



Officer Report

Application Number:	HGY/2024/0990
Application Type:	Non-Material Amendment
Address:	31 Milton Park, Hornsey, London, N6 5QB
Proposal:	Non-Material Amendment (Section 96a) pursuant to the Planning Application Ref. HGY/2023/0872, to change glazed opening for a double-sided fireplace replacement with a window, minor width changes to the bifold doors and addition of a skylight on the dormer roof.
Case Officer:	Josh Parker
Valid Date:	31/03/2025
Applicant:	Mr & Mrs Matteo Milan Olga Thompson
Agent:	Mrs Polina Nenasheva

RECOMMENDATION

Approve

1. PROPOSED & APPROVED DEVELOPMENT.

Approved development: HGY/2023/0872 Demolition of garage, erection of replacement side extension, changes to fenestration of rear elevation and the erection of a rear dormer extension to the roof. Approved 05/07/2023

This is an application for a Non-Material Amendments to planning reference HGY/2023/0872 Minor amendments to the Rear Elevation. The glazed opening for a double-sided fireplace replacement with a window, minor width changes to the bifold doors. Addition of a skylight on the dormer roof.

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 2015¹ 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

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/2023/0872.

The changes in more detail are outlined below.

- Changes in size and position of a skylight;
- Addition of one skylight on the dormer roof;
- replacement of a double-sided glazed fireplace on the rear façade;
- bifold doors width reduction on the rear façade.

Assessment/Discussion

The proposed amendments are relatively minor and would not materially impact the character and appearance of the host building, street scene and the surrounding area. Overall, the proposed amendments are considered non-material and acceptable. The scheme continues to be appropriate for its context and would not result in any additional adverse impacts on the character of the area or residential amenities of neighbouring occupiers.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. On this basis, the non-material amendments can be granted.

4. RECOMMENDATION

GRANT Non-Material Amendment

