning Practice Guidance (NPPG) confirms that there is no statutory definition of a "non-material amendment". Whether an amendment is non-material will depend on the context of

the development and the circumstances of the case. A change that may be non-material in one context may be material in another. It is therefore for the Local Planning Authority to determine whether the amendment sought is non-material.

As an application under Section 96A is not an application for planning permission, the statutory consultation and publicity requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 do not apply. Local Planning Authorities therefore have discretion as to whether and how interested parties are informed or consulted.

The NPPG further advises that, when determining an application under Section 96A, the Local Planning Authority must have regard to the effect of the proposed change together with any previous amendments made under Section 96A. Any representations received from parties notified by the Council may also be taken into account.

Relationship to the Concurrent Section 73 Application

This application should be considered alongside the concurrent Section 73 application (ref. HGY/2026/2143), which seeks a variation to Condition 2 (Approved Plans) attached to planning permission HGY/2024/2879.

The Section 73 application has been subject to consultation with neighbouring occupiers and interested parties and includes a full assessment of the planning implications arising from the amended scheme, including design, residential amenity and all other applicable material planning considerations.

It is important to note that the current Section 96A application does not seek to assess or approve the physical alterations proposed to the development. Those matters are considered under application HGY/2026/2143.

The purpose of this Section 96A application is solely to amend the wording of the description of development so that it accurately reflects the development assessed and approved under the corresponding Section 73 permission.

It is well established that, while a description of development cannot be amended through a Section 73 application, a concurrent application under Section 96A may be used to amend the description where the change to the wording itself is non-material and simply reflects amendments assessed through the Section 73 process. In this case, the revised description would not authorise any development beyond that assessed under application HGY/2026/2143 and merely ensures that the description of development accurately reflects the amended scheme.

Planning Considerations

The purpose of this application is to amend the description of development from:

“Construction of a 2-bedroom mews dwelling (Use Class C3); reconfiguration of 2 x existing flats (Use Class C3); conversion of loft into office (Use Class E); and upgrades to façade.”

to:

“Construction of a 2-bedroom mews dwelling (Use Class C3); reconfiguration of 2 existing flats (Use Class C3); conversion of the loft into a self-contained flat (Use Class C3); and upgrades to the façade.”

Having regard to the limited nature of the proposed wording changes, the concurrent assessment of all physical alterations under application HGY/2026/2143, and the fact that the amendment simply updates the description of development to accurately reflect the amended scheme

proposed under that application, the proposed change is considered to constitute a non-material amendment for the purposes of Section 96A of the Town and Country Planning Act 1990 (as amended).

The proposed amendment is therefore acceptable.

3. RECOMMENDATION

GRANT Non-Material Amendment.