



Officer Report

Application Number:

HGY/2026/0260

Application Type:

Non-Material Amendment

Address:

Mayfield House, St Anns General Hospital, St Anns Road, Tottenham, London, N15 3TH

Proposal:

Non-Material Amendment to amend condition 32(a) (ecological enhancements) to amend the trigger for submission of the details attached to the approved Hybrid Consent for application ref. HGY/2022/1833 for detailed planning permission for Phase 1A, for: (a) the change of use, conversion and alteration of seven existing hospital buildings for a flexible range of non-residential uses within Use Class E, F1/F2; (b) the demolition of other existing buildings (in accordance with the demolition plan); (c) the erection of new buildings for residential uses (Use Class C3); (d) alterations to the existing access roads and site boundaries to enable the provision of new vehicular, pedestrian and cycle accesses; (e) landscaping including enlargement of the Peace Garden; and, (f) associated car and cycle parking spaces and servicing spaces

Case Officer:

Valid Date:

29/01/2026

Applicant:

Mr James Meehan

Agent:

Mr James Meehan

RECOMMENDATION

Approve

RECOMMENDATION

GRANT Non-Material Amendment

PROPOSED DEVELOPMENT AND LOCATION DETAILS

Approved development

On 10 July 2023, the hybrid application (ref. HGY/2022/1833) was approved, comprising the following description of development:

(1) Detailed planning permission for Phase 1A, for:

(a) the change of use, conversion and alteration of seven existing hospital buildings for a flexible range of non-residential uses within Use Class E, F1/F2;

(b) the demolition of other existing buildings (in accordance with the demolition plan);

- (c) the erection of new buildings for residential uses (Use Class C3);
- (d) alterations to the existing access roads and site boundaries to enable the provision of new vehicular, pedestrian and cycle accesses;
- (e) landscaping including enlargement of the Peace Garden; and,
- (f) associated car and cycle parking spaces and servicing spaces;

(2) The demolition of existing buildings and structures in Phases 1B, 2 and 3 (in accordance with the demolition plan); and

(3) Outline planning permission (with all matters reserved except for access) for Phases 1B, 2 and 3, for:

- (a) the erection of new buildings for residential development (Use Class C3) and a flexible range of non-residential uses within Use Class E, F1/F2;
- (b) provision of associated pedestrian and cycle accesses;
- (c) landscaping including enhancements to the St Ann's Hospital Wood and Tottenham Railsides Site of Importance for Nature Conservation (SINC); and,
- (d) car and cycle parking spaces and servicing spaces.

Proposed amendments

The non-material amendment seeks to amend the trigger for submission of details of ecological enhancements of Condition 32(a) from **'prior to occupation'** to **'prior to occupation of 50% of the residential dwellings'** for Phase 1a only.

The 'prior to occupation trigger' will remain as part of the condition for all other future phases of the development.

Therefore, Condition 32(a) will now read (changes to wording in bold):

'Prior to occupation of no more than 50% of the residential units in Phase 1a and prior to occupation of all future residential units in all phases of the development details of ecological enhancement measures, monitoring and maintenance for that Phase shall be submitted to and approved in writing by the Council. This shall detail the biodiversity net gain, plans showing the proposed location of ecological enhancement measures (including bat boxes, bird boxes and bee bricks), a sensitive lighting scheme, justification for the location and type of enhancement measures by a qualified ecologist, and how the development will support and protect local wildlife and natural habitats.'

ANALYSIS/ASSESSMENT

Legislation came into force on 1 October 2009 which legally allows the Council to approve non-material changes to approved developments (Statutory Instruments 2009 No. 2261 Town & Country Planning (General Development Procedure) (Amendment no 3) (England) Order 2009.

Assessment

Section 96A of the Town and Country Planning Act 1990 (as amended) gives power to Local Planning Authorities (in England) to make non-material changes to planning permissions. Section 96a, 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."*

Further guidance on making a NMA to a planning permission is provided in the National Planning Practice Guidance ("NPPG"). 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.”

Justification for the NMA

The proposed amendments are to areas of public landscaping rather than in private amenity spaces, so the relaxation of the trigger is considered acceptable in terms of ensuring the specific ecological enhancements are captured and avoiding unnecessary hold up in occupying the completed units

S106 compliance

There is nothing of relevance within the S106 that would be impacted by the proposed amendment.

Conclusion

Therefore, given the comments above, it is considered that the proposed non-material amendments, as amended can be granted.

RECOMMENDATION

GRANT Non-Material Amendment

Informatives:

For the avoidance of doubt, Condition 32(a) (Ecological Enhancements) of planning permission reference HGY/2022/1833 shall now read as follows:

Prior to occupation of no more than 50% of the residential units in Phase 1a and prior to occupation of all future residential units in all phases of the development details of ecological enhancement measures, monitoring and maintenance for that Phase shall be submitted to and approved in writing by the Council. This shall detail the biodiversity net gain, plans showing the proposed location of ecological enhancement measures (including bat boxes, bird boxes and bee bricks), a sensitive lighting scheme, justification for the location and type of enhancement measures by a qualified ecologist, and how the development will support and protect local wildlife and natural habitats