



Officer Report

Application Number:	HGY/2024/0874
Application Type:	Non-Material Amendment
Address:	183 Mount View Road, Hornsey, London, N4 4JT
Proposal:	Non-material amendment to planning permission ref. HGY/2023/1045 granted on 9th August 2023 for the Rear extension at ground floor, Window change at first floor bathroom and new Velux window at second floor level.; namely alteration to size of first floor rear bathroom window.
Case Officer:	Roland Sheldon
Valid Date:	27/03/2024
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Applicant:	Mr + Mrs Jo + Yugo Ashida
Agent:	Ms Melissa White

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

The subject site contains a two-storey mid-terrace dwellinghouse located on the northern side of Mount View Road, N4. The surrounding uses are residential. The site is located within Stroud Green Conservation Area.

The proposal seeks a non-material amendment with regards to planning permission HGY/2023/1045. Proposed alteration to size of first floor rear bathroom window.

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. 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.

Planning Consideration

Planning permission was previously granted for a rear extension at ground floor, window change at first floor bathroom and new Velux window at second floor level, under planning reference HGY/2023/1045. The first floor rear bathroom window in that application replaced the existing sash unit with a slightly reduced height timber sash unit. The non-material amendment sought in this planning application only seeks to amend the size of this window so that it remains the same height/size as the existing window. The design of the window would remain as a timber sash unit with central mullion and transom detail. There are no design/heritage concerns with regards to this change, which can therefore be considered to be a non-material amendment to the planning permission.

3. RECOMMENDATION

GRANT Non-Material Amendment.