

Officer Report

Application Number:	HGY/2023/2914
Application Type:	Non-Material Amendment
Address:	3 Gladwell Road, Hornsey, London, N8 9AA
Proposal:	Non-material amendment to planning permission HGY/2023/0943 to remove the existing rear water closet.
Case Officer:	Nathan Keyte
Valid Date:	30/10/2023
Applicant:	Rosaire Gray
Agent:	Mr Michael Hickey

RECOMMENDATION

Approve

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

Planning permission was approved for the erection of a single storey rear side infill extension with glazed sloped roof. Approved date- 30/05/2023.

Proposed amendments

Non-material amendment to planning permission HGY/2023/0943 to remove the existing rear water closet as shown on the existing and approved plans.

Site and surrounds

The subject property at 3 Gladwell Road is a 2 storey mid-terraced dwelling sited on the western end of Gladwell Road. The area is comprised of other Victorian styled bricked buildings comprised of red brick or painted brick in varying colours. The building is not listed nor is it within a conservation area.

2. 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 nonmaterial 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 NPPF 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.

The site is not located in a conservation area. The proposed amendment is considered minor, acceptable and would not have any significant material impact of the external appearance of the building, noting the water closest is single storey and located to the rear of the site. Proposal would not have any adverse impact on the amenities of the adjoining occupiers, as it relates to the removal rather than addition of built form. The proposal is considered a non-material amendment and this application is therefore recommended for approval.

The proposed development is in general accordance with S96 of the Town and Country Planning Act 1990 (as amended), Policies DM1 and DM12 of the Development Management, Development Plan Document 2017, and policy SP11 of Haringey's Local Plan Strategic Policies 2017. The proposed development also accords with the relevant policies of the London Plan 2021 and the NPPF.

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