

Placemaking & Housing

Kevin Tohill Planning Advisor to the Housing Delivery Team



Date: 6th May 2026

Your ref: HGY/2025/3409

London Borough of Haringey
Planning Department
Development Management
Alexandra House
10 Station Road, Wood Green
N22 7TR

Dear Sir/Madam,

Non-material Amendment (NMA) Application to Planning Permission Ref: HGY/2025/3409

Land rear of James Place, Kings Road Car Park, Tottenham, N17 8NP - NMA application to alter the triggers for the following planning conditions:

Please find enclosed an application under Section 96a of the Town and Country Planning Act 1990 for a non-material amendment to planning permission ref: HGY/2025/3409.

The purpose of this application is to amend the triggers for a number of planning conditions which relate to and/or have an impact on the Design, Biodiversity Net Gain and Transport Logistics for this development. The main conditions in question are: 3 (Detailed Design and Materials), condition 5 (Privacy Screen), 7 (Cycle storage), 14 (Biodiversity Net Gain Plan) and 23 (Construction Logistics and Management Plan) which are currently required as pre-commencement condition, which would hold up the commencement of the development on site as the conditions can only be dealt with once a contractor is in place.

Work is being undertaken relating to the transport conditions and requirements but none of the transport conditions to which this trigger change request relates, are considered to be relevant at this stage in the development and we would therefore request that the triggers are pushed back slightly to a more appropriate stage in the development construction programme.

Conditions seeking alterations:

- 3 Detailed Design and Materials
- 5 Privacy Screen
- 7 Cycle storage
- 14 Biodiversity Net Gain Plan
- 23 Construction Logistics and Management Plan

Background

Full planning permission for the development of Kings Road was granted on 18th February 2026 for a council housing development comprising 9 new residential houses within the existing Kings Road car park.

Planning permission ref: HGY/2025/3409 approved the following development:

“Redevelopment of the car park to provide 9 x 4-bedroom, three-storey social rented council homes; together with refuse and cycle stores, and associated landscaping.”

Proposed Amendments

The council is seeking to amend the above planning conditions which relate to transport related issues: Design, Biodiversity Net Gain and Transport Logistics for this development. These conditions currently have very early trigger points on the submission of the information, which is not the typical point in the construction design and development process for these issues to be finalised and resolved, as such if we are to deal with them on the current trigger points, this will hold up the commencement of the development on site as the conditions can only be dealt with once a contractor is in place. As such we would like to apply to change the trigger points to a more relevant point in the construction timeline, to avoid any duplication of work and holding up the development.

It is our view that the following proposed trigger changes are very minor in nature and would not materially impact any of the intention or requirements of the conditions attached to the planning permission ref: HGY/2025/3409.

Condition amendments proposed (trigger change highlighted in red):

3 Detailed Design and Materials

Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority *prior to any superstructure work of the relevant phase commencing on site*. The details and samples shall include:

- a) Facing brickwork(s): sample panels of proposed brickwork to be used showing proposed brick type, colour, texture, bond, mortar mix, and pointing style;
- b) Blockwork: sample panels of proposed blockwork to be used showing proposed brick type, colour, texture, bond, mortar mix, and pointing style;
- c) Roofing materials including coping;
- d) Window reveals and soldier courses;
- e) Doors and windows;
- f) Solar shades;
- g) Balcony materials and screens;
- h) Downpipes, rainwater pipes or foul pipes;
- i) Boundary fencing;
- j) Refuse store;
- k) Cycle store;
- l) Any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

Changes sought:

Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority *prior to the commencement of building works above grade*. The details and samples shall include:

- a) Facing brickwork(s): sample panels of proposed brickwork to be used showing proposed brick type, colour, texture, bond, mortar mix, and pointing style;
- b) Blockwork: sample panels of proposed blockwork to be used showing proposed brick type, colour, texture, bond, mortar mix, and pointing style;
- c) Roofing materials including coping;
- d) Window reveals and soldier courses;
- e) Doors and windows;
- f) Solar shades;
- g) Balcony materials and screens;
- h) Downpipes, rainwater pipes or foul pipes;
- i) Boundary fencing;
- j) Refuse store;
- k) Cycle store;
- l) Any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.

Reason for changes:

Tweaking the wording so the condition triggers are consistent with each other. We consider that 'prior to any superstructure work of the relevant phase commencing on site', as this is a modest development with a single phase, and any superstructure works would be above ground/grade, there is no change to the trigger, just more consistent wording with the other conditions.

5 Privacy Screen

Before the development hereby permitted is commenced, details of a 1.7m high privacy screen to the northern side of the first-floor terrace on the northern end terrace shall be submitted to and approved in writing by the Planning Authority. Details shall include a plan, elevations and material details. Development shall be carried out in accordance with the approved details prior to the occupation of the development and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Changes sought:

Prior to the commencement of building works above grade, details of a 1.7m high privacy screen to the northern side of the first-floor terrace on the northern end terrace shall be submitted to and approved in writing by the Planning Authority. Details shall include a plan, elevations and material details. Development shall be carried out in accordance with the approved details prior to the occupation of the development and the screening shall be retained in perpetuity unless otherwise agreed in writing by the Planning Authority.

Reason: To avoid overlooking into the adjoining properties and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

Reason for changes:

This condition refers to the details and design of the privacy screen to the northern side of the first-floor terrace on the northern end terrace. We would simply like this to be fully worked up in conjunction with the main detailed design work, and therefore we consider the trigger in line with the main detailed design condition, would make more sense. The proposal would still require the condition to be submitted, approved and implemented prior to the occupation of the new development, therefore would not materially change the requires of the conditions, simply the timing.

7 Cycle Storage Details

No development shall take place until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 2 long-stay cycle parking spaces for each new home, and 2 visitor spaces have been installed in accordance with the approved details. The design must be in line with the London Cycle Design Standard. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

Changes sought:

Prior to the commencement of building works above grade, until details of the type and location of secure and covered cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until a minimum of 2 long-stay cycle parking spaces for each new home, and 2 visitor spaces have been installed in accordance with the approved details. The design must be in line with the London Cycle Design Standard. Such spaces shall be retained thereafter for this use only.

Reason: To promote sustainable modes of transport in accordance with policy T5 of the London Plan 2021 and Policy SP7 of the Haringey Local Plan 2017.

Reason for changes:

This condition refers to the details and design of the cycle parking. We would simply like this to be fully worked up in conjunction with the main detailed design work, and therefore we consider the

trigger in line with the main detailed design condition, would make more sense. The proposal would still require the condition to be submitted, approved and implemented prior to the occupation of the new development, therefore would not materially change the requires of the conditions, simply the timing.

14 Biodiversity Net Gain Plan

Prior to first occupation of development, and notwithstanding the Biodiversity Statement & Metric Assessment prepared by Middlemarch, *no works including demolition/site clearance shall take place* until a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall demonstrate how the development will achieve a minimum of 10% biodiversity net gain, calculated using the latest Defra biodiversity metric, and shall include details of proposed measures such as:

- On-site habitat creation, including soft landscaping and tree planting;
- Biodiversity green roofs; and
- Any off-site biodiversity units or credits, if applicable.

The development shall be carried out and retained thereafter in full accordance with the approved Biodiversity Gain Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and in the interests of ensuring measurable net gains to biodiversity in accordance with paragraphs 187 and 192 of the National Planning Policy Framework 2024, and in order to comply with policy G5 of the London Plan and Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Changes sought:

Prior to first occupation of development, and notwithstanding the Biodiversity Statement & Metric Assessment prepared by Middlemarch, a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority.

The Plan shall demonstrate how the development will achieve a minimum of 10% biodiversity net gain, calculated using the latest Defra biodiversity metric, and shall include details of proposed measures such as:

- On-site habitat creation, including soft landscaping and tree planting;
- Biodiversity green roofs; and
- Any off-site biodiversity units or credits, if applicable.

The development shall be carried out and retained thereafter in full accordance with the approved Biodiversity Gain Plan.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and in the interests of ensuring measurable net gains to biodiversity in accordance with paragraphs 187 and 192 of the National Planning Policy Framework 2024, and in order to comply with policy G5 of the London Plan and

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Reason for changes:

There are two triggers which conflict with each other. This is a car park so no current loss of Biodiversity would happen as part of the development, therefore this is low risk and finally as this is basically covered by the landscaping plan, we consider that the triggers for both should be consistent. The proposal would still require the condition to be submitted, approved and implemented prior to the occupation of the new development, therefore would not materially change the requires of the conditions, simply the timing.

23 Construction Logistics and Management Plan

The applicant/developer is required to submit a Construction Logistics and Management Plan, **6 months (six months) prior to the commencement of development**, and approved in writing by the local planning authority. The applicant will be required to contribute a sum of £5,000 (five thousand pounds) to cover officer time required to administer and oversee the temporary arrangements, and ensure highways impacts are managed to minimise nuisance for other highways users, local residents and businesses.

The plan shall include the following matters, but not limited to, and the development shall be undertaken in accordance with the details as approved:

- a) Routing of excavation and construction vehicles, including a response to existing or known projected major building works at other sites in the vicinity and local works on the highway.
- b) The estimated number and type of vehicles per day/week.
- c) Estimates for the number and type of parking suspensions that will be required.
- d) Details of measures to protect pedestrians and other highway users from construction activities on the highway.
- e) The undertaking of a highway dilapidation survey.
- f) The implementation of the Construction Logistics and Community Safety (CLOCS) standard.
- g) Highway dilapidation survey.

Reason: To provide the framework for understanding and managing construction vehicle activity into and out of a proposed development in combination with other sites in the local area and to encourage modal shift and reducing overall vehicle numbers. To give the Council an overview of the expected logistics activity during the construction programme. To protect the amenity of neighbouring properties and to maintain traffic safety.

Changes sought:

The applicant/developer is required to submit a Construction Logistics and Management Plan, **prior to the commencement of development**, and approved in writing by the local planning authority. The applicant will be required to contribute a sum of £5,000 (five thousand pounds) to cover officer time required to administer and oversee the temporary arrangements, and ensure highways impacts are managed to minimise nuisance for other highways users, local residents and businesses.

The plan shall include the following matters, but not limited to, and the development shall be undertaken in accordance with the details as approved:

- a) Routing of excavation and construction vehicles, including a response to existing or known projected major building works at other sites in the vicinity and local works on the highway.
- b) The estimated number and type of vehicles per day/week.
- c) Estimates for the number and type of parking suspensions that will be required.
- d) Details of measures to protect pedestrians and other highway users from construction activities on the highway.
- e) The undertaking of a highway dilapidation survey.
- f) The implementation of the Construction Logistics and Community Safety (CLOCS) standard.
- g) Highway dilapidation survey.

Reason: To provide the framework for understanding and managing construction vehicle activity into and out of a proposed development in combination with other sites in the local area and to encourage modal shift and reducing overall vehicle numbers. To give the Council an overview of the expected logistics activity during the construction programme. To protect the amenity of neighbouring properties and to maintain traffic safety.

As with the above conditions, we agree with the premise of the conditions, but do not consider that the timing of the condition is relevant as this condition can only be dealt with once a contractor is in place, which would hold up the commencement of the development with a contractor having to wait 6 months to get on site to start the development proper. We would therefore request to push this condition trigger point back, in line with the other relevant conditions. The proposal would still require the condition to be submitted, approved and implemented prior to the occupation of the new development, therefore would not materially change the requires of the conditions, simply the timing.

Conclusion

The amendments to the scheme proposed under this Section 96a application seek to address the challenges of delivering the scheme without delay, while ensuring that the requirements of the conditions attached to planning permission ref: HGY/2025/3409 can be fully implemented.

We consider that while the triggers are proposed to be amended, the proposed changes are considered typical and in line with most similar planning conditions, and as they would not prevent any of the conditions being fully addressed and discharged, it is considered that these can be regarded as non-material, as there would be no material change to the outcome of the conditions.

We trust the submitted information sufficient to determine this application, but should you require additional information or clarification, please don't hesitate to contact us.

Kind regards,



Kevin Tohill
Planning Advisor to the Housing Delivery Team