



Officer Report

Application Number:	HGY/2026/1713
Application Type:	Removal/variation of conditions
Address:	155 Tottenham Lane, Hornsey, London, N8 9BT
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/2021/2630 to accommodate a proposed sprinkler tank in the proposed courtyard; and associated changes.
Case Officer:	Nathan Keyte
Valid Date:	06/07/2026
Applicant:	UK Properties One Ltd
Agent:	Mr Jamie Ogilvie

RECOMMENDATION

Approve with Conditions

1. PROPOSED DEVELOPMENT

This application seeks a Minor Material Amendment under Section 73 of the Town and Country Planning Act 1990 to vary Condition 2 of planning permission HGY/2021/2630. The amendment is required to accommodate a sprinkler water storage tank within the approved courtyard, together with associated changes to the courtyard landscaping.

The revised arrangement introduces a green roof over the sprinkler tank and cycle store, along with two new planter bed areas, replacing the previously approved courtyard layout.

2. BACKGROUND

The original design assumed that the mains water supply would provide sufficient pressure and flow for the sprinkler system. However, during final commissioning and testing, the sprinkler system failed due to insufficient mains water pressure in the local area. This issue could only be confirmed once the system was fully installed and tested.

Following the failed test, the sprinkler contractor advised that the only viable solution to meet the required fire-safety performance standards was the installation of a dedicated water storage tank and booster pump. Alternative locations were explored, but due to site layout, space constraints, and the operational need to position the tank close to the sprinkler plant, no other practical location is available. The proposed courtyard location is therefore the only feasible solution to ensure compliance with fire-safety requirements prior to occupation.

3. SITE AND SURROUNDINGS

The site is accessed via an alleyway with roller shutters on the north-east side, with additional access through the front retail unit. It is bounded by commercial units with residential

accommodation above, and to the rear adjoins residential properties at 203 and 205 Ferme Park Road. The surrounding area is characterised by a mix of commercial and mixed-use development.

4. SITE HISTORY

PRE/2020/0015 – Redevelopment of rear buildings to provide part 2/3-storey buildings comprising 2 × 1-bed flats at ground floor and 1 × 2-bed duplex and 1 × 3-bed duplex above. Advice issued March 2020.

PRE/2018/0199 – Part 2/3/4-storey building to provide 6 flats (4 × 1-bed, 2 × 2-bed). Advice issued.

HGY/2006/2264 – Rear second-floor extension and conversion to 2 × 1-bed flats. Refused.

HGY/2023/1638 – Approval of details pursuant to Condition 6 (CMS). Approved. HGY/2023/1640 – Approval of details pursuant to Conditions 10 (Landscaping) and 12 (Refuse/Recycling). Approved.

HGY/2023/2161 – Approval of details pursuant to Condition 5 (Sustainability Statement).

Approved. HGY/2026/0028 – Approval of details pursuant to Condition 11 (Car Club Membership). Processing.

5. CONSULTATION RESPONSE

None.

6. LOCAL REPRESENTATIONS

The application was publicised by letters and online notices. No representations were received.

7. MATERIAL PLANNING CONSIDERATIONS

In determining a Section 73 application, the Local Planning Authority must consider the merits of the proposed changes and assess them against any national or local planning policies that have been updated since the original decision. The principle of the development has already been established through the earlier permission, and the current assessment is therefore limited to the impacts arising from the proposed amendments and any relevant policy changes since the original determination.

The same material considerations that informed the determination of the previous application remain relevant to this Section 73 proposal, as the effect of granting a Section 73 permission is to issue a new consent for the development. The assessment that follows therefore revisits those considerations where they continue to apply, while focusing specifically on the implications of the amendments now sought and any changes in national or local planning policy since the original decision.

Design and appearance

London Plan Policy D3, Local Plan Policy SP11 and DPD Policy DM1 require high-quality design that responds positively to local context.

The proposed changes are internal to the site and will not be visible from wider public views. The impact on the character and appearance of the area remains materially unchanged from the approved scheme. The revised courtyard layout, including the green roof and planter beds, is acceptable in this context and does not give rise to adverse visual impacts.

Impact on Neighbouring Amenity

London Plan Policies D6 and D14 and DPD Policy DM1 require development to safeguard neighbouring amenity.

The amendments relate primarily to courtyard landscaping and do not introduce any changes that would materially affect neighbouring amenity. The relationship with adjoining properties remains as previously approved.

Condition Changes

Development has commenced, so Condition 1 is no longer relevant.

Condition 2 will be updated to reference the revised plans showing the sprinkler tank and associated details.

Conditions 5, 6, 10 and 12 have already been discharged and are updated accordingly.

Condition 9 is amended to remove reference to Building Regulations Part M4(2), which cannot be achieved for upper-floor units in this conversion scheme.

8. CIL APPLICABLE

CIL liability remains unchanged from the original permission. The development is less than 100sqm but creates new units and is therefore CIL-liable. Based on the submitted floorspace: Mayoral CIL: £13,279.20 (220sqm × £60.36) Haringey CIL: £80,986.40 (220sqm × £368.12, including indexation)

Charges will be collected by Haringey upon implementation and may be subject to surcharges for failure to assume liability, failure to submit a commencement notice, late payment, and indexation. An informative will be attached.

9. CONCLUSION

The proposed amendments would have an acceptable impact on the character and appearance of the area and would not harm the amenity of neighbouring occupiers. All relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

10. RECOMMENDATION

GRANT MATERIAL AMENDMENT subject to conditions.

Conditions:

- 1 [Condition relating to commencement has been removed, as development has commenced].
- 2 The approved plans comprise drawing nos (001/A, 002/A, 003, 004, 005, 006, 007, 008, 009, 100/E, 101/C, 102/D, 105/C, 106/C, 107/C, 108/C, 115/C, 116/C, Proposed Tank and Cyclestore Rev A; 190/A). The development shall be completed in accordance with the 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 nonmaterial amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
- 3 The external materials to be used for the proposed development shall match in colour, size, shape and texture those of the existing building.

Reason: In order to ensure a satisfactory appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policy D3 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 4 All future occupiers of the new units hereby approved shall not be eligible to obtain an on street residents parking permit except:

i) In the case of disabled persons;
ii) In the case of units designated in this planning permission as non car free; or
iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Haringey and has held the permit for a period of at least one year.

Reason: To ensure that the development remains car free.

- 5 The details relating to Sustainability Statement has been given under application reference: HGY/2023/2161.
The development shall be carried out in accordance with the approved details, with the exception of landscaping of the courtyard, unless otherwise granted under a new application to approve condition details.

Reason: To ensure sustainable development in accordance with London Plan 2021 and Local Plan Policy SP4.

- 6 The details relating to Construction Management Statement details has been given under application reference: HGY/2023/1638.

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

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 the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

- 7 Before the first occupation of the extension hereby permitted, all windows to units 1-4 shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening and only a fanlight openable for ventilation, with the following exceptions:

a. Unit 1, ground floor living room window, facing into alley
b. Unit 1, ground floor living/ dining room window, facing into communal courtyard
c. Unit 2, ground floor, 3nos. windows facing SW towards car park
d. Unit 2, ground floor, living room window facing into communal courtyard
e. Unit 3, 1st floor, double bedroom (no. 1) window, facing onto rear alley
f. Unit 4, 1st floor living room 3nos. windows, facing SW towards car park
g. Unit 4, 1st floor living room window, facing into communal courtyard
The window shall be permanently retained in that condition thereafter.

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.

- 8 The proposed secure and covered cycle parking facility for a minimum of 5nos. bicycles as set out on plan number 100/E shall be provided prior to the occupation of the use hereby permitted and 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.

- 9 Prior to occupation, the development hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (1) as indicated on the approved plans and supplementary information. Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time.

- 10 The details relating to hard and soft landscaping have been provided under application reference: HGY/2023/1640.

The development shall be carried out in accordance with the approved details and 190/A, unless otherwise granted under a new application to approve condition details.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policy G7 of the London Local Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

- 11 Prior to the first occupation of the units hereby approved details of the membership to a Car Club scheme for the eligibility of the occupants of the development shall be first submitted to and approved in writing by the local planning authority. Such membership to a Car Club scheme shall operate as a minimum for the first 3 years of occupation of the residential units unless otherwise agreed in writing by the local planning authority.

Reason: To promote sustainable transport and to reduce the potential for additional on street parking stress as a result of the development, consistent with Policies SP0, SP4 and SP7 of the Haringey Local Plan 2017.

- 12 The details relating to refuse and recycling has been given under application reference: HGY/2023/1640. The development shall be carried out solely in accordance with the approved details.

Reason: In order to protect the amenities of the locality and to comply with Policy DM4 of The Development Management DPD 2017 and Policy 5.17 of the London Plan 2021.

Informatives:

INFORMATIVE:

The London Fire and Emergency Authority recommends that sprinklers are considered for new development and major alterations to existing premises. Sprinkler systems installed in building can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.

INFORMATIVE:

Prior to demolition of existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with the correct procedure prior to any demolition or construction works carried out.

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.

INFORMATIVE : Community Infrastructure Levy

The development is less than 100 square metres but is for a whole new units and as such is liable for CIL.

Based on the information given on the plans, the Mayoral CIL charge will be £13,279.20 (220sqm x £60.36) and the Haringey CIL charge will be £80,986.40 (220sqm x £368.12 (Indexation included)). This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

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: 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:

The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 3472) to arrange for the allocation of a suitable address.

INFORMATIVE:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.