

## Planning Sub-Committee – 04/02/2026

<b>ADDRESS:</b> Garages Adjacent To, Cropley Court Cavendish Street, London	
<b>WARD:</b> Hoxton West Ward	<b>CASE OFFICER:</b> Oliver Enticott
<b>APPLICATION NUMBER:</b> 2025/1791	<b>VALID DATE:</b> 23.09.25
<p><b>DRAWING NUMBERS:</b></p> <p>Existing location plan - NHP2_ARC_CRO_4001  Existing site plan - NHP2_ARC_CRO_4100  Existing site sections - NHP2_ARC_CRO_4110  Proposed location plan - NHP2_ARC_CRO_4010  Proposed site plan - Level 00 - NHP2_ARC_CRO_4200  Proposed site sections - NHP2_ARC_CRO_4205  Proposed plans - Level 00 - NHP2_ARC_CRO_4210  Proposed plans - Level 01 - NHP2_ARC_CRO_4211  Proposed plans - Level 02 - NHP2_ARC_CRO_4212  Proposed plans - Level 03 - NHP2_ARC_CRO_4213  Proposed plans - Level 04 - NHP2_ARC_CRO_4214  Proposed plans - Level 05 - NHP2_ARC_CRO_4215  Proposed plans - Roof Level - NHP2_ARC_CRO_4215  Proposed elevation - North - NHP2_ARC_CRO_4250  Proposed elevation - East - NHP2_ARC_CRO_4251  Proposed elevation - South - NHP2_ARC_CRO_4252  Proposed elevation - West - NHP2_ARC_CRO_4253  Proposed section - AA - NHP2_ARC_CRO_4275  Proposed section - BB - NHP2_ARC_CRO_4256</p> <p>Air Quality Assessment (XCO2)  Arboricultural Impact Assessment (TMA)  Shadow Habitat Regulation Assessment (TMA)  Biodiversity Net Gain Assessment (TMA)  Child Friendly Impact Assessment (Farrer Huxley)  Draft Construction Management Plan (SLR)  Daylight, Sunlight &amp; Overshadowing Assessment (XCO2)  Design and Access Statement (incl. Statement of Community Involvement) (Sergison Bates)  Landscape Design (Farrer Huxley)  Drawings Package (Sergison Bates)  Energy Statement &amp; Overheating Assessment (XCO2)  Fire Statement (Trigon)  Flood Risk Assessment (SLR)  Drainage Strategy Report (Momentum)  Ground Investigation Report (SLR)  Noise Impact Assessment (Noise Solutions Ltd)  Preliminary Ecological Appraisal (Temple)  Planning Statement (incl. Draft Heads of Terms) (HTA Design)  Outline Site Waste Management Plan (SLR)  Sustainability Statement (XCO2)  Transport Assessment (SLR)</p>	

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Travel Plan (SLR)	
<b>APPLICANT:</b> London Borough of Hackney	<b>AGENT:</b> HTA Planning
<b>PROPOSAL:</b>  Demolition of existing garage structure and construction of 45 new residential dwellings (Use Class C3) with associated amenity space, cycle parking, refuse stores, hard and soft landscaping, play space, improvements to access and public realm, and other associated work	
<b>POST SUBMISSION REVISIONS:</b>  Energy Statement, November 2025 (XCO2) Daylight, Sunlight & Overshadowing Assessment, November 2025 (XCO2) Design and Access Statement, Rev. B (Sergison Bates)  Proposed Section AA - NHP2_ARC_CRO_6275 A Proposed Section BB - NHP2_ARC_CRO_6276 A Proposed Elevation North - NHP2_ARC_CRO_6250 B Proposed Elevation East - NHP2_ARC_CRO_6251 B Proposed Elevation South - NHP2_ARC_CRO_6252 B Proposed Elevation West - NHP2_ARC_CRO_6253 B C Bay Study - Typical Facade - NHP2_ARC_CRO_6350 A C Bay Study - Communal Entrance - NHP2_ARC_CRO_6351 B Cropley Court Open Space Diagram	
<b>RECOMMENDATION SUMMARY:</b>  Grant conditional planning permission subject to completion of a legal agreement.	
<b>NOTE TO MEMBERS:</b>  N/A	

### ANALYSIS INFORMATION

#### ZONING DESIGNATION

ZONING DESIGNATION	YES	NO
<b>CPZ</b>	Hoxton (Zone F)	
<b>Conservation Area</b>		
<b>Statutory Listed Building</b>		
<b>Locally Listed Building</b>		
<b>Priority Employment Area (PEA)</b>		
<b>City Fringe Opportunity Area</b>		
<b>Central Activities Zone</b>		

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### EXISTING LAND USE DETAILS

USE CLASS	DESCRIPTION	GIA (SQM)
N/A	N/A	0
<b>TOTAL</b>		

### PROPOSED LAND USE DETAILS

USE CLASS	USE DESCRIPTION	GIA (SQM)
C3		4,380
<b>TOTAL</b>		

### EXISTING RESIDENTIAL MIX

EXISTING RESIDENTIAL MIX BY TENURE	NO OF UNITS	TENURE SPLIT	RESIDENTIAL MIX WITHIN TENURE GROUP (%)
<b>Private</b>			
1	-		-
2	-		-
3	-		-
<b>Total:</b>	<b>0</b>		-

### PROPOSED RESIDENTIAL MIX

PROPOSED RESIDENTIAL MIX BY TENURE	NO OF UNITS	TENURE SPLIT	RESIDENTIAL MIX WITHIN TENURE GROUP (%)
<b>Private</b>			
1	0		-
2	0		-
3	0		-
<b>Total:</b>	<b>0</b>		-
<b>Social Rented</b>			
1	14		31%
2	15		33%
3	16		36%
<b>Total:</b>	<b>45</b>		<b>100%</b>
<b>Intermediate/ Shared Ownership</b>			
1	0		-
2	0		-
3	0		-
<b>Total:</b>	<b>0</b>		-
<b>Overall Total:</b>	<b>45</b>		<b>100%</b>

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### PARKING DETAILS:

	Parking Spaces (off street)	Parking Spaces (on street)	Parking Spaces (Disabled)	Bicycle Storage
<b>Existing</b>	0	17	0	0

	Parking Spaces (off street)	Parking Spaces (on street)	Parking Spaces (Disabled)	Bicycle Storage
<b>Proposed</b>	0	0	5	101

### 1. SITE CONTEXT

- 1.1 Cropley Court estate consists of a number of large housing blocks which span from Cropley Street in the west, New North Road to the east, and between Shaftsbury Street and Cavendish Street to the north and south. Within the centre of the site sits a large, poorly used courtyard and open space. This includes a hard standing previously used as a play area built upon a partially sunken garage block, which is now closed off to the public. Either side of this sit two soft landscaped lawned areas which are also both enclosed but are publicly accessible. This central courtyard is accessed via Shaftsbury Street, a single lane, dead-end road which runs north along it, which includes a turning point at its eastern end.
- 1.2 The courtyard is encircled by several large apartment blocks, which together form Cropley Court estate. Immediately to the south of the court yard is 24-88 Cropley Court, an eight storey rectangular block which runs west to east along Cavendish Street. To the west of this is a four storey, 'L' shaped 1-24 Cropley Court apartment block encloses the court between Cavendish Street, Cropley Street (to the west) and Shaftsbury Street. In the south eastern corner sits 89-132 Cropley Court, an 11 storey 'H' shaped tower block. Meanwhile, the north-eastern corner is enclosed by 133-196 Cropley Court, another 'L' shaped block which measures six stories in height. North of Shaftsbury Street is 1-30 Shaftsbury Street a six storey apartment block, which faces eastward. Finally, there is a second eleven storey 'H' tower at 31-74 Wimborne Court and a four storey apartment block on the corner of Shaftsbury Street and Cropley Street known as 38 Cropley Street.
- 1.3 The site is not located within a conservation area and does not impact any listed buildings. It is situated close to Shoreditch Park - a designated open space - which is situated to the east of New North Road
- 1.4 The site has a PTAL score of 4, meaning it has very good access to public transport. There are several bus routes located on New North Road which provide access to north, central and south London. Meanwhile, Old Street underground station is approximately a 800m (15 minute) walk away.
- 1.5 Finally, the property is located within Flood Zone 1, meaning it is at a low risk of river flooding. However the site is at medium risk of surface water flooding (i.e. flash flooding).

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### 2. CONSERVATION IMPLICATIONS

- 2.1 The proposal is not expected to have any impact on heritage assets. It is not located in, or adjacent to, a conservation area or any listed building.

### 3. RELEVANT HISTORY

- 3.1 The site does not contain any previous planning applications.

### 4. CONSULTATION AND PUBLICITY PROCEDURE

- Neighbour notification letters were issued to 368 properties on 30 September 2025
- A site notice was posted on 30 October 2025
- A press notice was printed on 17 October 2025

### 5. NEIGHBOURS AND INTERESTED GROUPS

- 5.1 At the time of writing the report one objection has been received. The issues raised can be summarised as follows:

- Loss of daylight/sunlight
- Flooding/drainage

Officer Response:

- 5.2 In terms of daylight and sunlight, it is acknowledged that the development will be detrimental to light received by some of the closest neighbours.
- 5.3 A flood risk assessment and drainage strategy have been provided and are considered to be acceptable by the Council's flood risk officer, mitigating any drainage concerns.

### 6. CONSULTATION RESPONSES - STATUTORY, LOCAL AND OTHER

#### Consultations (Internal)

##### Contamination

No objection subject to a condition requiring a preliminary risk assessment.

##### Environmental Protection

No objection subject to conditions requiring a construction management plan, dust monitoring and NRMM restrictions. These have been attached.

##### Flooding

No objection subject to conditions requiring detailed SUDs submissions and details of floorlevels.

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### Noise

No objection subject to noise and vibration conditions. These have been attached.

### Traffic and Transportation

No objection subject to conditions on cycle storage and parking and servicing plans. These have been attached.

### Waste

No objections except that the dragging distance from some dwellings to the bin storage is over 30m. This is considered by Officers to be a minor concern which cannot be overcome without substantial changes to the design and layout of the scheme. On balance it is not considered to be a sufficient enough reason to withhold planning permission.

### **Consultations (External)**

#### Environment Agency

No response.

#### GLAAS

No objections.

#### Health & Safety Executive (HSE)

No objections raised. The scheme is not considered relevant for HSE.

#### Historic England

No objections

#### London Fire Brigade

No objections

#### Metropolitan Police

No objection subject to a secured by design condition. This has been attached.

#### Natural England

No objection.

#### Thames Water

No objection subject to a piling methods statement. This has been attached.

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### 7. POLICIES

#### London Plan (2021)

D3 - Optimising Site Capacity Through Design Led Approach  
D4 - Delivering Good Design  
D5 - Inclusive Design  
D6 - Housing Quality and Standards  
D7 - Accessible Housing  
D8 - Public Realm  
D11 - Safety, Security and Resilience to Emergency  
D12 - Fire Safety  
D14 - Noise  
H1 - Increasing Housing Supply  
H5 - Threshold Approach to Applications  
H6 - Affordable Housing Tenure  
H10 - Housing Size Mix  
HC1 - Heritage, Conservation and Growth  
G1 - Green Infrastructure  
G5 - Urban Greening  
G6 - Biodiversity and Access to nature  
G7 - Trees and Woodland  
SI 1 - Improving Air Quality  
SI 2 - Minimising Greenhouse Gas Emissions  
SI 3 - Energy infrastructure  
SI 4 - Managing Heat Risk  
SI 5 - Water Infrastructure  
SI 7 - Reducing Waste and Supporting the Circular Economy  
SI 12 - Flood Risk Management  
SI 13 - Sustainable Drainage  
T4 - Assessing and Mitigating Transport Impacts  
T5 - Cycling  
T6 - Car Parking

#### LBH Local Plan 2033 (2020)

LP1 - Design Quality and Local Character  
LP2 - Development and Amenity  
LP3 - Designated Heritage Assets  
LP4 - Non Designated Heritage Assets  
LP12 - Meeting Housing Needs  
LP13 - Affordable Housing  
LP14 - Dwelling Size Mix  
LP17 - Housing Design  
LP31 - Local Jobs, Skills and Training  
LP36 - Shops Outside of Designated Centres  
LP41 - Liveable Neighbourhoods  
LP42 - Walking and Cycling  
LP43 - Transport and Development  
LP44 - Public Transport and Infrastructure  
LP45 - Parking and Car Free Development  
LP46 - Protection and Enhancement of Green Spaces  
LP47 - Biodiversity and Sites of Importance of Nature Conservation

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LP48 - New Open Spaces  
LP51 - Tree Management and Landscaping  
LP52 - Water spaces, Canals and Residential Moorings  
LP53 - Water and Flooding  
LP54 - Overheating and Climate Change  
LP55 - Mitigating Climate Change  
LP57 - Waste  
LP58 - Improving the Environment - Pollution

### Other

Mayor of London Housing Design Standards (2023)

### National Planning Policies

National Planning Policy Framework (NPPF) (2024),  
Planning Practice Guidance and National Design Guide (2019)

## 8. ASSESSMENT

### Introduction

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the London Plan (2021) Hackney Local Plan 2033 known as 'LP33', and the North London Waste Plan.
- 8.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policy topics are considered to be particularly relevant to this application.
- 8.3 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-
- Principle of Development
  - Loss of Garages
  - Housing Provision
  - Heritage
  - Design
  - Quality of Accommodation
  - Neighbour Amenities
  - Highways and Transport
  - Waste and Recycling
  - Green Infrastructure & Biodiversity
  - Sustainability
  - Flood Risk
  - Crime and Fire Safety

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8.4 These matters are discussed in detail below.

### **Principle of Development**

8.5 Chapter 2 of the NPPF identifies sustainable development as the key objective of the planning system and clearly sets out the presumption in favour of sustainable development, in alignment with the need to determine planning applications in accordance with the Development Plan.

8.6 In specific regard to proposals for estate regeneration, such as this, paragraph 98 of the NPPF states *“that planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”*

8.7 The principle of development is thus considered acceptable, subject to all other matters discussed below.

### **Loss of Garages**

8.8 Hackney Local Plan Policy LP45 states that where sites are redeveloped, existing parking provision must be significantly reduced to make the new development car free unless there is site-specific justification to re-provide an element of the existing parking. It also states that for developments relating to housing estates, parking may be re-provided only for returning residents with existing permits, supported by CPZ capacity and improvements to public spaces. Development for new occupiers must be car-free.

8.9 Within the centre of the site sits an existing partially underground garage structure facing onto Shaftesbury Street, measuring over 1000sqm in size. The garage is no longer in use, in a state of disrepair and has been permanently closed since 2005.

8.10 Given this, its loss is considered acceptable, especially given the social benefit of providing new residential housing and improvements to the public realm.

### **Housing Provision**

#### New Housing

8.11 London Plan Policy H1 and Table 4.1 set an annual target of 13,280 net new houses for Hackney over a ten-year period up until 2028/29. This is supported by Local Plan Policy LP12 which stipulates that the Council will aim to deliver a minimum of 1,330 new homes per year up to 2033.

8.12 The proposal would provide a total of 45 net new dwellings, contributing to local and national targets. The proposal accords with London Plan Policy H1 and Hackney Local Plan Policy LP12.

#### Affordable Housing

8.13 London Plan Policy H5 and H6 set out affordable housing provision and states that the threshold level of affordable housing on gross residential development is set at a minimum of 35%, with a minimum of 30% social rent, a minimum of 30% intermediate rent, and the remaining 40% set by the borough.

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- 8.14 Hackney Local Plan Policy LP13 requires an affordable housing contribution for all schemes. Development will be required to provide 50% affordable housing on site at a ratio of 60:40 social housing and intermediate types. However, the policy makes clear that other affordable housing tenure to those outlined above will be permitted where it can be demonstrated to be genuinely affordable relative to local ward level incomes.
- 8.15 The proposal is set to be 100% social housing. Given that social housing is the greatest demand of accommodation within the borough this is considered acceptable. Accordingly it complies with London Plan Policies H5 and H6 and Local Plan Policy LP13.

### Housing Mix

- 8.16 London Plan Policy H10, together with the Mayor of London Housing SPG, seek to promote housing choice and a balanced mix of unit sizes in new developments.
- 8.17 Hackney Local Plan Policy LP14 sets out the preferred unit mix for different tenure types. For affordable housing tenure, a 33% split between one-bed, two-bed and three-bed units is generally expected.
- 8.18 Of the 45 units being proposed, 14 are one-bed dwellings, 15 are to be two-bed, and 16 are three-bed dwellings. This is roughly a 33% split between the different dwelling sizes, with a slightly greater proportion of family housing (i.e. three-bed units).
- 8.19 This is considered acceptable and compliant with London Plan Policy H10 and Local Plan Policy LP14.

### **Design**

- 8.20 London Plan Policy D3, D5 and D8 sets out that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. New developments should enhance local context by their layout, orientation, scale, appearance and shape, provide legible entrances to buildings, clearly defined public and private environments, achieve safe and inclusive environments, provide active frontages, contribute towards the local character and be of high quality.
- 8.21 These policies are supported by Hackney Local Plan Policy LP1 which seeks to ensure development is of the highest architectural and urban design quality, responds to the local character and context, and is compatible with the existing townscape.

### Context

- 8.22 Cropley Court is a group of estate buildings located in Hoxton, SE of Shoreditch Park. The site was historically a typical urban grid block defined by direct and clear street routes and outward-facing buildings defining the street edges. In the 20th Century the block was redeveloped using modernist planning principles. Direct streets were blocked in an effort to create more closed neighbourhoods, pedestrian and vehicle routes were separated, and new residential blocks were built to a higher density to open up more open space.
- 8.23 The application site is currently occupied by a disused, single storey parking structure which originally had a play area on the roof, but which has been inaccessible for decades. There are open green spaces with mature trees to the east and west of the parking structure, and residential blocks to the north and south. Shaftesbury Street runs towards the northern boundary of the site. The street used to connect directly to New North Road

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but the route has been diverted through an undercroft.

- 8.24 The landscaping around the site is dated and simple with some walls surrounding it, and is not designed to encourage a variety of uses, settling or access. The parking structure creates a division between the east and west space, and the access route to the structure creates additional barriers.
- 8.25 The applicant documents show a thorough understanding of the strengths, weaknesses and opportunities of the site in its context, it identifies opportunities in site and its surrounding landscaping which would benefit the wider estate, addressing problems with movement, legibility and character. The applicant has also demonstrated a thorough understanding of the strengths and weaknesses of the social and built character of the context informed by a thorough public consultation process including older and young people.

### Background

- 8.26 The scheme has been through a pre-application process where the design and urban design aspects of the scheme layout, height and massing, architecture, landscape and internal layout have been discussed. Separate conversations have been had on other design related aspects of the scheme including sustainability to transport.

### Layout

- 8.27 The new building occupies an opportunity site between buildings where space exists for development with sufficient distance from existing homes. The applicant has considered how the layout can enhance its setting and address the identified weaknesses and opportunities of the site. The layout is organised to create comfortable and suitably distanced relationships with adjacent buildings. It is arranged to address and define the open spaces to the east and west, and the movement routes to the north and south. Space has been created on the site of the parking structure for improved routes and additional landscaping.

### Form and Massing

- 8.28 The new block is six storeys and 21.75m tall to the top of the rooftop plant. The main elevations are 20.75m tall. Surrounding buildings are either 6 storeys tall to the north or 8 storeys tall to the south. The proposal is closer in height to the 8 storey existing block.
- 8.29 The massing is a 'pinwheel form' with a stepped form - each of its 4 frontages is staggered with projecting gables and receding elements which reduces the sense of bulk and creates interest. The stepped form also breaks up the skyline, again reducing the sense of bulk.

### External Architecture and Materials

- 8.30 The appearance of the building is carefully related to its setting with materials and colours chosen to harmonise with, rather than mimic neighbours. The pale grey brick colour for example would bring lightness into the shady green setting. Green coloured balconies and external metalwork creates an attractive contrast with the brick and picks up on use of colour in the surrounding estate. Ground floor entrances are surrounded with bright, warm coloured brick and tile to reflect neighbouring blocks and create a special focal point.
- 8.31 The external envelope is articulated to create textural and visual interest, and a solid and

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weighty character as described in pages 46 onwards in the D&A statement. Principles of detail and quality for example in how bricks and mortar should be laid, are included to guide the next stages. See sustainability comments for more feedback.

### Internal Layout

- 8.32 The scheme has a simple and robust concrete structure and central core which is planned for future flexibility and adaptation. The frame is intended to last for centuries while all partitions and technical elements and finishes could be replaced when necessary.
- 8.33 Pages 39 onwards of the Design and Access statement describe a carefully considered approach to the internal architecture. The communal entrance is legibly and prominently located in the landscape. Ground floor entrance spaces have a clear layout allowing for direct views to stairs and lifts and out of the building to the surrounding landscape. The materials of the communal circulation are considered to create a robust but warm and welcoming character.
- 8.34 The stair is designed to be particularly open and attractive with an open stair well running the height of the building allowing natural light to filter down from a skylight above - this meets the requirements of London's Housing LPG. Upper floor landings are divided into small lobbies giving access to 2 or 3 flats to encourage close relations. Glazed doors allow natural light from the stair to filter into the landing areas. Spaces have been designed with practicality in mind with furniture movements being accommodated.
- 8.35 Ground floor homes are surrounded with planting zones and raised balconies with a solid upstand to reduce visibility of homes to passers-by but maintain views for occupants out to the landscaping. All balconies also have full height uprights on corners which give balconies a room-like quality. Living rooms are located on building corners to maximise light and aspect. Balconies are located off living rooms creating outdoor extensions of the main living space.

### Landscape

- 8.36 Landscaping improvements to the site and wider area are a significant benefit of the scheme. The landscape masterplan document sets out a strategy for overcoming the weaknesses of the existing landscaping and enhancing movement, functionality, inclusivity and usability, biodiversity and character.
- 8.37 The proposals establish an open, legible, ecologically enriched landscape which includes play, improved walking routes, planting for privacy, and which uses repurposed bricks and materials for the demolition to create a link with the past and a respect for existing character.
- 8.38 Planting has been arranged and species chosen for specific microclimates across the site. A mixture of native and compatible flowering plant species have been chosen for their appearance, and to support pollinators are foragers. native hedgerows will be introduced to enhance biodiversity and create soft boundaries. New trees, chosen for appearance and suitability are proposed in appropriate locations.
- 8.39 Play has been integrated across the landscape with thought put into species and features to provide natural, sensory and social play. The majority of the landscape is playable, with the exception of privacy buffer zones. Play on the way routes have been created incorporating features such as balance logs, boulders, willow tunnels and wildlife habitats to

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enhance connection with nature and encourage play which is more about exploration. Remnants of the old hard landscaping are repurposed to create a climbable landscape. This offer complements different types of play found outside of the site boundary. See biodiversity comments for more detail.

### Design Conclusions

- 8.40 The proposal is exemplary in its landscape and architectural design. The scheme meets Hackney's design policy LP1 (design quality) and meets key requirements of London Housing policy guidance LPG (internal layout and circulation). The proposal is likely to enhance the site and its setting with high quality architecture, high quality, secure and private homes with good internal layouts, and exemplary landscaping which will benefit new and existing residents. The scheme can be recommended as acceptable in terms of design, urban design and landscape design.
- 8.41 Conditions should include a requirement for an on site facade mock up incorporating bricks and pointing, metalwork (including balcony railings and upstands) and colours, window frames and sills.

### **Quality of Accommodation**

- 8.42 Hackney Local Plan Policy LP2 states all new development must be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers. Amenity considerations include the impact of development on visual privacy and overlooking, and outlook; sunlight, daylight, artificial light and overshadowing, noise, fumes and odour; and microclimate conditions.

### Cores

- 8.43 Standard B2 of the Housing Design Standards relates to access to units, including incorporation of access control measures, core layouts and lift provision and that each core should be accessible to generally no more than eight units per core.
- 8.44 The development includes a maximum of eight units per floor, accessed via central lift and stairwell. As such, it complies with Housing Design Standards.

### Internal Space Standards

- 8.45 London Plan Policy D6 and Table 3.1 require new housing to meet specific internal space sizes, including the provision of built-in storage. Policy D6 also states that a minimum ceiling height must be 2.5m for at least 75% of the gross internal area. This is supported by Hackney Local Plan Policy LP17.
- 8.46 Overall, the units would provide a good standard of accommodation in regards to internal space standards, with all of them exceeding the minimum requirements. All of the units would offer an acceptable amount of storage and have minimum head heights of at least 2.5m. The proposal complies with London Plan Policy D6 and Table 3.1.

### Outlook and Privacy

- 8.47 London Plan Policy D6 states that developments should minimise the number of single aspect dwellings, particularly if they are north facing. London Plan Policy D6 also requires new housing to provide sufficient outlook and privacy.

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- 8.48 All of the units are dual aspect, and with the exception of five dwellings, all of the open planned living rooms with the main outlook facing either east or west, providing good levels of outlook (over 20m). The remaining five dwellings have living rooms with their main outlook facing north however they will still provide an outlook of circa 15m.
- 8.49 The southern facing windows are located relatively close to the existing apartment block 25-88 Cropley Court, which is roughly 10m away. This distance will still provide moderate amounts of outlook, though it should be noted that the majority of these windows serve bedrooms and so do not serve the main living space.
- 8.50 Most of the units also provide good amounts of privacy, especially at upper floor levels. Again, the south facing windows will likely be compromised slightly due to their relationship with 25-88 Cropley Court, however 10m is still considered a reasonable distance. Ground floor units also suffer from privacy due to their relationship with the public realm and passerbys. However, this is a common feature amongst all new development and any harm will be mitigated against by soft landscaping providing a defensible barrier.
- 8.51 Overall the quality of outlook and privacy is deemed acceptable and compliant with London Plan Policy D6.

### Accessibility

- 8.52 London Plan Policy D7 requires that 10% of new housing must meet Building Regulations requirement M4 (3) 'wheelchair user dwellings, whilst the remaining 90% of units meet Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' and.
- 8.53 Five of the 45 homes (11%) will be wheelchair adaptable and built to M4(3) standards. These are split across the first to sixth floor. The remaining units will all be M4(2). This is considered acceptable and compliant with London Plan Policy D7.

### Daylight and Sunlight

- 8.54 London Plan Policy D4 states new development should provide sufficient daylight and sunlight to new housing and is appropriate for its context.
- 8.55 The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment which has been assessed as part of this application.

### *Daylight/Illuminance*

- 8.56 The UK National Annex recommends that median illuminances be exceeded in more than half the assessment points (a plane at table top height - 0.85 meters from the floor level) in a room for more than half of the daylight hours for a typical year. The median illuminance for rooms are as follows:
- 100 lux in bedrooms
  - 150 lux in living rooms
  - 200 lux in kitchens/living/diners
- 8.57 The 45 dwellings consist of 137 habitable rooms that encompass 45 kitchen/living/dining rooms (KLDs) and 92 bedrooms. For the KLDs, 32 out of 45 (71%) in the scheme meet the BRE recommendations for living rooms. Were the kitchen criteria to be applied, 23 of the 45

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(51%) KLDs would meet the BRE recommendations.

- 8.58 From the remaining 13 KLDs, seven were found to only be marginally short of the criteria meeting within 80% or above of the BRE recommendations and three rooms meet within 60% or above of the BRE recommendations which may be considered to still be an adequate level of daylight.
- 8.59 The three remaining KLDs are limited in their available light due to greater obstruction from the neighbouring building at 25-88 Cropley Court which is located in very close proximity to the southern façade of the proposed development.
- 8.60 The results show that 72 out of 92 bedrooms meet the BRE recommendations (78%). Of the remaining 20 rooms, three were found to only be marginally short of the criteria meeting within 80% or above of the BRE recommendations, and four within 60% or above of the BRE recommendations which can be considered to still be an adequate level of daylight. There are 13 remaining bedrooms, all of which are obstructed by the neighbouring property at 25-88 Cropley Court which is located in very close proximity to the southern façade of the proposed development.
- 8.61 Overall the results demonstrate a compliance rate with the BRE recommendation of 76% when the living room target is applied, and 69% when the kitchen target is applied for KLDs. This represents a good level of daylight accessibility within the proposed scheme notwithstanding the surrounding constraints of the site.

### *Sunlight*

- 8.62 The BS EN 17037 standard recommends that a space receive a minimum of 1.5 hours of direct sunlight in cloudless conditions between the 1st February and 21st of March. Although the BS EN 17037 applies to all rooms, if a room faces north of due east or west, it is unlikely to demonstrate enough sunlight. Within homes, at least one living space should meet the minimum criteria. The BS EN 17037 criteria apply to a minimum (1.5 hours), medium (3 hours), and high level (4 hours) of sunlight in various situations.
- 8.63 From the 45 dwellings assessed, 10 were found to receive high levels of sunlight, 8 will receive medium levels of sunlight and 13 rooms will receive minimum levels of sunlight. Therefore, it can be concluded that 31 of the 45 units (69%) in the scheme would meet the BRE recommendations for sunlight exposure.
- 8.64 There are 14 remaining rooms falling short of the BRE recommendations, all of which were found to be predominantly north facing. It should be noted that although these units do not meet the BRE recommendations for sunlight exposure, it does not mean the residents will not have good access to sunlight.
- 8.65 Firstly, each of the units will have large private external balconies which themselves will have greater sunlight accessibility. These also, however, have the effect of limiting the amount of sunlight visible at the centre of the living room window. There is a balance to be struck between having good sunlight visibility inside a living room whilst also having private external amenity for outdoor exposure to sunlight, with it generally being observed residents have greater preference for the latter.
- 8.66 Secondly, the proposed scheme includes the creation of high quality public realm around the building for shared use which has high levels of sunlight exposure throughout the year and therefore allows for an alternative source of sunlight for the residents. Overall,

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notwithstanding the rooms below the BRE recommendations, it can be concluded that the scheme provides a good level of sunlight to the residents.

### Noise and Vibration

- 8.67 London Plan Policies D13 and D14 and in particular paragraph 3.13.7 discuss how uses proposed near to an existing noise-generating use should include necessary acoustic design measures, for example, site layout, building orientation, uses and materials. Meanwhile, Hackney Local Plan Policy LP58 also states that noise-sensitive development should be located in areas where occupiers will not be exposed to significantly adverse noise levels.
- 8.68 Providing that all of the units and neighbouring properties are occupied in a neighbourly manner it is unlikely that the new dwellings would suffer from undue noise disturbances from other residents.
- 8.69 The applicant has submitted a Planning Noise and Vibration Report (NSL, July 2025). The report states that, in general, the site falls into the “low” to “medium” range of risk values in current Professional Practice Guidance, although daytime noise levels on balconies and in gardens immediately adjacent to on-site roads may be marginally above the upper guidance value.
- 8.70 Based on the findings of the noise survey and using typical glazing and building constructions, internal sound levels within habitable rooms would comply with recognised Standards and Guidance. The site can therefore be considered acoustically suitable for the proposed development. No significant adverse noise impacts on the amenity of occupiers and neighbours are anticipated.
- 8.71 It is understood that the overheating assessment has determined that “trim cooling” within the MVHR system is required to mitigate night-time overheating in bedrooms at night.
- 8.72 Measured vibration levels are significantly below guidance values in the relevant Standards and vibration and ground borne noise is not likely to result in any adverse effects on the proposed dwellings or their occupants.
- 8.73 The Council’s Environmental Health Officer has reviewed the submitted Noise and Vibration Report, and is satisfied with its findings. No objections have been raised subject to a variety of conditions including a Noise, Vibration and Dust monitoring system, and a number of post installation tests on noise and sound installation. These conditions have been attached. The proposal is considered acceptable in regards to London Plan Policies D13 and D14.

### Private Outdoor Amenity

- 8.74 London Plan Policy D6 requires a minimum of 5sqm of private outdoor space be provided for 1-2 person dwellings with an extra 1sqm should be provided for each additional occupant. Terraces/balconies must also achieve a minimum depth and width of 1.5m. This is supported by Hackney Local Plan Policy LP48.
- 8.75 All of the apartments would provide private balconies along the southern elevation. The balconies are all a minimum of 1.5m in depth and would exceed the minimum size standards for their relevant unit. This aspect of the proposal is compliant with London Plan Policy D6 and Local Plan Policy LP48.

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### Communal Open Space

- 8.76 Hackney Local Plan Policy LP48 states that all developments for 10 or more residential units must maximise on-site provision of open space and where feasible provide 14sqm per person of communal open space. Where this is not possible, the development must make physical improvements to the public realm to improve access to existing public open spaces, and make financial and/or physical contributions towards the provision of new open space, the enhancement of existing public open space or the enhancement of other green infrastructure and biodiversity in the locality.
- 8.77 Using the GLA Population Yield Calculator, the development would yield up to circa 124 residents (76 adults and 48 children). The proposal therefore requires roughly 1,806sqm of open space.
- 8.78 The existing open space measures approximately 2,265sqm, meanwhile the proposed development will incorporate a total of 4,831sqm of open space. Accordingly, the proposal is deemed to comply with Local Plan Policy LP48.
- 8.79 The proposal is deemed to comply with Local Plan Policy LP48.

### Play Space / Child Friendly Design

- 8.80 London Plan Policy S4 states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation, incorporating good-quality, accessible play provision for all ages. At least 10sqm of playspace should be provided per child. This is supported by Local Plan Policy LP50.
- 8.81 Using the GLA Population Yield Calculator, the development could yield up to 48 children living on site. The scheme therefore would need to provide circa 480sqm of play space.
- 8.82 It is noted that the area on top of the garages may have been originally designed with the intention of accommodating play space. However, there is no evidence to suggest it was ever used as such. The applicant has provided photographic evidence dating back to the 1970s clearly showing signage prohibiting ball games, and accounts from long-standing residents and former TMO employees confirming that the roof of the car park has never been used as a play area. Furthermore, there are no markings, lay equipment, or records to indicate formal use for play in over 40 years.
- 8.83 The proposed scheme exceeds this requirement, delivering approximately 635qm of play space. This includes willow tunnels, stepping logs and play boulders. This is considered acceptable.
- 8.84 Lastly, a Child Friendly Impact Assessment has been submitted as part of the application which includes the completed child friendly design checklist. In accordance with the RAG the proposal achieves a score of 16 for the 'doorstep' category and 17 for the 'street' category, both of which equate to an 'excellent' rating.

### Overshadowing

- 8.85 BRE Guidance recommends at least half of the communal amenity space (50%) should receive at least two hours of direct sunlight on 21st March (spring equinox).

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- 8.86 The applicant has submitted an overshadowing assessment as part of their Daylight and Sunlight document. The assessment covers 3,396sqm of open space, of which 2,510sqm would receive at least two hours of sunlight in March, or 73%. This is considered acceptable.

### **Neighbour Amenity**

- 8.87 Local Plan Policy LP2 states all new development must be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers. Amenity considerations include the impact of development on visual privacy and overlooking, and outlook; sunlight, daylight, artificial light and overshadowing, noise, fumes and odour; and microclimate conditions.

### Outlook, Privacy and Sense of Enclosure

#### *25-88 Cropley Court*

- 8.88 A large eight storey rectangular building that stretches along the length of Cavendish Road to the south of the development. The units along the eastern side of the block, which are directly south of the proposed scheme, would be between 10-13m away from the proposal. Officers acknowledge that this is a fairly tight relationship. The windows facing Nos. 25-88 from the development are mostly bedroom windows, minimising overlooking and loss of privacy. However, given the height of the scheme, there will be an increased sense of enclosure and loss of outlook for residents of these units. Officers have to balance this harm against the benefits of the scheme. Overall, it is considered the benefits of the scheme, including 45 socially rented units, outweigh the loss of outlook and increased sense of enclosure to these units.

#### *1-24 Cropley Court*

- 8.89 This is a four storey 'L' shaped building, located on the corner of Cavendish Street and Cropley Street, to the south west of the proposed development. Due to being circa 50m away, it is unlikely that the residents of this building would have their amenity noticeably affected by the current proposal in terms of outlook, sense of enclosure or privacy.

#### *31-74 Wimbourne Court*

- 8.90 This building is an 11 storey, 'H' shaped tower block located on the corner of Wimborne Street and Cropley Street, to the north west of the application site. The building is over 50m away from the proposed development, and as such it is unlikely that the residents of this building would have their outlook, sense of enclosure or privacy noticeably affected by the current proposal.

#### *1-30 Wimbourne Court*

- 8.91 The apartment block is a six storey building sited to the north of the site on Wimbourne Street, and stretches north-south and faces east to west. The southern flank wall, which faces the square/courtyard does not contain any windows. Accordingly, the residents of this building are unlikely to suffer from any harm to their outlook, sense of enclosure or privacy.

#### *133-196 Cropley Court*

- 8.92 This property is a large, six storey 'L' shaped apartment block which encloses the square to

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the north and east. The bedrooms and living rooms all face towards the development, as do the private gardens at ground floor level.

- 8.93 The proposed development would remain roughly 16m away from the back fence of the nearest garden, and over 20m away from the southern elevation of this block. At this distance, Officers do not anticipate any unreasonable harm to outlook, sense of enclosure or privacy.

89-132 Cropley Court

- 8.94 This building is an 11 storey, 'H' shaped tower block positioned south east of the proposed development, on New North Road. It contains numerous residential windows facing towards the site. The tower would remain over 20m away from the nearest edge of the proposal. At this distance, the new development is considered sufficiently far enough away to not cause unreasonable harm to outlook, privacy or sense of enclosure for the existing residents.

*38 Cropley Street*

- 8.95 This is a four storey apartment block located to the west, on Cropley Street. Due to the distances involved (60m+) it is unlikely that the residents will be impacted in terms of loss of outlook, privacy or increased sense of enclosure.

Daylight and Sunlight

- 8.96 London Plan Policy D4 states new development should provide sufficient daylight and sunlight to new housing and is appropriate for its context.

- 8.97 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received from adjoining properties. BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.

- 8.98 The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment which has been assessed as part of this application.

*Daylight Assessment 1 - Vertical Sky Component (VSC)*

- 8.99 The VSC test calculates the potential for daylight to a building and measures the amount of light available at the centre of the outside plane of a window. The VSC test calculates the potential for daylight to a building and measures the amount of skylight available at a given point (normally the centre of the outside plane of a window) from an overcast sky. The BRE targets suggest that a noticeable effect would likely occur if the VSC with the development in place is both less than 27% and less than 0.8 (20%) times its former value.

- 8.100 In measuring prospective VSC, BRE guidance also makes reference to adjoining windows with balconies/roofs above receiving less sunlight as the balcony/roof cuts out light available from the sky. In such situations, it is advised that results should be provided for VSC levels both with and without the balconies/deck access, to ensure the development is

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not unfairly prejudiced.

### *Daylight Assessment 2 - No Sky Line (NSL)*

- 8.101 The NSL measurement is used to assess daylight in buildings, particularly in residential spaces. It involves determining the area within a room where the sky is not visible from a given point on the working plane, typically set at 850mm above the floor. A room passes the test if a significant portion (usually at least 50%) of the working plane has a clear view of the sky (i.e., lies outside the NSL). However, BRE standards also state that a noticeable reduction in the area of a room receiving direct sunlight (e.g. less than 0.8/20% its former value) can impact occupants' perception of light.

### *Sunlight (APSH)*

- 8.102 The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation for south facing windows. In order for rooms to achieve good sunlight the BRE target criteria is that rooms should receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter. Where rooms receive less than the recommended APSH then the BRE guidance states a reduction of more than 0.8/20% would be noticeable.

### Assessment of Neighbours

#### *25-88 Croyley Court*

- 8.103 A large eight storey rectangular building that stretches along the length of Cavendish Road to the south of the development.
- 8.104 In terms of daylight, the results show that from a total of 128 windows assessed, 57 windows meet the BRE recommendations, with 71 falling below the recommended guidance.
- 8.105 Of these 71 windows falling short of the BRE recommendations, 27 windows belong to non-habitable rooms, therefore 44 windows serving habitable rooms would be affected, which are kitchens. Almost all of the windows impacted belong to dwellings which are directly south of the proposed scheme.
- 8.106 It is worth noting that the windows assessed from this development are located underneath overhangs of the building itself that offer deck access to the dwellings which limits daylight access to the windows. The obstruction caused by the overhangs allow for very low existing VSC scores (circa 10% or lower), so the proposed development, whilst further reducing the VSC would not cause a significant reduction in comparison to the current situation. However, it is acknowledged that the proposal would reduce the NSL (visible skyline) of 18 windows to a low score of around 5% or less.
- 8.107 Given that the impacted windows are all north facing, they are not required to be assessed for sunlight (APSH).
- 8.108 Overall, Officers accept that the proposed development would cause a reduction in daylight to a number of habitable windows/rooms directly to the south of the scheme, particularly in regards to the amount of skyline visible. This is unfortunate, however it must be noted that the BRE guidance is just that - guidance, rather than policy - and is based on scores for suburban rather than urban development. On balance, the strong benefits of the scheme

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including the creation of 45 social rented homes, is considered to outweigh the harm to these 44 windows.

### *1-24 Croyley Court*

8.109 This is a four storey 'L' shaped building, located on the corner of Cavendish Street and Croyley Street, to the south west of the proposed development.

8.110 The results show that from a total of 65 windows assessed, all windows meet the BRE recommended levels for daylight (VSC and NSL). Given that the impacted windows are all north facing, they are not required to be assessed for sunlight (APSH).

### *31-74 Wimbourne Court*

8.111 This building is an 11 storey, 'H' shaped tower block located on the corner of Wimborne Street and Croyley Street, to the north west of the application site. The building is over 50m away from the proposed development.

8.112 In terms of daylight, all of the assessed windows meet the recommended levels in terms of NSL and VSC. In terms of sunlight, all of the assessed windows meet recommendations (APSH).

### *1-30 Wimbourne Court*

8.113 The apartment block is a six storey building sited to the north of the site on Wimbourne Street, and stretches north-south and faces east to west. The southern flank wall, which faces the square/courtyard does not contain any windows.

8.114 In terms of daylight, of the 144 windows assessed 13 do not meet the VSC recommended score, of which two also don't meet the NSL recommended score. In terms of sunlight, all of the assessed windows meet recommendations (APSH).

### *133-196 Croyley Court*

8.115 This property is a large, six storey 'L' shaped apartment block which encloses the square to the north and east. The bedrooms and living rooms all face towards the development, as do the private gardens at ground floor level.

8.116 In terms of daylight, the results show that from the 162 windows assessed, only 10 fail to comply with either VSC or NSL recommendations. These are located across the ground, first and second floors. However, it is worth noting that these windows do achieve a VSC of at least 20% which can be considered acceptable in an urban context.

8.117 In terms of sunlight, only two windows fall below the APSH recommendations. These are both located on the ground floor.

### *89-132 Croyley Court*

8.118 This building is an 11 storey, 'H' shaped tower block positioned south east of the proposed development, on New North Road. It contains numerous residential windows facing towards the site.

8.119 In terms of daylight, the results show that from the 77 windows assessed, 73 windows meet

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the BRE recommendations for NSL and VSC. Of the remaining four windows (which are located at either ground floor or first floor level), all pass the NSL test and maintain a VSC score of at least 20%, which can be considered acceptable in an urban environment. In terms of sunlight all of the assessed windows meet the APSH recommendations.

### *38 Croyley Street*

- 8.120 This is a four storey apartment block located to the west, on Croyley Street.
- 8.121 In terms of daylight, the results show that all 28 windows meet the BRE recommendations for VSC and NSL. In terms of sunlight, all of the assessed windows meet APSH recommendations.

### Overshadowing

- 8.122 BRE guidelines recommend that at least half of the garden or open space can receive at least two hours of sunlight on 21 March.
- 8.123 A total of 18 gardens were identified to be in close proximity to the proposed development. From these spaces, 13 spaces meet the BRE recommendations as they receive at least 2 hours of sunlight over half their areas on 21 March or retain at least 80% of the sunlight received in the existing context. There are five spaces falling short of the recommendations, all located at 133-196 Croyley Court to the north and north east of the development. However, it is worth noting that all spaces do receive at least 2 hours of sunlight over half their areas on 21 June when residents are more likely to use outdoor amenity spaces.
- 8.124 On balance, the impact is considered acceptable given the benefits of the scheme, such as the 100% social housing provision.

### Neighbour Amenity Conclusions

- 8.125 Officers accept that the proposal will impact the amenities of some of the closest located neighbours, particularly those located directly south at 25-88 Croyley Court, in terms of loss of privacy and outlook and harm to daylight. This is unfortunate, and the impact is not taken lightly. However, at the same time (and as mentioned above) Officers must also consider this harm against the benefits of the scheme, and in this instance the proposal would provide a significant number of good quality, sustainable, socially rented homes, along with improvements to the public realm. On balance, these benefits are deemed to outweigh the harm caused to the existing amenities of the nearby residents.

### **Highways & Transport**

- 8.126 London Plan Policy T4 encourages sustainable and interconnected forms of transport. Development that is harmful to highways capacity and congestion should be mitigated, and new development should not increase road danger. Local Plan Policies LP42 to LP45 set out the requirements in relation to transport for new developments in Hackney.

### Site Conditions and Accessibility

- 8.127 A Transport Statement (TS) has been submitted as part of the application. This outlines that the site is bounded by Shaftesbury Street, Wimbourne Street, and Cavendish Street, which are local residential streets. To the east lies New North Road, a single carriageway with a 20mph speed limit and periodic bus lanes, connecting to the A501 to the south. The site

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falls within Hackney Parking Zone (CPZ) A, where parking restrictions are enforced Monday to Friday from 8:30 am to 6:30 pm.

- 8.128 The site has a Public Transport Accessibility Level (PTAL) of 4, indicating a good level of access. The nearest bus stop is 55 metres away and there are additional bus stops on Mintern Street and New North Road. For rail services, Old Street Station is approximately 800m (11-minute walk) to the south, offering access to the Northern Line and National Rail Great Northern services to destinations such as Moorgate and Stevenage.
- 8.129 The site is situated within an existing Low Traffic Neighbourhood (LTN), which restricts through-traffic to improve safety for pedestrians and cyclists. Footways on the surrounding streets are well-maintained with dropped kerbs and tactile paving. For cyclists, there is a shared footway/cycleway connecting to Cavendish Street. The area is well-connected to the wider cycle network, including regional routes near Shoreditch Park and local routes along Murray Grove.

### Trip Generation / Delivery and Servicing

- 8.130 The trip generation assessment for the 45 unit residential scheme utilises the Trip Rate Information Computer System (TRICS) database to forecast travel demand, basing its calculations on comparable "Flats Privately Owned" sites in Greater London. To accurately reflect the specific conditions of this development, the analysis applies mode splits from the 2011 Census for the local area (Hackney 026), which have been manually adjusted to account for the site's car-free designation. Specifically, the driver mode share was reduced to 3% to represent trips associated solely with Blue Badge parking, while shares for sustainable modes like walking and cycling were increased pro-rata.
- 8.131 The assessment forecasts that the development will generate a total of 217 two-way person trips daily, with 28 trips occurring during the AM peak (08:00–09:00) and 14 trips during the PM peak (17:00–18:00). The analysis indicates that the development will have a negligible impact on the local highway network due to its car-free nature, generating only seven daily vehicle trips, with just a single vehicle trip forecast during the AM peak and zero during the PM peak. The majority of travel demand will be absorbed by sustainable modes, with 118 daily trips made via public transport (bus, train, underground), 62 trips on foot, and 25 by bicycle.
- 8.132 Delivery and servicing needs are expected to generate approximately 12 daily two-way trips, largely of takeaway and non-food deliveries, with no servicing trips anticipated during peak hours. Consequently, the Transport Statement concludes that the proposal will not result in a severe cumulative impact on the highway network or cause overcrowding on public transport services.
- 8.133 The Highways team has reviewed the trip generation assessment and believe the development's full transport impact may be underestimated, especially if the expected adoption of active and sustainable transport by residents is not achieved. Further concerns arise from the potential high volume of motorcycle trips and the nature of delivery and servicing operations.
- 8.134 Therefore, a comprehensive and robust Travel Plan and a Delivery and Servicing Plan are mandatory. The effective management and successful implementation of these plans are crucial to achieve the development's transport objectives and mitigate potential adverse effects. This has been conditioned.

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### Car Parking

- 8.135 London Plan T6 and Table 10.3 set out parking standards for new development. Where car parking is included with a proposal the London Plan requires plans to show that initially 3% disabled parking is provided and demonstrate a further 7% could be provided in the future if required. All residential car parking spaces must provide infrastructure for electric or ultra-low emission vehicles, with at least 20% of spaces having active charging facilities and passive provision for all remaining spaces.
- 8.136 Hackney Local Plan Policy LP45 states that in order to reduce car usage and promote active travel, all new developments in the Borough must be car-free, with the exception of parking for disabled users.
- 8.137 The application site is located within the Hoxton CPZ, with no parking allowed (except for parking permit holders) between Monday to Friday from 7:30am to 6:30pm and on Saturdays from 7:30am to 1:30pm
- 8.138 The scheme is proposed to be car-free which is supported by the London Plan and Hackney's Local Plan. Furthermore, new occupiers will not be eligible for parking permits within the surrounding Controlled Parking Zone (CPZ) A, ensuring that the development does not negatively impact local parking capacity. A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge).
- 8.139 The implementation of the new access and parking arrangements will require the removal of 17 existing on-street car parking spaces along Shaftesbury Street. To assess the impact of this loss, parking stress surveys were conducted within a 200-metre radius of the site. The results indicate that the current peak parking occupancy is 79%, and following the removal of these spaces, occupancy is forecast to rise to 84%.
- 8.140 The Transport Statement concludes that this leaves approximately 41 spaces available in the vicinity, suggesting sufficient capacity remains to accommodate displaced vehicles without significant impact on the local highway network.
- 8.141 Owing to the number of on-street parking spaces being considered for removal, the applicant team should ensure that ongoing consultation with Parking Services continues.
- 8.142 A Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. This should include details of electric vehicle charging.
- 8.143 The proposal also includes two dedicated Blue Badge parking spaces located on-street along Shaftesbury Street. These spaces will be implemented via a Traffic Management Order prior to the first occupation of the development. The design ensures step-free access between the parking bays and the building entrance, with a walking distance of less than 50 metres.
- 8.144 Additionally, the scheme safeguards space for a further three on-street Blue Badge bays, representing an additional 7% of units, which can be activated in the future should demand increase.
- 8.145 The Traffic Management Order (TMO) process required for the implementation of the

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proposed Blue Badge parking bays must be agreed as part of the planning process. This ensures that the delivery of these essential spaces is not deferred indefinitely; therefore, a specific planning condition or a financial contribution (secured via Section 106) is required to guarantee their funding and implementation.

### Car Club Membership

- 8.146 Local Plan Policy LP44 states on-Street car club development will be supported when delivered in conjunction with an overall reduction in car parking or other effective demand management measures.
- 8.147 Although a car-free development is supported, it is recognised there may be some need for occasional vehicle use. The Council's Local Plan states that all major residential developments will be required to contribute towards the expansion of the local car club network including those using low-emission vehicles.
- 8.148 Car club membership and driving credit should be offered to all residents of the development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided. All future residents should be provided with the equivalent of £60 free membership and / or driving credit to a registered car club provider. This could be secured within the s106 agreement.

### Travel Plan

- 8.149 A Framework Travel Plan Statement has been submitted as part of this application. A full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. The Travel Plan is required to include SMART targets that are: specific, measurable, achievable, realistic and time bound.
- 8.150 The Travel Plan should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to our Transport Strategy and LP33.
- 8.151 The full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan of £2,000

### Demolition and Construction Management Plan (DCMP)

- 8.152 A framework CMP has been submitted as part of the application. Given the nature and location of the proposed development a Demolition and Construction Management Plan (DCMP) is required to mitigate the negative impact on the surrounding highway network.
- 8.153 This should be in line with TfL CLP guidance:  
<http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>
- 8.154 To effectively monitor the final CMP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.

### Access and Public Realm Works

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- 8.155 In accordance with Local Plan Policy LP41 new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London.
- 8.156 The proposal is to reconstruct the footways adjacent to Cropley Court Garages on both Shaftesbury Street and Cavendish Street. Resurface Shaftesbury Street with Asphalt and Block Paviers. Create a new turning head at the end of Shaftesbury Street. Works will consist of :
- Removing the existing footway material including kerbs.
  - Provide and lay new base/bed and fibre reinforced ASP paving along with new Granite kerb.
  - The turning head area on Shaftesbury Street is to be block paved.
  - The redundant vehicle crossover on Shaftesbury Street is to be removed.
  - Bollards are to be placed at the end of Shaftesbury Street to prevent vehicle access.
  - Carriageway is to be resurfaced with 14mm asphalt.
- 8.157 A Stage 2 RSA and swept path analysis will need to be provided by the developer for Shaftesbury Street.
- 8.158 The target kerb height to the frontage of the property will be 120 - 140mm above the carriageway edge with footway having a cross fall of 1:40. It is the developer's responsibility to incorporate this into their design as this is essential in ensuring the thresholds to the premises are level and EA 2010 compliant and that surface water falling on the public footway can drain onto the carriageway.

### Cycle Parking

- 8.159 London Plan Policy T5 and Table 10.2 set cycle provision standards. Hackney Local Plan Policies LP41, LP42 and LP43 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. In particular, Local Plan LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes.
- 8.160 The application states that based on the 45 residential units, the minimum requirement is 90 long-stay and nine short-stay spaces. The development proposes a total provision of 101 cycle parking spaces, divided into 90 long-stay spaces and 11 short-stay spaces.
- 8.161 The resident's long-stay parking is proposed in covered stores placed outside in the public area. Short-stay parking will use Sheffield stands and be located in the public area to the north of the building.
- 8.162 The mix of parking includes approximately 68% two-tier stands and 27% standard Sheffield stands, with the remaining 5% designed for larger or adapted cycles. This variety of stands was chosen to exceed the requirements of the London Plan for standard, single-tier parking. In addition to regular cycle storage, the secure store will also have a dedicated space for a mobility scooter.
- 8.163 Highways Officers maintain concerns regarding the relatively high proportion of two-tiered spaces within the long-stay provision. While the application asserts that the 68% two-tier split is necessary to balance cycle parking needs with public realm space, Streetscene advises that two-tier stands can be difficult for some users to operate and may discourage

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cycling among a number of users.

- 8.164 The design of the cycle parking must prioritise the personal security of users, particularly given the standalone nature of the stores. To ensure safety, the proposal should incorporate robust security measures and deterrents, including controlled access, adequate lighting, CCTV, and clear visibility within the compound.
- 8.165 Furthermore, the mobility scooter parking must be fully aligned with the London Plan to ensure the facility is fit for purpose, including appropriate dimensions, maneuvering space, and electric charging capabilities.
- 8.166 In consideration of the above, Highways Officers, despite some concerns over the amount of two tier cycle storage being proposed, are satisfied with the cycle provision, subject to condition. This has been attached.
- 8.167 Accordingly, the proposal is deemed to comply with London Plan Policy T5 and Table 10.2 and Hackney Local Plan Policy LP42.

### **Waste & Recycling**

- 8.168 London Plan Table 3.2 states recycling and waste disposal, storage and any on site management facilities should be convenient in their operation and location, appropriately integrated, and designed to work effectively for residents, management and collection services.
- 8.169 Hackney Local Plan Policy LP57 states that developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling. The Council's Refuse and Recycling Storage Guidance (2020) provides guidance on the amount of refuse and recycling storage that should be provided per unit and the design of the bin stores.
- 8.170 For one bedroom units, guidance requires 50l of space for refuse and 100l for recycling, whilst for two bedroom units the requirements are 75l of waste and 125l of recycling.
- 8.171 The Council's Waste Officer has been consulted and confirmed that the provision planned for the bin storage is very close to being in line with Council guidance, and is consistent with discussions with the developer during the planning process.
- 8.172 Evidence is provided that our crews would be able to access the bin store with a bin dragging distance of less than 10m. Distances for some residents to the bin stores is 35m and therefore over 30m recommendation. As such, the Waste team objects to the distances involved. However, Officers note that at Blackwell Close (2025/1682) - a separate New Homes Programme site - a distance of 39m was accepted given the proposals' public benefits and otherwise acceptable waste and servicing strategy. In this instance, whilst not ideal, it is considered that a distance of 35m is only a slight deviation from the distance suggested by the waste management team and as part of an otherwise acceptable scheme that provides significant public benefit, the proposal is considered to provide suitable waste and collection servicing arrangements on balance.
- 8.173 As such, this aspect of the proposal is deemed acceptable in regards to London Plan Table 3.2 and Hackney Local Plan Policy LP57.

### **Green Infrastructure & Biodiversity**

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- 8.174 London Plan Policy G1 demands that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced, and that proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. This position is supported by Local Plan Policy LP46 and LP47 which requires all major development to include a biodiversity survey of the site.
- 8.175 Hackney's Local Plan Policy LP51 also states that all development proposals must retain trees of amenity value, and must incorporate high quality landscaping.

### Biodiversity

- 8.176 As per Hackney's Local Plan Policy LP47, all major development proposals are required to include a biodiversity survey of the site.
- 8.177 The application includes a Preliminary Ecological Assessment.
- 8.178 The PEA recommends further dusk surveys to scope out the building for roosting bats. A potential roost feature inspection survey has also been recommended for the semi-mature trees nearby if the scope of the works change to include the modification or removal of these trees.
- 8.179 Recommended works are carried out, outside of hibernation season for bats (Nov-Feb). recommended that works should be carried out outside of bird nesting season (Feb - August). Any works carried out during this period should be preceded by a nesting bird check - which should be completed no more than 48 hours before works are carried out on site. Recommendation in the PEA that lighting should be designed in line with Bats and Artificial Lighting guidance, by Bat Conservation Trust. Biodiversity Officers have reviewed the PEA and agree with the recommendations. A planning condition has been included to ensure lighting is designed to be wildlife friendly.

### Bird and Bat Nesting

- 8.180 Hackney Local Plan Policy LP47 requires all development schemes involving buildings with an eaves height or roof commencement height of 5m and above to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity in Hackney.
- 8.181 Accordingly, a condition will need to be attached to ensure bird and bat nesting. This has been attached. As such the proposal complies with Hackney Local Plan Policy LP47.

### Trees / Planting

- 8.182 London Plan Policy G7 states that proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by CAVAT or another appropriate valuation system. This is supported by Local Plan Policy LP51.
- 8.183 The planting and soft landscaping plans for Croyley Court are similar to those of Buckland Court and are considered acceptable, offering a good range of planting and diversity.

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- 8.184 There are currently 34 trees scattered around the site, of which 26 are category B and eight are category C. The proposal is to remove two category B trees and two category C trees, and retain the remaining 30 trees, this is due either to direct conflict with the building footprint or due to access needs. One additional category U tree is also to be removed, due to its poor health.
- 8.185 The arboricultural report states that there could be potential additional tree removals in order to gain sufficient access to the site, along the southern side of Shaftesbury Street. One of these is already noted for removal, but T32 is currently proposed to be retained. Should any additional tree removals be required, then the details need to be agreed in advance with the Council. A condition has been suggested below to address this. Additional losses of trees should be strictly avoided. Prevention of losses is important, through measures such as tree protection and following a thorough arboricultural method statement.
- 8.186 The proposed Tree Protection Plan (TPP) is considered adequate. It is noted that the Arboricultural Method Statement (AMS) and tree retention plan is in a draft phase. Condition is attached to secure a more detailed plan.
- 8.187 21 new trees have been proposed, these include ten fruit trees, three feature trees, six rain garden trees and two new street trees.
- 8.188 The Landscape Design and Access Statement notes that the two category B trees initially marked for removal may be suitable for transplantation "subject to further arboricultural coordination". These two trees have been counted within the total 21 new proposed trees. They have been proposed to be re-planted as street trees. As these trees are both early mature trees (both category B), efforts to save them and replant is welcomed and preferred over losing them from the site entirely. Should the replanting effort prove unsuccessful, two additional trees would need to be planted to offset the loss of the initial tree planting. This is addressed in the attached landscaping condition.

### Green Roofs

- 8.189 In line with London Plan Policy G5, extensive green roofs are proposed.
- 8.190 The proposed biosolar roof (a "green roof with PV panels laid out on top") is shown as part of the roof plan. However, the plan is lacking key details regarding the implementation, specifically how the PV panels will be installed and integrated and how the strategy for managing and maintaining the green roof around the PV panels. Further details of this have been conditioned to ensure compliance. The roof plan is currently quite limited, and little evidence that the biosolar roof has been considered thoroughly. There is also no management plan for the biosolar roof. A condition has been attached to ensure thorough compliance.

### Biodiversity Net Gain (BNG)

- 8.191 BNG has become mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of at least 10%. This means a development will result in more or better quality natural habitat than there was before development. This is supported by London Plan Policy G6 and Local Plan Policy LP47. A biodiversity study of the site is required for all major developments.

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- 8.192 The proposed landscape design, detailed in the DAS, achieves a net gain of 18.22%. This includes green roofs, a variety of planters, rain gardens, and newly introduced shrubs, mixed scrub, and trees. Whilst generally acceptable a more detailed BNG masterplan and a Habitat Management and Monitoring Plan is to be conditioned to ensure sufficient improvements in local biodiversity.

### Urban Greening Factor (UGF)

- 8.193 London Plan Policy G5 and Local Plan Policy LP48 state major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design. The minimum UGF score for residential development is 0.4.
- 8.194 The proposed UGF score is 0.68, which exceeds the target score of 0.4 for residential developments and is considered acceptable. Please refer to the green roof comments regarding concerns about the accuracy of its coverage, proposed in UGF plans, following the installation of PV panels.

### **Sustainability**

- 8.195 Hackney declared a Climate Emergency in 2019 and has pledged to become net zero carbon by 2040. In the context of the built environment, this means that all new developments must be net zero carbon and that demonstrate that their climate change, energy and carbon considerations have been embedded in their design.
- 8.196 London Plan Policies SI2, SI3, SI4, SI5C and SI7 are relevant. Moreover, under the Local Plan developments must support health and wellbeing (LP9), reduce risks of climate change (LP54), be net zero carbon (LP55), and reduce waste (LP57).

### Energy and Net Zero

- 8.197 London Plan Policy SI 2 requires major development to be net zero-carbon. This means a minimum on-site reduction of at least 35% beyond Building Regulations is required for major development. This requires reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy (be lean, be clean, be green and be seen). This is supported by Hackney Local Plan Policy LP 55.
- 8.198 Development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 8.199 The application includes an Energy Statement (XCO2, August 2025) and Sustainability Statement (XCO2, August 2025).
- 8.200 The scheme results in Be Lean savings of 32.5%, which is a considerable improvement over the savings of 10% required by the GLA.
- 8.201 The scheme results in Be Green savings of 44.8% through incorporation of PVs and ASHPs. Overall this results in a combined carbon saving of 77.3%. This is acceptable. The scheme adopts a site-wide heat network incorporating low carbon heat generation, with future proofing proposed for if and when a relevant district heat network becomes available for the site to connect to. The approach consists of communal ASHPs on roof, with local

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HIUs in the utility cupboard of each residence. This is acceptable under current policy, and this strategy, including more details on future heat network connectivity to be secured by planning condition. This has been attached.

- 8.202 The scheme, given its Passivhaus level of performance, has very high levels of fabric performance and there are a number of aspects that are recommended to be secured by planning condition, including on net zero supporting technologies. These have been attached.
- 8.203 A carbon offset payment is proposed for £31,527, however Passivhaus attainment may be considered to be sufficiently acceptable to exempt the scheme from payment of this. This should be secured carefully by legal agreement.
- 8.204 Overall the scheme more than complies with local policy on the basis of likely attainment of Passivhaus and is welcomed.

### Climate Change and Overheating

- 8.205 London Plan Policy SI 4 requires all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change. This is supported by Local Plan Policy 54.
- 8.206 Mechanical ventilation with heat recovery (MVHR) is proposed for the development, together with natural ventilation at the occupant's discretion.
- 8.207 The applicant has outlined that the habitable residential rooms are all found to meet required Part O overheating risk criteria for the DSY1 weather data.
- 8.208 There is potential to incorporate more external shading in the design and for further optimisation against future weather scenarios to ensure that climate resilience is maximised.
- 8.209 Summer by-pass and trim cooling is referred to in the cooling strategy. These appear to be acceptable given the acoustic context and safety limitations discussed, however more information is recommended to be provided in subsequent design stages and to be secured by planning condition to ensure that the overheating strategy is fully policy compliant. These have been attached.
- 8.210 Subject to condition, the proposal is deemed compliant with London Plan Policy SI 4 and Hackney Local Plan Policy 54.

### Whole Life Cycle Carbon Assessment

- 8.211 Development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions, as per London Plan Policy SI 2.
- 8.212 Due to the scale of the development, there is no requirement to submit data on WLC. It is therefore welcomed that the applicant is pursuing WLC assessment in any case and will be providing this.

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- 8.213 Due to the scale of the development, there is no requirement to submit data on whole life carbon (WLC). It is therefore welcomed that the applicant is pursuing WLC assessment in any case and will be providing this.

### Reducing Waste and Circular Economy

- 8.214 London Plan Policy SI 7 states that all GLA referable applications should promote circular economy outcomes and aim to be net zero-waste. This is supported by Local Plan Policy LP57.

- 8.215 As with WLC, the scale of development does not necessitate provision of a pre-demolition audit, however this is outlined by the applicant as being part of their workflow in any case. As with WLC, this and the SWMP should be secured through planning condition so that this aspect can be considered through planning to exceed requirements in policy and demonstrate good practice. This has been attached. Accordingly, the proposal is considered acceptable in terms of London Plan Policy SI 7 and Hackney Local Plan Policy LP57.

### Water

- 8.216 London Plan Policy SI 5 and Local Plan Policy LP53 states that all residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption).

- 8.217 The scheme is targeting policy compliance for water efficiency and has shared proposed specifications for sanitary fittings towards this. This is recommended to be secured by condition.

- 8.218 Overall, the proposal is considered to be compliant with London Plan Policy SI 5 and Local Plan Policy LP53.

### Health & Wellbeing

- 8.219 Passivhaus should support healthier internal environments, however may increase the role that internal finishes play towards health and wellbeing due to the airtightness being so optimised. As such, it is welcomed that the applicant will be specifying healthier finishes including low VOCs paints and other products. Sustainability Officers recommend that this be secured by planning condition to safeguard health and wellbeing of Hackney residents. This has been attached.

## **Pollution**

### Air Pollution

- 8.220 London Plan SI 1 and Hackney Local Plan Policy LP58 states that all development must as a minimum not exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the lifetime of the development.

- 8.221 An Air Quality Assessment was submitted with the application which assessed potential pollutants during both construction and operational phases of the project.

- 8.222 Environmental Health Officers have been consulted and raise no major concerns with the development.

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- 8.223 The air quality assessment demonstrates that future occupiers are likely to experience acceptable air quality. As the proposed development is car-free, and will use a site-wide ASHP network for heating/hot water, it will not have any significant impact on local air quality. It has also been demonstrated that the development is air quality neutral. It is therefore compliant with London Plan Policy SI 1 and Local Plan 2033 Policy LP58.
- 8.224 The development has been assessed to be of “medium risk” of impacts from construction dust. Mitigation measures have been recommended to ensure that the impacts of construction on the local area are not significant. The mitigation measures also include an element of construction dust monitoring. Measures to protect the local area from impacts of construction work will need to be secured by conditions. These have been attached.
- 8.225 The development thus complies with Local Plan Policy LP58 and London Plan Policy SI 1.

### Contamination

- 8.226 Local Plan Policy LP58 also states that for development proposed on contaminated or potentially contaminated land, a desk study and site investigation in line with the most up-to-date guidance will be required and remediation proposals agreed to deal with any identified contamination.
- 8.227 The applicant has submitted a Phase 2 Ground Investigation Report (XCO2, July 2025). In summary, based upon the results of the initial phase of ground investigation and laboratory testing, it is considered that the site is not subject to significant and widespread contamination. However, there is a moderate to high risk to future residents and construction workers from the direct contact, ingestion and dust inhalation from asbestos, which was identified in three of the tested samples of ground.
- 8.228 Contamination Officers have been consulted and they recommend a preliminary risk assessment along with remediation. This is considered an acceptable approach and a condition has been attached.
- 8.229 Additionally, whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance br211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. It is therefore recommended that this risk is adequately assessed.
- 8.230 Lastly, before any excavation works start, it is best practice to carry out a UXO survey. It is therefore recommended that a preliminary UXO assessment is undertaken and results are provided to the main contractor responsible for Health & Safety matters on and off site under the CDM Regs 2015.

### **Flood Risk and Drainage**

- 8.231 Both London Plan Policy SI12 and Local Plan Policy LP53 state proposals must have regard to reducing flood risk, both to and from the site, over its expected lifetime, ensuring that flood risk is minimised and mitigated, and that residual risk is addressed.
- 8.232 Meanwhile, London Plan Policy SI13 relates to sustainable drainage and indicates that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Hackney Local Plan Policy LP53 which requires all major developments to submit a Sustainable Drainage Strategy taking into account climate change allowances and

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supported by a site-specific management and maintenance plan of the drainage proposal.

- 8.233 The proposal includes a Flood Risk Assessment, a Hackney SuDS Proforma and a Foul and Surface Water Drainage Strategy.
- 8.234 The site is situated within Flood Zone 1, meaning that it has a low probability of flooding. Flood Zone 1 is defined as land which could be at risk of flooding from fluvial or tidal flood events with less than 0.1% annual probability of occurrence (1:1,000 year). The flood risk assessment confirms that the site is at low risk of flooding from all sources, including fluvial, surface water, and groundwater. No specific flood mitigation measures are proposed, and none are considered necessary in this context.
- 8.235 The surface water drainage proposals utilise SUDS drainage measures including green roofs, porous paving, drainage via tree pits, rain gardens, attenuation, and controlled discharge to the existing drainage system. The main building roof is to be mainly a green roof giving interception, reduction in overall discharge and water quality benefits.
- 8.236 The proposed paving around the building where not in existing highway or over existing services is proposed as permeable or porous paving but without planned infiltration due to the presence of made ground below. Porous or perforated pipes in the porous sub-base to the paving will collect the water and discharge to the surface water drainage system.
- 8.237 The proposals include areas of planting, tree pits and rain garden areas taking flow from adjacent paving and discharging to the surface water system. Drainage via tree pits and rain gardens gives interception and water quality benefits before discharge to the site surface water system.
- 8.238 Flood Risk Officers have reviewed the details and are satisfied with the proposals subject to conditions. These have been attached. Accordingly, the proposal is deemed compliant with London Plan Policy SI12 and SI13, and Local Plan Policy LP53 and LP55.

### **Crime and Fire Safety**

- 8.239 London Plan Policy D11 states boroughs should work with their local Metropolitan Police Service in order to 'Design Out Crime' and maintain a safe and secure environment. Furthermore, Local Plan Policy LP1 notes that new development must be secure and designed to minimise crime and antisocial behaviour.
- 8.240 The local police constabulary have been consulted and raise no objection subject to conditions requiring that a 'Secured by Design' accreditation be obtained for the building and permanently retained. This has been included as a condition.
- 8.241 Meanwhile, London Plan Policy D12 states all development proposals must achieve the highest standards of fire safety and that a fire safety assessment must be included with any future full application
- 8.242 The applicant has submitted a Fire Safety Strategy Report and Fire Statement (Trigon, August 2025) was submitted. The London Fire Brigade were consulted and raised no objections. The Health and Safety Executive (HSE) were also consulted but did not consider it large enough to warrant a response.
- 8.243 Additionally, the proposed development will not impact the current fire service access to neighbouring buildings.

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### Planning Obligations

- 8.244 When considering the potential content of a legal agreement, regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is standard practice with applications where S106 contributions are likely to be required for the applicant/agent to provide a draft head of terms, with their submission. In relation to S106 matters, the Hackney Local Plan (LP33) and the London Plan, as well as the Hackney S106 Planning Contributions SPD are the most relevant documents. A draft S106 heads of terms has been provided. Contributions/Provisions for the following are sought:

#### Financial Contributions

- £19,700 towards employment training
- £618,418.50 towards educational costs
- £2,700 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- £348,604.73 towards the cost of highway works associated with the development
- £11,340.60. towards BNG monitoring costs
- £31,527, towards Carbon Offset fund (In the event Passivhaus/AECB Carbonlite is not attained)
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

#### Non-financial contributions:

- 25% Local Labour Apprenticeships
- 45 affordable homes (45 x social rented - 14 x 1-bed, 15 x 2-bed, 16 x 3-bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development
- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Passivhaus Classic certification (In the event Passivhaus Classic is not obtained and with robust justification, then AECB Carbonlite certification may be considered acceptable as a backstop)
- Securing Connection to the Energy Network
- Travel Plan

### Other Matters

#### Local Finance Considerations

- 8.245 In respect of local finance considerations other than CIL and financial obligations secured

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by way of Legal Agreement to mitigate the impact of the proposed development, whilst the proposed development would be rateable for Council Tax and Business Rates purposes, and the benefit of the additional units and commercial floorspace is not negligible in the context of the overall totals, this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies and any other material considerations.

### Equalities Considerations

- 8.246 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having regard to the duty set out in the Equality Act 2010, the development proposals do not raise any equality issues.

## 9. CONCLUSION

- 9.1 The application has been assessed in accordance with the provisions of the National Planning Policy Framework, London Plan and the adopted Development Plan.
- 9.2 On balance, the benefits of the proposal are substantial. This includes the provision of 45 affordable housing units, all of which provide good quality of accommodation, improvements to the existing public realm within Cropley Court including new play areas and improved communal open space, and a development which is deemed to be sustainable in terms of energy use. These benefits are considered to outweigh the harm caused by the development, most notably the harm to some neighbouring residents.
- 9.3 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above, subject to the recommended conditions and Legal Agreement provisions.

## 10 RECOMMENDATIONS

### Recommendation A

- 10.1 That planning permission be GRANTED, subject the following conditions

#### **1. Commencement Within Three Years**

The development hereby permitted must be begun not later than three years after the date of this permission.

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

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### 2. Development in Accordance with Plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

### 3. Detailed Drawings

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the relevant work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A. 1:20 drawings and 1:5 sections of the proposed windows and doors
- B. Full details of the materials to be used on the external surfaces of the buildings, including glazing

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

### 4. External Elements

No new plumbing, pipes, soil stacks, flues, vents, grilles, security alarms or ductwork shall be fixed on the external faces of the building unless as otherwise shown on the drawings hereby approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.

### 5. Green Roof/Biosolar

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence until full details and specifications of the biosolar roof(s) shall be submitted to and approved in writing by the Local Planning Authority. Green roofs shall be planted with flowering species that provide amenity and biodiversity value at different times of the year. The submission shall include the following:

- A. Detailed drawings of a roof plan identifying where the green roofs will be located and the measurement of their coverage; this should include other structures on the roof including location of PV panels, roof lights and access points where applicable, and their relationship with the green roof;
- B. The design of the biosolar roof should be in line with GRO's code of best practice;
- C. Section drawings demonstrating a minimum substrate depth of no less than 100mm for extensive living roofs;
- D. Details of the proposed type of invertebrate habitat with a minimum of one feature

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- per 30m<sup>2</sup>; which could include areas of bare, unplanted substrates, log piles, boulder or stone piles, sand piles;
- E. Details of the drainage system for the roof;
- F. Details of the planting mix;
- G. Including a minimum of 16+ species for wildflower/extensive roof;
- H. Management and maintenance plan, including access arrangements, irrigation, and general maintenance actions of biosolar roof;

For biosolar roofs, details of how the roof's design meets fire and building safety requirements.

Within a month of the first occupation of the development, evidence must be submitted to and approved by the Local Planning Authority that the green roof(s) has been delivered in line with the approved details unless otherwise agreed in writing. The green roof shall be retained thereafter for the lifetime of the development in accordance with the approved management and maintenance plan.

REASON: To promote biodiversity on site through green roofs, in line with Hackney's Local Plan Policy LP46.

### 6. Lighting Design

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence until an External Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed and implemented in accordance with the Bat Conservation Trust guidelines, recommendations within 'Cropley Court 2023 report', PEA report and must be sensitive to wildlife. The lighting design should ensure that:

Harsh lighting is minimised to avoid making habitats (including the green roofs) unfavourable to local species, particularly bats and other nocturnal wildlife. The use of low-intensity lighting is prioritised, ensuring that any light sources do not directly illuminate bat roosts, foraging areas, or flight paths. All lighting fixtures are shielded or directed to limit light pollution and to maintain dark corridors that are critical for bat and wildlife movement. The approved lighting scheme shall be implemented prior to the occupation of the development and maintained thereafter in accordance with the approved details.

REASON: To protect local wildlife, especially bats, from the harmful effects of artificial light pollution. This is necessary to preserve urban biodiversity, ensure compliance with Bat Conservation Trust guidelines and relevant environmental and ecological policies, and aligns with Hackney Local Plan Policy LP47 and the National Planning Policy Framework (NPPF) Chapter 15 regarding the conservation of the natural environment and avoiding light spill onto areas designated for nature conservation.

### 7. Bird and Bat Boxes

Prior to the occupation of the development hereby approved, details and full specifications of 2 bird boxes and 2 bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

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- A. A minimum of 2 bird boxes incorporated into the design of the development, with a variety of box types (including different sized entrance holes) to provide habitat for diverse bird species.
- B. The boxes should be installed at or close to the eaves level of the development hereby approved. The boxes should be between 3 and 5 metres from the ground, and there should be a clear flight path without any obstructions below and directly in front of the box. The boxes should be facing north, east or north east (direct sunlight should be avoided), and should not be placed immediately above doors or windows. Boxes located in the same area should not be placed too close together.
- C. A minimum of 2 bat boxes incorporated into the design of the development. Boxes should be placed at or close to the eaves level of the development and at least 4m above the ground.
- D. The boxes should be placed away from artificial light sources and ideally located near dark tree lines or hedgerows where possible. The boxes should be located facing south, southeast or southwest, and exposed to sun for part of the day.

The details hereby approved shall be delivered, in full, prior to the first occupation of the development and shall be maintained for the lifespan of the development

REASON: To support bird and bat populations, including swifts, in Hackney and preserve endangered urban biodiversity, by providing nesting opportunities, in accordance with Hackney's Local Plan LP33 policy LP47 which states that all development schemes involving buildings with an eaves height or roof commencement height of 5 metres and above are required to provide nesting boxes for swifts, sparrows, starlings, and/or bats as appropriate.

### 8. Biodiversity Net Gain

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence until a biodiversity gain plan has been submitted to the planning authority and the planning authority has approved the plan. The biodiversity gain plan must include:

- A. Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- B. The pre-development biodiversity value of the onsite habitat;
- C. The post-development biodiversity value of the onsite habitat;
- D. Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- E. The plan will set out how the biodiversity gain objective of at least 10% will be met,
- F. Any biodiversity credits purchased for the development; and
- G. Any such other matters as the Secretary of State may by regulations specify.

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence until a Habitat Management and Monitoring

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Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan for the whole site and including:

- A. A non-technical summary;
- B. The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- C. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- D. All landscaping in accordance with the scheme;
- E. The management measures to maintain habitat in accordance with the approved

Biodiversity Gain Plan shall be carried out for a period of 30 years from the completion of development;

- A. Such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed;
- B. Specific measurable targets linked to target habitat condition; and
- C. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

When approved, planting of trees, shrubs and plants shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development has been submitted to, and approved in writing by, the local planning authority. Notice in writing shall be given to the Council when the:

- A. HMMP has been implemented; and
- B. Habitat creation and enhancement works as set out in the HMMP have been completed.
- C. Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

The development shall not be carried out otherwise than in full accordance with the details thus approved.

REASON: To ensure the development delivers a biodiversity net gain through both on site and off site delivery, in accordance with Schedule 7A of the Town and Country Planning Act 1990, Hackney's Local Plan Policy LP47 and London Plan Policy G6.

### 9. Birds and Roosting Bats

- A. Demolition works shall be carried out outside of the bird nesting season. If this is not possible, a pre-works ecological check for nesting birds shall be carried out by a suitably qualified ecologist during the nesting season (March - August).
- B. The pre-works ecological check (if demolition works are to take place during the nesting season) must be undertaken no longer than 48 hours before any demolition

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or site clearance commences. If nesting birds are identified on site then no demolition works or site clearance works may commence until a further pre-works ecological check is undertaken (no longer than 48 hours before any demolition or site clearance commences) and no nesting birds are identified.

- C. The findings and recommendations of the survey/pre-works check, including any necessary mitigation or avoidance measures, shall be submitted to and approved in writing by the Local Planning Authority as soon as possible before commencement of any demolition or clearance works. Works shall proceed strictly in accordance with the recommendations.

REASON: To support and protect bird and bat populations in Hackney and preserve endangered biodiversity, in line with the Wildlife and Countryside Act 1981 and Local Plan policy LP47.

### **10. Tree Pruning Standards**

All tree works, including pruning and removals, approved as part of this decision notice shall be carried out in strict accordance with the recommendations of British Standard BS 3998:2010 "Tree work – Recommendations" (or any standard that reproduces or replaces this standard).

REASON: To ensure that all tree work is undertaken to a professional standard, promoting the health, safety, and longevity of retained trees and safeguarding the visual amenity of the area, in accordance with Policy LP51 in the Local Plan 2033 (adopted 2020).

### **11. No Removal, Felling, Topping or Lopping of Trees**

No tree within the curtilage of the site shall be wilfully damaged or destroyed and no tree shall be removed, topped, lopped, felled or uprooted without the prior consent, in writing, of the Local Planning Authority.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area.

### **12. Approved Tree Protection Plan**

The works hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan. The measures set out in the Tree Protection Plan shall remain in place until the completion of the construction. Any permanent hard surfacing within RPAs of retained trees should be installed and maintained in line with the approved AMS using a 'no-dig' method as outlined within the report.

REASON: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020) and pursuant to Section 197 of the Town and Country Planning Act 1990.

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### 13. Root Protection Area

All new underground utility apparatus, including drainage, shall be routed and installed outside the Root Protection Area(s) (RPAs) shown on the approved drawings. Should it not be feasible to route new underground utility apparatus outside the RPAs of retained trees, trenchless insertion methods (as detailed in BS 5837:2012, Table 3) shall be employed for their installation within the RPAs, with entry and retrieval pits sited outside the RPAs. No other new underground utilities shall be installed within the RPAs of retained trees without prior written consent from the Local Planning Authority (LPA). Any such works, if permitted, shall be carried out in strict accordance with the principles of BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations" and the National Joint Utilities Group Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees, Volume 4, Issue 2 (2007) (or any standard that reproduces or replaces this standard).

REASON: To safeguard existing tree(s) in the interests of visual amenity and long-term tree health, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020). Prior approval is required to ensure that important trees are not permanently damaged or lost due to root disturbance or changes in soil hydrology.

### 14. Finalised Arboricultural Method Statement

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a finalised and detailed Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall specifically address, but not be limited to, the following:

- A. Final specifications for any facilitation pruning required for the development.
- B. Methods for demolition and construction within or adjacent to RPAs, including details of specialized techniques (e.g., hand-digging, trenchless methods for services).
- C. Location and installation of all services, utilities, and drainage, demonstrating adherence to RPA protection principles.
- D. Details of any changes in ground levels and the design of retaining structures within or near RPAs.
- E. Full specification for the construction of any new surfaces, including details of 'no-dig' specifications and relevant cross-sections where within RPAs.
- F. Specification for scaffolding and ground protection within tree protection zones.
- G. Details of site access, temporary parking, on-site welfare facilities, loading, unloading, storage of equipment, materials, fuels, and waste, as well as concrete mixing and use of fires, ensuring no adverse impact on retained trees.
- H. Methodology and detailed assessment of root pruning, if necessary, to be carried out strictly in accordance with BS 3998:2010.
- I. Methods to improve the rooting environment for retained and proposed trees and landscaping.
- J. Specific protection and management measures for veteran and ancient trees, if applicable.

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The development thereafter shall be implemented in strict accordance with the approved details.

REASON: Required prior to commencement of development to ensure that trees to be retained are not damaged during demolition or construction, and to protect and enhance the appearance, character, and biodiversity of the site and locality, in accordance with Hackney Local Plan LP33; LP51 and pursuant to section 197 of the Town and Country Planning Act 1990

### **15. Arboricultural Supervision and Reporting**

Prior to the commencement of development, a qualified tree specialist must be appointed to provide arboricultural supervision and inspection. The details of this appointment and the specialist's responsibilities must be submitted to and approved in writing by the Local Planning Authority. The submission should include the methodology and program for reporting, as well as a timetable for inspections.

The approved works must be carried out in strict accordance with the approved details. Upon completion of the development, a report from the appointed arboriculturist must be submitted to and approved in writing by the Local Planning Authority, confirming that all tree protection measures and tree works were carried out in accordance with the approved plans accompanied by photographs taken at critical stages.

REASON: To ensure that works affecting trees are carried out in a professional and controlled manner, safeguarding their health and long-term viability. This is in accordance with good arboricultural practice and is supported by BS 5837:2012 and Policy LP51 of the Hackney Local Plan 2033.

### **16. Soft Landscaping**

Prior to the occupation of the development phase, detailed drawings and plans for the soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The submission will be accompanied by confirmation of the final Biodiversity Net-Gain and Urban Greening Factor score. The details shall include:

- A. A tree planting plan consisting of a diverse mix of species that follows as a minimum, the 10-20-30% rule (species/genus/family diversity), including both those adapted to changing climatic conditions and native species, which are known to have value to wildlife;
- B. Soil volumes for proposed tree planting;
- C. Projected mature height and crown spread of proposed new trees;
- D. Tree pit specifications and planter specifications for above ground tree planting;
- E. Methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc;
- F. A diverse distribution of plant species to avoid block planting;

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- G. A maintenance and management plan to ensure the long-term success of the planting scheme, including details on watering, mulching, weeding, young tree maintenance, removal of guys, stakes and ties when no longer necessary, monitoring, and replacement of failed plants;
- H. A detailed tree planting plan including details of trees and shrubs showing species, size at planting, type of stock, age of tree at planting, numbers of trees and shrubs to be included;
- I. Areas to be grass seeded or turfed;

In the event of any tree(s) or plants dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next planting season with others of similar size and species (unless the Local Planning Authority gives written consent to any variation), and evidence of the replacement shall be submitted and approved in writing by the Local Planning Authority.

All soft landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of thirty years, as per biodiversity net gain legislation.

REASON: To ensure that the site protects and enhances biodiversity, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

### **17. Secured By Design**

Prior to occupation, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) submitted to and approved in writing by the Local Planning Authority in conjunction with the Metropolitan Police. The development shall be carried out in accordance with the approved details and thereafter shall be fully retained and maintained as such for the lifetime of the development

REASON: In the interest of amenity and creating safer sustainable communities, in accordance with Section 12 of the National Planning Policy Framework.

### **18. Part M4(3) Dwellings**

A minimum of five of the dwellings hereby approved as shown on the approved plans shall be constructed and fitted out in compliance with Building Regulations Requirement Part M4(3) (or any subsequent replacement) prior to first occupation. The remaining dwellings shall be constructed and fitted out in compliance with and to a minimum of Building Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

REASON: To ensure that the development is adequately accessible for future occupiers and in accordance with Section 12 of the National Planning Policy Framework.

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### 19. Contamination

Prior to commencing the works, for each section of the development or stage in the development - as may be agreed in writing by the Local Planning Authority (LPA) - a scheme including the following components to address the risks associated with site contamination shall be submitted to, and approved in writing by, the LPA.

- A. A preliminary risk assessment which identifies all previous uses, potential contaminants associated with those uses (including asbestos, landfill gas, vapours and ground water contaminants); a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site;
- B. A generic and detailed quantitative risk assessment based on (a) that identifies the risk to all receptors potentially affected, including those off site;
- C. In the event that remediation measures are deemed necessary following the results of (b), an options appraisal identifying feasible remediation options, detailing evaluation of options, and selecting the most appropriate remediation option(s);
- D. A remediation strategy focused on the remediation option(s) selected in (c) setting site specific monitoring objectives and criteria, providing details of monitoring and maintenance, and containing full details of the remediation measures required, and how they are to be undertaken.
- E. A verification plan explaining how the effectiveness of the remediation works set out in (d) will be measured, and how data will be collected and assessed to demonstrate that the remediation objectives and criteria will be met.
- F. A verification report demonstrating that remediation objectives and criteria identified in (e) have been met, assessing the remediation performance, and creating a final record of the land quality whilst providing a plan for long term monitoring and maintenance (if required).

Any investigation and risk assessment must be undertaken in strict accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must immediately be reported in writing to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

REASON: To protect human health and the environment by ensuring no harm is caused by land contamination, in line with paragraphs H, I and J, LP 58 of the Hackney Local Plan 2033 and the Hackney contaminated land strategy 2022/2030.

### 20. Construction Management Plan

Prior to commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to, and approved in writing by, the local planning authority. The Plan shall be in accordance with Hackney Council's Code of

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Construction Practice and the Mayor of London's Control of Dust and Emissions during Construction and Demolition SPG, and other relevant guidance relating to dust and air quality. The development shall be implemented in accordance with details and measures approved in the Plan, covering the matters set out below, and shall be maintained throughout the entire construction period:

- A. Demolition and construction method statement, covering all phases of the development, having regard to the construction dust risk assessment
- B. Site waste management plan setting out how resources will be managed and waste controlled at all stages of the project, including details of dust mitigation measures to deal with construction waste during site clearance, demolition and construction works (including any breaking or crushing of concrete), and details of measures to be employed to mitigate noise and vibration demonstrating best practical means
- C. An air quality and dust management plan, to include details of measures to control and mitigate emissions of dust from site clearance, demolition and construction activity, following best practice guidance. This should outline a scheme of monitoring of particulate matter (PM10) at the application site boundary, in line with the Mayor of London's SPG and other relevant guidance.
- D. Details of locations where deliveries will be undertaken, the size and number of vehicles expected to access the site per day, access arrangement (including turning arrangements if necessary), details of parking suspensions (if required) and the duration of works.
- E. Details of how the site will comply with the relevant Non-Road Mobile Machinery (NRMM) regulations
- F. The operation of site equipment generating noise and other nuisance causing activities, audible beyond the site boundary, shall only be carried out between the hours of 08:00-18:00 Mondays to Fridays, 08:00-13:00 Saturdays, and at no time on Sundays or bank holidays unless otherwise agreed in writing by the local planning authority. The best practical means available, in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise emission of noise and vibration.
- G. A barrier shall be constructed around the site, to be erected prior to demolition.

REASON: To protect air quality and human health by minimising emissions of air pollution during construction, to minimise nuisance caused by dust, noise and vibration, to avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity.

### **21. Construction Dust Monitoring**

Prior to commencement of the development hereby approved, details of a scheme of real-time automatic monitoring of dust and particulate matter (PM10) to be employed during the construction phase are to be submitted to and approved in writing by the local planning authority. The scheme is to be in accordance with Section 5 of Hackney Council's Code of Construction Practice, the Mayor of London's Control of Dust and Emissions during Construction and Demolition SPG and the IAQM's Guidance on Monitoring in the Vicinity of

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Demolition and Construction Sites. The scheme of monitoring is to be installed, operated and maintained for the duration of dust-generating works. The scheme must include:

- A. Details of the type (make/model) and locations of the real-time monitors to be installed, which must meet MCERTS 'Indicative' certification for particulate matter.
- B. The PM10 high emission alert (trigger) level(s) to be employed in the event of excessive emissions of dust and PM10
- C. The responsibilities of on-site personnel in the event of a trigger alert and the process of communicating a trigger alert to responsible site personnel and the local authority
- D. The agreed procedure for responding to a trigger alert, such as increased dust mitigation or 'stop works' instructions
- E. Reporting on an agreed and regular basis of measured PM10 concentrations, exceedances of the trigger levels and action taken to reduce emissions of dust and PM10

REASON: To protect air quality and human health by minimising and controlling emissions of particulate matter and in the interest of public amenity by controlling emissions of dust during construction.

### **22. NRMM**

All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at <https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/pollution-and-air-quality/nrmm>.

REASON: To ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity.

### **23. Cycle Parking (Long Stay)**

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until full details of secure, accessible, on site bicycle storage for 90 bicycles including location, layout, stand type and spacing shall be submitted to and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle space is made within the development in the interests of discouraging car use, relieving congestion in surrounding

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streets, safeguarding highway safety and improving highways conditions in general, in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan as well as Section 9 of the National Planning Policy Framework.

### **24. Visitor Cycle Parking**

Prior to the first occupation of the development hereby approved, details of 11 cycle parking spaces including location, layout, stand type and spacing shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle space is made within the development in the interests of discouraging car use, relieving congestion in surrounding streets, safeguarding highway safety and improving highways conditions in general, in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan as well as Section 9 of the National Planning Policy Framework.

### **25. Delivery and Servicing Plan**

Prior to the occupation of the development a final Delivery and Servicing Plan shall be submitted to and approved by the Local Planning Authority, in consultation with Transport for London, setting out:

- A. Frequency of deliveries per day/week
- B. Size of vehicles
- C. How vehicles would be accommodated on the public highway

Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

### **26. Parking, Design and Management Plan (PDMP)**

Prior to first occupation, details of the Parking, Design and Management Plan (PDMP) for that block shall be submitted to, and approved in writing by, the Local Planning Authority. The PDMP(s) shall:

- A. Demonstrate safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between use groups; and
- B. Appropriate provision of blue badge parking and electric vehicle charging points; and Include details of how additional blue badge car parking could be provided in future; and

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- C. Permanent Mechanisms for prevention of non-car parking areas to be controlled for that purpose; and
- D. Ensure that use of car parking for the relevant block is actively controlled through measures to enforce the car parking arrangements for the relevant block

The approved PDMP(s) shall be implemented in full prior to occupation of the phase of development, fully implemented for the lifetime of the development.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with LP41, LP42, LP44 and LP45 of the Hackney Local Plan and Section 9 of the National Planning Policy Framework.

### **27. Demolition Noise and Dust**

Install Noise, Vibration and Dust (NVD) monitoring systems at appropriate locations around the site to monitor and record the noise, vibration and dust levels from the demolition and construction activities and take appropriate steps to mitigate them when recommended levels are exceeded.

REASON: To prevent undue noise and disturbance upon existing residents in accordance with London Plan Policies D13 and D14 and Hackney Local Plan Policy LP58

### **28. Notice Board**

Notice Board shall be erected externally to have contact details for the Site and Regional Office posted. The contact details should be sufficient for Planning Enforcement and Environmental Protection to be able to contact an appropriate person in event of complaints. Due to the proximity of a school, commercial properties and other residential premises, these occupiers should be informed well in advance as to when any extreme noisy activity would take place.

REASON: To prevent undue noise and disturbance upon existing residents in accordance with London Plan Policies D13 and D14 and Hackney Local Plan Policy LP58

### **29. Sound Insulation - Inside and Outside**

A post installation test shall be carried out prior to occupation to demonstrate that all residential premises designed in accordance with “BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings” achieving the required internal noise levels cited in Table 2 of the report, Appendixes, below have been met and the results submitted to the Local Planning Authority for approval.

REASON: To obtain required sound insulation and prevent noise nuisance.

### **30. Sound Insulation Between Units**

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Prior to commencement of the development, a scheme of sound insulation measures shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  [and  $L'_{nT,w}$ ] of at least 5dB above the standards of Building Regulations Approved Document E 'Resistance to the passage of sound' for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of the development site is not adversely affected by noise.

### 31. Plant Noise

Noise from all plant and machinery shall at all times remain at least 5dB(A) below background levels when measured at any nearby sensitive location.

The use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the noise criteria. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

REASON: To protect the amenities of adjoining occupiers and the surrounding area.

### 32. Plant Room

Adequate sound insulation between residential dwelling and refuse stores shall be provided as recommended in the NSL noise report; and similarly between residential dwellings and the plantroom.

REASON: To ensure that the amenity of occupiers of the development site is not adversely affected by noise and vibration.

### 33. Piling Methods Statement

No piling shall take place until a piling methods statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure.

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### 34. SUDS

No development shall commence, other than works of demolition until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan of the sustainable drainage system has been provided. Details shall include but not limited to the proposed green roofs (with a substrate depth of at least 80mm not including vegetative mats), permeable paving (non-infiltrating Type C), bioretention features (such as rain gardens, tree pits, and planters), rainwater harvesting (for use in the landscaped areas), below-ground geocellular attenuation, and the flow control system, which shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Foul and Surface Water Drainage Strategy (Ref.: 5679-MOM-XX-XX-RP-S-11033-P01, dated 30 July 2025) by Momentum Consulting Engineers and the off-site peak surface water discharge shall be restricted to no more than 2.0 l/s.

Evidence (including as-built drawings, photographs, post-construction surveys) and a final completion statement signed off by a qualified drainage engineer shall be submitted and approved by the LPA showing that the sustainable drainage system has been constructed as per the approved designs and in accordance with best practice.

REASON: To ensure the development has regard to reducing flood risk, both to, and from the site, over its expected lifetime as per Local Plan Policy LP53.

### 35. Floor Levels

Prior to commencement of the superstructure works hereby permitted, details of the ground-floor finished floor levels (FFLs) of the proposed residential building and the proposed external land levels around the building (including any linear surface drainage) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the LLFA. The details shall demonstrate that all internal ground-floor areas of the proposed residential building are set no lower than 18.40 mAOD, and that surface water is directed away from the building and safe access and egress are maintained in accordance with the approved Flood Risk Assessment. The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full prior to first occupation of the development and maintained as such for the lifetime of the development.

REASON: To ensure the development has regard to reducing flood risk, both to, and from the site, over its expected lifetime as per Local Plan Policy LP53.

### 36. Energy Statement

Prior to the above ground works of the development hereby approved, a revised Energy Statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards and key metrics have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision P04 by XCO2 dated November 2025):

- A. Minimum carbon savings of 32.5 % / 15.83 tonnes CO<sub>2</sub>e against Part L 2021 through fabric efficiency (Be Lean)
- B. Minimum overall carbon savings of 77.3% / 21.86 tonnes CO<sub>2</sub>e Part L 2021

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- C. Maximum U-values (W/m<sup>2</sup>K): walls 0.15; floors 0.10; roof 0.10; windows 0.80 unless otherwise agreed in writing with the Local Planning Authority
- D. Maximum G-values for windows and doors of 0.4 unless otherwise agreed in writing with the Local Planning Authority
- E. Maximum Air permeability 1m<sup>3</sup>/h/m<sup>2</sup>@50pa unless otherwise agreed in writing with the Local Planning Authority
- F. Maximum Space Heating demand of 15kWh/sqm/yr using a predictive modelling calculation methodology such as PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the planning application target of 11.12kWh/sqm/yr unless otherwise agreed in writing with the Local Planning Authority
- G. Maximum Energy Use Intensity of 35 kWh/sqm/yr using a predictive modelling calculation methodology PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the design target of 57.92 unless otherwise agreed in writing with the Local Planning Authority - the applicant will be expected to benchmark the results against the UK Net Zero Carbon Building Standard relevant data sets
- H. A third party review report of the as-design predictive modelling calculations
- I. Updated GLA Carbon Emission Reporting Spreadsheet

The operational carbon emissions must be calculated using the appropriate methodology for all the identified units - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- A. at least one unit for each identified flat type/area type, and
- B. any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a single aspect, or (c) having limited opening windows

Prior to the occupation of the development hereby approved, air permeability certificates prepared by a suitable contractor must be submitted to and approved in writing by the Local Planning Authority confirming the approved figures have been achieved or improved upon

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54, LP55 and LP56 of the Hackney Local Plan, SI2, SI3, SI4 and SI7 of the London Plan, and Section 14 of the National Planning Policy Framework

### 37. ASHP

Prior to above ground works full details of the communal heat pump based heating system specification and supporting drawings shall be submitted to and approved by the Local Authority. This shall demonstrate at least the following standards been achieved or further optimised as set out in the hereby approved Sustainability & Energy Statement (Revision P04 by XCO2 dated November 2025) and relevant supporting documents:

- A. Minimum Heat pump Coefficient of Performance of 3 for the domestic hot water supply / heating supply to provide 100% of the heating and hot water demand.
- B. Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- C. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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The heat pump thereby approved shall be installed prior to occupation of the development hereby approved

Prior to the occupation of the development hereby approved, full details including as built heating system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MCS registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the system performance has been achieved or improved upon the pre-commencement figures,

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework

### **38. PVs**

Prior to installation of the photovoltaic panel array, full details including PV panels system (and any other related fixed plant adopted) specification, operation and maintenance plan, fire safety risk assessment and supporting drawings must be submitted to and approved by the Local authority to demonstrate that the consented standards have been achieved or improved upon as set out in the hereby approved Sustainability & Energy Statement (Revision P04 by XCO2 dated November 2025)

- A. Solar PV panels annual electricity peak generation of 47.27 kWp
- B. Horizontally mounted rooftop PV panel array of 228 m<sup>2</sup>
- C. Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- D. Detailed Operation & Maintenance manual including fire risk assessment where applicable

The development hereby approved shall not be carried out otherwise than in accordance with the details thereby approved.

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet or improve upon the 'as designed' performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Section 14 of the National Planning Policy Framework

### **39. MVHR**

Prior to the above grade works of the development hereby approved, full details including ventilation system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Sustainability & Energy Statement (Revision P04 by XCO2 dated November 2025):

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- A. Minimum MVRH efficiency of 96.00% for residential units unless otherwise agreed in writing with the Local Planning Authority
- B. Details of summer by pass where applicable including provision and location across the development

The MVHR thereby approved shall be installed prior to occupation of the development hereby approved

Prior to the occupation of the development hereby approved, full details including as built ventilation system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by a suitable contractor must be submitted to and approved in writing by the Local Planning Authority confirming the ventilation system has achieved or improved upon the pre-commencement figures,

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54 and LP55 of the Hackney Local Plan, SI2 and SI4 of the London Plan, and Section 14 of the National Planning Policy Framework

### **40. Overheating**

Prior to the above grade works of development a dynamic overheating risk assessment shall be submitted to and approved by the Local Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology.

The assessment must include design specific details of how each steps of the Cooling Hierarchy has been implemented, for reference

Step 1: Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls

Step 2: Minimise internal heat generation through energy efficient design

Step 3: Manage the heat within the building through exposed internal thermal mass and high ceilings

Step 4: Passive ventilation

Step 5: Mechanical ventilation

Step 6: Active cooling systems

All report results of the dynamic modelling in line with the CIBSE TM52 and TM59 compliance criteria must clearly set out the pass rate (%) of each of the Cooling Hierarchy steps, using baseline scenario and additional modelled scenario to test all mitigations (passive first, active as last resort) measures required until all units pass the overheating risk assessment - as follow

Step 1 mitigation measures description leading to pass rate of X%

Step 2 mitigation measures description leading to pass rate of XX% etc

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All units must be assessed against weather files CIBSE TM49 DSY1, DSY2 & DSY3, results should demonstrate a 100% pass rate for all units shown under weather file DSY1 - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- A. At least one unit for each identified flat type/area type, and
- B. Any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a single aspect, or (c) having limited opening windows

The applicant should provide supporting evidence such as scope drawings highlighting what unit/area have been included in the modelling.

If 100% pass rate is not achieved under weather files DSY2 & 3, a retrofit plan must be submitted to and approved by the Local Authority detailing how further mitigation measures can be installed and who will be responsible to manage future overheating risk for 100% of units to pass under both weather files DSY2 and DSY3

Where any additional remedial mitigation measures are required, the product specifications and details must be provided.

Prior to the occupation of the development hereby approved, a final “as-built” overheating risk assessment shall be submitted and approved in writing by the Local Planning Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology, confirming % pass rates for each TM49 weather file have or improved upon pre-commencement figures following the prospective retrofit measures.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54 and LP55 of the Hackney Local Plan, SI2, and SI4 of the London Plan, and Section 14 of the National Planning Policy Framework

### **41. SWMP**

The applicant is required to ensure that in managing any waste arising from construction processes, including demolition and groundworks and above ground works, that the following targets are met:

- A. Municipal waste recycling rate of 65%
- B. Business waste recycling rate of 75%
- C. Minimum of 95% demolition or site waste diverted from landfill for reuse, recycling or recovery
- D. Minimum of 95% of excavation waste diverted from landfill for beneficial use
- E. Minimum of 20% of the new building material elements are comprised of recycled or reused content

REASON: To reduce carbon emissions, enhance climate resilience, promote the circular economy, and support low carbon development, in accordance with the London Plan SI7, GLA guidance, Hackney Local Plan LP57 and the NPPF.

### **42. Water Efficiency**

Prior to above ground construction works, the applicant shall provide a statement to confirm that the development has been designed to be water efficient and reduce water

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consumption as far as possible, demonstrating that the development will not exceed a maximum water use of 105 litres of water per person per day, with an additional maximum water use allowance for external water consumption of 5 litres.

Strategy, evidence and supporting documentation should be provided and approved in writing by the Local Planning Authority pre-commencement showing how water saving measures, recycling and water efficiency measures have been incorporated in the design to limit both internal and external water use and promote efficient water use.

REASON: Addressing the need to conserve water, to mitigate and adapt to climate change, taking into account the full range of potential climate change impacts in accordance with the London Plan, GLA guidance, Hackney Local Plan policy and the NPPF.

### **43. Passivhaus and Low Energy Buildings**

Prior to first occupation, the applicant shall ensure that appropriate guidance is developed by a relevant specialist and provided appropriately for residents and occupiers to understand how to operate the building's systems and technologies to maximise sustainable outcomes.

This should explain:

- A. An explanation of what a Passivhaus building is as compared to typical buildings and low energy building is designed to work to provide more sustainable outcomes
- B. An explanation of renewable energy systems and low carbon technologies in place and how these should be operated
- C. Troubleshooting and guidance on where any technical issues are encountered and provision for feedback on the performance of the building systems in place to ensure the building is performing as expected.

This guidance shall be developed appropriately in a context of other concerns including affordability, highlighting any trade-offs that may need to be considered by residents in empowering them to adapt use of the building to reduce carbon savings while being comfortable.

This guidance should be developed to be accessible and inclusive, avoiding overly technical jargon and considering an appropriate range of needs of likely future residents and occupiers. The guidance shall include visual aids, including diagrams and infographics. Digital and hard copies should be provided as part of welcome packs and made easily accessible on an ongoing basis. The guidance shall be updated at appropriate intervals as building management practices and systems change.

REASON: to support carbon savings reductions in line with LP55 and ensure that renewable energy technologies are adopted for optimal outcomes for residents Health and Wellbeing in line with LP9. To support climate resilience for Hackney residents in a changing climate, to support Hackney Policy LP54.

### **44. Future DHN Connection**

Prior to the commencement of the development hereby approved, a revised set of information demonstrating the ability for future connection to Decentralised Energy Network (DEN) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include drawings drafted at the appropriate scale and full detailed specification of the following, but not be limited to:

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- A. a) Updated evidence of 2 ways correspondence between the applicant, the relevant local authority and network provider confirming the identified DHN has the capacity to serve the development, as well as supporting estimates of the CO2 emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- B. b) Layout of energy centre/plant room showing space for future heat exchanger
- C. c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- D. d) Details of any on-site connection with pre-installed and capped with flange
- E. e) Details of any pre-installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)

Where it has been robustly demonstrated that a refrigerant based heating system (VRF) is the only viable option, a retrofit plan shall be submitted to and approved in writing by the Local Planning Authority. The retrofit plan should:

- A. Detail how such system will be upgraded to a wet system compatible with a local DHN when there is a viable connection opportunity or when the system reaches its end of useful life whichever comes first and
- B. Identify who will be responsible to implement the upgrade

Prior to the occupation of the development hereby approved, the as built drawings and specifications demonstrate the ability for future connection to Decentralised Energy Network (DEN) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include drawings drafted at the appropriate scale and full detailed specification of the following, but not be limited to:

- A. As built layout of energy centre/plant room showing space for future heat exchanger
- B. As built layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- C. As built details of on-site connection with pre-installed and capped with flange
- D. As built details of pre-installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 and LP56 of the Hackney Local Plan, SI2, and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework

### **45. Healthy Materials**

The applicant will ensure that materials selected for internal finishes and fit out are low-emitting for Volatile Organic Compounds VOC or no-VOC. This includes for surface finishes including paints, floorings and for kitchen surfacing.

The applicant shall ensure that materials do not contain hazardous chemicals known to be damaging to human health (including toxic heavy metals such as Cadmium and other chemicals/materials including creosote, arsenic, CFCs/HCFCs, HFRs, PVC, chlorobenzenes, formaldehyde, lead, mercury and phthalates).

REASON: Passivhaus buildings are very airtight, and so the impact of internal finishes on human health is of increased relevance to ensure LP9 Health and Wellbeing is met alongside securing sustainable construction.

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### **Recommendation B**

- 10.2 That the above recommendations be subject to the applicant, the landowners and their mortgagees enter into a legal agreement in order to secure the following matters to the satisfaction of Director of Legal Democratic and Electoral Services:

#### **Financial Contributions**

- £19,700 towards employment training
- £618,418.50 towards educational costs
- £2,700 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- £348,604.73 towards the cost of highway works associated with the development
- £11,340.60. towards BNG monitoring costs
- £31,527, towards Carbon Offset fund (In the event Passivhaus/AECB Carbonlite is not attained)
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

#### **Non-financial contributions:**

- 25% Local Labour Apprenticeships
- 45 affordable homes (45 x social rented - 14 x 1-bed, 15 x 2-bed, 16 x 3-bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development
- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Passivhaus Classic certification (In the event Passivhaus Classic is not obtained and with robust justification, then AECB Carbonlite certification may be considered acceptable as a backstop)
- Securing Connection to the Energy Network
- Travel Plan

### **Recommendation C**

- 10.3 That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning and Building Control (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions including to the recommended heads of terms and/or recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

## **11. INFORMATIVES**

- 11.1 The following informatives should be added:

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### 1. Radon

Should this project contain the excavation of a basement area. Whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance br211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. I therefore advise that this risk is adequately assessed.

### 2. Unexploded Ordnance

Before any excavation works start, it is best practice to carry out a UXO survey. It is therefore recommended that a preliminary UXO assessment is undertaken and results are provided to the main contractor responsible for Health & Safety matters on and off site under the CDM Regs 2015

### 3. Thames Water 1

Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Should you require further information please contact Thames Water.

Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm)

Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

### 4. Thames Water 2

Public sewers are crossing or close to your development. Build over agreements are required for any building works within 3 metres of a public sewer and, or within 1 metre of a public lateral drain. This is to prevent damage to the sewer network and ensures we have suitable and safe access to carry out maintenance and repairs. Please refer to Thames Water guide on working near or diverting pipes:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Please ensure to apply to determine if a build over agreement will be granted.

### 5. Thames Water 3

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk).

Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk).

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Please refer to the Wholesale; Business customers; Groundwater discharges section.

### 6. Thames Water 4

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website:

<https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

Signed..... Date.....

**Assistant Director - Planning and Building Control**

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	<b>Oliver Enticott +6413</b>	<b>HSC, Hillman Street, London E8 1FB</b>