

CHRISTOPHER WICKHAM ASSOCIATES

Town Planning Consultancy

35 Highgate High Street, London N6 5JT t:020-8340 7950 m:07860 276792 e:cmwickham@aol.com

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Date: 21st December 2022

London Borough of Haringey
Planning, Regeneration & Economy,
Level 6, River Park House,
225 High Road,
Wood Green,
N22 8HQ.

VIA THE PLANNING PORTAL ONLY

Dear Sir or Madam,

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 96A
SITE AT 1A WOODSIDE AVENUE, LONDON N6 4SP
PLANNING PORTAL REF: PP-11770911

I refer to the above site, and to the above application for a non-material amendment, under s.96A of the Act, to planning permission HGY/2018/0964 (“the S.73 Permission”) to change the description of the approved development.

The LPA is asked to note that the application site address of 1A Woodside Avenue has been confirmed by the Royal Mail and the Council’s Local Land Charges Team (Street Naming and Numbering). The site’s previous address was ‘*land rear of 24 Great North Road, London N6 4LU*’.

Site Context

The site is situated on the north-western side of Woodside Avenue, a short distance to the north-east of the junction with Great North Road. The site is occupied by a partially-completed single storey dwelling, the subject of this application, which has an L-shaped footprint and a flat roof with higher and lower sections. The site lies to the rear of the curtilage of 24 Great North Road which is occupied by a two storey (plus roof level) semi-detached house which is in use as 5 self-contained flats.

The surrounding area has a mixed residential character, and includes family houses, properties converted into flats, and purpose-built blocks of flats. To the north-east of the site, Woodside Avenue crosses London Underground (LUL) tracks which lead to rail sidings to the south-east. The site lies approximately 500 metres to the south of East Finchley Underground Station. There are frequent bus services along this section of Great North Road. Woodside Avenue is not subject to on-street parking restrictions.

The site is located within Flood Zone 1 (low risk), and is subject to PTAL 3. No heritage assets have been identified at or in the vicinity of the site.

Planning History

The site at 24 Great North Road, which previously included the current application site, has an extensive planning history which includes the following decisions:-

- Planning permission was granted on 5th October 2009 under reference HGY/2009/1384 for the conversion of the property into five self-contained flats and the construction of a side dormer. This consent was implemented;
- Planning Permission (“the Planning Permission”) was granted on 18th September 2014 under reference HGY/2014/1977 for the *‘demolition of existing outbuilding, and construction of single storey, one bedroom dwelling with basement’*. A material start was made on site in August 2017 following the discharge of pre-commencement condition 3 under reference HGY/2017/0805. The works undertaken comprised the demolition of the outbuilding, and preliminary foundation piling;
- A non-material amendment to the Planning Permission was agreed by the LPA on 9th February 2018 under reference HGY/2018/0180 so as to list the approved plans under condition 2 of the Planning Permission;
- The S.73 Permission was granted on 3rd May 2018, under reference HGY/2018/0964, for the *‘variation of a condition 2 (approved plans) of planning permission HGY/2014/1977. Proposed amendments to approved plans include:- increase in ground floor footprint of dwelling to provide additional floorspace, and alterations to basement fenestration’*;
- In relation to the S.73 Permission, pre-commencement conditions 2 (details of materials to be used on external surfaces) and 3 (details of landscaping) were discharged on 24th August 2018 (refs: HGY/2018/2246 & 2247). Works on site resumed on 11th October 2021, and these works related to the implementation of the S.73 Permission; and
- Revised details pursuant to conditions 2 and 3 of the S.73 Permission were approved on 18th August 2022 under reference HGY/2022/1163. The changes under condition 2 (facing materials) related principally to the use of grey and other coloured brickwork in place of timber panels and render.

The Proposed Non-Material Amendment

The requested non-material amendment to the S.73 Permission relates solely to the approved description of the approved development which includes reference to a basement. The LPA is asked to agree to a revised development description that excludes the word *‘basement’*.

The need for the amended description arises from the applicant’s wish to complete the development without including the basement, the cost of which has proved to be excessive, in part because of labour and material shortages during and following the pandemic.

The LPA is asked to note that, concurrent with this non-material amendment application, a second S.96A application is being lodged for an amendment to the description of development as set out in

the Planning Permission, which also refers to the basement (specifically, the words '*with basement*'). Neither S.96A application proposes the substitution of drawings.

It is intended that, following the LPA's agreement to the revised development description (under the concurrent S.96A applications), a S.73 minor material amendment application will be lodged immediately to seek approval for revised drawings showing the dwelling as a single storey building, with associated minor changes to its internal layout and fenestration, along with minor changes to the approved footprint. These minor amendments will be shown to be acceptable in planning terms, including with regard to (i) the dwelling's internal size, layout, privacy and light, (ii) the size of the garden, (iii) the absence of material impact on the living conditions of neighbours, and (iv) the dwelling's design, appearance and visual impact. These matters will be fully addressed and assessed under the future S.73 application.

In considering the requested amended description of development, the LPA is asked to have regard to the following:-

- The proposed omission of the word '*basement*' limits rather than extends the scope of the S.73 Permission, as described. However, the scope or terms of the S.73 Permission will continue to be defined by the description of development in the Planning Permission (as proposed to be amended), by the changes approved by the S.73 Permission itself, and most importantly by the approved drawings (which show a basement) and other documents listed under condition 1, and by the other planning conditions applied to the S.73 Permission; and
- The proposed omission of the word '*basement*' from the approved description does not prejudice or fetter the LPA's ability to assess the planning merits of the proposed minor amendments that will be the subject of the future S.73 application.

I look forward to the early determination of this application. In the meantime, if any additional information is required, please contact me as soon as possible.

Yours faithfully,



CHRISTOPHER WICKHAM ASSOCIATES

c.c. Dr S.Asadi