

Our ref: Q230195
Your ref: PP-12121936
Email: matthew.sherwood@quod.com
Date: 28 April 2023



Martin Cowie
Planning, Regeneration & Economy
Level 6, River Park House
225 High Road
Wood Green
London
N22 8HQ

For the attention of Martin Cowie

Dear Martin

APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR NON-MATERIAL AMENDMENTS TO PLANNING PERMISSION HGY/2018/2223

TOTTENHAM HALE CENTRE DEVELOPMENT, N17

On behalf of TH Ferry Island Nominee 1 Limited and TH Ferry Island Nominee 2 Limited ("the Applicant") please find enclosed an application for non-material amendments ("NMA") to the Tottenham Hale Centre development planning permission ("THC PP") (LPA ref. HGY/2018/2223) dated 27 March 2019.

The application seeks approval for non-material amendments to Plot B ("Ferry Island"). The proposed amendments relate to minor internal and external design modifications to Buildings 1 and 2 in order to incorporate a second stair case within each building. Associated updates to the landscaping plans are also proposed to reflect the building modifications.

A full list of amendments to the Ferry Island Plot is provided in the accompanying Design Report prepared by Alford Hall Monaghan Morris ("AHMM").

Accordingly, please find enclosed copies of the following documentation, which has been submitted via the Planning Portal (PP-12121936):

- This Covering Letter and supporting report;
- Application form duly signed, dated and completed;
- Design Report, prepared by AHMM;
- Environmental Impact Assessment Further Information Note (FIN), prepared by Quod; and
- Revised drawings prepared by AHMM and Grant Associates.

Quod | 8-14 Meard Street London W1F 0EQ | 020 3597 1000 | quod.com

Quod Limited. Registered England at above No. 7170188





The application fee of £234 has been made online to cover the requisite application fee in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017.

Background

The THC PP approved the development of five plots in Tottenham Hale District Centre for a residential-led mixed-use development comprising 6 buildings up to 38 storeys in height, providing up to 1,036 residential units and a mix of non-residential uses, with associated landscaping and highway works.

The Ferry Island Plot (Plot B) is located to the south of Station Road and north of Ferry Lane and is marked as Plot B in Figure 1 below.

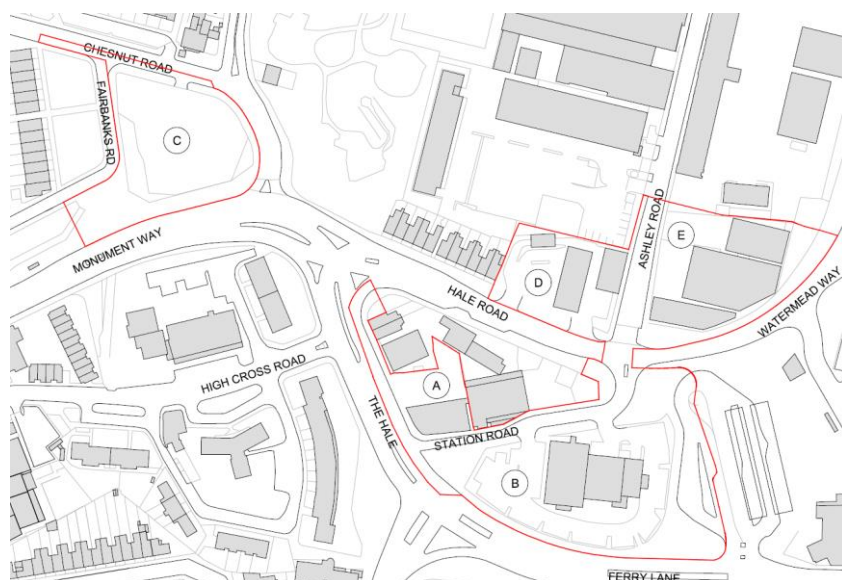


Figure 1: Tottenham Hale Centre development Site Location

Ferry Island comprises two mixed-use buildings (Building 1 and Building 2). Building 1 is formed of two elements that are 20 storeys (southern element) and 38 storeys (northern element) in height respectively. These taller elements are joined by a lower 7 storey link.

Building 1 contains 376 market residential dwellings as well as flexible retail, office and leisure floorspace.

Building 2 is a part 7, part 13 storey mixed-use building providing 108 residential units at upper levels and flexible retail, office and leisure uses at ground floor level. All residential units within Building 2 will comprise market residential units.

The two buildings share a basement.



A series of NMA's to the THC PP have subsequently been approved:

- February 2020 NMA (ref: HGY/2019/2934) – Involving minor design changes to the Welbourne Plot (Plot C) and amendments to the wording of Conditions A13, B13, C13, D13 and E13;
- May 2020 NMAs (refs: HGY/2020/1076; HGY/2020/1194; and HGY/2020/1075) – Relating to minor internal and external alterations to Plots A (North Island), D (Ashley Road West) and E (Ashley Road East) and an amendment to the overall floorspace figure stated in the Description of Development. Together, the three NMA applications resulted in an increase of 84 sqm (GIA) to the overall floorspace permitted across the Site.
- May 2021 NMA (ref: HGY/2021/1149) – Relating to minor external alterations to Plot D (Ashley Road West);
- October 2021 NMA (ref: HGY/2021/1661) – Comprising minor internal and external design modifications to Buildings 2 and 3 in Plots A and B;
- April 2022 NMA (ref: HGY/2022/0721) – Amended the wording of conditions A6, B6, C6, D6 and E6 of the THC PP;
- April 2022 NMA (ref: HGY/2022/0631) – For minor internal and external design modifications to Buildings 1 and 2 on Plot B;
- May 2022 NMA (ref: HGY/2022/1103) – For non-material amendments to Plot C (Welbourne site) involving minor external design changes to the building;
- November 2022 NMA (HGY/2022/2484) - to introduce a leisure use (Use Class D2) to the approved land uses for the flexible use non-residential unit at ground floor level of the building; and
- November 2022 NMA (HGY/2022/2581) - for the provision of ground floor plant enclosure and external louvres to 3 windows into the Welbourne building.

Non-Material Amendments

As noted above, the proposed amendments to Ferry Island are set out in full in the accompanying Design Report prepared by AHMM. The main changes are summarised below:

Ferry Island – Building 1

- Minor reconfiguration of the basement layout relating to stair doors, waste stores and risers.
- Minor reconfiguration to ground floor relating to additional fire escape, door and riser positions, cycle stair locations and lift arrangements.
- Minor reduction in retail floorspace at ground floor (-10sqm).



- Second stair added at upper levels alongside changes to the position of risers and additional doors.

Ferry Island – Building 2

- Update to back of house arrangements, riser position and additional fire escape at ground floor.
- Minor Reduction in residential floorspace (-34sqm).
- Revision of 1 bed apartment layout at levels 01 – 06.
- Second stair added at upper levels along with changes to corridor widths, riser locations and additional doors.
- Line of façade to access terrace at level 7 revised.
- Projecting balconies incorporated to replace recessed balconies.
- Certain apartment layouts revised to respond to addition of second stair and associated façade revisions.
- Updated roof plan to reflect stair rotation.
- Refined access to the main stair directly to the stair from the entrance lobby.

Pre-application discussions

The proposed non-material amendments were presented to LBH planning and design officers in April 2023. Officers acknowledged the work that the design team had undertaken to enable the insertion of a second staircase and the very limited resultant changes to Buildings 1 and 2. In relation to Building 2, there was a discussion around the building user routes on the ground floor. Overall officers considered that the revised arrangements worked really well.

Assessment

S96a of the TCPA 1990 (as amended) gives power to LPAs (in England) to make non-material changes to planning permissions. S96a, subsection (2) states:-

“In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.”

Additionally, s96a (subsection (3)) gives the power to impose new conditions or remove or alter existing conditions on a planning permission. Condition 2 of the THC PP lists the approved planning



drawings for the Tottenham Hale Centre development and it is the drawings in this condition relating to Ferry Island and North Island that are proposed to be amended.

Further guidance on making a s96a/non-material amendment (NMA) to a planning permission is provided in the National Planning Practice Guidance (NPPG) first published in March 2014. When considering the definition of an NMA the guidance states:-

“There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.” Reference ID: 17a-002-20140306

The proposed internal amendments are a direct response to the insertion of a second staircase into each building. This has been achieved through very limited internal changes and even more limited external changes.

Whilst the layout of a small number of units in Building 2 will change, there is no change to the overall unit numbers or the number of habitable rooms. There is also a very small change to the non-residential floorspace of -66sqm.

In summary, the proposed amendments are minor in nature and non-material in the context of the Tottenham Hale Centre development planning permission.

Additional Environmental Information

The NPPG also states:

“As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary, and there are unlikely to be effects which would need to be addressed under the Environmental Impact Assessment Regulations 2011”.

The accompanying EIA Further Information Note concludes that there are no new or materially different significant environmental effects expected as a result of the Amendments and no further environmental information needs to be provided in respect of the Amendments, in line with the EIA Regulations. We consider that the Submitted ES remains valid for decision making and no further environmental information is required.

Summary

The enclosed application seeks approval for non-material amendments to Buildings 1 and 2 on Ferry Island of the Tottenham Hale Centre Development. The proposed amendments relate to minor internal and external design modifications to Buildings 1 and 2 in order to incorporate a second stair case



within each building. Associated updates to the landscaping plans are also proposed to reflect the building modifications. The proposed amendments are minor in nature and will have no material impact on the character or appearance of the Tottenham Hale Centre development. Accordingly, both individually and cumulatively these amendments are considered to be non-material and this is supported by the accompanying EIA note.

I trust that this enables registration and validation of the application but please do not hesitate to contact me should you require any further information or have any queries at this stage.

Yours sincerely

Matthew Sherwood
Director



APPENDIX 1 – Drawing List

The plans set out below and listed in Condition 2 of the THC PP (ref: HGY/2018/2223) are updated by this application.

Previously approved rev ~~struck through~~, proposed rev in **red** text.

Drawing title	Drawing number	Rev
Island sites		
Proposed Basement Plan – Option B	TH-IS_ZZ_001_A_16_092_(P00)_P99B	P03 P04
Proposed Ground Floor Plan – Option B	TH-IS_ZZ_001_A_16_092_(P00)_P100B	P04 P05
Proposed Mezzanine Floor Plan – Option B	TH-IS_ZZ_001_A_16_092_(P00)_P100MB	P04 P05
Proposed L01 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P101	P03 P04
Proposed L02 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P102	P03 P04
Proposed L03-06 Floor Plans	TH-IS_ZZ_001_A_16_092_(P00)_P103	P03 P04
Proposed L07 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P107	P03 P04
Proposed L08 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P108	P03 P04
Proposed L09-10 Floor Plans	TH-IS_ZZ_001_A_16_092_(P00)_P109	P03 P04
Proposed L11 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P111	P02 P03
Proposed L12 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P112	P03 P04
Proposed L13 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P113	P03 P04
Proposed L14-17 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P114	P03 P04
Proposed L18 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P118	P02 P03
Proposed L19 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P119	P02 P03
Proposed L20 - 35 Floor Plans	TH-IS_ZZ_001_A_16_092_(P00)_P120	P01 P02
Proposed L36 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P136	P01 P02
Proposed L37 Floor Plan	TH-IS_ZZ_001_A_16_092_(P00)_P137	P01 P02
Proposed Roof Plan	TH-IS_ZZ_001_A_16_092_(P00)_P138	P03 P04



Drawing title	Drawing number	Rev
Proposed Building 1 West Elevation	TH-IS_ZZ_001_A_16_092_(P00)_P210	P02 P03
Proposed Building 1 East Elevation	TH-IS_ZZ_001_A_16092_(P00)_P211	P02
Proposed Building 1 North / South Elevations	TH-IS_ZZ_001_A_16092_(P00)_P212	P02
Proposed Building 1 North Tower South / South Tower North Elevations	TH-IS_ZZ_001_A_16092_(P00)_P213	P02
Proposed Building 2 North / West Elevations	TH-IS_ZZ_001_A_16_092_(P00)_P221	P03 P04
Landscaping		
Proposed Hardworks – Site Plan	TH-IS-PR-001-LA-TOT494-(90)-3001-P	P04 P05
Proposed Softworks – Site Plan	TH-IS-PR-001-LA-TOT494-(90)-5001-P	P04 P05
Masterplan		
Proposed Site Plan Ground Floor Existing Context	TH-M_ZZ_001_A_17013_P(00)_P100	P04 P05
Proposed Site Plan Roof Existing Context	TH-M_ZZ_001_A_17013_P(00)_P101	P04 P05