



Quod

Our ref: Q250768
PP ref: PP-15033667
Email: matt.eyre@Quod.com
Date: 29 June 2026

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

For the attention of: Philip Elliott

Dear Philip,

Application Under Section 96A of the Town and Country Planning Act 1990 (as amended) for Non-Material Amendments to Planning Permission HGY/2018/2223

Site Address: Tottenham Hale Centre Development, N17

On behalf of TH FI Phase 2 Nominee 1 Limited and TH FI Phase 2 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 F (the "Pavilion"). The proposed amendments seek to amend Condition's F10, F15 and F19 to allow for part discharge of interim landscape works in separately from any building on Plot F in the future.

Accordingly, please find enclosed copies of the following documentation, which has been submitted via the Planning Portal (PP-15033667):

- This Covering Letter and supporting report;
- Application form duly signed, dated and completed; and
- Site Location Plan.

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We're all in



The application fee of £309 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 Pavilion (Plot F) is located within the wider public realm with Plot B, to the north of Ferry Lane and shown in Figure 1 below.

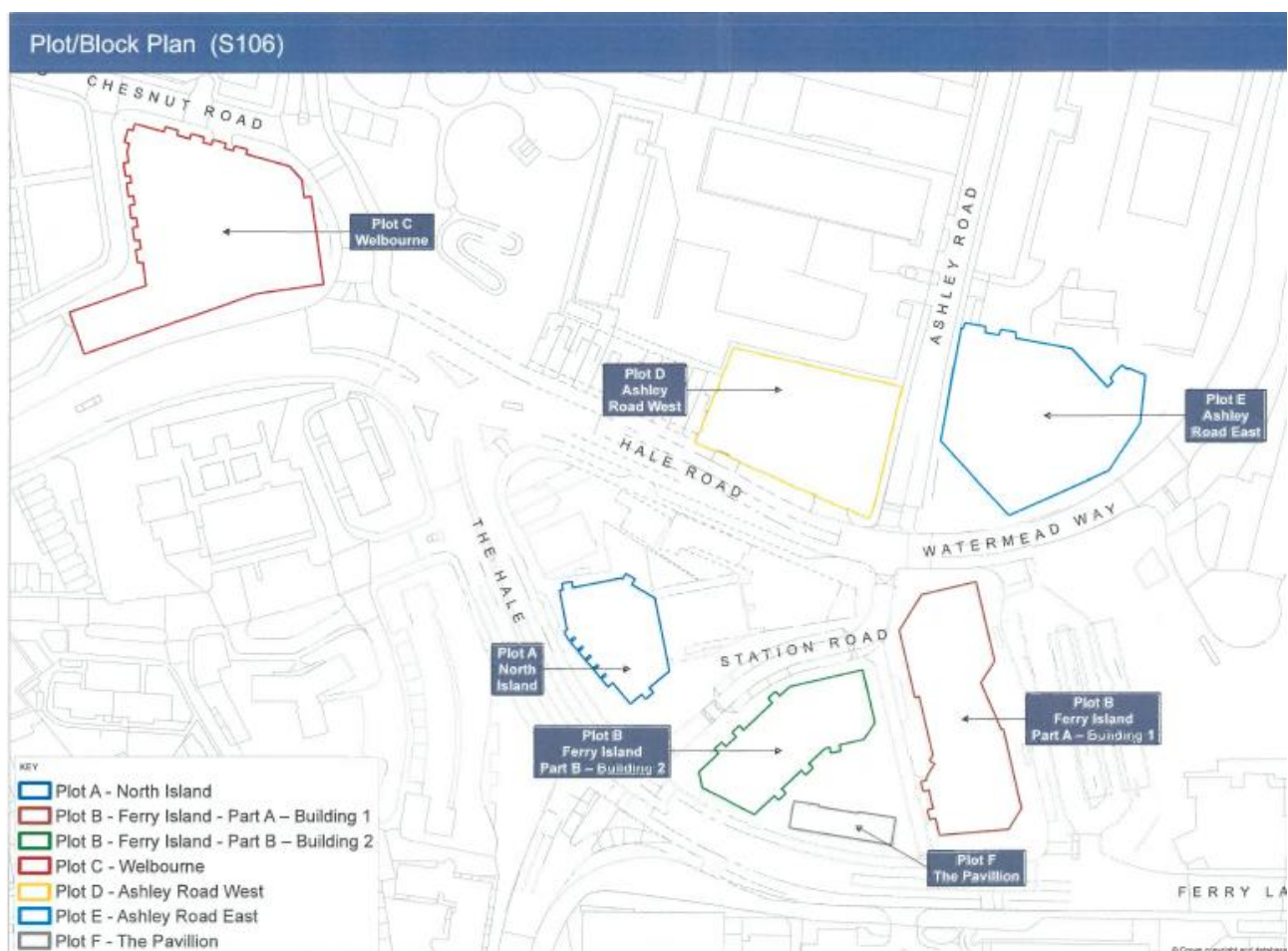


Figure 1: S106 Plot Plan

Plot F principally comprised the Pavilion Building, comprising 251m² GIA of flexible retail/office and surrounding public realm forming Ferry Square to the north.

Ferry Square is being delivered as part of the Ferry Island landscaping works (Plot B) and has incorporated interim landscaping in the location of the Pavilion Building in Plot F, until such a time the Pavilion Building comes forward.

A series of NMA's to the THC PP have subsequently been approved, none of which relate to the Pavilion Building:



- 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 (ref: 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;
- November 2022 NMA (ref: HGY/2022/2581) – for the provision of ground floor plant enclosure and external louvres to 3 windows into the Welbourne building;
- May 2023 NMA (ref: HGY/2023/1190) – amendments to Ferry Island buildings to incorporate second stair cores along with some refinements to the surrounding public realm, and
- May 2026 NMA (ref: HGY/2026/0998) – amendments to North Island (Plot A) to amalgamate three flexible units into two.

Non-Material Amendments

The proposed amendments are to Plot F Condition's F10, F15 and F19 to introduce parts to the conditions to allow part discharge for the interim landscape works on Plot F separately from any works for a building on Plot F in the future.

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.



Further guidance on making a s96a/non-material amendments (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 amendments allow for conditions to be part discharged for the interim landscape works separately from any future building and do not involve changes to floorspace or the wider planning permission.

Accordingly, the proposed amendments are minor in nature and non-material in the context of the THC development planning permission.

Summary

The enclosed application seeks approval for non-material amendments to Plot F of the THC development to allow the discharge of the interim landscape works separately from any building on Plot F in the future. The proposed amendments solely relate to the phasing of delivery and discharge of the works on Plot F and do not impact the wider planning permission.

The proposed amendments are minor in nature and will have no material impact to the wider THC development. Accordingly, both individually and cumulatively with previous NMAs these amendments are considered to be non-material.

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

Matt Eyre
Associate



Annex 1 – Relevant Conditions

F10) Monitoring and Maintenance Plan – Contamination (Environment Agency)

The Plot F development hereby permitted may not commence other than for investigative work until a monitoring and maintenance plan in respect of contamination within Plot F, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority.

Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of groundwater within the principal chalk aquifer.

F15) Contaminated Land – Part 1 (LBH Environmental Health)

Prior to the commencement of the development on Plot F (other than for investigative work):

a) Using the information obtained from the previous assessments, an additional site investigation, sampling and analysis shall be undertaken at the Plot as appropriate. The investigation must be comprehensive enough to enable:-

- i) A risk assessment to be undertaken,*
- ii) Refinement of the Conceptual Model, and*
- ii) The development of a Method Statement detailing the remediation requirements.*

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

b) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements in respect of the Plot, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on the Plot.

REASON: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

F19) Demolition/Construction Environmental Management Plans

Part A

Demolition works shall not commence within Plot F until a Demolition Environmental Management Plan (DEMP) in respect of Plot F has been submitted to and approved in writing by the local planning authority.

Part B

Development shall not commence within Plot F (other than demolition) until a Construction Environmental Management Plan (CEMP) in respect of Plot F has been submitted to and approved in writing by the local planning authority.



The following applies to both Parts A and B above:

a) The DEMP/CEMP shall include a Construction Logistics Plan (CLP) and Air Quality and Dust Management Plan (AQDMP) in respect of Plot F.

b) The DEMP/CEMP shall provide details of how demolition/construction works in respect of Plot F are to be undertaken respectively and shall include:

- i. A construction method statement which identifies the stages and details how works will be undertaken;*
- ii. Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays;*
- iii. Details of plant and machinery to be used during demolition/construction works;*
- iv. Details of an Unexploded Ordnance Survey;*
- v. Details of the waste management strategy;*
- vi. Details of community engagement arrangements;*
- vii. Details of any acoustic hoarding;*
- viii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency guidance);*
- ix. Details of external lighting; and,*
- x. Details of any other standard environmental management and control measures to be implemented.*

c) The CLP will be in accordance with Transport for London's Construction Logistics Plan Guidance (July 2017) and shall provide details on:

- i. Monitoring and joint working arrangements, where appropriate;*
- ii. Site access and car parking arrangements;*
- iii. Delivery booking systems;*
- iv. Agreed routes to/from the Plot;*
- v. Timing of deliveries to and removals from the Plot (to avoid peak times, as agreed with Highways Authority, 07.00 to 9.00 and 16.00 to 18.00, where possible); and*
- vi. Travel plans for staff/personnel involved in demolition/construction works to detail the measures to encourage sustainable travel to the Plot during the demolition/construction phase; and*
- vii. Joint arrangements with neighbouring developers for staff parking, Lorry Parking and consolidation of facilities such as concrete batching.*

d) The AQDMP will be in accordance with the Greater London Authority SPG Dust and Emissions Control (2014) and shall include:

- i. Mitigation measures to manage and minimise demolition/construction dust emissions during works;*
- ii. Details confirming the Plot has been registered at <http://nrmm.london>;*
- iii. Evidence of Non-Road Mobile Machinery (NRMM) and plant registration shall be available on site in the event of Local Authority Inspection;*
- iv. An inventory of NRMM currently on site (machinery should be regularly serviced and service logs kept on site, which includes proof of emission limits for equipment for inspection);*
- v. A Dust Risk Assessment for the works; and*
- vi. Lorry Parking, in joint arrangement where appropriate.*



The development on Plot F shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

REASON: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality.



Annex 2 – Proposed Amendments

Deletions ~~struck through~~ and additions in red

F10) Monitoring and Maintenance Plan – Contamination (Environment Agency)

Part A

The Plot F ~~development~~ **interim landscape works** hereby permitted may not commence other than for investigative work until a monitoring and maintenance plan in respect of contamination within Plot F, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority.

Part B

The Plot F Pavilion building hereby permitted may not commence other than for investigative work until a monitoring and maintenance plan in respect of contamination within Plot F, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority.

Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework. To prevent deterioration of groundwater within the principal chalk aquifer.

F15) Contaminated Land – Part 1 (LBH Environmental Health)

Part A

Prior to the commencement of the ~~development~~ **interim landscape works** on Plot F (other than for investigative work):

a) Using the information obtained from the previous assessments, an additional site investigation, sampling and analysis shall be undertaken at the Plot as appropriate. The investigation must be comprehensive enough to enable:-

i) A risk assessment to be undertaken,

ii) Refinement of the Conceptual Model, and

ii) The development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

b) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements in respect of the Plot, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on the Plot.

Part B

Prior to the commencement of the Pavilion Building on Plot F (other than for investigative work):

a) Using the information obtained from the previous assessments, an additional site investigation, sampling and analysis shall be undertaken at the Plot as appropriate. The investigation must be comprehensive enough to enable:-



i) A risk assessment to be undertaken,
ii) Refinement of the Conceptual Model, and
ii) The development of a Method Statement detailing the remediation requirements.
The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

b) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements in respect of the Plot, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on the Plot.

REASON: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

F19) Demolition/Construction Environmental Management Plans

Part A

Demolition works shall not commence within Plot F until a Demolition Environmental Management Plan (DEMP) in respect of Plot F has been submitted to and approved in writing by the local planning authority.

Part B

~~Development~~ **Interim landscape works** shall not commence within Plot F (other than demolition) until a Construction Environmental Management Plan (CEMP) in respect of Plot F has been submitted to and approved in writing by the local planning authority.

Part C

The Pavilion Building works shall not commence within Plot F (other than demolition) until a Construction Environmental Management Plan (CEMP) in respect of Plot F has been submitted to and approved in writing by the local planning authority.

The following applies to both Parts A, ~~and B~~ **and C** above:

a) The DEMP/CEMP shall include a Construction Logistics Plan (CLP) and Air Quality and Dust Management Plan (AQDMP) in respect of Plot F.

b) The DEMP/CEMP shall provide details of how demolition/construction works in respect of Plot F are to be undertaken respectively and shall include:

- i. A construction method statement which identifies the stages and details how works will be undertaken;
- ii. Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays;
- iii. Details of plant and machinery to be used during demolition/construction works;
- iv. Details of an Unexploded Ordnance Survey;
- v. Details of the waste management strategy;
- vi. Details of community engagement arrangements;
- vii. Details of any acoustic hoarding;
- viii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency guidance);
- ix. Details of external lighting; and,



x. Details of any other standard environmental management and control measures to be implemented.

c) The CLP will be in accordance with Transport for London's Construction Logistics Plan Guidance (July 2017) and shall provide details on:

- i. Monitoring and joint working arrangements, where appropriate;*
- ii. Site access and car parking arrangements;*
- iii. Delivery booking systems;*
- iv. Agreed routes to/from the Plot;*
- v. Timing of deliveries to and removals from the Plot (to avoid peak times, as agreed with Highways Authority, 07.00 to 9.00 and 16.00 to 18.00, where possible); and*
- vi. Travel plans for staff/personnel involved in demolition/construction works to detail the measures to encourage sustainable travel to the Plot during the demolition/construction phase; and*
- vii. Joint arrangements with neighbouring developers for staff parking, Lorry Parking and consolidation of facilities such as concrete batching.*

d) The AQDMP will be in accordance with the Greater London Authority SPG Dust and Emissions Control (2014) and shall include:

- i. Mitigation measures to manage and minimise demolition/construction dust emissions during works;*
- ii. Details confirming the Plot has been registered at <http://nrmm.london>;*
- iii. Evidence of Non-Road Mobile Machinery (NRMM) and plant registration shall be available on site in the event of Local Authority Inspection;*
- iv. An inventory of NRMM currently on site (machinery should be regularly serviced and service logs kept on site, which includes proof of emission limits for equipment for inspection);*
- v. A Dust Risk Assessment for the works; and*
- vi. Lorry Parking, in joint arrangement where appropriate.*

The development on Plot F shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.

REASON: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality.