

Planning Statement

Material Amendment

10 Ellington Road, Muswell Hill

July 2026

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1. Introduction

- 1.1. This Planning Statement is prepared on behalf of Ellington Road Development Limited, ('the Applicant'), in support of its application for a proposed material amendment, under Section 73 of the Town and Country Planning Act 1990 (as amended) ('the Application'), in relation to planning permission (HGY/2023/1406) ('the Original Application').
- 1.2. The proposal is to amend the unit mix from the consented two houses and three flats to four houses, with associated changes to the external design and bike storage location. This is in response to the Applicant's detailed investigation into the existing housing market in the local area and identification of a greater demand for family-sized homes. The development would remain entirely residential and would be comparable to the approved scheme in terms of height and massing.
- 1.3. The consented development (HGY/2023/1406) has the following description:

"Demolition of the existing buildings and erection of 5 replacement residential units, arranged as two terraced houses and three flats."
- 1.4. The application seeks to vary Condition 2 (Approved Plans) of the original permission to enable a reconfiguration of the unit mix, along with associated amendments to the external design and the relocation of cycle storage. Condition 7 would no longer be required, as cycle parking is proposed to be provided within each dwelling. Condition 8 would be altered to reflect the new Energy and Sustainability Statement. Condition 15 would be updated to reflect that all units are now proposed to meet Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly the Lifetime Homes Standard).
- 1.5. Suggested wording amendments to the conditions on the operative permission are set out as tracked changes at the Appendix to this statement.
- 1.6. A concurrent Section 96A application has been submitted to change the description of development such that it will avoid any contradiction should this Section 73 application be granted permission.

2. Background

Site and Surroundings

- 2.1. The site comprises a number of dilapidated buildings, with a two-storey building at the front of the site and single-storey buildings behind.
- 2.2. The wider Muswell Hill area is predominantly residential in character, comprising a varied mix of Victorian and Edwardian terraced, semi-detached and detached dwellings. Ellington Road reflects this character, with a mix of house sizes and styles.
- 2.3. The site has a PTAL of 2.

Relevant Planning History

- 2.4. Beyond the consented scheme (HGY/2023/1406), there is no relevant planning history available.

Pre-Application Advice

- 2.5. The proposal was the subject of pre-application engagement with Haringey Council (ref: PRE/2026/0045) in February 2026.
- 2.6. Officers confirmed that the reconfiguration from five units to four family-sized terraced houses is welcomed, noting recognised demand for family housing within the borough. Given the site's low PTAL of 2, officers confirmed that larger family units are more appropriate at this location than an over-concentration of smaller one or two-bedroom dwellings. This is in accordance with London Plan Policy D10 and Development Management DPD Policy DM11.
- 2.7. Officers raised no objection to the design of the revised scheme. The amendments, including internalised cycle storage, simplified fenestration, and the adoption of a mansard roof form, were considered to result in a scheme that is simpler and visually improved compared to the extant permission.
- 2.8. The configuration of openings remains consistent with the approved permission. Officers confirmed that no residential amenity objections arise from the revised proposal.
- 2.9. All four units meet the Gross Internal Area standards set out in the London Plan. Units are dual-aspect and benefit from generous private amenity space. Officers described the quality and layout of the dwellings as high, with all units comfortably meeting relevant minimum space and design standards.
- 2.10. Ultimately, officers concluded at pre-application stage that the proposed amendments result in a well-designed and policy-compliant scheme, with no material planning issues arising from the revisions.

3. Decision Making Framework

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.¹

Development Plan

- 3.2. The Development Plan includes:

- The London Plan (March 2021)
- Haringey's Local Plan Strategic Policies (2013, consolidated with alterations since 2017)
- Haringey's Development Management DPD (2017)

Material Considerations

National Policy & Guidance

- 3.3. The NPPF is an important material consideration in decision making, particularly with regard to land use optimisation. The PPG supplements the NPPF.

Emerging Development Plan

- 3.4. Paragraph 49 of the NPPF (2024) states that *"local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan; b) the extent to which there are unresolved objections to relevant policies; and c) the degree of consistency of the relevant policies in the emerging plan to this Framework."*
- 3.5. Haringey Council consulted on a Draft Local Plan under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, between October and December 2025.
- 3.6. The Draft Local Plan can only be afforded very limited weight, as it remains at an early stage of preparation and has not yet been submitted for examination.

¹ s.38(6) Planning and Compulsory Purchase Act 2004

Fallback Positions

- 3.7. The consent for 5 residential units, arranged as two houses and three flats, constitutes a ‘fallback’ position in the context of the current application. That is, if the latest scheme is refused, the Applicant would deliver the implemented permission.
- 3.8. Here, it is instructive to refer to the case law surrounding fallback positions. The 2009 *Samuel Smith Old Brewery* Judgement² in the Court of Appeal established the conditions for which a fallback position can be considered legitimate. In Paragraph 20, Sullivan LJ stated that:
- “In order for a prospect to be a real prospect, it does not have to be probable or likely: a possibility will suffice.”*³
- 3.9. Hence, for the Applicant’s extant permission to constitute a fallback position, it must only be considered *possible* that it will be implemented.
- 3.10. More recently, the 2017 *Mansell* Judgement⁴ reinforced this principle in the same court. In this case, Lindblom LJ supported the arguments put forth by Sullivan LJ in *Samuel Smith Old Brewery* – namely that it is only necessary for a potential development to be *possible* for it to be a real prospect and hence be defined as a fallback position.
- 3.11. In the context of this case law, it is clear that the extant permission represents a fallback. Given that the permission has been implemented the ‘possibility’ threshold necessary to constitute a fallback position has been far exceeded.
- 3.12. For all of the reasons set out above, it is the Applicant’s position that the extant permission for the site must be defined as a strong fallback position, which must be given significant weight in the determination of the present application as a material consideration.

² Samuel Smith Old Brewery (Tadcaster) v Secretary of State for Communities and Local Government [2009] EWCA Civ 333.

³ *Samuel Smith Old Brewery*, Paragraph 20.

⁴ *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314.

4. Planning Context

The Original Permission

- 4.1. The site received planning permission in April 2024 (ref. HGY/2023/1406) for the: *“Demolition of the existing buildings and erection of 5 replacement residential units, arranged as two terraced houses and three flats.”*

Proposed Material Amendment to the Scheme

- 4.2. Since permission was granted, the Applicant has revisited the scheme and, through an assessment of the local area’s housing market, identified that there is greater demand for family-sized homes. Therefore, the proposal seeks to amend the unit mix from the consented two houses and three flats to four family-sized homes, with associated changes to the external design and bike storage location.

Non-material Amendment

- 4.3. The original consent is the subject of a non-material amendment application that is concurrently submitted with this material amendment application. The proposed non-material amendment relates to changing the description of the development, such that it removes the reference to the ‘5’ and the arrangement of the residential units. The operative description of development under this amendment would therefore be:

“Demolition of the existing buildings and erection of replacement residential units”

- 4.4. This non-material amendment is sought simply in response to the *Finney* ruling in November 2019. The upshot of this ruling is that it is unlawful for a material amendment to result in a proposal which is inconsistent with the operative part of the ‘parent’ planning permission. In this case, the proposal involves removing the specificities of the unit mix, which, for the avoidance of doubt, would remain consistent with the consented development.
- 4.5. The non-material amendment alone would not materially change the scheme, but rather simply adjust the operative planning permission to facilitate the Applicant’s intended material amendment, which would relate to Condition 2 of the planning permission and allow for new drawing references to be substituted.
- 4.6. Therefore, in procedural terms, it would be necessary for the Council to approve the Section 96A application, in advance of approving the Section 73 application.

Procedural Matters

- 4.7. This application is submitted pursuant to s.73 of the Town and Country Planning Act 1990, which allows variations to be made to conditions attached to an existing planning consent. Since 2009⁵, Central Government has advised local authorities to utilise s.73 of the Act to facilitate amendments to planning permissions. The intention is to provide flexibility where amendments to planning permissions are sought.
- 4.8. The term 'material amendment' is not defined in statute, a fact which is acknowledged by Paragraph 013 of the 'Flexible Options for Planning Permissions' NPPG:

"There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission."

- 4.9. The nature of the development would remain unchanged; it would continue to be residential dwellings. Instead of providing two townhouses and three flats, the development would provide four townhouses.
- 4.10. When determining a s.73 application it is to be noted that the original development has already been judged acceptable in principle.
- 4.11. The scope of s.73 to make material amendments has been tested within the Courts, in the case of *Vue Entertainment Ltd v City of York Council* [2017] EWHC 588. In that case, the situation revolved around an amendment to a cinema proposal from one of 12 screens and 2,000 person capacity, to one of 13 screens and 2,400 person capacity with an 80% floorspace increase (which is clearly a far more substantial amendment compared to what is being proposed at the Application Site) and whether that constituted a 'minor' amendment. Collins J held that:

"It is to be noted that section 73 itself, as I have said, does not in terms limit the extent to which an amendment of conditions can be made. It does not have, on the face of it, to be within the adjective "minor", whatever that may mean in the context.

It is, I suppose, possible that there might be a case where a change of condition, albeit it did not seek to vary the permission itself on its face, was so different as to be what could properly be described as a fundamental variation of the effect of the permission overall. But it is not necessary for me to go into the possibility of that in the circumstances of this case because I am entirely satisfied that that does not apply in this particular case.

Now it must be obvious that it is necessary, if there is to be an amendment which is likely to affect a would-be objector, particularly where as, here, the claimants were objectors on the basis of the adverse

⁵ Greater Flexibility for Planning Permissions: Guidance (November 2009), now replaced by the relevant part of the NPPG

effect on their operation of the proposal that there must be proper notification, consultation and ability to make representations. There was such, and representations were made...

It follows that there is no prejudice so far as the claimants are concerned, because they have been notified and they have been able to make representations. Those representations have been taken into account, as have those by the other cinema operators and thus the position so far as that is concerned is precisely the same as it would have been had there been a need for a fresh application.

It follows that in all the circumstances of this case there really is nothing to be gained from the quashing of this decision, even it were a decision which had any unlawfulness in it".

4.12. Essentially, Vue established the principle that s.73 does not limit the extent to which an amendment of conditions can be made, provided that it is not a *"fundamental variation of the permission overall"*. Collins J does acknowledge that this may be possible in some circumstances, but that that he was entirely satisfied that the proposals did not constitute a 'fundamental variation'.

4.13. More recently, the case of Mikael Armstrong v Secretary of State for Levelling Up, Housing and Communities, Cornwall Council [2023] EWHC 176 both reaffirmed and extended the principles established in Vue. In Armstrong, James Strachan KC (sitting as a Deputy Judge of the High Court), held that:

"On any basis Vue is therefore not authority for the proposition that a s.73 application which is consistent with the "operative part" of a planning permission is nonetheless outside the scope of s.73 if it is considered to involve a "fundamental variation." Even if it is possible that such a fundamental variation might arise in reality, I find it difficult to conceive if it involves no conflict with the operative part of the permission itself."

4.14. Armstrong therefore clarifies the limits to the scope of an s.73 application as being anything that accords with the "operative part" of the original planning permission – i.e. the description of the development. Therefore, an s.73 application is appropriate where the proposed amendments would result in a development that remains in accordance with the original description of development.

4.15. In response to Armstrong, the government has, in July 2023, updated Paragraph 013 of the 'Flexible Options for Planning Permissions' NPPG. The updated refers to s.73 applications as simply 'material amendments', with the word 'minor' omitted, and explains that there is no statutory limit to the scope of amendment applications provided that the changes relate to conditions and not the operative part of the permission.

4.16. A Section 73 application is therefore the appropriate procedure in this instance, since the proposed development continues to accord with the description of development⁶.

⁶ Assuming that the concurrent non-material amendment application is also approved in advance.

5. Planning Assessment

Unit Mix and Demand

- 5.1. The extant planning permission is for two terraced houses and three flats. Of these, the houses were both family-sized, with 4 bedrooms, while one of the flats was a 3-bed flat and the other two 1-bed. Therefore, overall 3 family-sized homes were consented.
- 5.2. This proposal is for the creation of four family townhouses, two of which would be 4-bed and the other two 3-bed. This means the site offers the maximum potential in meeting demand for family homes in the borough.
- 5.3. The drive for this proposal comes from the Applicant's detailed investigation of the existing housing market in the local area and identification of a greater demand for family-sized homes. These findings are supported by Haringey's Strategic Housing Market Assessment (2021), which demonstrates an unmet need for family housing in the borough and which will inform the borough's housing strategy going forward. The Assessment highlights demand for 67.6% of market homes to be 3-bed homes, with only 14.1% demand for 1-bed homes (Figure 49). The provision, then, of an additional 3-bed home compared to 1-bed homes represents a better outcome for Haringey in meeting its *contextualised* demand.
- 5.4. Haringey's Annual Monitoring Report (AMR) (2025) presents housing delivery from 2020/21 to 2023/24 as well as the borough's progress in delivering 20,252 homes (net) over the period from 2011 to 2026, in line with London Plan targets. Across the three year period, the AMR indicates that 2-beds were the most delivered housing type (42%), followed by 1-beds (40.1%), with 3-bed homes comprising only 12.5% of housing delivery. In contrast, there has been an overall loss in 4+ bed homes across the period (-1.5%), with just 6 delivered between 2023/24. This is as a result of larger homes being converted to bedsits and a lack of their replacement. While the delivery of 3-bed homes is better than 4-beds, overall, family-sized homes comprise 11% of delivery, whereas 1-bed homes make up over 40% delivery. This is at odds with the demand that is outlined in the SHMA (2021).
- 5.5. While the adopted Local Policies (2013, 2017) acknowledges the need for larger family homes, housing demand is assessed using outdated data from the 2014 SHMA. This means that consideration of both the Housing Strategy for Haringey (2024-29), which was adopted in 2024, and the Draft Local Plan, is important in accounting for recent housing market conditions. Both of these documents recognise the importance of protecting the existing supply of larger family homes in the borough and identify a shortfall. Given the outdatedness of the adopted Local Plan, both of these documents become important material considerations.

Design

- 5.6. The design has been adapted to accommodate four family homes, rather than two terraced houses and three flats. It is worth noting that terraced housing is in keeping with the established form of the area.
- 5.7. The proposed scheme is in keeping with the scale of the consented scheme and has no negative impact on neighbour amenity and privacy.
- 5.8. The proposed scheme involves modest design amendments, which were described in the pre-app response⁷, as 'simpler' and 'visually improved' compared with the consented scheme.
- 5.9. The proposed scheme maintains the same form, material palette, and architectural character. The use of traditional materials, such as brick, was welcomed and this has been incorporated into the proposal.
- 5.10. The proposed scheme follows the same scale, massing and design principles which were acceptable for the consented scheme. Minor changes include a slight setback to House 2 to enable a visual distinction with the terrace, as well as small changes to window positions to facilitate changing internal layouts. Brick detailing and window proportions have been refined to create a clearer vertical rhythm along the street frontage, improving the relationship of the development with the surrounding townscape. Internally, layouts have been designed to optimise living standards and support the delivery of high-quality family accommodation in line with the London Plan and Local Plan.
- 5.11. The rear balconies have also been reduced in size and redesigned to reduce their visual prominence, with balconies to accommodate flats having been removed as amenity space is now provided in the form of a rear garden. The revised balustrades and their reduced width are more discreet, improving the overall quality of the rear elevation. One of the doors serving the rear balconies can operate as a tilt-opening window, allowing for effective ventilation and daylight without increasing the scale or impact of the balconies.

Amenity

- 5.12. Under this new proposal, each dwelling will benefit from direct access to a private garden and terrace. This is a marked improvement from the consented scheme in which the family-size 3-bed flat had just 12.4m² of amenity space, while the 4-bed family homes had over 60m² each. In comparison, each house now has a reasonably sized private patio and garden, with the 3-bed homes both having over 35m² of amenity space and the 4-beds having 50m² and 75m² of space. This is in line with Local Plan Policy DM12, which states that "*Ground floor family housing should provide access to private garden/amenity space.*" The proposed scheme provides higher quality family homes and a larger play space for children which aligns with Local Plan Policies SP2 and SP13, respectively, as well as London Plan Policy D6.

⁷ Pre-application response, PRE/2026/0045

Accessibility

- 5.13. The proposal improves upon the accessible accommodation offering of the consented scheme. The consented scheme was approximately 60% M4(2) compliant, the proposed scheme is 100% M4(2) compliant. This represents strong accordance with London Plan Policy D7 and Local Plan policy SP2.

6. Other Planning Considerations

Energy and Sustainability

- 6.1. The enclosed Energy and Sustainability Statement explains that the dwellings incorporate a fabric-first specification, air source heat pumps, and an 11 kWp photovoltaic array. The proposal delivers a cumulative reduction in regulated carbon emissions of 87% against the Part L 2021 Building Regulations baseline. Alternative low and zero carbon technologies, including district heating, solar thermal, wind, and biomass, were assessed, though considered unsuitable for the site. The residual carbon emissions will be mitigated through a financial contribution to the GLA Carbon Offset Fund.
- 6.2. The application is in accordance with London Plan Policies SI2 and SI3 and Local Plan Policy SP4.

Arboriculture

- 6.3. The enclosed Arboricultural Impact Assessment explains that the dwellings fall outside the Root Protection Areas of all retained trees, and sets out tree protection measures to be secured by condition. It concludes that the principal arboricultural features within the site can be retained and adequately protected during development activities, and that, subject to the precautionary measures set out therein, the proposal will not be injurious to trees to be retained.
- 6.4. The application therefore remains in accordance with DM1 of the DMDPD and Local Plan Policy SP13.

Basement Impact

- 6.5. The enclosed Basement Impact Assessment addendum explains that the proposed changes make no material difference to the findings of the approved Basement Impact Assessment.
- 6.6. The application therefore remains in accordance with Policy DM18 of the DMDPD.

Ecology

- 6.7. The enclosed Ecological Appraisal addendum explains that the proposed changes make no material difference to the findings of the approved Ecological Appraisal.
- 6.8. The application therefore remains in accordance with Policies DM1 and DM21 of the DMDPD and Local Plan Policy SP13.

Conclusion

- 6.9. This Planning Statement has been prepared by Centro Planning Consultancy on behalf of Ellington Road Development Limited, in support of a material amendment application at 10 Ellington Road, Muswell Hill.
- 6.10. The proposal seeks to amend the unit mix from the consented two houses and three flats to four family-sized houses, with associated changes to the external design and bike storage location. This is in response to the Applicant's detailed investigation of the existing housing market in the local area and identification of a greater demand for family-sized homes.
- 6.11. Case law (*Vue Entertainment Ltd v City of York Council [2017] EWHC 588* and *Mikael Armstrong v Secretary of State for Levelling Up, Housing and Communities, Cornwall Council [2023] EWHC 176*) confirms that the Section 73 procedure is appropriate and lawful in this instance.
- 6.12. Ultimately, the proposal would continue to be in accordance with the development plan, and no material considerations indicate otherwise. Consequently, the Council is invited to grant planning permission.

7. Appendix – Conditions Tracked Changes

A tracked changes version of the conditions on the operative planning permission is below. The amendments in blue relate to the concurrent Section 96a application and the amendments in red relate to this Section 73 application.

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development shall be completed in accordance with the following approved plans except where conditions attached to this planning permission indicate otherwise: ~~or where alternative details have been subsequently approved following an application for a non-material amendment.~~

~~CER-209-PL120-C-Proposed Sections~~

~~CER-209-PL111-C-Proposed Plans Floor and roof plans~~

~~CER-209-PL101-B-Proposed Landscape Plan Landscape plan~~

~~CER-209-PL110-C-Proposed Plans Proposed floor~~

~~CER-209-PL100-B-Proposed Site Plan Proposed site plan~~

~~CER-209-PL130-D-Proposed Elevations~~

D039-SHO-ZZ-XX-DR-A-2000 Site Location Plan

D039-SHO-ZZ-XX-DR-A-2002 Proposed Site Layout Plan

D039-SHO-ZZ-XX-DR-A-2099 Proposed Lower Ground Floor Plan

D039-SHO-ZZ-XX-DR-A-2100 Proposed Ground Floor Plan

D039-SHO-ZZ-XX-DR-A-2101 Proposed 1st Floor Plan

D039-SHO-ZZ-XX-DR-A-2102 Proposed 2nd Floor Plan

D039-SHO-ZZ-XX-DR-A-2103 Proposed Roof Plan

D039-SHO-ZZ-XX-DR-A-2201 Proposed Front and Rear Elevations

D039-SHO-ZZ-XX-DR-A-2202 Proposed Side Elevations

D039-SHO-ZZ-XX-DR-A-2301 Proposed Sections

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity

3. No above ground works shall take place until the following details of the buildings/ structures hereby permitted have been submitted to and approved in writing by the local planning authority:
 - a. particulars and samples of the materials to be used on the external faces of the buildings;
 - b. details of the elevations of the development (elevations, plans and cross-sections at scale 1:20) as well as typical details of the fenestration and entrances;
 - c. details and locations of down pipes, rainwater pipes or foul pipes and all external vents;

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Fortis Green Conservation Area is preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 & DM12 of The Development Management DPD (2017).

4. Details of a scheme depicting those areas to be treated by means of hard and soft landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme shall include details of hard surfacing materials (permeable hard-landscaping), details of planting with a schedule of species and detail of aftercare.

The approved landscaping scheme shall thereafter be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the buildings or the completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be maintained and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

5. Notwithstanding the approved plans, final details of the refuse and waste storage recycling facilities shall be submitted to and approved in writing by the local planning authority, prior to first occupation

of the development. Such a scheme as approved shall be implemented prior to first occupation and permanently retained thereafter.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017.

6. The dwellings shall not be occupied until the cycle parking space have been laid out within the site in accordance with the approved plans and thereafter the space shall be permanently retained for that purpose.

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.

~~7. Final details of the type and location of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The development shall not be occupied until the cycle parking spaces for users of the development, have been installed in accordance with the approved details. 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.~~

8. The development hereby approved shall be constructed in accordance with the Energy & Sustainability Statement by ~~the Doherty Energy (dated 27/2/2023)~~ Briary Energy (dated 17/07/2026) delivering a minimum ~~74.0%~~ 87% improvement on carbon emissions over ~~2013~~ 2021 Building Regulations Part L, with SAP10 emission factors, high fabric efficiencies, air source heat pumps (ASHPs) and a minimum 11 kWp solar photovoltaic (PV) array.

(a) Prior to above ground construction, details of the proposed ventilation and heating systems and solar PV shall be submitted to and approved by the Local Planning Authority. This must include:

- Location, specification and efficiency of the proposed ASHPs (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
- Details of the PV, demonstrating the roof area has been maximised, with the following details: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp)
- Specification of any additional equipment installed to reduce carbon emissions.

The development shall be carried out strictly in accordance with the details so approved prior to first operation and shall be maintained and retained for the lifetime of the development. The solar PV

array shall be installed with monitoring equipment prior to completion and shall be maintained and cleaned at least annually thereafter.

(b) Within six months of first occupation, evidence that the solar PV and ASHPs installation has been installed correctly shall be submitted to and approved by the Local Planning Authority, including photographs of the solar array, a six-month energy generation statement, and a Microgeneration Certification Scheme certificate.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan Policy SP4 and DM22.

9. Prior to the occupation of the dwelling hereby approved a Unilateral Undertaking or equivalent mechanism shall be completed and submitted to the Local Planning Authority securing a payment of ~~£6,270.00 plus £313.50 for monitoring (Total £6,583.3)~~ £2,766 plus £138.30 for monitoring (Total £2,904.30) to fund offsetting the remaining carbon emissions from this development.

Reason: In the interest of climate change and to help achieve zero carbon development across the borough and in compliance with Local Plan Policies SP4 and DM21.

10. The noise level from the operation of the air source heat pump(s) thereafter approved must not exceed 42dB LAeq (5 min) at 1 metre from the window of a habitable room on the façade of any neighbouring residential property. If, in the opinion of the Local Planning Authority the proposed air source heat pump(s) result in any noise nuisance to the occupant of any neighbouring dwelling the Applicant shall install noise mitigation measures in agreement with the Planning Authority.

Reason: In order to protect the amenities of nearby residential occupiers consistent with Policy D14 of the London Plan 2021 and Policies DM1 and DM23 of The Development Management DPD 2017.

11. Unless implemented in accordance with details approved under HGY/2026/1205, no development shall take place until in line with the Sustainable Drainage Assessment submitted, full details of the SuDS features including associated management and maintenance, have been submitted to and approved in writing by the Local Planning Authority. The approved SuDS features shall thereafter be implemented in full prior to the use of occupation of any of the dwellings hereby approved and maintained thereafter for the lifetime of the development.

Reason: In order to ensure a satisfactory provision for drainage on site and ensure suitable drainage provision for the authorised development and comply with Policy SI13 of the London Plan 2021, Policies SP0 and SP4 of the Haringey Local Plan 2017 and Policy DM24 of The Development Management DPD 2017.

12. Unless implemented in accordance with details approved under HGY/2026/1204, no development shall take place until a Construction Management Plan, to include details of:

- I. A programme of works (including measures for traffic management);
- II. Vehicle routing and if any reversing manoeuvres on public highway land is required, provision for the management of their movement by a qualified and certificated banksman;
- III. Storage of plant and materials used in constructing the development;
- IV. Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;
- V. The erection and maintenance of security hoarding where appropriate;
- VI. Parking of vehicles of site operatives and visitors;
- VII. Wheel cleaning / wash facilities to prevent mud, or dust from migrating on to the adjacent highway;

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

- 13. No dwelling shall be occupied until details of the location of a water butt of at least 120L internal capacity to be installed to intercept rainwater draining from the roof of each dwelling has been submitted to and approved in writing by the Local Planning Authority and subsequently provided at each dwelling. The approved facilities shall be retained.

Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and in line with Haringey Local Plan Policy SP5, DM21, DM24 and DM25.

- 14. The dwellings hereby approved shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently in accordance with the NPPF.

- 15. ~~The ground floor residential~~ All units hereby approved shall be designed to meet Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2015 (formerly Lifetime Homes Standard) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development meets the Council's Standards in relation to the provision of accessible and adaptable dwellings

16. Before development commences other than for investigative work:

- a. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information.
- b. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.
- c. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. The site investigation must be comprehensive enough to enable; a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.
- d. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority which shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.
- e. Where remediation of contamination on the site is required, completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site.

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order 2015, or any Order revoking or re-enacting that Order, no outbuildings shall be erected and no extensions or alterations to the dwelling houses hereby approved, including the insertion of or alterations to windows and doors, hereby approved shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent overdevelopment of the site by controlling proposed extensions and alterations consistent with Policy D6 of the London Plan 2021 and Policy DM1 of The Development Management DPD 2017.

19. Prior to the first occupation of the development hereby the developer shall have entered into an agreement with the local highway authority under Section 278 of the Highways Act 1980 to remove the necessary section of redundant crossover across the footway and to reinstate the public footpath at this location. This agreement shall also include the planting of street trees in front of the site along Ellington Road.

Reason: In order to ensure that the proposed development does not prejudice the free flow of vehicular and pedestrian traffic or the conditions of general safety of the highway and the amenity of the area.

