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23.03.2023

Dear Sir/Madam,

**423-435 LORDSHIP LANE, WOOD GREEN, LONDON N22 5DH**

On behalf of Ivorystone Investments Ltd (the "Applicant"), please find enclosed two applications made under Section 73 and Section 96A of the Town and Country Planning Act 1990, to vary planning permission ref. HGY/2017/3679 at 423-435 Lordship Lane, Wood Green, London N22 SDH.

Both applications are supported by the following documents:

- This Covering Letter
- Application Form
- Planning Statement (Centro Planning Consultancy) – March 2023

The s.73 application also includes the following documents:

- Construction Method Statement (March 2023)
- Air Quality and Dust Management Plan (March 2023)
- Air Quality Assessment (Report ref: AQ1065)
- Highways Boundary (ref: 23057-MA-XX-XX-DR-C-0150 – P01)
- Stopping Up Plan (ref: 23057-MA-XX-XX-DR-C-0180 – P01)
- Phase 1 Desk Study (ref: GWPR5273/DS/March 2023)

**Introduction**

These two applications would fulfil exactly the same purpose, which is explained below. The reason why both applications have been submitted concurrently is to give the LPA the option to utilise the procedure which it considers most appropriate. Therefore if for example the s.96A application is approved then the s.73 application would be withdrawn, and vice versa. For the avoidance of doubt, we consider that using s.96A is procedurally sound, and offers a simpler way forward versus s.73.

Both applications seek to introduce formal phasing into the planning permission, via the inclusion of a suitably worded planning condition. Phase 1 would comprise the totality of the demolition works, and Phase 2 would comprise the totality of the construction works.

In the case of the s.73 application, this also provides an enhanced level of information and detail, such that, if approved, the planning permission would not be subject to conditions 3, 4, 5, 6, 7, 8 requiring discharge ahead of demolition works. This is the same information that is the subject of the very recently submitted condition discharge applications<sup>1</sup>.

## Background

The site comprises 423-435 Lordship Lane, with Westbury Avenue to the west and The Roundway to the east, and is located in the West Green ward of the London Borough of Haringey.

Planning application ref. HGY/2017/3679 was submitted in December 2017 for:

*“Demolition of existing building and erection of part 1, part 5, part 6 and part 7 storey building comprising commercial uses (use class A1, A2, A3, A4, A5) at ground floor and 50 residential dwellings above. Provision of waste refuse storage, cycle parking, disabled car parking and amenity space.”*

The application was initially refused in August 2018, and the subsequent appeal (PINS ref: APP/Y5420/W/19/3223654) was allowed on 29<sup>th</sup> June 2020, granting planning permission subject to 35 conditions. Thus the permission expiry date is 29<sup>th</sup> June 2023.

Those 35 conditions fall into one of the following categories: pre-commencement, pre-commencement (excluding demolition), pre-works, pre-occupation, and compliance. Conditions 3, 4, 5, 6, 7, 8 have a pre-commencement trigger, requiring discharge prior to any demolition work.

## Proposed Phasing

The proposal's immediate progress has been delayed due to recent significant increased construction costs. However, the Applicant remains committed to delivering this scheme once market conditions improve. Mindful of the approaching expiry date, the Applicant wishes to implement the planning permission and thereby 'save' the consent by way of some limited demolition works to the rear outbuildings. However, as currently formed, the planning permission assumes single-phase development, and therefore the Applicant would become liable for the whole of the relevant CIL (£207,090) upon implementation, which would be a prohibitive cost in advance of development finance having been secured<sup>2</sup>.

Consequently, these two applications propose the inclusion of a condition to formally introduce phasing into the planning permission, such that it would occur in two phases – demolition works and construction works. That way the CIL wouldn't become liable upon the demolition works, which the developer intends to rely upon to save the consent. This would ensure that the development can be delivered swiftly once normal market conditions return, without the need for the development to undergo the planning process for an unnecessary second time.

<sup>1</sup> Condition 3 has already been discharged via HGY/2021/2150

<sup>2</sup> And which cannot current be secured owing to the proposal's lack of financial viability.

We look forward to receiving confirmation that the application has been registered.

Yours sincerely,

A handwritten signature in black ink, reading 'Shoshannah Stone', is displayed on a light grey rectangular background.

**Shoshannah Stone BA MSc**  
Planner  
Centro Planning Consultancy