



Officer Report

1. APPLICATION DETAILS

Reference No: HGY/2026/1833

Ward: Tottenham Hale

Date received: 30/06/2026

Title/Drawing number of plans and documents: Covering Letter - Plot F NMA - 29.06.26.

Address: Plot F (Pavilion site) Tottenham Hale Centre, Tottenham Hale, London

Proposal: Application for a Non-Material Amendment (NMA) to alter Conditions F10 (Monitoring and Maintenance Plan – Contamination (Environment Agency)), F15 (Contaminated Land – Part 1 (LBH Environmental Health)) and F19 (Demolition/Construction Environmental Management Plans) of the Tottenham Hale Centre Development (SDP Sites, London, N17) Planning Permission (ref: HGY/2018/2223) dated 27 March 2019. The proposed amendments would change the wording of the conditions to introduce parts to the conditions to allow part approval for the interim landscape works on Plot F separately from any works for a building on Plot F (Pavilion site) in the future.

Applicant: TH FI Phase 2 Nominee 1 Limited and TH FI Phase 2 Nominee 2 Limited

Officer contact: Philip Elliott

2. APPROVED DEVELOPMENT

2.1. Planning permission 'PP' (Reference: HGY/2018/2223) was granted on 27/03/2019 for: Demolition works and clearance of existing site to provide a mixed-use development comprising 6 buildings up to 38 storeys in height, which together with pavilion and basement accommodation will provide up to 104,053m² of floorspace (GIA), comprising residential (Use Class C3) (up to 1,036 units), retail (Use Class A1-A4), health centre (Use Class D1), office (Use Class B1), leisure (Use Class D2) parking and servicing areas, hard and soft landscaping (including the provision of a new public square), highways works, creation of new vehicular accesses and the realignment of Station Road, decentralised energy network works and other associated works.

2.2. A series of NMA's to the THC PP have subsequently been approved none of these relate to Plot F - 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; and
- May 2023 NMA (ref: HGY/2023/1190) – for minor internal and external design changes to Buildings 1 and 2 of Plot B in order to incorporate a second staircase within each building. Associated updates to the landscaping plans are also proposed to reflect the building modifications.
- May 2026 NMA (ref: HGY/2026/0998) – amendments to North Island (Plot A) to amalgamate three flexible units into two.

3. ANALYSIS/ASSESSMENT

Legal/ policy context

3.1. S96 of the Town and Country Planning Act 1990 (as amended) allows the Council to make a change to any planning permission if satisfied that the change is not material. An application for a non-material amendment can only be made by or on behalf of a person with an interest in the land to which the planning permission relates and the application may be made only in respect of so much of the planning permission as affects the land in which the person has an interest.

3.2. The National Planning Practice Guidance (NPPG) sets out that 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.

3.3. As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore, local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

3.4. The NPPG states that when making a decision the local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

3.5. The primary consideration arising from this application is whether the amendments to the original scheme are non-material or whether they warrant a new grant of planning permission. As such, it is pertinent to assess this application against planning permission reference: HGY/2018/2223.

3.6. Assessment

3.6.1. The applicant has decided not to construct the Pavilion building which constitutes Plot F. They have instead opted to propose landscape works on an interim basis until the decision is made to construct the Pavilion building.

3.6.2. The proposed amendments to Plot F Conditions F10, F15 and F19 would introduce separate parts to the conditions to allow part approval in relation to interim landscape works and then separately for any works for a building on Plot F which may come forward in the future.

3.6.3. The conditions for Plot F include conditions that require details in relation to that plot to be submitted and approved prior to development. The proposed changes would allow for these changes to be approved for the interim condition until such time as the Pavilion building comes forward, where they would need to be approved again for that structure.

3.7. Changes to Condition F10 Monitoring and Maintenance Plan – Contamination (Environment Agency)

3.7.1. The changes result in the following updates to the wording of Condition F10 (changes are in **bold** and underlined with deletions struck out):

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 Pavilion Building on Plot F 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(s), 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.

3.8. Changes to Condition F15 Contaminated Land – Part 1 (LBH Environmental Health)

3.8.1. The changes result in the following updates to the wording of Condition F15 (changes are in **bold** and underlined with deletions struck out):

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.

3.9. Changes to Condition F19 Demolition/Construction Environmental Management Plans

3.9.1. The changes result in the following updates to the wording of Condition F10 (changes are in **bold** and underlined with deletions struck out):

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

Works on the Pavilion Building shall not commence within Plot F (other than demolition) until a Construction Environmental Management Plan (CEMP) in respect of the Pavilion Building on 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,
- ii. where appropriate; 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.

Summary

3.10. The proposed amendments would be non-material. They do not alter the reason for the condition; they just add parts to address the reality on the ground whereby the Pavilion Building will not be constructed at this time. It allows for the interim landscape works to come forward whilst satisfying the conditions. Should the Pavilion Building come forward, details for these conditions would need to be approved again for those works. On this basis, the non-material amendments can be granted.

4. RECOMMENDATION

GRANT Non-Material Amendment subject to the alteration of the following conditions:

Conditions:

- 1 For the avoidance of doubt, Condition F10 of planning permission reference HGY/2018/2223 is updated to read as follows:

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

Part A

The Plot F 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 Pavilion Building on Plot F 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(s), 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.

- 2 For the avoidance of doubt, Condition F15 of planning permission reference HGY/2018/2223 is updated to read as follows:

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

Part A

Prior to the commencement of the 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.

- 3 For the avoidance of doubt, Condition F19 of planning permission reference HGY/2018/2223 is updated to read as follows:

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

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

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

The following applies to Parts A, 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:

xi. A construction method statement which identifies the stages and details how works will be undertaken;

xii. 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;

xiii. Details of plant and machinery to be used during demolition/construction works;

xiv. Details of an Unexploded Ordnance Survey;

xv. Details of the waste management strategy;

xvi. Details of community engagement arrangements;

xvii. Details of any acoustic hoarding;

xviii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency guidance);

xix. Details of external lighting; and,

xx. 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,

ii. where appropriate; 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.