



Officer Report

Application Number:	HGY/2023/2097
Application Type:	Non-Material Amendment
Address:	25 Sheldon Avenue, London N6 4JS
Proposal:	Non-Material Amendment to planning permission HGY/2023/0078 to demolish existing front façade, amend proposed front façade, amend roof form and raise ridge level over north-eastern wing, amend part-pitched roof over ground floor to a flat roof, amend second floor dormer windows, add first floor window on north-east elevation and internal alterations.
Case Officer:	Eunice Huang
Valid Date:	24/08/2023
Applicant:	Mr Greg Hill
Agent:	Mr Tim Powter-Robinson

RECOMMENDATION

Approve

RECOMMENDATION

GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved Development

Planning permission granted under application reference HGY/2023/0078 on 08/06/2023 for demolition of existing dwelling, with partial retention of front facade. Erection of a new replacement dwelling extending further to the rear, with a new basement and associated lightwells. Installation of new front boundary wall, gates and railings.

Non-material amendment to planning permission HGY/2023/0078 was granted under application reference HGY/2023/1914 on 30/08/2023 to amend description of the development and amend Condition 3 to make reference to re-use of materials. The description of the development was been amended to: Demolition of existing dwelling. Erection of a new replacement dwelling extending further to the rear, with a new basement and associated lightwells. Installation of new front boundary wall, gates and railings.

Proposed Amendments

The amendments being sought are:

- Demolition of existing front façade
- Amend proposed front façade
- Amend roof form and raise ridge level over north-eastern wing

- Amend part-pitched roof over ground floor to a flat roof
- Amend second floor dormer windows
- Add first floor window on north-east elevation
- Internal alterations

CONSULTATION RESPONSE

No consultation responses were received.

LOCAL REPRESENTATIONS

The application has been publicised by way of letters to the side-adjoining neighbours. The number of representations in response to notification and publicity of the application were as follows:

No of individual responses: 1

One response was received, raising the following issues, which are addressed in the next section of the report:

- Concern about whether the proposed changes to the roofline are considered non-material
- Submitted plans do not show comparison between approved drawings and proposed non-material amendments (Officer note: The level of detail submitted is satisfactory for the non-material amendment in this instance. The planning officer has compared the submitted drawings with the approved drawings under the parent application in this assessment.)

ANALYSIS/ASSESSMENT

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.

An assessment of the proposed design changes is as follows:

Front façade

The approved development under HGY/2023/0078 involved the retention of the front façade. This application seeks to demolish and rebuild the front façade, with minor changes to the design. This includes:

- Changes to the proportions of the windows, door and dormers
- First floor bay over garage changed to a triple window
- Octagonal entrance hall windows lowered
- Amendment to front door surround

The proposed façade amendments are minor and maintain the existing and approved character of the dwellinghouse. The proposed changes do not result in a material impact upon the streetscene or neighbouring properties. The development therefore remains compatible with development in the surrounding area.

Roof form – north-eastern wing

The proposal seeks to amend the roof form over the north-eastern wing, which is adjacent to No. 27 Sheldon Avenue. The original plans submitted for this non-material amendment proposed a roof pitch of 40 degrees, to match that of the main roof form, which would raise the roof ridge by 920mm compared to approved.

Due to concerns about the resulting increase in bulk and volume, amended plans have been submitted, reducing the proposed pitch from 40 degrees to 37.5 degrees, which reduces the ridge height by 237mm.

The proposed changes to the roof are considered non-material in this instance due to the detached nature of the dwellinghouse, where the separation distances between buildings mitigate material impacts of the development. The north-eastern side of the dwelling has a separation distance of approximately 1.08m between side facades, when measured to the single storey element of No. 27, which has no side facing windows. This separation distance increases to approximately 3m between the eaves. No objections have been raised by this adjoining neighbour.

This proposed roof height and form resulting from 37.5 degree pitch is considered acceptable in relation to visual impact. The proposed roof pitch maintains a coherent composition with the main roof form and is consistent with roofscape character of the remaining original houses on the street. It would not have a material impact upon the streetscene or the adjoining dwelling due to separation distances.

Roof form – rear of ground floor

The proposal amends the part-pitched roof over the ground floor to a flat roof, reducing its height and volume. The flat roof complements the dwelling design and does not have a material impact upon the amenity of neighbours.

First floor window on north-east elevation

A new first floor window is to be added to the north-east elevation. This window is for the dressing room of the principal bedroom. It would be composed of obscure glass. As such, there would not be a material impact upon the privacy of No. 27 Sheldon Avenue. No objections have been raised by this adjoining neighbour.

Conclusion

On this basis, it is considered that a non-material amendment can be granted.

RECOMMENDATION

GRANT Non-Material Amendment