



Officer Report

Application Number:	HGY/2024/0107
Application Type:	Non-Material Amendment
Address:	4 Parham Way, Hornsey, London, N10 2AT
Proposal:	Non-material amendment to planning permission HGY/2023/2730 to change the window frame colour from white to grey.
Case Officer:	Nathan Keyte
Valid Date:	15/01/2024
Applicant:	Mr Sebastian Zsifkov
Agent:	

RECOMMENDATION

Approve

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

Planning permission was approved for replacement of existing timber windows with aluminium windows.
Approved date: 15/12/2023.

Proposed amendments:

Non-material amendment to planning permission HGY/2023/2730 to provide for window frames to change from white to grey in colour.

Site and surrounds

The subject site is a mid-terrace property within a row of four two-storey (with loft accommodation) dwellinghouses located on the southern side of Parham Way, N10. The surrounding uses are residential. The site does not contain a listed building but is located within Muswell Hill Conservation Area.

A visit was undertaken to the site 01-02-2024.

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 located in a conservation area. The location of the subject site is relevant, being along Parham Way and relating to more modern buildings than those in the general Muswell Hill Conservation Area.

The existing window frame colour of adjoining properties at no. 6 and no. 8 Parham Way are noted to be in differing shades of grey. The officer report for the original permission HGY/2023/2730 noted that these adjoining buildings were to have frames finished in white. Following investigation by Haringey's enforcement team the grey frames at no 8 are accepted to remain, as permission HGY/2022/2231 did not specify a window colour. The buildings opposite, at no.s 1 – 7 (uneven) also have windows not finished in white.

Taking the above matters into consideration, the proposed amendment is considered minor, acceptable and would not have any significant material impact of the external appearance of the building in the context of the site-specific characteristics and neighbouring properties. The proposal would not have any adverse impact on the amenities of the adjoining occupiers, as it relates to the change of colour 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, DM9 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.