

Planning Services
Planning, Regeneration & Economy
London Borough of Haringey
Level 6
River Park House
Wood Green
N22 8HQ

Our ref: 23-01037
Date: 16 April 2024

Dear Planning Department,

Re: Minor Material Amendment Application (MMA iv) for the Variation of Condition 2 (Approved Plans) (Section 73) of the 1990 Town and Country Planning Act (as amended) pursuant to the Planning Application Ref. HGY/2019/2944 at 42 Hampstead Lane, London, N6 4LL

We are instructed by our client, Mr H Golshirazi, to submit a minor-material amendment application (MMA), under Section 73 of the Town and Country Planning Act 1990, in relation to Condition 2 attached to planning permission HGY/2019/2944 at 42 Hampstead Lane, London, N6 4LL.

This application has been submitted via the Planning Portal (PP- 12973472) on 16 April 2024. The planning application fee of £293.00 has also been duly paid via the Planning Portal.

The planning application to which this proposal relates is ref. HGY/2019/2944 and was approved under delegated authority with the Decision Notice being issued on 15th January 2021. Three further non-material amendments have been approved in relation to the above planning permission being refs HGY/2023/2988, HGY/2023/2998 and HGY/2024/0025. Together, these comprise the approved plans and documents for the planning permission.

Separate to this submission, a fourth NMA is now being submitted, as alongside another three MMA applications. Summary details of these are indicated in the table below for completeness. Each application covers different amendments and should be considered on their own individual merits in accordance with established planning principles, with decisions being issued separately relevant to proposal under consideration.

Our Application Ref.	Type of Application and Plan Ref.	Proposed Amendments
NMA iii (Rev C)	NMA (Rev C)	Window omitted from west elevation. Chimney position adjusted.
MMA i (Rev D)	S73 (Rev D)	New solid door to front façade. Rear windows to GF formal living to be arched.
MMA ii (Rev E)	S73 (Rev E)	Ground floor and first floor quoins to be stone and central rear bay quoins omitted. Reconfiguration of rear façade windows.

Rapleys - 66 St James's St, St. James's, London, SW1A 1NE

T: 0370 777 6292 E: info@rapleys.com www.rapleys.com @rapleys [linkedin/twitter](#)

MMA iii (Rev F)	S73 (Rev F)	Stone fascia added to front and rear dormers. All sash windows to be casement. All glazing bars to windows omitted.
MMA iv (Rev G) (This application)	S73 (Rev G)	Rear lower ground floor windows to be sliding doors.

Proposed Amendments

This application submission relates to MMA iv (Rev G) which proposes amendments to the rear lower ground floor windows to be sliding doors.

The following drawings have been submitted to support the application (now all Rev G):

- Lower Ground Plan (Drawing No. 17049-P-090 Rev G);
- Rear (North) Elevation (Drawing No. 17049-P-311 Rev G); and
- MMA Application iv Presentation Document dated April 2024.

The proposed minor material amendment is proposed through substituting the above plans for the relevant plans listed under Condition 2 of planning permission (HGY/2019/2944 as amended by the approved NMAs)

Planning Considerations

The reconfiguration of the rear elevation relocates the approved arch design from the basement to ground floor level, whilst allowing wider openings at basement level to lead out to the patio level. As located to the rear of the property, these changes would not be visible from the Hampstead Lane streetscene. Additionally, these alterations respect the original consent whilst enhancing the enjoyment of the proposed outdoor space and allowing the site to reach its optimum viable use, in line with Paragraph 202 of the National Planning Policy Framework (2021).

Due to the proposed comprehensive landscaping at the host property and the sunken nature of the lower ground floor, relative to the adjoining rear garden level, much of the design of the patio doors is shielded from view from both the host rear garden and from neighbouring properties. This is demonstrated in drawing no. 17049-P-311 Rev G (Rear (North) Elevation) which identifies both the level difference and proposed indicative landscaping. Condition 4 of the planning permission, means that the LPA is able to ensure that the landscaping provides an appropriate level of screening and positive residential amenity. Therefore, the proposed design will not cause harm to the Conservation Area.

Furthermore, the rear patio door design is in keeping with nearby properties including no. 46 Hampstead Lane which has several patio doors to the rear elevation. Therefore, the design remains in keeping with the pattern of development within this part of the Conservation Area and causes less than substantial harm to the historic importance of the Conservation Area.

Conclusion

After reviewing the relevant planning considerations in respect of the proposal, this application for a non-material amendment at 42 Hampstead Lane, is deemed to be in accordance with relevant planning policy.

The proposed amendments will allow the preservation and conservation of the historic asset (Highgate Conservation Area) whilst allowing a modern development to complement the streetscene and a development which is the optimum use of the site. The proposal will lead to less

than substantial harm to the significance of the Highgate Conservation Area and provides the public benefit of bringing a dwellinghouse into use. The proposed alterations are in keeping with the guidance adopted within the Highgate Conservation Area Character Appraisal and Management Plan and within the existing Highgate Road streetscene and wider Conservation Area. Therefore, the proposed development is considered to be wholly acceptable in planning terms.

We therefore respectfully request that planning permission is granted for the proposed development.

We look forward to receiving confirmation of receipt of this amendment note and revised drawings, however, in the meantime if you require any further information or have any queries in respect of the submitted documentation, please do not hesitate to get in contact.

Yours faithfully,


S Moulton (Apr 16, 2024 15:28 GMT+1)

Sean Moulton
MPlan MRTPI
Senior Planner
sean.moulton@rapleys.com

MMA iv (Rev G) Cover Letter - 42 Hampstead Lane

Final Audit Report

2024-04-16

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