

Officer Report

Application Number:	HGY/2026/2461
Application Type:	Removal/variation of conditions
Address:	196 Page Green Terrace, Tottenham, London, N15 4NP
Proposal:	Variation of condition 2 (approved plans) of planning permission HGY/2026/0549 for Excavation of front and rear lightwells and installation of stairs in front garden to basement level, basement extension, single storey rear extension, first and second floor rear extension, installation of waste and bike storage in front garden, reconfiguration and enlargement of existing 3 flats; namely to include steps down to basement, with basement entrance provided for basement/ground floor flat, with railings in front of lightwell instead of safety/security grilles.
Case Officer:	Roland Sheldon
Valid Date:	03/09/2026
Applicant:	6 Mr Friedman
Agent:	Mr Joel Stern

RECOMMENDATION

Refuse

1. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed development

This Section 73 planning application proposes Variation of condition 2 (approved plans) of planning permission HGY/2026/0549 for Excavation of front and rear lightwells and installation of stairs in front garden to basement level, basement extension, single storey rear extension, first and second floor rear extension, installation of waste and bike storage in front garden, reconfiguration and enlargement of existing 3 flats.

It is noted that there was an error in the description given to the approved development, as there were no stairs approved in the front garden to basement level, following the submission of revised details which removed the steps.

The proposed amendment is to include steps down to basement, with basement entrance provided for basement/ground floor flat, with railings in front of lightwell instead of safety/security grilles.

2. Site and Surroundings

The subject site contains a three-storey (with basement level) mid-terrace property that historically has been converted into 3 self-contained flats on the eastern side of Page Green Terrace, N15. The surrounding uses are predominantly residential. The site does not contain a listed building but is located within the Seven Sisters/Page Green part of the Tottenham High Road Conservation Area.

3. Relevant Planning and Enforcement history

The planning history in relation to this site is as follows:

196 High Road, N15

OLD/1970/0398: Conversion into 3 self-contained flats – Approved 02/04/1970

PRE/2025/0365: -creating of one additional flat. -Basement extension with lightwells - Ground floor extension - First and Second Floor extension - Mansard roof

HGY/2026/0549: Creation of front and rear lightwells and stairs in front garden to basement level, basement extension, single storey rear extension, first and second floor rear extension, installation of waste and bike storage in front garden, reconfiguration and enlargement of existing 3 flats – Approved 27/05/2026

HGY/2026/1778: Details pursuant to conditions 4 (Method of construction statement) and 5 (details of chartered engineer) of planning permission HGY/2026/0549 for excavation of front and rear lightwells and installation of stairs in front garden to basement level, basement extension, single storey rear extension, first and second floor rear extension, installation of waste and bike storage in front garden, reconfiguration and enlargement of existing 3 flats – Approved 16/07/2026

HGY/2026/1794: Variation of condition 2 (approved plans) of planning permission HGY/2025/0549 for Excavation of front and rear lightwells and installation of stairs in front garden to basement level, basement extension, single storey rear extension, first and second floor rear extension, installation of waste and bike storage in front garden, reconfiguration and enlargement of existing 3 flats.

Proposed amendment: To increase depth of single storey ground floor rear extension with a conservatory – Approved 21/08/2026

Planning enforcement history

ENF/2026/1119: Breach of conditions, Structural damage in association with the basement development – Ongoing investigation

4. CONSULTATION RESPONSE

The following were consulted regarding the application:

1) LBH Conservation Officer – No comments received.

5. LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site, letters sent to neighbouring properties and a notice placed in the local press. The number of representations received from neighbours, local groups, etc. in response to notification and publicity of the application were as follows:

No of individual responses: 1

Objecting: 1

An objection was received on grounds of overdevelopment.

The following local groups/societies made representations:

- None

6. MATERIAL PLANNING CONSIDERATIONS

Legal/ policy considerations

An application can be made under s.73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a s.73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. A s.73 application results in a new permission being issued.

There is no statutory definition within Government Planning Policy Guidance (PPG) of a 'minor material amendment' but paragraph 017 reference ID: 17a-017-20140306 states that it is likely to include any amendment where its scale and/or nature does not result in a development which is substantially different from the one which has been approved.

The PPG advises that where an application under section 73 of the Town and Country Planning Act (as amended) is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and un-amended. A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission unless they have already been discharged. As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

Consequently the extent of the material planning considerations are somewhat restricted and only the amendments being applied for can be considered at this stage. Having said that, when determining the application, the local planning authority (LPA) will have to consider the application in the light of current policy. The LPA therefore has to make a decision focusing on national or local policies which may have changed significantly since the original granting of planning permission as well as the merits of the changes sought.

In this case since the original grant of planning permission, there have been no policy changes that materially alter the decision-making process for this particular application.

Planning considerations

The main amendments proposed in this s. 73 planning application are considered in more detail below.

Condition 2

The revisions to the approved drawings as listed in condition 2, incorporate the following changes, as listed below:

- Proposed amendment to include steps down to basement, with basement entrance provided for basement/ground floor flat, with railings in front of lightwell instead of safety/security grilles. The planning considerations arising from this amendment are considered to be design and heritage matters.

Design, character and heritage

DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

London Plan policy D3 requires proposals to seek to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account.

DPD Policy DM18 sets out that in determining applications for light wells, the Council will consider whether:

- a The architectural character of the building is protected;
- b The character and appearance of the surrounding area is harmed; and
- c The development results in the loss of more than 50% of the front garden or amenity area

During the assessment of the original planning application, the Principal Conservation Officer commented on the scheme. The originally submitted set of plans in the consented proposal included steps down to the basement floor, with a separate front entrance for the basement flat, and with safety/security railings.

The Conservation Officer considered that the front lightwell, railing and basement access were uncharacteristic features, with the basement access likely to erode the traditional front garden form, whilst the intrusive railing would introduce a distracting anomaly that departs from the consistent proportions and rhythm of the historic terrace.

Revised plans were subsequently received that removed the steps, railings and basement access, but retained the lightwell with a flat grille and safety hatch provided in place of the railings. This arrangement was subsequently approved.

It is noted that both properties either side of the host building benefit from front lightwells with steps down to a basement front door entrance. However, neither of these lightwells and steps/basement entrances appear to be original features or to benefit from full planning permission. Given that planning permission was not granted for them, their existence does not provide justification for a further erosion of the original characteristics of the host building or the historic terrace in which it is located through the introduction of the uncharacteristic steps and railings down to the basement level in the front garden.

The introduction of railings and a basement access with steps would further erode the traditional front garden form within the street, whilst the intrusive railing would introduce a distracting anomaly that departs from the consistent proportions and rhythm of the historic terrace. The proposal would therefore fail to preserve or enhance the character and appearance of the host building or conservation area.

Conclusions

The minor material amendments proposed by this application would fail to preserve the character and appearance of the host building or Seven Sisters/Page Green part of the Tottenham High Road Conservation Area.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7. CIL APPLICABLE

The proposal would not result in any new residential units or more than 100m² of additional floor space, and therefore is exempt from Mayoral and Haringey CIL.

8. RECOMMENDATION

REFUSE PERMISSION for the following reason:

Conditions:

- 1 The introduction of railings, steps and basement access would further erode the traditional front garden form within the street, whilst the intrusive railing would introduce a distracting anomaly that departs from the largely consistent proportions and rhythm of the historic terrace, failing to preserve or enhance the character and appearance of the host building or conservation area, contrary to policy HC1 of the London Plan 2021, policy SP12 of the Haringey Local Plan 2017 and policies DM9 and DM18 of the Haringey Development Management DPD 2017.