



Officer Report

Application Number:	HGY/2026/1927
Application Type:	Removal/variation of conditions
Address:	86 Southwood Lane, Hornsey, London, N6 5SY
Proposal:	Minor Material Amendment application under Section 73 of the Town and Country Planning Act for variation to condition 2 attached to planning permission HGY/2025/2929 to alter coping details of the boundary wall.
Case Officer:	Nathan Keyte
Valid Date:	08/07/2026
Applicant:	Mr Andrew Ardill
Agent:	

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT

This application is a Minor Material Amendment application submitted under Section 73 of the Town and Country Planning Act 1990 seeking to vary Condition 2 attached to planning permission HGY/2025/2929.

The proposed amendment relates to the coping detail of the boundary wall. The approved development incorporated a dark grey/blue plinth stone at the junction between the rebuilt brick wall above, which replaces part of an existing locally listed wall, and the new concrete retaining wall below.

The application was amended following submission to replace the proposed plinth stone detail with a brick coping formed from reclaimed stock bricks to match the approved brickwork of the replacement wall.

2. SITE AND SURROUNDINGS

The application site comprises an existing two-storey end-of-terrace dwelling. To the south, the land rises steeply, requiring the use of retaining structures along the site boundary.

The dwelling is not listed; however, the site is located within the Highgate Conservation Area and forms part of the Southwood House Estate. The estate occupies the former site and gardens of Southwood House, which was constructed circa 1746 and subsequently destroyed by fire in 1953. The historic boundary wall to the south of the site is a locally listed structure.

3. RELEVANT PLANNING HISTORY

The relevant planning history is as follows:

- **HGY/2026/0905** - Approval of details pursuant to Conditions 3 (windows) and 4 (brickwork) attached to planning permission HGY/2025/2929. Decision: Approved, 14 May 2026.
- **HGY/2025/2929** - Two-storey side extension; rear extension; alteration to boundary retaining wall; ASHP; solar panels; alterations to existing building façade and roof; alterations to windows and doors; and associated changes. Decision: Approved with Conditions, 27 January 2026.
- **HGY/2026/1380** - Non-material amendment to planning permission HGY/2025/2929 for design and material changes to the southern boundary retaining wall. Decision: Refused, 16 June 2026.
- **HGY/2026/1807** - Non-material amendment to planning permission HGY/2025/2929 to amend the boundary wall material from a textured concrete finish to a Reckli "Friesland" Formliner textured finish. Decision: Approved, 7 July 2026.

4. CONSULTATION RESPONSES

Highgate Neighbourhood Forum - No comments received.

Highgate Society - No comments received.

Highgate CAAC - No comments received.

LBH Conservation Officer - Initially objected to the use of the proposed modern material and advised that a brick coping, either in blue engineering brick or matching brickwork, would be more appropriate than the proposed cill detail.

Officer Comment: The proposal was subsequently revised to address the Conservation Officer's comments. The amended drawings confirm that the coping will be formed from reclaimed stock brick matching the approved brickwork previously agreed under planning permission HGY/2025/2929.

5. LOCAL REPRESENTATIONS

The application was publicised by way of a site notice and neighbour notification letters. No representations were received.

6. MATERIAL PLANNING CONSIDERATIONS

An application may be submitted under Section 73 of the Town and Country Planning Act 1990 to vary or remove conditions attached to an existing planning permission. A Section 73 application results in the issue of a new planning permission.

The National Planning Practice Guidance advises that a minor material amendment is one whose scale and nature results in a development that is not substantially different from the scheme previously approved. Whilst the principle of the development has already been accepted, the Local Planning Authority must assess the proposed amendment in light of current planning policy and the merits of the changes sought.

The principal planning considerations are:

1. Design and heritage
2. Impact on neighbouring amenity.
3. Planning conditions.

Design and heritage

London Plan Policy HC1 seeks to ensure that development affecting heritage assets conserves their significance. Local Plan Policy SP12 and Development Management DPD Policy DM9 establish the Council's approach to the protection, conservation and enhancement of both designated and non-designated heritage assets.

Policy DM9 requires proposals affecting heritage assets to respond positively to their significance, setting and historic character. The policy also requires the use of high-quality matching or complementary materials that are appropriate to their context.

Policy DM1 requires development to respond positively to local character and surroundings, whilst Policy SP11 seeks the highest standards of design that respect local distinctiveness and historic significance.

The manner in which the locally listed wall is reconstructed is a fundamental consideration, given that the rebuilding of the wall formed a key element of the approved development and was the subject of significant negotiation during the original application process.

The previously approved plinth detail was selected because it reflected materials found elsewhere along the existing locally listed wall where wider buttressed sections occur. However, following consultation, the proposal has been amended so that the coping detail will comprise reclaimed stock bricks matching the approved replacement wall.

The revised brick coping is considered to be a more sympathetic solution which better reflects the appearance, materials and detailing of the reconstructed wall. The proposal would therefore preserve the significance of the locally listed structure and would preserve the character and appearance of the Highgate Conservation Area.

In reaching this conclusion, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on Neighbouring Amenity

Policy DM1 requires development proposals to ensure a high standard of amenity for existing and future occupiers. In particular, proposals should avoid unacceptable impacts in relation to daylight, sunlight, outlook, privacy and noise.

The amendments proposed under this application relate solely to the design and material treatment of the boundary wall. No changes are proposed to the scale, height, siting or overall form of the approved development.

Accordingly, the amendments would not result in any material impact on the amenities of neighbouring occupiers and are considered acceptable in this regard.

Planning Conditions

As set out in the planning history above, details relating to Conditions 3 (windows) and 4 (brickwork) have already been approved under application HGY/2026/0905.

As a result, the relevant conditions have been updated to reflect the approved details. Condition 4 has been amended to ensure that any future variation to the approved brick coping material would require the prior written approval of the Local Planning Authority.

Condition 2 has also been amended to reference the revised approved plans. It is noted that drawing SWL-SEC-11 (P9) incorporates the changes previously approved under non-material amendment reference HGY/2026/1807.

Conclusion

The proposed amendment constitutes a minor material amendment which would not materially alter the scale, siting or overall appearance of the approved development.

The revised brick coping detail is considered to be a more appropriate and sympathetic solution that would preserve the significance of the locally listed wall and the character and appearance of the Highgate Conservation Area. Furthermore, the proposal would not result in any adverse impacts on neighbouring amenity.

Accordingly, the proposal complies with the relevant provisions of the Development Plan and is considered acceptable.

All other relevant policies and material considerations, including equalities impacts, have been taken into account.

The details of the decision are set out in the recommendation below.

7. CIL APPLICABLE

Not applicable.

8. RECOMMENDATION

Grant planning permission under Section 73, subject to conditions.

Conditions:

- 1 The development hereby permitted shall be begun not later than the expiration of 27 January 2029.

Reason: To ensure the commencement timescale for the development is not extended beyond that of the original planning permission granted on 27 January 2026 Haringey ref: HGY/2025/2929.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings as listed below 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.

Approved plans list:

SWL-PLA-03 (P4); SWL-PLA-04 (P8); SWL-PLA-06 (P4); SWL-PLA-08 (P4); SWL-SIT-01 (P2); SWL-SEC-08 (P3); SWL-SEC-11 (P11); SWL-ELE-04 (P4); SWL-ELE-06 (P4); SWL-ELE-08 (P3); SWL-ELE-09 (P7); SWL-ELE-10 (P1); SWL-REG-01 (Rev D); Arbtech TPP 03; Location Plan; Arboricultural Method Statement by Arbtech 29 July 2025.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The details relating to window details has been given under application reference: HGY/2026/0905.

The development shall be carried out solely in accordance with the approved details, unless otherwise granted under a new application to approve condition details.

Reason: To preserve the character and appearance of the Highgate Conservation Area in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017 and the provisions of the National Planning Policy Framework.

- 4 The details relating to proposed brickwork to be used in the replacement boundary wall has been given under application reference: HGY/2026/0905.

Brick coping listed on SWL-ELE-09 (P7) shall match the brickwork approved under HGY/2026/0905.

The development shall be carried out solely in accordance with the approved details, unless otherwise granted under a new application to approve condition details.

Reason: To preserve the character and appearance of the Highgate Conservation Area in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017 and the provisions of the National Planning Policy Framework.

- 5 The partial demolition of the brick south boundary wall shall be carried out by hand [*or by tools held in the hand other than power-driven tools*] and the materials stored on site and then reused in rebuilding the brick south boundary wall. The brickwork in the facing wall of the south boundary wall shall be laid in a Flemish bond to match the original.

Reason: To preserve the character and appearance of the Highgate Conservation Area in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017 and the provisions of the National Planning Policy Framework.

- 6 The works shall be carried out in accordance with the Arboricultural Method Statement by Arbtech, dated 29 July 2025 and the protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Reason: In order to ensure the safety and well being of the trees on the site during constructional works that are to remain after works are completed 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.

- 7 The noise level from the operation of the air source heat pump hereby 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 results in any noise nuisance to the occupant of any neighbouring dwelling, the Applicant shall install noise mitigation measures in agreement with the Planning Authority to adequately address the noise nuisance.

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

Informatives:

INFORMATIVE: Party Wall Act

The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

INFORMATIVE: Hours of Construction Work

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.