



Officer Report

Application Number: HGY/2023/2983
Application Type: Non-Material Amendment
Address: Flat 3, 28 Stapleton Hall Road, Hornsey, London, N4 3QD
Proposal: Non-Material Amendment to planning application HGY/2023/1219 for an additional rooflight to the front elevation.
Case Officer: Cameron Sturges
Valid Date: 06/11/2023
Applicant: Mr Rory Richardson
Agent:

RECOMMENDATION

Approve

1. RECOMMENDATION

GRANT Non-Material Amendment

2. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

2.1 HGY/2023/1219 - Installation of rear dormer extension and front rooflights.

Proposed amendments

2.2 The applicant has applied for a non-material amendment to application HGY/2023/1219 for an additional rooflight to the front elevation.

Site and surrounds

2.3 The site is occupied by a three storey, mid-terrace property, which is in use as three separate flats. This scheme relates to the top floor flat. The property is situated on the eastern side of Stapleton Hall Road, in a line of terraced properties. The setting is residential in character, being predominantly made up of terraced housing and some blocks of flats. The site is within the Stroud Green Conservation Area (CA), with locally listed buildings (19 – 41 Stapleton Hall Road) and a grade II listed building (Stapleton Hall) present in the immediate locality. The host property itself, together with this row of terraced housing, are considered to contribute positively to the character of the CA.

3. CONSULTATION RESPONSE

3.1 The following were consulted for the NMA:

LBH Conservation – No objections:

“Looking at the approved plans under the original application compared to the now proposed, the additional rooflight would not have an effect on the overall impact of the proposed development on the significance of the conservation area”

4. ANALYSIS/ASSESSMENT

4.1 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.

4.2 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.

4.3 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.

4.4 The proposed amendment is considered minor, acceptable and would not have any significant material impact of the external appearance of the building or the Conservation Area. Furthermore, rooflights on the front roof slope are a prominent and established feature of this section of Stapleton Hall Road. Additionally, the proposal would not have any adverse impact on the amenities of the adjoining occupiers. The proposal is considered a non-material amendment and this application is therefore recommended for approval.

4.5 The proposed development is in general accordance with Policies DM1, DM9 and DM12 of the Development Management, Development Plan Document 2017, and policies SP11 and SP12 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.

5. RECOMMENDATION

GRANT Non-Material amendment.