

12 September 2023

Planning Department
London Borough of Haringey
Via Planning Portal



Dear Sir/Madam

Application for Non-Material Amendments in relation to 1-6, Crescent Mews, Hornsey, London, N22 7GG (Planning Application Reference: HGY/2019/1183)

We write on behalf of our client, HWDW Ltd, to submit an application for Non-Material Amendments to several of the existing conditions attached to the above application.

Planning Permission was originally granted under reference number HGY/2019/1183 for the following development:

“Demolition of the existing buildings, retention of slab level, perimeter wall along northern boundary of site, and wall adjacent to Dagmar Road gardens, and redevelopment of the site to provide two 3 storey blocks fronting Crescent Mews, a part 1/part 2 storey block adjacent to Dagmar Road and a 4 storey building to the rear comprising 30 residential units (Use Class C3), including 3 disabled car parking spaces, associated landscaping and cycle parking within the development and a new paved and landscaped lane at the front of the development with street lighting. Installation of vehicle and pedestrian access gates at entrance to mews and erection of boundary treatment to the rear of the commercial units.”.

The application was granted on 30th October 2020, so is due to expire on 30th October 2023.

The application submission is seeking modifications to the wording several conditions (Nos. 10, 11 and 12) to enable works to be undertaken in order to implement the planning permission as granted, prior to the formal discharge of planning conditions which require approval from Network Rail.

Whilst Network Rail have been contacted by the applicant, and relevant material submitted to them (in line with the requirements of Conditions 10, 11 and 12) in July and August of this year, Network Rail have indicated that their internal procedures

mean that they will be unlikely to be able to advise the Council that the elements of the works affecting their property/structures (currently required by Conditions 10, 11 and 12) are acceptable before the planning permission expires on 30th October 2023.

The suggested non-material amendments to the conditions will ensure that the matters required by Network Rail are fully addressed prior to construction works being undertaken in the vicinity of Network Rail's property/structures. However, works more distant from Network Rail land would be able to take place in advance of Network Rail's approvals.

It is considered that the proposed amendments do not have a material affect on the effectiveness of the planning conditions previously proposed, or the planning permission as originally granted.

The proposed amendments to the conditions are detailed below (*changes highlighted in red within the proposed conditions*):

Condition 10

Original Condition:

PRE COMMENCEMENT: Excavations/earthworks (Network Rail)

All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Proposed Condition:

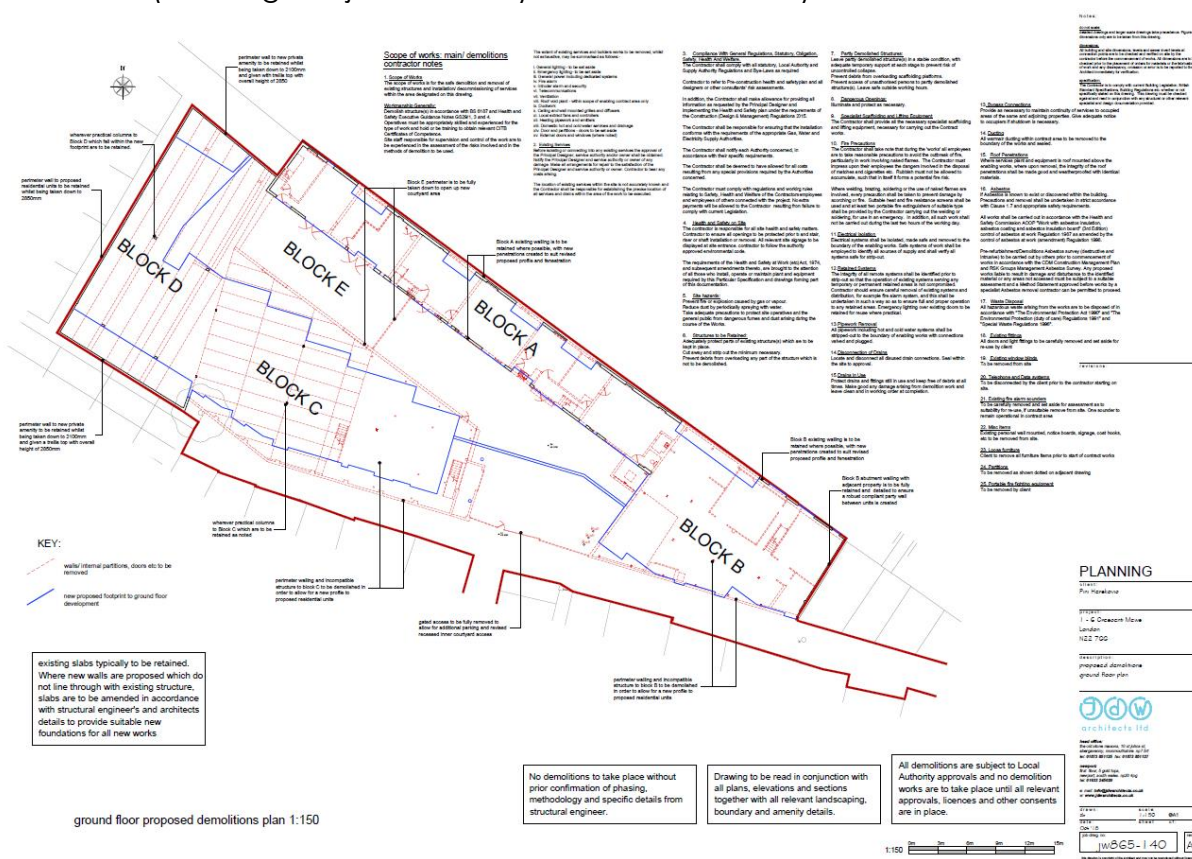
PRIOR TO BELOW GROUND WORKS carried out in the vicinity of Network Rail property/structures: Excavations/earthworks (Network Rail)

All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to **below ground works carried out in the vicinity of Network Rail property/structures**, full details of excavations and

earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Implication of the Change in Wording:

The implication of the proposed change in this instance is to allow some ground works to take place on the site away from Network Rail property/structures without needing the prior approval of Network Rail. For example, ground works could take place in the vicinity of existing Block C which, at its nearest, is located approximately 13 metres from the applicant's boundary adjacent to the top of Network Rail's railway embankment (as illustrated in the previously approved 'Proposed Demolitions Ground Floor Plan' (Drawing No. jw865-140/A), see extract below).



Condition 11

Original Condition:

PRE COMMENCEMENT: OPE

At least six weeks prior to works commencing on site, Network Rail's 'Asset Protection Project Manager (OPE)' MUST be contacted. The OPE will require to see any method

statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Proposed Condition:

PRIOR TO COMMENCEMENT of works carried out in the vicinity of Network Rail property/structures: OPE

At least six weeks prior to works commencing on site in the vicinity of Network Rail property/structures, Network Rail's 'Asset Protection Project Manager (OPE)' MUST be contacted. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Implication of the Change in Wording:

The implication of the proposed change in this instance is to allow some works to take place on the site away from Network Rail property/structures, without needing the prior approval of Network Rail. For example, works could take place in the vicinity of existing Block C which, at its nearest, is located approximately 13 metres from the applicant's boundary adjacent to the top of Network Rail's railway embankment.

Condition 12

Original Condition:

PRE COMMENCEMENT: Demolition/refurbishment method statement (Network Rail)

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Proposed Condition:

PRIOR TO DEMOLITION carried out in the vicinity of Network Rail property/structures: Demolition/refurbishment method statement (Network Rail)

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development in the vicinity of Network Rail structures can commence.

Implication of the Change in Wording:

The implication of the proposed change in this instance is to allow some demolition works to take place on the site away from Network Rail property/structures, without needing the prior approval of Network Rail. For example, demolition works could take place in the vicinity of existing Block C which, at its nearest, is located approximately 13 metres from the applicant's boundary adjacent to the top of Network Rail's railway embankment.

We trust that this application can also be considered favourably.

Please contact the undersigned should you require anything further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Justin Mills', with a stylized, cursive script.

Justin Mills

Director

justin@contourplanning.com