



Officer Report

Application Number:	HGY/2023/3200
Application Type:	Non-Material Amendment
Address:	Ground Floor Flat, 33 Connaught Road, Hornsey, London, N4 4NT
Proposal:	Non-Material Amendment is sought following a grant of planning permission HGY/2023/2503; to change a window of the approved extension facing the courtyard to a door.
Case Officer:	Ben Coffie
Valid Date:	29/11/2023
Applicant:	Anca Smona Hategan
Agent:	Santa Datta

RECOMMENDATION

Approve

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Non-Material Amendment is sought following a grant of planning permission HGY/2023/2503; to change a window of the approved extension facing the courtyard to a door.

2. ANALYSIS/ASSESSMENT

Legal/ policy context

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.

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. The modifications to the conditions proposed are considered to fall within the scope of a non-material amendment.

Planning Consideration

The primary consideration arising from this application is whether the amendments to the original scheme are non-material or whether a fresh planning application is required. As such, it is pertinent to assess this application against planning permission references: HGY/2023/2503

The changes in more detail to the approved development involved changing a window which allows light into the kitchen area of the approved development to a door.

Officers consider that the proposed amendments to the approved development are acceptable. The proposed amendments would not result in a material change to the approved development which would require further consideration to the character and appearance of the host dwelling and surrounding area or residential amenity.

On this basis, the non-material amendments can be granted.

4. RECOMMENDATION

GRANT Non-Material Amendment