

ADDRESS: Fellows Court, Weymouth Terrace, London, E2 8LP	
WARD: Haggerston	REPORT AUTHOR: Tanveer Rahman
APPLICATION NUMBER: 2025/1324	VALID DATE: 14/08/2025
DRAWING NUMBERS:	
<u>Existing</u> <ul style="list-style-type: none"> Location Plan - NHP1-NO-FC-XX-DR-A-0100 Rev.D Existing Site Plan - NHP1-NO-FC-00-DR-A-0101 Rev.B Existing Roof Plan - NHP1-NO-FC-XX-DR-A-0102 Rev.B Existing South Section - NHP1-NO-FC-XX-DR-A-0200 Rev.B Existing West Section - NHP1-NO-FC-XX-DR-A-0201 Rev.B Existing North Elevation - NHP1-NO-FC-00-DR-A-0300 Rev.B Existing East Elevation - NHP1-NO-FC-00-DR-A-0301 Rev.B Existing South Elevation - NHP1-NO-FC-00-DR-A-0302 Rev.B Existing West Elevation - NHP1-NO-FC-00-DR-A-0303 Rev.B 	
<u>Proposed</u> <ul style="list-style-type: none"> Proposed Site Plan NHP1-NO-FC-00-DR-A-1000 Rev.F Proposed Ground Floor - NHP1-NO-FC-01-DR-A-1001 Rev.F Proposed First Floor - NHP1-NO-FC-01-DR-A-1003 Rev.F Proposed Second Floor - NHP1-NO-FC-01-DR-A-1016 Proposed Third Floor - NHP1-NO-FC-01-DR-A-1017 Proposed Fourth Floor - NHP1-NO-FC-04-DR-A-1005 Rev.F Proposed Fifth Floor - NHP1-NO-FC-01-DR-A-1018 Proposed Roof Floor - NHP1-NO-FC-RF-DR-A-1007 Rev.C Proposed Long South Section - NHP1-NO-FC-XX-DR-A-2000 Rev.D (<i>Officers requested minor changes to this drawing which had not been received at the time of writing.</i>) Proposed Long West Section - NHP1-NO-FC-XX-DR-A-2001 Rev.D Proposed Short South Section - NHP1-NO-FC-XX-DR-A-2002 Rev.D (<i>Officers requested minor changes to this drawing which had not been received at the time of writing.</i>) Proposed Short South Section Stairs - NHP1-NO-FC-XX-DR-A-2003 Rev.D (<i>Officers requested minor changes to this drawing which had not been received at the time of writing.</i>) Proposed Short West Section - NHP1-NO-FC-XX-DR-A-2004 Rev.D Proposed North Elevation - NHP1-NO-FC-XX-DR-A-3000 Rev.F Proposed East Elevation - NHP1-NO-FC-XX-DR-A-3001 Rev.F Proposed South Elevation - NHP1-NO-FC-XX-DR-A-3002 Rev.D Proposed West Elevation - NHP1-NO-FC-XX-DR-A-3003 Rev.F Landscape: Urban Greening Factor - NHP3-LDA-FC-ZZ-DR-L-00001 Rev.B Landscape General Arrangement: Ground Floor - NHP3-LDA-FC-00-DR-L-00001 Rev.C Landscape General Arrangement: Hardworks - NHP3-LDA-FC-00-DR-L-00002 Rev.A Landscape General Arrangement: Roof Plan - NHP3-LDA-FC-RF-DR-L-00001 Landscape Sections - Sheet 1 of 2 - NHP3-LDA-FC-00-DR-L-00200 Landscape Sections - Sheet 2 of 2 - NHP3-LDA-FC-00-DR-L-00201 Proposed Unit Type A - NHP1-NO-FC-00-DR-A-1008 Rev.F Proposed Unit Type B - NHP1-NO-FC-00-DR-A-1009 Rev.F Proposed Unit Type C - NHP1-NO-FC-00-DR-A-1010 Rev.F Proposed Unit Type I - NHP1-NO-FC-00-DR-A-1011 Rev.E Proposed Unit Type J - NHP1-NO-FC-00-DR-A-1012 Rev.F Proposed Unit Type K - NHP1-NO-FC-00-DR-A-1013 Rev.E 	



Planning Sub-Committee – 04/02/2026

- Proposed Unit Type L - NHP1-NO-FC-00-DR-A-1014 Rev.E
- Proposed Unit Type M - NHP1-NO-FC-00-DR-A-1015 Rev.E
- Window For All - NHP1-NO-FC-XX-DR-A-7000 Rev.C
- Front Entrance - NHP1-NO-FC-XX-DR-A-7001 Rev.C
- Typical Window Bay (Type 1) - NHP1-NO-FC-XX-DR-A-7002 Rev.C
- Typical Window Bay (Type 3) - NHP1-NO-FC-XX-DR-A-7003 Rev.C
- Window with Lattice Brickwork - NHP1-NO-FC-XX-DR-A-7004 Rev.C
- Typical Balcony - NHP1-NO-FC-XX-DR-A-7005 Rev.C
- Parapet Wall - NHP1-NO-FC-XX-DR-A-7006 Rev.C
- Pocket Park Entrance - NHP1-NO-FC-XX-DR-A-7007 Rev.C
- Solid Wall (Movement Joints) - NHP1-NO-FC-XX-DR-A-7008 Rev.C

DOCUMENTS:

- Planning Statement, Issue, 02, Dated May 2025, Issue date 05.06.2025
- Design and Access Statement, Dated May 2025
- Statement of Community Involvement, Dated 12.05.2025
- Child Friendly Impact Assessment
- DAYLIGHT, SUNLIGHT & OVERSHADOWING ASSESSMENT, Rev.02, Dated 27.05.2025
- Planning Noise and Vibration Report, Rev.01, Dated 22.01.2025 & revised 26.03.2026
- Draft Construction Management Plan, Rev.01, Dated 19.05.2025
- Transport Statement, Rev.01, Dated 19.05.2025
- Residential Travel Plan, Rev.01, Dated 19.05.2025
- Preliminary Ecological Appraisal, Version 1.0, Dated 06.09.2023
- Addendum to Preliminary Ecological Appraisal, dated 30.05.2023
- Bat Survey Report, Ref: 240326-ED-01a, Dated September 2024
- Biodiversity Net Gain Assessment, Ref: 240326-ED-03a, Dated March 2025
- BNG Metric spreadsheet
- Outline Site Waste Management Plan, Rev.02, Dated 01.08.2025
- SUSTAINABILITY STATEMENT, Rev.02, Dated 22.05.2025
- ENERGY STATEMENT, Rev.02, Dated 23.05.2025
- 'ENERGY & CARBON DIOXIDE EMISSIONS' extract
- 3183 – Fellows Court Garages, SuDS Strategy Report, Dated June 2025
- Flood Risk Assessment, Rev.03, dated 28.03.2025
- Phase 1 Geotechnical and Environmental Desk Study, Rev. Final_v1, Dated 12.05.2025
- AIR QUALITY ASSESSMENT, Rev.03, Dated May 2024 and 26.03.2025
- Fire Safety Strategy Report and Fire Statement, Ref: TRG-230282-NHP3-FC-RT-02-I03, Dated 05.01.2026

APPLICANT:	AGENT:
Jennifer Langton London Borough of Hackney Housing Regeneration & Delivery Team Hackney Service Centre, 1 Hillman Street, London, E8 1DY	Robert Nicholas HTA Design 75 Wallis Road, London, E9 5LN

PROPOSAL: Demolition of existing garage and construction of a new 6-storey 28 unit (13 x 2-bed & 15 x 3-bed) residential block (C3 use class) with associated amenity space and child playspace, cycle parking, refuse stores, hard and soft landscaping, playspace, public realm works and on-street Blue Badge parking.

POST SUBMISSION REVISIONS:

Minor non-design changes were made to drawings and documents during the application stage. Given the limited scale and nature of these amendments, it was not considered necessary to undertake further consultation.

RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a Legal Agreement (Unilateral Undertaking).

NOTE TO MEMBERS: None.

REASON(S) FOR REFERRAL TO PLANNING SUB-COMMITTEE	
Major application	Yes
Substantial level of objections received	
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	Yes
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

ANALYSIS INFORMATION
ZONING DESIGNATION

	Yes	No
Controlled Parking Zone (CPZ)	F Mon - Fri: 8.30am - 6.30pm Sat: 8.30am - 1.30pm	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Office Area, Priority Industrial Area or Locally Strategic Industrial Site		X

LAND USE

	Use Class	Use description	Floorspace
Existing	C3	Residential	1,043sqm
Proposed	C3	Residential	2,940sqm

PROPOSED HOUSING MIX

Tenure	Number of bedrooms				Total
	1	2	3	4	
Private	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Social rent	0 (78%)	13 (22%)	15 (54%)	0 (0%)	28 (100%)
Intermediate/ Shared Ownership	0 (0%)	13 (46%)	15 (54%)	0 (0%)	0 (0%)

Tenure	Number of bedrooms				Total
	1	2	3	4	
Private	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Social rent	0 (78%)	13 (22%)	15 (54%)	0 (0%)	28 (100%)
Total:	0 (0%)	13 (46%)	15 (54%)	0 (0%)	28 (100%)

PARKING DETAILS

	Car parking spaces (Off-street on site)	Car parking spaces (On-street on Appleby Street to the south of the site)	Cycle parking spaces
Existing	5	27 (4 to the south and 23 to the east)	0
Proposed	0	1 Blue Badge Bay (BB) and future provision for a further 3 BB bays	56 long-stay resident 12 long-stay visitor

1.0 SITE CONTEXT

- 1.1 The application site (delineated by the red line on the submitted location plan) relates to: a flat roofed garage block; road/footway which surrounds the block's north, south and east elevations; and a link bridge which connects the block's flat roof to an access door in the west elevation of 63 - 162 Fellows Court which is a 17-storey block of flats to the east. Apart from the west elevation access door, the rest of this 17-storey block is outside of the red line.
- 1.2 The site is on the east side of Appleby street. Opposite the garage block to the north is 1 - 62 Fellows Court and Fellows Court Community Centre; opposite to the south is 163 - 174 Fellows Court and 211 - 298 Fellows Court.
- 1.3 St Mary's Community Garden opposite to the south west is a designated Local Open Space.

2.0 CONSERVATION IMPLICATIONS

- 2.1 The site does not contain any statutory or locally listed buildings. The nearest listed buildings are Grade II Haggerston Girls' School and Grade II School House at Haggerston Girls' School which are to the south east (the school is now Haggerson School), and the locally listed Randal Cremer Primary School building to the west. The site is not in or adjacent to a Conservation Area (CA). The Hackney Road CA is to the south east. The Roman Road London to Great Dunmow Tier 2 Archaeological Priority Area is opposite to the south.

3.0 RELEVANT PLANNING HISTORY

Fellows Court, Weymouth Terrace (application site)

- 3.1 **2025/1331:** Demolition of existing garage block and its attached link bridge, and replacement of access door in the west elevation of 63 - 162 Fellows Court with glazing. Granted 06.10.2025

Weymouth Court, Weymouth Terrace

3.2 **2025/1205:** Demolition of 14 existing lock-up garages and a store room; and construction of a new 5-storey 18 unit (14 x 1-bed & 4 x 2-bed) residential block (C3 use class) with associated amenity space, cycle parking, refuse stores, hard and soft landscaping, new external stairs and entrance to a neighbouring block and on-street Blue Badge parking.. Under consideration

4.0 CONSULTATION

4.1 391 neighbour letters were posted on 20.08.2025, 3 site notices were displayed on 28.08.2025 and a press advert was published on 05.09.2025

4.2 In line with the Council's Statement of Community Involvement requirements, the Consultation period ended on 29.09.2025.

Neighbours

4.3 No letters of representation were received.

Consultees

Internal

LBH Transport & Highways

4.4 No objection subject to: confirmation of cycle parking dimensions; conditions requiring: a Parking Design and Management Plan, a cycle parking plan and a Demolition and Construction Management Plan (DCMP); as well as obligations requiring the development to be car-free (except for those with a Blue Badge), £60 Car Club membership credit per new residential unit contribution, a Travel Plan, £2,000 Travel Plan Monitoring fee, final DCMP base fee of £8,750 and a financial contribution for highways works to be calculated by the LBH Street Scene team.

LBH Streetscene

4.5 The proposal is to reconstruct the footway adjacent to Fellows Court Weymouth Terrace. Works will consist of: removing the existing footway material including kerbs; take up and put aside Setts in the channel in the carriageway; provide and lay new base/bed and fibre Reinforced Asphalt Pavement (ASP) along with new Granite kerb; provide and lay new Mistral Blocks; and relay setts in the channel. The estimated cost of work is £51,946.40.

LBH Waste & recycling Management

4.6 *"We do not object to the waste plans, which are really clear and in line with the discussions we had with the architects during the design stage. The bin store for the new block will be accessible for our crews from Appleby Street which is fine. We also note that the design of the new arrangements for some of the existing units (63-162 Fellows Court) will be picked up at site-specific unilateral undertaking stage. One small point is that they (sic) would need a different mix of waste and recycling than that proposed for the bin store, but it is large enough to hold the required capacities (which are 2,475l for waste and 3,875 for recycling) so there is no issue here. We look forward to working with the developers around the new waste plan for the existing units."*

LBH Environmental Protection (noise & vibration)

4.7 No objection to conditions relating to building sound insulation, mechanical plant noise and a detailed construction logistics plan.

LBH Land, Water & Air (contaminated land)

4.8 No objection subject to a contamination assessment/ remediation/ verification condition; and informatics relating to Radon and Unexploded Ordnance.

LBH Land, Water & Air (air quality)

4.9 No objection subject to conditions restricting emissions from Non-Road Mobile Machinery (NRMM) and submission of a Construction Management Plan.

LBH Drainage & Flood Risk

4.10 No objection subject to condition.

LBH Building Control

4.11 Building Control reviewed the initially submitted Fire Statement and requested a number of clarifications. In response, the agent submitted an amended Fire Statement answering these queries. Building Control reviewed this and stated that they had "*No further comments at this stage*".

External**Shoreditch Conservation Area Advisory Committee (CAAC)**

4.12 No response received.

Hackney Society

4.13 No response received.

Thames Water

4.14 The proposed development is located within 15m of a strategic sewer. Therefore, a piling method statement will need to be approved prior to any piling works taking place.

4.15 Also advised the developer that: Build over agreements are required for any building works within 3m of a public sewer, or within 1m of a public lateral drain; there is an expectation to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer during construction; and the sequential approach to discharge of surface water drainage should be followed. (*This advice is recommended to be added as informatics on the decision notice.*)

Historic England Greater London Archaeology Advisory Service (GLAAS)

4.16 No further assessment or conditions necessary.

Metropolitan Police Designing out Crime Officer (DOCO)

4.17 No objection subject to a Secured by Design condition and an informative requesting that the applicant seeks advice from the DOCO.

Health & Safety Executive (HSE) Gateway 1

4.18 'Content'

4.19 The main comments with the HSE response are as follows:

"This building is not a relevant building but is located within the curtilage of the relevant building, 63-162 Fellows Court. HSE has considered this building as part of its assessment.

As the building is not a relevant building, the focus of HSE's assessment is on the risk of external fire spread, the proximity to a relevant building (63-162 Fellows Court), and fire service access to both buildings..

The "Fellows Court Garages Design and Access Statement May 2025", which includes a site layout drawing, and plan drawings provided on the planning site appear to show reasonable permeability for fire appliance access around and within the building. The firefighting access to 63-162 Fellows Court remains accessible and the new pocket park does not appear to impact the firefighting access for the new building or 63-162 Fellows Court.

Additionally, any external wall which falls within 1000mm of a relevant boundary should be constructed as a party wall achieving 90 minutes fire resistance from both sides. HSE notes that separation distance calculations have not been included with the current submission. The applicant is advised that should the calculations demonstrate that the design is not acceptable, consequential design changes are likely to affect land use planning considerations and may require further HSE consultation.

HSE is unable to comment further on the new building application, due to the limited fire safety information that has been made available. HSE is content with the fire safety design of the development, to the extent it affects land use planning considerations.

London Fire Brigade

4.20 *"The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have no further observations to make."*

5.0 RELEVANT PLANNING POLICIES, LEGISLATION & DOCUMENTS

5.1 ***Hackney Local Plan 2033 (2020)***

- PP1 Public Realm
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP6 Archaeology
- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure

- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP31 Local Jobs, Skills and Training
- 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 Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks (DEN)
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.2 ***London Plan (2021)***

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD1 Opportunity Areas
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the 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
- H2 Small sites
- H4 Delivering affordable housing
- H7 Monitoring of affordable housing
- H6 Affordable housing tenure
- H10 Housing size mix
- S4 Play and informal recreation
- HC1 Heritage conservation and growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening

- G7 Trees and woodlands
- 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 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations

5.3 **North London Waste Plan (2022)**

5.4 **Material planning consideration documents**

LB Hackney

- *GROWING UP in HACKNEY Child-Friendly Places SPD (2021)*
- *HACKNEY ROAD CONSERVATION AREA APPRAISAL (2009)*
- *Refuse and recycling storage guidance (2020)*
- *Hackney Transport Strategy 2015 - 2025 SPD*
- *Sustainable Design and Construction SPD (2016)*
- *S106 Planning Contributions SPD (2020)*
- *Community Infrastructure Levy Charging Schedule (2015)*
- *Statement of Community Involvement (2014)*

Greater London Authority (GLA)

- *City Fringe Opportunity Area Planning Framework (2015)*
- *Optimising Site Capacity: A Design-led Approach LPG (2023)*
- *Housing Design Standards LPG (2023)*
- *Public London Charter LPG (2023)*
- *Fire Safety LPG (2022)*
- *Draft Affordable Housing LPG (2023)*
- *SHAPING NEIGHBOURHOODS: PLAY AND INFORMAL RECREATION SPG (2012)*
- *Sustainable Transport, Walking and Cycling LPG (2022)*
- *Urban Greening Factor LPG (2023)*
- *Digital Connectivity Infrastructure LPG (2024)*
- *Air Quality Positive LPG (2024)*
- *Air Quality Neutral LPG (2023)*
- *'Be Seen' energy monitoring guidance LPG (2021)*
- *Energy Assessment Guidance (2022)*

- *THE CONTROL OF DUST AND EMISSIONS DURING CONSTRUCTION AND DEMOLITION LPG (2014)*
- *Sustainable Transport, Walking and Cycling LPG (2022)*

Other

- *BRE Site layout planning for daylight and sunlight: A guide to good practice (2022)*
- *TfL London Cycling Design Standards (2016)*

5.5 National planning policies/guidance

- *National Planning Policy Framework (2024)*
- *Planning Practice Guidance*
- *National Design Guide (2019)*

5.6 Legislation

- *Town and Country Planning Act 1990 (TCPA)*
- *Planning (Listed Buildings and Conservation Areas) Act 1990*
 - Section 66: General duty as respects listed buildings in exercise of planning functions.
 - Section 72: General duty as respects conservation areas in exercise of planning functions.
- *Planning and Compulsory Purchase Act 2004*
- *Equality Act 2010*

6.0 ASSESSMENT

6.1 Application background

6.1.1 This application is part of Hackney Council's New Homes programme (NHP) which was approved by Cabinet in December 2022. The applicant is currently working on a Unilateral Undertaking (UU) under Section 106 of the TCPA to commit to meeting affordable housing provision targets for the NHP as a whole. The NHP is intended to deliver circa. 365 new homes over 13 sites, based on current information it is understood that 73% are intended to be for Social Rent, depending on various constraints such as financial viability.

6.2 Assessment

6.2.1 Section 38 (6) of the *Planning and Compulsory Purchase Act 2004* requires applications 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 comprises the London Plan, the Local Plan and the North London Waste Plan.

6.2.2 The application has been assessed against national planning policy, Development Plan policies and other material planning considerations; and advice/feedback has been sought from internal Council and external consultees

6.2.3 The main planning considerations relevant to this application are:

- Land use
- Urban design & heritage
- Affordable housing & housing mix
- Quality of accommodation
- Neighbouring amenity
- Transport & highways
- Waste & recycling
- Biodiversity & trees
- Sustainability & climate change
- Flood risk & drainage
- Fire safety
- Safety & security
- Planning obligations & infrastructure

Land use

Policy background

6.2.4 Local Plan policy LP12 part A states that the Council will deliver a minimum of 1,330 homes per year up to 2033. Part of this plan would be by encouraging development on small sites and increasing the supply of genuinely affordable homes. Part B adds that the identified housing need is actually 1,750 homes per year by 2033. Supporting paragraph 7.3 adds that *“Almost half of this delivery is expected to come from small sites. Small sites can make an important contribution to meeting the housing requirement of an area, with an advantage being that they are often built-out relatively quickly”*.

6.2.5 London Plan Table 4.1 adds that Hackney's 10 year housing target for net completions between 2019/20 - 2028/29 is 13,280.

6.2.6 Local Plan policy LP28 part D states that outside of Priority Industrial Areas the loss of industrial floorspace will be permitted subject to robust marketing evidence demonstrating lack of demand with no potential for retaining, reusing or redeveloping it for similar or alternative smaller units.

Assessment

6.2.7 The submitted Transport states that the proposal *“will result in the loss of five existing garages currently at the site, which are currently rented out by Hackney Council to members of the public”*. It adds that *“it is noted that people do not solely rent garages for the purpose of storing a vehicle, and it is becoming more common for garages to be used for general storage”*.

6.2.8 It is not clear whether some of the garages are lawfully in ancillary residential (C3) use or storage (B8) which is an industrial employment use. If they are in C3 use then the proposed intensification of C3 floorspace raises no issues. If B8 floorspace exists then officers note that no marketing evidence has been provided to justify its loss, as required by LP28 part D. However, officers note the garages are of relatively limited floorspace and height, as well as being in poor condition. They are therefore unlikely to constitute good quality industrial floorspace, even if combined together. The potential loss of B8 floorspace therefore raises no issues.

6.2.9 For these reasons the proposal is acceptable in land use terms.

6.2.10 Any impacts that potential loss of car parking spaces would create on the safety and capacity of the local highway network (by potentially displacing vehicles onto the public highway) will be discussed in the 'Transport & highways' section below.

Urban design & heritage

Policy & legislation background

6.2.11 London Plan policy D3 part A states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Part B adds a number of criteria that development should achieve, which fall under the categories of 'Form and layout', 'Experience', and 'Quality and Character'.

6.2.12 Local Plan policy LP1 part A requires all new development to be of the highest architectural and urban design quality. It then sets out 16 design criteria that development must meet.

Urban design assessment

Site context

6.2.13 The site's immediate context consists of: the Happy Nest Nursery and Fellows Court Community Centre building to the north, the 17-storey residential block (63 - 162 Fellows Court) to the east, 3-storey point blocks aligning Appleby Street to the south and terraced houses to the west forming the Appleby Estate.

6.2.14 The immediate context of the site is defined by the tower, the terraced housing to the west and low rise red brick blocks to the north and south. An access route to the nursery runs along the north of the site and emergency access/pedestrian route to the tower and beyond runs to the south.

6.2.15 The submitted Design and Access Statement shows that a thorough analysis of the site and its physical, functional, social and historic context has informed the proposals.

Layout

6.2.16 The proposed scheme concept involves removal of the large unused parking structure with the eastern portion of the site used for a new public communal amenity and child playspace and the western part containing the new residential building. The open space would sit between the existing tower and the new building creating an amenity space to be shared by new and existing residents. The red line on the submitted location plan is drawn wide enough to allow for a large area of public realm to be improved.

6.2.17 The proposed residential building fronts Appleby Street, following the building line of other buildings on the street. The rear of the new building encloses and gives active frontage to the new open space. The sides of the building activate the improved public routes there. Proposed ground floor flats have secondary entrances directly from the street, creating active frontage.

6.2.18 The proposal helps to give the estate a less inward-looking character with the proposed building facing onto the public streets. The removal of the existing carpark is an enhancement to the area in itself, and the new building and public space is a further

enhancement to the estate. The massing of the block is simple and efficient, and there would be greening at ground and roof levels.

6.2.19 Cycle and bin stores for the proposed building, as well as existing bins and stores which are problematically located, have been moved to more accessible locations.

Height, form, massing & building lines

6.2.20 The proposed building height defines the street edges and the open space. Its footprint allows for mostly dual aspect family homes accessed from a central corridor and core on the east elevation.

6.2.21 The proposed building appears tall on the low-rise Appleby Street but at a modest 6 storeys, the height reflects that of the larger blocks found elsewhere in the estate and in the surrounding area. During pre-application discussion, setbacks at upper level were explored to reduce sense of height and reduce visibility from neighbours to the west, but discounted to simplify the form factor and because the windows most affected were to non-habitable rooms.

Elevations & materiality

6.2.22 Concepts behind the architectural approach include: creating a simple form factor to allow for minimal energy use and possible Passivhaus house approach; fostering neighbour relations and high quality of life which has influenced staggered balcony placement and the location of the scooter store; maximisation of family homes and creating a good place for children to grow up.

6.2.23 The external appearance of the proposed building comes partly from the optimisation of the flats inside. Locations, sizes and orientations of windows and locations of balconies and areas of solid wall reflect well laid out interiors and strategies to minimise overheating risk. Windows have 1.1m high cills for child safety and have inward opening windows with child restrictors. Windows opening to balconies have lower cills where falling risks are removed.

6.2.24 The materiality and detail of the exterior is intended to enhance and respond to the character of the area and create visual interest and harmony. Red bricks are chosen to reflect neighbouring buildings. Pink metalwork to windows doors and balconies creates continuity with the metalwork colours on the building. Horizontal banding breaks up the brick elevation and corbelling is used on the ground floor to deter graffiti. A 1.1m parapet hides plant and has a soldier course for textural interest. A circular feature 'window for all' creates a point of interest for residents using the stairs and the garden-access lobby to enjoy. Stairs also have windows at half storey level to give more interest. Downpipes are located externally and are used to conceal movement joints. Balconies shade windows below and have carefully designed metalwork and soffits as well as deeper proportions to maximise usability. Balconies are partially staggered to allow communication between neighbours. Juliette balconies are provided to galley kitchens. Lower floor balconies have solid screens to maximise privacy.

6.2.25 Ground floor windows have 'lattice' brick panels. As such, the chosen construction method will need to ensure that the inner surfaces of full bricks are visible and that no complex or difficult to access gaps are created between glazing and brick. A detailed construction drawing has been provided but this detail will need to be safeguarded during the building process.

- 6.2.26 Entrances to the building are made inviting with signage and tiled external 'welcome' mats showing the building name.
- 6.2.27 Most elements from balconies, to signage, movement joint locations, to window and doors and brick patterns, products and colours are detailed in clear drawings which should help at conditions stage.

Heritage

- 6.2.28 There are no statutory or locally listed buildings in the immediate vicinity of the site, and the site is not in or adjacent to a Conservation Area.
- 6.2.29 The nearest heritage asset to the site is the historic locally listed Randal Cremer Primary School on Ormsby Street to the west. It is a tall brick building with tower elements. The application site is visible across the playground from Ormsby Street although from an average eye height the boundary fence will block this view. The Fellows Court tower is already visible in the view and other foreground buildings also sit in the view. The proposal will add to the layered urban fabric which historically forms the backdrop to the school. While the proposal will be visible in the backdrop of some views of the school, it is a good distance away and will appear smaller than the tower behind. The impact on the significance of the school will be neutral.

Urban design & heritage conclusion

- 6.2.30 Overall, the proposal is acceptable in urban design and heritage terms, subject to suitable external materials details being secured via condition.

Affordable housing & housing mix

Policy

- 6.2.31 Local Plan policy LP13 requires schemes of 10 or more dwellings to provide at least 50% affordable on-site housing, subject to viability and site context. It adds that Affordable Housing Tenures should be 60% Social (Social Rent/London Affordable Rent) and 40% Intermediate (Hackney/London Living Rent or London Shared Ownership or other genuinely affordable products that the Council considers appropriate).
- 6.2.32 Local Plan policy LP14 part A states that development should provide the following preferred mix of dwelling sizes by tenure:

Bedrooms/ Dwelling size	1-bed	2-bed	3+bed
Social/London Affordable rent	30 - 34%	30 - 34%	33 - 36%
Intermediate	Lower % than 2-bed	Higher % than 1-bed	15 - 25%
Market	Lower % than 2-bed	Higher % than 1-bed	33%

Assessment

- 6.2.33 All proposed dwellings are for Social Rent which is the lowest cost of all rental tenures. This is welcomed in principle, given the acute need for affordable housing in the borough and London as a whole.

6.2.34 The proposed housing mix for this application is 46% 2-bed and 54% 2-bed. This is a complete absence of 1-bed and an overprovision of 2-bed and 3-bed dwellings - when assessed against LP14 part A requirements. This deviation from the Local Plan's preferred mix is acknowledged in the submitted Planning Statement. The Planning Statement states that this application is taking a 'portfolio approach' by combining the unit mix with the separate application at Weymouth Court (14 x 1-bed & 4 x 2-bed Social Rent). Officers note that when combined, the two separate applications would have a housing mix of 30% 1-bed, 37% 2-bed and 33% 3-bed. This complies with LP14 in regard to the percentage of 1-bed and 3-bed dwellings. There would be a slight overprovision of 2-bed dwellings but this does not raise any undue concerns, as officers note that site constraints mean that it is not always possible to achieve exact policy compliance.

6.2.35 The Weymouth Court application site is relatively close (approximately 65m at its closest point). It is also part of the Council's NHP which means it will be subject to the same overarching UU so there will be reasonable safeguards in place to ensure that both of these schemes could likely be delivered at a similar time. As such, the 'portfolio' approach is in this instance acceptable on balance, and the proposal would result in an acceptable affordable housing provision and housing mix.

Quality of accommodation

6.2.36 Local Plan policy LP17 part A states that the Council will expect all homes to be of a high quality design. Part B adds that housing types must be designed to be flexible in use and adaptable over time to meet the changing housing needs in Hackney.

Unit sizes

Policy & guidance

6.2.37 London Plan policy D6 states that 2-bed (4p) single-storey dwellings should have a minimum 70sqm gross internal area (GIA) and 3-bed (5p) single-storey dwellings should have a minimum 86sqm GIA. It states that a dwelling with 2 or more bedspaces must have a bedroom that is at least 11.5sqm, and at least 2.75m wide, every additional double (or twin) bedroom must be at least 2.55m wide and a one bedspace single bedroom should be at least 7.5sqm and at least 2.15m wide. It states that the minimum floor to ceiling height must be 2.5m for at least 75% of a dwelling's GIA. It goes on to state that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

6.2.38 The GLA's Housing Design Standards LPG standard C2.5 recommends that combined living/kitchen/dining (LKD) spaces should be at least 27sqm for 2-bed (4p) dwellings.

Assessment

6.2.39 The 13 proposed 2-bed (4p) flats would have: GIAs ranging from 70 - 73sqm, bedrooms ranging from 8.9 - 14sqm with widths ranging from circa 2.4 - 3.5m, ground floor private terraces and upper floor balconies ranging from circa 8 - 15.5sqm with minimum depths of 1.9 - 2.0m, and LKDs ranging from 26.5 - 29sqm. The total flat areas and bedroom areas all comply or exceed minimum D6 requirements. At widths of 2.4m, second bedrooms serving

ground floor units A and C would fall below the minimum 2.55m set out in D6. The 26.5sqm LKD area is only marginally below the 27sqm LPG recommendation. However, these are marginal shortfalls which raise no undue concerns. The terraces and balconies would all exceed the minimum width and areas recommended in D6

- 6.2.40 The 15 proposed 3-bed (5p) flats would have: GIAs ranging from 87 - 89sqm, bedrooms ranging from 7.5 - 11.6sqm with widths ranging from circa. 2.15 - 3.9m and 8sqm balconies with depths of 2m. All bedroom areas and minimum widths would comply with D6 requirements. All flats would have separate kitchens so LKD area recommendations in the LPG are not relevant.
- 6.2.41 According to the proposed sections, all flats would have at least 75% of their floorspace with ceiling heights of at least 2.5m

Wheelchair units

Policy

- 6.2.42 London Plan policy D7 states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that: 1) at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Assessment

- 6.2.43 The submitted drawings indicate the three ground floor 2-bedroom flats would be M4(3). This is 10.7% of the development which exceeds D7 requirements, and is welcomed in principle.
- 6.2.44 Turning to the detailed design, officers note that the units would have: level access to their entrances, wheelchair storage/charging areas close to their front doors, floor areas and room sizes beyond D6 minimum requirements, and grab rails in the bathrooms. These raise no issues in principle. However, exact details would need to be submitted at Building Regulations stage to demonstrate compliance with M4(3). The same would be the case for the M4(2) flats.

Outlook, privacy & noise

Policy & guidance

- 6.2.45 London Plan policy D3 part D7) states that development should deliver appropriate outlook, privacy and amenity. Policy D6 part D states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 6.2.46 The GLA's Housing Design Standards LPG standard C4.1 states that new homes should be dual aspect unless exceptional circumstances make this impractical or undesirable. C4.1 states that development should avoid placing bedrooms and bathrooms on street-facing facades at ground level or where they face onto a busy courtyard. C5.2 (Best practice) recommends to avoid locating bedrooms and living rooms adjacent to corridors; lifts; stairs;

bin and cycle stores; wheelchair and mobility scooter stores; plant rooms; and other noise-generating ancillary spaces.

Assessment

6.2.47 23 flats of the proposed flats would be dual aspect. This is 82% of the total which is considered to be relatively high. 5 upper floor 2-bedroom flats (unit types G and L) would be single-aspect. Whilst officers would wish to see single-aspect avoided, it is recognised that this is not possible given the site's constraints and the need to optimise site capacity.

6.2.48 The east, south and west-facing windows and terraces serving the 3 ground floor flats would be close to the public realm. However, they would have some buffer planting to provide an acceptable outlook and level of privacy for occupiers. The north-facing ground floor window would directly be adjacent to a road to the north. Therefore, a condition requiring it to be non-opening and obscurely glazed below a height of 1.7m from the room it serves will be applied to maintain privacy.

6.2.49 The proposed upper floor east-facing windows would be approximately 28m from west-facing windows in the existing 17-storey tower to the east, whilst their proposed balconies would project 2m beyond. This is a generous separation distance in this tight urban context, resulting in good outlook and privacy levels. The proposed ground and 1st floor west elevation windows would be approximately 20m from the east-facing windows in the 2-storey 23 - 29 Appleby Street to west, whilst their proposed balconies would project 2m beyond. This is also a generous separation distance, resulting in good outlook and privacy levels. The proposed upper floor south-facing windows at ground, 1st and 2nd floor levels would be approximately 12m from north-facing windows in the existing 3-storey 163-174 Fellows Court to the south. This is a much closer relationship but on balance is considered acceptable in terms of outlook and privacy of future occupiers.

6.2.50 Officers note that some habitable rooms are next to the lift and internal plant. However, it is noted that it is not always possible to avoid these relationships when trying to optimise the capacity of a site. Therefore, the proposed dwellings will experience no unacceptable noise impacts, subject to the conditions recommended by the LBH Environmental Protection team.

Natural light

Guidance

6.2.51 The BRE's *Site layout planning for daylight and sunlight: A guide to good practice* contains methods for measuring natural light levels to new dwellings. They are based on BS EN 17037.

6.2.52 The first method is 'Illuminance' which is a measure of the amount of light falling on a surface, usually measured in lux. Target illuminance (E_T) is Illuminance from daylight that should be achieved for at least half of annual daylight hours across a specified fraction of the reference plane in a daylit space. Minimum Target illuminance (E_{TM}) is Illuminance from daylight that should be achieved for at least half of annual daylight hours across 95% of the reference plane in spaces with vertical and/or inclined day-light apertures.

6.2.53 The second method is 'Daylight factor' (D) which is the ratio of total daylight illuminance at a reference point on the working plane within a space to outdoor illuminance on a horizontal plane due to an unobstructed CIE standard overcast sky. Thus a 1% D would mean that the

indoor illuminance at that point in the space would be one hundredth the outdoor unobstructed horizontal illuminance. Target daylight factor is the Daylight factor value equivalent to the target illuminance to be exceeded for more than half of annual daylight hours over a specified fraction of the reference plane within a daylit space. Minimum target daylight factor is the Daylight factor value equivalent to the minimum target illuminance to be exceeded for more than half of annual daylight hours over 95% of the reference plane within spaces with vertical and/or inclined daylight apertures.

- 6.2.54 A third method is 'Sunlight exposure'. Its criterion is that the minimum duration of sunlight exposure in at least one habitable room of a dwelling should be 1.5 hours, between February 1st - March 21st, but suggested on March 21st. Although 1.5 hours is minimum it states the medium recommendation is 3 hours and a high level is 4 hours.
- 6.2.55 A development only needs to comply with one of these methods to comply with BS EN 17037 and BRE guidance.

Assessment

- 6.2.56 A Daylight, Sunlight & Overshadowing Assessment (DSO) was submitted with the application.
- 6.2.57 The DSO undertook Daylight Factor and Sunlight Exposure tests. In regard to Daylight Factor it sets out that 65 of the proposal's 114 habitable rooms meet BRE guidance, and notes that the majority of these failures are bedrooms. Officers note that bedrooms generally require less natural light than other habitable rooms. In regard to sunlight exposure it sets out that of the proposal's 28 LKDs or LDs, 6 do not meet BRE guidance and that these are located in the north east of the scheme which is already significantly overshadowed by the 17-storey tower.
- 6.2.58 Not all of the proposal's habitable rooms would receive natural light levels in line with BS EN 17037 and BRE guidance. However, a large proportion would and officers note the site's constraints which includes overshadowing from the existing tower. For these reasons the proposal would receive acceptable natural light levels, on balance.

Access and communal circulation

Guidance

- 6.2.59 The GLA's Housing Design Standards LPG standard B1.1 recommends that ground-floor apartments and maisonettes should have 'own door' access from the street where possible. B2.1 recommends that communal circulation spaces such as corridors should be at least 1500mm wide. B2.2 recommends that internal corridors, particularly 'double-banked' corridors (those that serve flats on both sides), should be kept short and receive daylight and natural ventilation. B2.5 recommends that no more than 8 homes per floor should be accessed by a core. C4.5 recommends that the primary window of a habitable room should not be located on an access deck.

Assessment

- 6.2.60 All proposed ground floor flats would have their own front door through their terraces, as well as internal entrance.

- 6.2.61 The internal corridor would be approximately 1.5m wide at its narrowest point (in the centre of the building). The eastern part of the communal corridor and the stairwell would be served by glazed doors at ground level and windows at upper floor levels, although the central part of the communal corridor would have no glazing. Overall, the communal circulation layout and design is acceptable.
- 6.2.62 There would be 5 dwellings/core at upper floor level which is comfortably fewer than the 8 dwellings maximum recommended in the LPG.
- 6.2.63 There would be two main entrances into the building with a reasonable level/layout of accessibility throughout the proposed development.
- 6.2.64 The external cycle stores internal bin stores would be within close proximity and fairly easy to access from the proposed flats.
- 6.2.65 For these reasons the proposal would have acceptable access and communal circulation arrangements, on balance.

Communal amenity space and child playspace

Policy

- 6.2.66 Local Plan policy LP48 part A requires all development proposals for 10 or more residential units to maximise on-site provision of open space and where feasible provide 14 sqm/person of communal open space and an Urban Greening Factor score of at least 0.4. Part C goes on to state that if Part A cannot be fully achieved then developments 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.
- 6.2.67 Local Plan policy LP50 part A states that new major residential developments likely to generate a child yield of 10 or more are required to provide 10sqm of dedicated play space per child on-site. Supporting paragraph 11.19 adds that "*Child yield should be established using the play space calculator in the Mayor of London's Play and Informal Recreation SPG and provision should be 10sqm per child*".

Assessment

- 6.2.68 The proposal is for 13 x 2-bed (4p) and 15 x 3-bed (5p) Social Rent dwellings. The development could therefore potentially house up to 127 residents. However, entering this housing and tenure mix into the GLA's population yield calculator gives an estimated 97 residents, of which 45.7 would be children.
- 6.2.69 Therefore, the proposal would need to provide 658.1sqm (45.7 x 14.4sqm) of open space to comply with LP50 part A, and 457sqm of child playspace to comply with LP50 part A.
- 6.2.70 The submitted Design & Access Statement sets out that the proposal provides 1,739sqm of public realm (1,190sqm 'Civic Spaces', 100sqm 'Amenity green space', 244sqm 'Play space' and 205sqm 'Soft landscape').

6.2.71 Officers note the 'Civic Spaces' are predominantly hard surfaced pavements and shared vehicle and pedestrian roads. Much of its use as genuine open space is therefore limited. The total 305sqm of 'Amenity green space' and 'Soft landscape' would all constitute open space. The proposed child playspace within the pocket park is welcomed, particularly given the proportion of larger dwellings proposed. Although there would be a 213sqm shortfall (457sqm - 224sqm) on policy requirements. Weighing these factors together, it is considered reasonable to seek a financial contribution towards mitigating the 213sqm shortfall in playspace.

Quality of accommodation conclusion

6.2.72 Overall, the proposal has an acceptable quality of accommodation subject to a condition to protect the privacy of the ground floor dwelling in the north east corner and a financial contribution to mitigate the shortfall in open space

Neighbouring amenity

Policy

6.2.73 Local Plan policy LP2 part A states that "*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 and neighbours. The individual and cumulative impacts of development proposals on amenity will be considered in assessing their acceptability. Consideration of the merits of development proposals will be balanced against the impact on amenity*".

6.2.74 Part B adds that amenity considerations include impacts on: i. visual privacy and overlooking; ii. overshadowing and outlook; iii. sunlight and daylight, and artificial light levels; iv. vibration, noise, fumes and odour, and other forms of pollution; v. microclimate conditions; and vi. safety of highway users.

Assessment

6.2.75 The proposal would create no unacceptable noise/vibration, air pollution or land contamination impacts to neighbours during construction or occupation of the proposed development - subject to the conditions recommended LBH Land, Water & Air and noise mitigation conditions recommended by planning officers

6.2.76 On balance, the proposal's overall size, layout, amount of glazing and relationship with neighbours does not give rise to concerns over unacceptable levels of wind comfort or solar glare impacts.

6.2.77 The proposal would not unacceptably impact the safety of highway users, subject to highway improvement works which would be secured via a S278 agreement. Further detail is set out in the 'Transport & highways' section below.

Overlooking

6.2.78 The Local Plan does not set out recommended separation distances for maintaining privacy. Therefore, judgements are made on a case-by-case basis, paying due regard to the site context.

6.2.79 The proposed upper floor south-facing facing would be approximately 12m from north-facing windows in the existing 3-storey 163-174 Fellows Court to the south, and the edges of the proposed upper floor balconies would be a further 2m closer. Officers note that there will be an additional sense of overlooking toward these neighbouring windows. However, paying due regard to the tight urban context, the scheme's main benefits which includes 100% Social rent dwellings, this relationship is considered acceptable on balance.

1.1.1 The proposed upper floor east-facing windows would be approximately 28m from west-facing windows in the existing 17-storey tower to the east, whilst their proposed balconies would be a further 4m closer. The proposed upper floor west-facing windows would be approximately 20m from west-facing windows from the east-facing windows in the 2-storey 23 - 29 Appleby Street to west, whilst their proposed balconies would project 2m beyond. These are generous separation distances which raise no overlooking concerns.

6.2.80 For these reasons the proposal would create no unacceptable overlooking issues towards neighbours.

Daylight

6.2.81 BRE guidance set out two tests for assessing the impact a development would have on daylight levels to neighbouring properties. These tests are only applicable if the obstruction angle from the neighbouring window to the proposal is less than 25°. The Vertical sky component (VSC) test is a measure of the amount of visible sky angle measured from the centre of a window in a vertical plane. The No Sky Line (NSL) test measures the area of the working plane in a main neighbouring room (where layouts are known) which can receive direct skylight. The diffuse daylighting of an existing neighbouring building may be adversely affected and noticeable to occupants if: the VSC is less than 27% and less than 0.8 times its former value; and the NSL figure (i.e. the area of the room's working plane which can receive direct skylight) is less than 0.8 times its former value.

6.2.82 The guidance states that these tests are intended for neighbouring dwellings but they may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; such as schools.

6.2.83 The submitted DSO assessed daylight impacts towards neighbouring: Fellows Court Community Centre to the north; 63 - 162 Fellows Court; to the east; 163 - 174 Fellows Court and 211 - 298 Fellows Court; and 55 & 57 Pearson Street, 23 - 29 Appleby Street and 31 - 41 Appleby Street to the west. Officers consider this to be a reasonable range of properties.

6.2.84 1 ground floor window (W23) Fellows Court Community Centre would be left with 18.2% VSC down from 23% which is 0.79 times its former value. This is negligibly lower than the 0.8 BRE compliance, and its remaining high teens figure is still high in its own right for its tight urban context. All NSL figures to the rooms served by these windows would comply with BRE guidance.

6.2.85 70 windows at 63 - 162 Fellows Court transgress the 25° line to the proposed development. 30 comply with the VSC and NSL tests. Of the remaining 40 windows, 20 are secondary windows serving LKDs which have main windows that meet BRE guidance. The other 20 windows are within balcony insets, serving 10 single-aspect rooms. Of these, two rooms (4 windows) have at least 1 window with a VSC more than 0.7 times their former values which is not considered unreasonable in this tight urban context. 4 rooms (8 windows) already have low existing VSCs which to some extent explain their large percentage loss, and officers note

they pass the NSL test meaning they retain a good level of daylight distribution. The remaining 8 windows would experience large VSC and NSL losses which will be noticeable. However, given the tight urban context, and paying due regard to the fact that the application site has potential for greater density of development and is delivering the benefit of 28 100% Social Rent dwellings, this is not considered unacceptable on balance.

- 6.2.86 Of the 16 windows assessed at 211 - 298 Fellows Court, 13 windows meet the VSC test and the rooms they serve meet the NSL test. The windows (all serving separate 1st floor bedrooms) would be left with VSCs ranging from 7.0 - 7.4% down from 10.5 - 10.7% which range from 0.67 - 0.74 multipliers. The losses would be noticeable but it is noted that the existing VSC levels are relatively low. Also, the proposed NSL levels would comply with BRE guidelines. The daylight impacts to this neighbouring block are therefore considered acceptable on balance.
- 6.2.87 Of the 26 windows assessed at 55 & 57 Pearson Street, 3 would breach the VSC test. 2 of these windows (serving a ground floor living room and 1st floor bedroom) would be left with VSCs of 12.6 - 13.5% down from 16.7 - 18.7% which range from 0.75 - 0.76 multipliers. These are not large losses and the remaining VSCs are still high for this type of tight urban context. The other window which serves another 1st floor bedroom would be left with a 9.9% VSC down from 21% which is a 0.47 multiplier. Officers recognise this is considerable loss. However, it would still be left with a BRE compliant NSL figure. Therefore, given the tight urban context, and paying due regard to the fact that the application site has potential for greater density of development and is delivering the benefit of 28 100% Social Rent dwellings, this is not considered unacceptable on balance.
- 6.2.88 32 windows at 23 - 29 Appleby Street transgress the 25° line to the proposed development. 3 of these windows (serving 2 ground floor living rooms and a 1st floor bedroom) breach the VSC test, as they would be left with VSCs of 13.6 - 24% down from 17.1 - 28.6% which range from 0.77 - 0.84 multipliers. The resulting VSC figures are still high for this urban context, and the rooms these windows serve would have BRE compliant NSL levels. 6 rooms in this terrace would be left with an NSL loss multiplier of 0.78. This is a marginal breach, and the rooms would still be served by windows that BRE compliant VSC levels. The daylight impacts to this neighbouring terrace are therefore considered acceptable in balance.
- 6.2.89 The proposal would pass the VSC and NSL tests towards all 18 windows and the rooms they serve that DSO assessed at 39 - 41 Appleby Street. The proposal would therefore have acceptable daylight impacts towards this block.
- 6.2.90 The proposal would pass the VSC and NSL tests towards all 12 windows and the rooms they serve that DSO assessed at 1 - 62 Fellow Court. The proposal would therefore have acceptable daylight impacts towards this block.

Sunlight

- 6.2.91 BRE guidance uses Annual Probable Sunlight Hours (APSH) to measure sunlight levels. APSH is the long-term average of the total number of hours during a year in which direct sunlight reaches the unobstructed ground (when clouds are taken into account). The guidance sets out tests for assessing the impact a development would have on sunlight levels to neighbouring properties. These tests are only applicable if the proposal is situated within 90° of due south of a neighbouring main window, the obstruction angle from the neighbouring window to the proposal is less than 25° and the distance of each part of the new development from the existing window is three or more times its height above the centre

of the existing window. The sunlighting of the existing dwelling may be adversely affected if the centre of the window: receives less than 25% of APSH and less than 0.80 times its former annual value; or less than 5% of APSH in winter between September 21st - March 21st (WPSH); and also has a reduction in sunlight received over the whole year greater than 4% of APSH.

6.2.92 The submitted DSO highlights that the proposal would be within 90° of due south of 169 neighbouring windows, 54 of these windows not transgress the 25° line to the proposed development, 74 windows receive BRE recommended levels of sunlight with an APSH greater than 25% and WPSH greater than 5% or at least 0.8 of the former existing values, and there are 2 windows which have a reduction of less than 4% in annual sunlight, thus meeting BRE targets. It adds that of the 39 windows falling short, 16 windows belong to a bedroom where sunlight requirements are less important, and 8 windows belong to the nursery located at Fellows Court Community Centre. The remaining 15 windows belong to 63- 162 Fellows Court located on 1st to 3rd floor levels and are affected due to the inset balconies, and it is also noted that 4 of these windows still meet WPSH recommendations. The DSO adds that the remaining 11 windows are adjacent to private balconies which significantly inhibit the visibility of the sky in both the existing and proposed contexts.

6.2.93 Officers acknowledge the 15 affected windows that would not comply with BRE guidance. However, given the site context and the benefits of the proposal (including paying due regard to need for site optimisation), the sunlight impacts on neighbouring windows are acceptable on balance.

Overshadowing

6.2.94 BRE guidance recommends that for a garden or amenity area to appear adequately sunlit throughout the year, at least 50% of its area should receive at least 2 hours of sunlight on March 21st. If as a result of new development it does not receive this and is less than 0.80 times its former value, then the loss of sunlight is likely to be noticeable.

Overbearing/sense of enclosure

6.2.95 The proposed building would be circa. 32.5m wide and 16.8m deep, with balconies projecting a further 2m beyond the east, south and west elevations. Its height would be 20.1m to the parapet level. The ASHP enclosure would rise 1.5m above the parapet and the fire rated exhaust would rise just under 2.1m above the parapet but these elements would be set well away from the building edges.

6.2.96 Given the separation distance between the proposed building and existing neighbours to the north, east, south and west there be no unacceptable overbearing/sense of enclosure impacts towards them on balance.

Neighbouring amenity conclusion

6.2.97 There would be some properties left with daylight and sunlight impacts that breach BRE guidelines. However, the level of this harm is outweighed by the benefits of the scheme, namely the delivery of 100% Social Rent homes on brownfield land in a sustainable location. Therefore, the proposal has acceptable neighbouring amenity impacts, on balance.

Transport & highways

Existing site background

6.2.98 According to current TfL online mapping, the site has a Public Transport Accessibility Level (PTAL) rating of 4, on a scale of 1 - 6b where 6b is the most accessible. The nearest station is Hoxton Overground station.

6.2.99 It is within the Cremer Street Low Traffic Neighbourhood. The area benefits from well-maintained pedestrian footways, segregated cycle lanes on Queensbridge Road, and frequent bus and rail services.

Loss of existing garages

6.2.100 The submitted Transport Statement (TS) states the 5 existing garages on site are rented out although it is not known how many are used for car parking. In the absence of this detail, officers are of the view that in a worst-case scenario the loss of these garages could lead to 5 vehicles being displaced onto the surrounding highway network. However, the TS sets out that following a review of car parking surveys there are approximately 22 available resident parking spaces available on the local highway network, within circa. 200m walking distance, including 10 on Appleby Street and Pearson Street. There is therefore excess capacity for 5 additional vehicles.

6.2.101 LBH Transport & Highways officers reviewed the TS and raised no objection to its methodology. As such, the loss of 5 existing garages is acceptable.

Trip generation

6.2.102 The trip generation assessment within the submitted Transport Statement (TS) estimates that there will be a total of 17 two-way trips during the AM peak and 9 during the PM peak and a total of 135 trips over a typical day. The assessment concludes that the development will result in a minimal number of vehicular trips, with only 1 two-way vehicle trip expected in the AM peak and 4 over the entire day.

6.2.103 The majority of trips are anticipated to be made by public transport, walking, and cycling, reflecting the site's high accessibility and car free proposals. Based on the TS, future residents will primarily use active and sustainable modes of transport. Servicing and refuse collection will also occur on the adjacent Appleby Street, in line with existing arrangements. Overall, the application's alignment with national, regional, and local policies that prioritise sustainable transport modes demonstrates that it will not have a severe impact on the surrounding road network.

6.2.104 The TS states that the proposed development is anticipated to result in approximately 8 two-way delivery and servicing trips across the day. No servicing trips are forecast during peak hours. Almost half of these trips are expected to be for food deliveries, likely by motorcycles.

6.2.105 The TS anticipates that the development will not have a significant detrimental impact on the local highway network due to the minimal number of projected vehicle trips. However, officer concerns exist regarding delivery movements, particularly food deliveries via motorcycles. These deliveries, which account for nearly half of all projected delivery trips, raise potential issues related to noise pollution and pedestrian safety.

6.2.106 The submitted trip generation assessment may underestimate the overall impacts of the site, particularly if active and sustainable transport modes are not adopted by residents as widely as estimated. This underscores the importance of implementing and managing a robust Travel Plan (TP) to ensure that the development's transport objectives are met and any potential negative impacts are effectively mitigated. The TP will be secured via legal agreement.

Car-free development

Policy

6.2.107 Local Plan policy LP45 part Ai states that development must be car-free except for disabled users, in accordance with best practice standards, as set out in the London Plan.

6.2.108 London Plan policy T6.1 part G states that proposals of 10 or more dwellings must as a minimum: 1) ensure that for 3% of dwellings, at least 1 designated disabled persons parking bay per dwelling is available from the outset; 2) demonstrate as part of the Parking Design and Management Plan, how an additional 7% of dwellings could be provided with 1 designated disabled persons parking space per dwelling in future upon request as soon as existing provision is insufficient, which should be secured at the planning stage.

Assessment

6.2.109 The TS states that the proposed development will be "car-free, except for one on-street disabled parking space (3% of dwellings) on Appleby Street". This provision is in line with the London Plan standards for disabled persons' parking. The proposal includes 1 Blue Badge (BB) space is situated on-street and within 20m of the proposed building entrance.

6.2.110 BB parking bays should be located as close as possible to the entrance areas as possible, and less than 50m. The use of the public highway may be deemed appropriate for the parking bay(s) to be installed, subject to discussions with the Council's Parking Services team (which fall outside of Planning Control).

6.2.111 The submitted drawings and document indicate 4 potential locations for further BB bays on Appleby Street. However, the exact need and details for potential additional BB bays will be secured via Parking Design and Management Plan be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to TfL guidance on parking management and parking design. This should include details of electric vehicle charging.

Cycle parking

Policy

6.2.112 Local Plan policy LP42 part Ciii states 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*".

6.2.113 Cycle parking must be provided in line with Hackney's Sustainable Transport SPD. The design of cycle parking should be consistent with TfL's *London Cycling Design Standards* and specifically Chapter 8

6.2.114 To accord with Local Plan policy T5 requirements, the 13 x 1-bed & 15 x 3-bed scheme would need to provide a minimum of 56 long-stay spaces and 2 short-stay spaces. Albeit, Local Plan Appendix 2 requirements would require 56 long-stay spaces and 12 short-stay spaces.

Assessment

6.2.115 The application proposes that long-stay parking will be housed in secure, sheltered stores in the public realm to the north and south of the development. This will consist of a mix of two-tier and Sheffield stand parking, with at least 5% of spaces designed to accommodate larger cycles. All short-stay parking will be easily accessible via Sheffield stands in the public realm.

6.2.116 The submitted TS states that the proposed cycle parking will comprise a mix of two-tier and Sheffield stands. It states that the long-stay cycle parking will be approximately 52% two-tier and 48% Sheffield stand parking.

6.2.117 Any element of two-tier cycle parking must meet the minimum space and quality requirements including: a minimum aisle width of 2.5m beyond the lowered frame is required to allow cycles to be turned and loaded. An overall aisle width of 3.5mm should ideally be provided where there are racks on either side of the aisle, though this may limit the density advantages of two tier stands. The minimum height requirement is 2.6mm. Two tier stands should be provided with mechanisms that help lifting such as springs or gas struts. It is essential that side bars or similar be incorporated in the design on both the lower and upper tiers to allow the frame and at least one wheel to be secured.

6.2.118 Officers note some discrepancies in the submission in regard to the exact number of proposed cycle parking spaces. For example the Planning Statement states there will be 56 long-stay spaces, the TS states that there will be 56 spaces and the proposed ground floor plan does not have cycle spaces drawn on it. Therefore, officers requested scaled drawings of the cycle stores and confirmation of the exact number of spaces at application stage. At the time of writing, these details had not been submitted. Officer preference is for these details to be secured at application stage. However, on balance it is felt that approval of these details can be secured via an appropriately worded condition requiring details of the number of spaces, layout, foundation, stand type and spacing. It should also include consideration of the personal security of those accessing the stores (including controlled access), including lighting, CCTV and visibility.

Car Club membership

6.2.119 Local Plan LP45 Part D 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.

6.2.120 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 will be secured via legal agreement.

Travel Plan (TP)

6.2.121 A Framework TP Statement has been submitted with the application. A full TP will be required to establish a long-term management strategy that encourages sustainable and active travel

6.2.122 The TP is required to include specific, measurable, achievable, realistic and time bound (SMART) targets. The TP 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 the Council's latest Transport Strategy and Local Plan

Demolition and Construction Management Plan (DCMP)

6.2.123 A framework DCMP has been submitted as part of the application. Given the nature and location of the proposed development a DCMP is required to mitigate the negative impact on the surrounding highway network. Therefore, a full detailed DCMP via a pre-commencement condition is required. It would need to be in line with TfL's Construction Logistics Plan guidance, and to effectively monitor the final DCMP base fee of £8,750 is recommended to be secured via the legal agreement.

Urban realm and S278 works

6.2.124 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. Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users.

6.2.125 Highways works and transport mitigation measures are therefore required, as set out in the LBH Street Scene comments above. These include removing the channel in the carriageway, providing and laying new base/bed and fibre Reinforced Asphalt Pavement (ASP) along with a new Granite kerb, providing and laying new Mistral Blocks and relaying setts in the channel; at an estimated cost of £51,946.40 (not including marking the new BB bays) which will be secured in the legal agreement.

Waste & recycling

Policy & Guidance

6.2.126 Local Plan policy LP57 part A states that developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling.

6.2.127 The LBH *Refuse and recycling storage guidance* document states that: 2-bed dwellings should have capacity for 75L waste and 125L mixed dry recycling; 3-bed dwellings should have capacity for 100L waste and 150L mixed dry recycling; and developments of 21 - 50 dwellings should have 1 x 240L communal food waste bin and a minimum 5sqm bulky waste store (which must be marked up on plans). It states that the Council uses 1,100L and 660L Eurobins for waste and mixed dry recycling and that bin stores should have adequate lighting, ventilation, fire safety and anti-crime measures.

6.2.128 In regard to enabling residents to store separate waste streams within their homes, the document recommends that fitted kitchens should feature: 2 compartments for waste and dry recyclables of equal measure (but at least 20L), space for at least a 7L food caddy, and for the minimum total capacity of all compartments to be 47L.

6.2.129 The document adds that collection crews will not move Eurobins more than 10m from bin store to collection points and residents should not have to transport their waste further than 25m.

Assessment

6.2.130 The proposed building would have an internal bin store, accessed from the west elevation. The proposed ground floor plan shows that it would have space for 4 x 1,100L waste bins, 2 x 660L mixed dry recycling bins, 1 x 140L food caddy and a 5sqm bulky waste store.

6.2.131 LBH Waste Management reviewed the plans and raised no objection. They note that a different mix of waste and recycling receptacles will be required but the store is large enough to hold the required capacities which are 2,475l for waste and 3,875 for recycling. Planning officers are of the view that this exact layout can be secured via condition.

6.2.132 The submitted plans do not show how storage of waste streams within the kitchens of individual flats will work. However, as set out in the 'Quality of accommodation' section above, officers note the kitchens are generally of a good size so there are no concerns in this regard.

6.2.133 As such, the proposal has acceptable waste and recycling arrangements, subject to condition.

Biodiversity & trees

Summary assessment

6.2.134 The application was accompanied by a Preliminary Ecological Appraisal (PEA), addendum to the PEA, Bat Survey Report, Biodiversity Net Gain Assessment and landscaping drawings. These were reviewed by the Council's Biodiversity and Tree Protection Officers.

6.2.135 In summary the officers noted that some aspects of the proposal were in line with policies relating to biodiversity and trees. This included: delivering Biodiversity Net Gain (BNG) requirements with an increase of 1055.89% equating to an additional 0.35 new habitat units, retention and relocation (if feasible) of 1 tree and the planned planting of an additional 17 new trees which is welcomed.

6.2.136 However, they highlighted other aspects which were contrary to policy. This mainly related to the proposed 0.225 Urban Greening Factor (UGF) score which is substantially below the required minimum London Plan Target of 0.4.

Urban Greening Factor (UGF)

6.2.137 For ease of reference, the following table sets out these recommendations, the responses received from the applicant team and then the Biodiversity and Tree Protection Officers follow-up comments.

Initial LBH officer comments	Applicant team responses	Follow-up LBH officer responses
Green walls		
<p>Recommended green walls or trellis structures are created to provide vertical opportunities for wildlife and maximising greenery. Recommended species include hop, wild honeysuckle, jasmine, and common ivy. These species provide nectar for bumblebees and potential nest sites for different nesting bird species. Honeysuckle is a known plant favoured by the garden tiger moth, a London BAP species. Hop supports buttoned snout moth, a nationally declining species for which London has become a stronghold.</p>	<p>Under Part B fire regulations green walls on buildings are not supported and LBH will not support this. However, we will explore jasmine and wild honeysuckle within the planting mix around the building. Ivy is likely to be viewed as a maintenance concern for LBH maintenance.</p>	<p>Green walls are not specifically mentioned as being unsafe in the fire safety regulations document, part B.</p>
<p>As recommended in the submitted and supported by Local Plan policy LP46 consideration of the inclusion of an area or areas of green walls are encouraged. Green wall - modular system or climbers rooted in soil score 0.6 in the UGF metric. They can provide nesting or roosting sites and pollinator-friendly planting in urban environments dominated by hard-surfaces. This could be a simple way to improve urban greening on site given the limiting constraints. If fire safety or maintenance is considered problematic, these could extend over ground floor areas and still contribute positively to the UGF.</p>		
SUDS		
<p>Blue and blue green roofs, permeable paving, rain gardens and below ground attenuation have been proposed to reduce the surface water discharge for the 100 year + 40% rainfall event. While these interventions are welcomed, the permeable paving covers an area of 114sqm and the rain gardens cover an area of only 49sqm. The applicants are highly encouraged to explore increasing the coverage of these interventions to reduce the 1445sqm of sealed surfaces on site.</p>	<p>Following further technical design, we can more confidently assume that this requirement / category will be met for trees for the stated canopy size.</p>	<p>Noted the applicant team is confident trees will be planted in connected tree pits.</p> <p>The paving/SUDS query is outstanding.</p>
Trees in connected pits		

<p>More trees in connected pits. Only 5 of the proposed 17 new trees out of seventeen are shown on the UGF plan as being in connected pits with soil volume at least $\frac{2}{3}$ projected mature canopy spread (UGF of 0.8). 9 more are proposed within flower rich planting and/ or rain gardens. Officers queried if these could be upgraded to connected tree pits with soil volume at least $\frac{2}{3}$ projected mature canopy volume, increasing their UGF from 0.6.</p>	<p>No response provided. <i>(Although the agent later informed officers that there is confidence that all proposed trees could be located in connected pits.)</i></p>	
Offset area		
<p>It is noted that a design 'offset' of approximately 5-6m around the base of 63-162 Fellows Court has been advised to provide flexibility for potential future adaptation or access/escape requirements that may be required for the residential block, which forms a constraint to greening opportunities. Officer queried if at least part of this area be temporarily used for planting such as wildflower meadow or perennial planting. This would be relatively easy to relandscape should it prove necessary.</p>	<p>In addition to fire strategy safe-guarding for the tower there are existing escape / exit points from the tower, and an access route to the kitchen for the community centre at the base of the tower. Combined, these are primarily driving the instruction for the tower 'offset'. However to additionally to note that there are several hidden / dead end corners in this area created by the blank tower base, large tower columns, nursery garden fence and the interface with community centre (which is in a hidden corner bound on three sides) - it was discussed through design development and discussions with SBD that routes along this interface should be generous with good visibility around the tower - this also related to the location of trees. Further, cost and LBH Grounds maintenance considerations have been balanced across the site. As a side note we would not typically count temporary / meanwhile planting towards UGF.</p>	
Pocket park		
<p>Explore the possibility of more soft landscaping to the east of the pocket park. Justify the extensive hardsurfacing in this area. Explore reduction of sealed surfaces more generally across the site, and increase planted areas.</p> <p>Explore setting 'natural play boulders' to the south east of the pocket park in soft landscaping. Consider the use of</p>	<p>This area in large part forms the area needed for fire vehicle turning, which is required to be within specified distances of the dry risers to both the existing tower and new building. Refer to DAS. Additionally, this area is existing hard paved area with numerous underground utility services running through it, as well as existing access points to</p>	<p>Requested further clarity on whether the the "community street" is accessible by vehicles, and if so whether it is safe to encourage play on the edges.</p> <p>The hedgerows would provide potentially a more permeable view of the park space - something to</p>

<p>native hedgerow planting to create the pocket park edges rather than brick walls. Officers queried if there is space for additional tree planting and wildlife friendly planting in the pocket park. Concern that some of the areas may be sparse in terms of planting and visual interest. Some visualisations might be helpful to demonstrate the vision and purpose of this space.</p>	<p>provide gardens. The proposed cycle store also creates new desire lines through this space. As such and mentioned above, the project is aiming to balance biodiversity improvements with project viability and the numerous constraints related to utilities and access points / routes that come with developing within an existing estate. The trees in this area are proposed to have a generous (min 18m³ soil) underground tree pit that will help to establish mature trees . This (in conjunction with the adjacent trees) is intended to create a 'plaza' type character that will bring biodiversity/cooling benefits whilst enabling the fire tender / pedestrian movement requirements, and can be integrated with underground utilities whilst reducing risks to maintenance workers. Residents have also expressed a requirement to have harder spaces to sit / use (that are not just play area) - this space is aiming to fulfil that role whilst delivering the above-mentioned benefits and overcoming the constraints.</p> <p>Boulders layout can be explored during detailed design stages (noting that UGF would not be increased). The play boulders are proposed to encourage playfulness along the 'community street'.</p> <p>The curved brick walls are an important design element to give definition to the park without fencing it off, as well as protecting its corners from succumbing to desire lines. This forms part of the concept for the project and will re-use existing site-won bricks subject to suitability after testing. These low walls also form part of the playable landscape strategy. Furthermore, whilst we do not</p>	<p>consider when designing the height of the brick wall and how this may contribute to ASB.</p>
--	--	---

	<p>anticipate this - there is always a possible risk of hedges not being maintained properly or being removed - if this were to happen at some point in the future the park would lose its definition and corner protection. Note that native hedges are proposed around the ground floor building interfaces.</p>	
More trees		
Queried if there is space for 2 additional trees facing Appleby Street in buffer zone in front of the proposed flat in the south east corner of the proposed building.	<p>Planting is specified at minimum 9/m² density and will include a mix of herbaceous perennials and grasses to add colour and interest and to frame the other spaces. As described above, the tree strategy has been developed in consideration of Secure By Design - this area has known ASB issues and has a number of intimidating hidden corners caused by existing buildings / edges that are outside the control of this project. In particular the area around the tower/nursery garden and community centre is very hidden and there is requirement to keep views relatively clear to this area. Sunlight into the park / play area has also been considered. The pocket park sits between the 17-storey existing tower to its East and the new building to its West. As such it primarily receives sun mid-day /afternoon where the play area and lawn space are proposed - the tree layout aims to provide areas of natural shading but also allow sun to these spaces.</p>	

Blue/green biosolar roof

6.2.138 A biosolar blue/green roof has been proposed showing areas of sedum and wildflower planting or similar approved and the location of PV panels. This is recorded on the UGF plan as 'extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) – meeting the requirements of GRO Code 2014.' This complies with London Plan policy G5.

6.2.139 However, the current roof plan lacks detail regarding planting and management of biosolar roof. The final design can be secured via condition to ensure it complies with Local Plan

policy LP46 requirements. Living Roofs must be high-quality and genuinely biodiverse in accordance with the specifications set out in the Biodiversity Action Plan (BAP). Officers would expect to see at least 25 different species included in the mix as recommended by the submitted PEA. A management plan is crucial for all types of green roofs proposed to ensure the long-term success of the planting. A robust management plan will need to outline specific maintenance tasks, watering schedules, pest and disease control, and plant replacement strategy. A condition is recommended below to ensure the living roof is of high quality, and suitable details are provided for review.

Re-use of waste materials

6.2.140 Officers encourage the applicant to explore options for re-using waste materials from the proposed demolition of existing structures, such as brick, chalk, clay and sand as potential substrates for growing vegetation and developing soft landscape design.

Biodiversity Net Gain (BNG)

6.2.141 The submitted BNG assessment for this application proposes a net gain of 1055.89%, which exceeds the mandatory 10% net gain requirement.

6.2.142 At application stage, officers requested the statutory biodiversity metric calculations which formed the basis of the BNG assessment, as the metric spreadsheet is needed to calculate the BNG monitoring fee contribution. This was provided by the applicant team and reviewed by the Biodiversity Officer who raised no objection to it.

6.2.143 BNG monitoring and management will be secured via condition and obligations in a legal agreement.

Proposed planting plan

6.2.144 The submission does not contain a detailed planting plan. Therefore this will be secured via condition to support BNG and UGF requirements. The planting plan should include the specific species identified in the PEA that will encourage target fauna from the London BAP. The planting plan should also include the following: a detailed tree planting plan including details of trees and shrubs showing species, size at planting, type of stock, age of tree at planting; planting plan for all plants including a varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity; soil volumes for proposed tree planting; projected mature height and crown spread of proposed new trees; tree pit specifications and planter specifications for above ground tree planting; methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc; a diverse distribution of plant species to avoid block planting; and areas to be grass seeded or turfed.

Lighting

6.2.145 Proposed lighting for the new development should be designed in line with guidance stipulated in the new Bats and Artificial Lighting guidance, published by the Bat Conservation Trust in 2023

Trees

6.2.146 1 existing tree is proposed to be retained and relocated. It would be helpful for the applicant to provide a BS5837(2012) Tree Report with an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) to examine whether this is likely to be realistically possible.

6.2.147 17 new trees are proposed. This is welcomed and aligns with legislation and policy regarding trees in new developments. Currently, only five are shown in connected pits with soil volume at least $\frac{2}{3}$ projected mature canopy spread. 12 more are proposed within pits containing a volume of soil less than $\frac{2}{3}$ of the projected canopy spread of the trees at maturity. These trees will be less likely to survive and thrive. As previously mentioned, an effort should be made to include more trees in connected tree pits. This should be easily achievable for the 9 new trees that are proposed to be planted in beds in the ground.

6.2.148 During the application stage, the applicant team confirmed that they were confident that additional tree pit connection would be possible but were not able to provide details that could be used as approved drawings/documents. Officer preference would be to have these details at application stage but on balance it is felt they can be secured via condition.

6.2.149 A detailed tree planting plan should be provided showing a diversity of proposed species, size at planting, mature canopy spread, methods of support and a detailed maintenance plan. It is recommended that this is included in a condition.

Biodiversity & trees conclusion

6.2.150 The proposal has positive aspects in regard to biodiversity and trees, such as the amount of BNG uplift.

6.2.151 However, the below policy UGF score of 0.225 is a concern. At application stage, officers made a number of recommendation to improve this such as: increasing the biodiverse roof substrate depth, adding vertical and or horizontal greening elements, replacing some of the impermeable hard surfacing area with more biodiverse surfaces, increasing the number of trees in connected pits, replacing hard walls with planted boundary treatments and increasing tree planting. Adding living roofs to the external cycle stores is another opportunity for increasing the UGF score. Officers appreciate the reasons the applicant have put forward for not pursuing these recommendations (apart from stating that increased tree pit planting is possible) but are of the view that many of these changes are technically possible, and indeed necessary for the scheme to be policy compliant, which in turn would be of great benefit to future and existing residents in this dense urban area. Officer preference is for a 0.4 score to be demonstrated at application but on balance it is felt that this details could be secured via condition.

6.2.152 All other aspects of the proposal will be secured via conditions and obligations in a legal agreement.

Sustainability & climate change

Policy

6.2.153 London Plan policy SI 2 part A states that Major development should be net zero-carbon which means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation; 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; 3) be green:

maximise opportunities for renewable energy by producing, storing and using renewable energy on-site; 4) be seen: monitor, verify and report on energy performance. Part B states that “*Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy*”. Part C adds that a minimum on-site reduction of at least 35% beyond 2013 Building Regulations is required for Major Development, and for residential development at least 10% should be through energy efficiency measures.

- 6.2.154 London Plan policy SI 3 part D states that Major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system.
- 6.2.155 London Plan policy SI 4 part B states that Major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy: 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure; 2) minimise internal heat generation through energy efficient design; 3) manage the heat within the building through exposed internal thermal mass and high ceilings; 4) provide passive ventilation; 5) provide mechanical ventilation; and 6) provide active cooling systems.
- 6.2.156 London Plan policy SI 5 part C states that development proposals should through the use of Planning Conditions minimise the use of mains water in line with the Optional Requirement of the Building Regulations (residential development), achieving mains water consumption of 105L or less per head per day (excluding allowance of up to 5L for external water consumption).
- 6.2.157 Local Plan policy LP54 states that all new development must regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, mitigate the Urban Heat Island (UHI) effect and have regard to maximising the use of the cooling hierarchy. Measures which deliver biodiversity benefits will be strongly supported.
- 6.2.158 Local Plan policy LP55 part A states that all new developments must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.
- 6.2.159 Local Plan policy LP56 part B states that “*New major development should connect to an existing network; unless it is clearly demonstrated that it is not technically feasible or economically viable*” and part D states that “*Where there is a planned DEN within feasible and viable range of future connection, proposed major developments should be designed to connect to that network*”.
- 6.2.160 Local Plan policy LP57 part A states that developments should seek to minimise waste during both construction and operation of the development.

Assessment

- 6.2.161 The application was accompanied by an Energy Statement, Sustainability Appraisal, Be Seen - Reporting and Monitoring commitment extract and Outline Site Waste Management Plan. These documents were reviewed by the Council’s Sustainability & Climate Change Officer, and the assessment is set out below.

Net Zero operational carbon

6.2.162 The scheme results in Be Lean savings of 34.7% which is a considerable improvement over the savings of 10% required by the GLA, and Be Green savings of 49.1% through incorporation of PVs and ASHPs. Overall, this results in a combined carbon saving of 83.8%.

6.2.163 The scheme proposes to adopt a communal ASHP and local Heat Interface Units (HIU) based approach, with HIUs located in the utility cupboard for each residence. PVs are also proposed.

6.2.164 The scheme is on track for attainment of full Passivhaus certification. This is welcomed by officers, and Certification attainment will provide confidence that the carbon savings proposed are likely to be achieved in practice, alongside healthier homes for Hackney residents.

6.2.165 Officers note that the applicant cites concerns on viability of the development and that Passivhaus may be reviewed at subsequent design stages accordingly. However, other NHP schemes have had Passivhaus performance secured by legal agreements, and this is considered to be of importance in this application in the planning decision making for acceptability. It is important to note that Passivhaus will have driven a wide range of design and placemaking considerations for the development, which are potentially only considered to be acceptable given the attainment of Passivhaus which is an exemplary sustainability standard. The loss of Passivhaus would then potentially reduce the planning balance perspective on other considerations accordingly. Should Passivhaus not be subsequently achievable, this will be a disappointing outcome for Hackney given that the scheme is performing in line with PH requirements, and so it is recommended to secure Passivhaus as part of any legal agreement as an obligation.

6.2.166 Passivhaus attainment also gives greater compliance with policy and guidance on connection to District Heat Networks (DHNs). The application does not include plans for future DHN connectivity (although does have a communal ASHP based system which is preferable over individual ASHPs). Passivhaus would likely result in very low space heating demands that would limit viability for future DHN connections and this is considered sufficient to negate the need for future connection requirements. Should Passivhaus not be attained, then it may be necessary to consider connection potential for future heat networks in the vicinity, with Shoreditch North the nearest available potential future heat network (c. 400m away). This will be secured via condition.

6.2.167 The scheme, given its Passivhaus level of performance, has very high levels of fabric performance and there are a number of aspects that will be secured via planning conditions, including on net zero supporting technologies.

6.2.168 As per the recommendation for the Weymouth Court application, a carbon offset payment will be required if Passivhaus certification (or AECB carbonlite as a backstop) is not achieved. This figure would be £13,255 and secured via legal agreement.

6.2.169 Overall, the scheme more than complies with policy on net zero operational carbon which is welcomed by officers.

Climate change & overheating risk

6.2.170 The submission outlines that the proposed habitable rooms and communal corridors are all found to meet required Part O overheating risk criteria for the DSY1 weather data incorporating solar control measures and thermal mass in the design.

6.2.171 Overhangs have been incorporated, alongside optimised g-value glazing.

6.2.172 The submission has cited that nighttime cooling is of particular challenge, and incorporation of shading devices will of course not support further cooling at nighttimes.

6.2.173 There are concerns about opening windows in relation to both safety (falling) and with regards to external noise, with noise of concern particularly at nighttime.

6.2.174 Trim cooling is proposed to be incorporated into MVHR units for the particularly at risk western and southern facing flats, while flats on the eastern facade from L01-L05 are considered to be suitable for passive cooling and do not require trim cooling. The cooling strategy using trim cooling by MVHR will be secured via planning condition.

6.2.175 More testing of overheating risks is recommended in subsequent design stages and this will be secured via planning condition to ensure that the overheating strategy is fully policy compliant as the design progresses, including with fuller assessment of the full range of accommodation.

6.2.176 It is also recommended that there be a planning condition on excess heat management practices for future residents. As the submission notes, the success of the overheating strategy will depend on some degree of awareness and involvement from residents. Consideration should be given to particularly vulnerable residents.

Whole life carbon (WLC)

6.2.177 Due to the scale of the development, there is no requirement to submit data on WLC in the London Plan. However, the submission has provided some narrative on WLC. It suggests that a RC framing system with steel frame gallery system is proposed, which is not necessarily the lowest embodied carbon system for a scheme of this scale and size.

6.2.178 The applicant is planning to undertake a WLC assessment in RIBA Stage 3+ and officers would recommend this be secured via planning condition.

6.2.179 The applicant should be mindful to follow the latest guidance from IStructE on cement replacement in regards to carbon savings, and for steel recycled content too. More integration of meaningful circular economy in facades is also encourage

Waste & circular economy

6.2.180 As with WLC, the scale of development does not necessitate provision of a pre-demolition audit. There is some deconstruction on the site.

6.2.181 An outline Site Waste Management Plan (SWMP) has been provided. This confirms that the applicant is seeking to attain the target for reuse, recycling and recovery of 95% of demolition waste as set out by the London Plan. The information provided is based largely on industry averages and it is unclear exactly what the waste arisings from site will be. A more detailed

SWMP will be secured via planning condition so that this aspect can be considered through planning to exceed requirements in policy and demonstrate good practice.

6.2.182 There is more opportunity for circular economy principles to be integrated in material specifications and in groundworks/landscaping. The applicant is encouraged to retain waste materials on site as far as possible and maximise the opportunity through any strip out towards this effect.

Water

6.2.183 The scheme is targeting policy compliance for water efficiency and the submission includes proposed specifications for sanitary fittings towards this. The scheme is proposing to incorporate rainwater harvesting through water butts. Both of these proposals will be secured via conditions.

Health & wellbeing

6.2.184 Passivhaus should support healthier internal environments. Although it may increase the negative role that internal finishes play towards health and wellbeing due to the airtightness being so optimised. The applicant is therefore recommended to specify healthier finishes including low VOCs paints and other products. This will be secured via planning condition to safeguard health and wellbeing of Hackney residents.

Sustainability & climate change conclusion

6.2.185 The proposal would have acceptable sustainability and climate change impacts, subject to conditions and a legal agreement.

Flood risk & drainage

Policy

6.2.186 London Plan policy SI 13 states 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, and there should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation); 2) rainwater infiltration to ground at or close to source; 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens); 4) rainwater discharge direct to a watercourse (unless not appropriate); 5) controlled rainwater discharge to a surface water sewer or drain; 6) controlled rainwater discharge to a combined sewer.

6.2.187 Local Plan policy LP53 part F states that “*All developments should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy. Where this is shown, through appropriate evidence, to be unfeasible, planning obligations will be expected to reduce the overall flood risk within the site and in the vicinity*”.

Assessment

6.2.188 The application was accompanied by a SuDS Strategy Report. This was reviewed by the Council's Flood Risk & Drainage officer.

6.2.189 The Officer commented while the proposed surface water drainage strategy is acceptable in terms of its overall approach; with inclusion of multiple SuDS features, including blue-green roofs with shallow attenuation crates, permeable paving, rain gardens, and an underground geocellular attenuation tank; the surface water runoff is proposed to be restricted to a peak discharge of 5.0 l/s for all return periods up to and including the 1-in-100-year plus 40 % climate change event, controlled via a Hydro-Brake flow control device, with discharge directed to the Thames Water combined sewer along Appleby Street. However, the minimum discharge rate of 5l/s without evidence-based justification is not automatically accepted.

6.2.190 The officer added that the report has taken a conservative approach by excluding the rain gardens from the hydraulic calculations, and to provide a complete and accurate assessment of site runoff and fully demonstrate the effectiveness of all source control measures, the rain gardens should be incorporated into the hydraulic model, as this will ensure that the Hydro-Brake and attenuation features are validated against actual inflows, provide a more robust assessment of peak discharge, and demonstrate the overall performance of the drainage system.

6.2.191 The officer also noted that although the site is in Flood Zone 1 (low fluvial flood risk) it is in high risk of surface water flood risk area, and therefore a Flood Risk Assessment was required as per NPPF paragraph 181.

6.2.192 The applicant team submitted an FRA which was deemed acceptable by the Council's Flood Risk & Drainage officer. The officer also recommended that more details of the proposed drainage system be secured via condition. Planning officers also note that additional greening (as required) by the proposed UGF condition would further help further with lowering surface water run off rate.

6.2.193 For these reasons the proposal would create no unacceptable flood risk/drainage risks, subject to condition.

Fire safety

Policy

6.2.194 London Plan policy D12 part B requires all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. It adds that the statement should detail how the development proposal will function in terms of: 1) the building's construction: methods, products and materials used, including manufacturers' details; 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach; 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans; 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these; 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building; 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

Assessment

6.2.195 The application was accompanied by a Fire Statement. This was reviewed by LBH Building Control.

6.2.196 Building Control raised a number of queries at application stage. These were addressed by the applicant team in an amended Fire Statement which Building Control to be acceptable at planning stage.

6.2.197 For these reasons, planning officers consider that the proposal does not raise any unacceptable fire risk concerns in planning terms. However, the detailed design will need to comply with Building Regulations and gain the necessary approval under that separate legislation.

Safety & security

6.2.198 London Plan policy D11 part C states that development should include measures to design out crime that are in proportion to the risk.

6.2.199 The Met Police DOCO was consulted on this application and commented that "*We have previously met with the project Architects/ Applicants to discuss Crime Prevention and Secured by Design (SBD). And I am pleased to see Secured by Design has been mentioned within the DAS, p92. I can confirm that following our meetings, agreed meeting minutes were circulated, and an SBD Homes Application form was submitted to the Designing Out Crime team. I would of course welcome further meetings with the design team to discuss the proposal in greater detail, the benefits of Secured by Design and to offer continued support to achieving a safe and secure development*" and "*Whilst in principle we have no objections to the proposal, we have recommended the attaching of a suitably worded Condition and an Informative to ensure SBD guidance is fully carried out*".

6.2.200 Planning officers agreed with the DOCO's assessment in regard to the proposal being suitably safe and secure, subject to a Secured by Design condition.

Planning obligations & infrastructure

Obligations

6.2.201 When considering the potential content of a legal agreement, regard must be had to the tests set out in the *Community Infrastructure Levy Regulations* (2010). Regulation 122(2) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) 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 Local Plan, the London Plan and Hackney S106 Planning Contributions SPD are the most relevant documents. Paying due regard to these documents, the following contributions are sought:

Financial Contributions

- £6,007.50 towards employment and training
- £1,500 support fee per apprentice

- On-site training facilities (unless details demonstrating this is unviable are submitted)
- £8,750 towards the monitoring of the demolition and construction management plans £2,000 Travel Plan monitoring fee.
- £1,680 Car Club membership credit/dwelling and/or driving credit to a registered car club provider.
- £51,946.40 s278 Highway works (not including marking of Blue Badge bays)
- £13,255 towards Carbon Offset fund (in the event Passivhaus or AECB Carbonlite is not attained)
- Open space shortfall contribution (*Exact figure to be confirmed in the addendum report*)
- Education contribution (*Exact figure to be confirmed in the update report*)
- Open space shortfall contribution (*Exact figure to be confirmed in the addendum report*)
- Education contribution (*Exact figure to be confirmed in the addendum report*)
- Financial contributions monitoring fee (*Exact figure to be confirmed in the addendum report*)
- 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

- 28 Social Rent (13 x 2-bed & 15 x 3-bed) dwellings.
- Employment and Skills Plan
- 25% Local Labour
- Minimum 1 full framework apprentice for every £2 million construction contract value; or 45 day placements to support T level qualifications if the Developer is unable to provide apprenticeships
- Car-free development
- Travel Plan
- 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)
- Renewable energy monitoring
- 'Be Seen' monitoring
- Non-financial contributions monitoring fee (*Exact figure to be confirmed in the addendum report*)

Community Infrastructure Levy (CIL)

6.2.202 Under the Mayor of London's CIL 2 charging schedule, developments within the London Borough of Hackney are subject to a CIL rate of £60/sqm of development, with the exception of medical/health/education uses. The site is located within Zone A of the Hackney CIL Charging Zone which adopts a rate of £190/sqm of residential floorspace. However CIL relief can be claimed for all new floorspace used for affordable housing. As such, it is considered that this scheme would not be liable for Mayoral or Hackney CIL.

7.0 OTHER MATTERS

7.1 Local Financial Considerations

7.1.1 In respect of local finance considerations other than CIL and financial obligations secured by way of Legal Agreement to mitigate the impact of the proposed development, whilst the proposed development would be rateable for Council Tax purposes, and the benefit of the

additional dwellings 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

7.1.2 Under section 149 (Public sector equality duty) of the The Equality Act 2010 a public authority must, in the exercise of its functions, have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics set out in section 4 of the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

7.1.3 Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise any equality issues.

8.0 CONCLUSION

8.1.1 On balance, the benefits of the proposal are substantial. This includes the provision of 18 Social rent dwellings, which on the whole provide good quality of accommodation, improvements to the existing public realm, a pocket park and communal open space with some additional greening, and a development which on the whole is deemed to be sustainable in terms of energy use. These benefits are considered to outweigh the harm caused by the development, most notably potential harm to some existing neighbouring residents.

8.1.2 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above.

8.1.3 The proposal is deemed to comply with the relevant policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021) and the granting of planning permission is recommended subject to conditions and the completion of a legal agreement.

9.0 RECOMMENDATIONS

Recommendation A

9.1.1 GRANT planning permission, subject to a legal agreement and the following conditions:

9.1.2 **Time limit**

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

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

9.1.3 Approved drawings & documents

Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved drawings and documents:

Existing

- Location Plan - NHP1-NO-FC-XX-DR-A-0100 Rev.D
- Existing Site Plan - NHP1-NO-FC-00-DR-A-0101 Rev.B
- Existing Roof Plan - NHP1-NO-FC-XX-DR-A-0102 Rev.B
- Existing South Section - NHP1-NO-FC-XX-DR-A-0200 Rev.B
- Existing West Section - NHP1-NO-FC-XX-DR-A-0201 Rev.B
- Existing North Elevation - NHP1-NO-FC-00-DR-A-0300 Rev.B
- Existing East Elevation - NHP1-NO-FC-00-DR-A-0301 Rev.B
- Existing South Elevation - NHP1-NO-FC-00-DR-A-0302 Rev.B
- Existing West Elevation - NHP1-NO-FC-00-DR-A-0303 Rev.B

Proposed

- Proposed Site Plan NHP1-NO-FC-00-DR-A-1000 Rev.F
- Proposed Ground Floor - NHP1-NO-FC-01-DR-A-1001 Rev.F
- Proposed First Floor - NHP1-NO-FC-01-DR-A-1003 Rev.F
- Proposed Second Floor - NHP1-NO-FC-01-DR-A-1016
- Proposed Third Floor - NHP1-NO-FC-01-DR-A-1017
- Proposed Fourth Floor - NHP1-NO-FC-04-DR-A-1005 Rev.F
- Proposed Fifth Floor - NHP1-NO-FC-01-DR-A-1018
- Proposed Roof Floor - NHP1-NO-FC-RF-DR-A-1007 Rev.C
- Proposed Long South Section - NHP1-NO-FC-XX-DR-A-2000 Rev.D (*Officers requested minor changes to this drawing which had not been received at the time of writing.*)
- Proposed Long West Section - NHP1-NO-FC-XX-DR-A-2001 Rev.D
- Proposed Short South Section - NHP1-NO-FC-XX-DR-A-2002 Rev.D (*Officers requested minor changes to this drawing which had not been received at the time of writing.*)
- Proposed Short South Section Stairs - NHP1-NO-FC-XX-DR-A-2003 Rev.D (*Officers requested minor changes to this drawing which had not been received at the time of writing.*)
- Proposed Short West Section - NHP1-NO-FC-XX-DR-A-2004 Rev.D
- Proposed North Elevation - NHP1-NO-FC-XX-DR-A-3000 Rev.F
- Proposed East Elevation - NHP1-NO-FC-XX-DR-A-3001 Rev.F
- Proposed South Elevation - NHP1-NO-FC-XX-DR-A-3002 Rev.D
- Proposed West Elevation - NHP1-NO-FC-XX-DR-A-3003 Rev.F
- Landscape: Urban Greening Factor - NHP3-LDA-FC-ZZ-DR-L-00001 Rev.B
- Landscape General Arrangement: Ground Floor - NHP3-LDA-FC-00-DR-L-00001 Rev.C
- Landscape General Arrangement: Hardworks - NHP3-LDA-FC-00-DR-L-00002 Rev.A
- Landscape General Arrangement: Roof Plan - NHP3-LDA-FC-RF-DR-L-00001
- Landscape Sections - Sheet 1 of 2 - NHP3-LDA-FC-00-DR-L-00200
- Landscape Sections - Sheet 2 of 2 - NHP3-LDA-FC-00-DR-L-00201
- Proposed Unit Type A - NHP1-NO-FC-00-DR-A-1008 Rev.F
- Proposed Unit Type B - NHP1-NO-FC-00-DR-A-1009 Rev.F
- Proposed Unit Type C - NHP1-NO-FC-00-DR-A-1010 Rev.F
- Proposed Unit Type I - NHP1-NO-FC-00-DR-A-1011 Rev.E
- Proposed Unit Type J - NHP1-NO-FC-00-DR-A-1012 Rev.F

- Proposed Unit Type K - NHP1-NO-FC-00-DR-A-1013 Rev.E
- Proposed Unit Type L - NHP1-NO-FC-00-DR-A-1014 Rev.E
- Proposed Unit Type M - NHP1-NO-FC-00-DR-A-1015 Rev.E
- Window For All - NHP1-NO-FC-XX-DR-A-7000 Rev.C
- Front Entrance - NHP1-NO-FC-XX-DR-A-7001 Rev.C
- Typical Window Bay (Type 1) - NHP1-NO-FC-XX-DR-A-7002 Rev.C
- Typical Window Bay (Type 3) - NHP1-NO-FC-XX-DR-A-7003 Rev.C
- Window with Lattice Brickwork - NHP1-NO-FC-XX-DR-A-7004 Rev.C
- Typical Balcony - NHP1-NO-FC-XX-DR-A-7005 Rev.C
- Parapet Wall - NHP1-NO-FC-XX-DR-A-7006 Rev.C
- Pocket Park Entrance - NHP1-NO-FC-XX-DR-A-7007 Rev.C
- Solid Wall (Movement Joints) - NHP1-NO-FC-XX-DR-A-7008 Rev.C

Documents

- Planning Statement, Issue, 02, Dated May 2025, Issue date 05.06.2025
- Design and Access Statement, Dated May 2025
- Statement of Community Involvement, Dated 12.05.2025
- Child Friendly Impact Assessment
- DAYLIGHT, SUNLIGHT & OVERSHADOWING ASSESSMENT, Rev.02, Dated 27.05.2025
- Planning Noise and Vibration Report, Rev.01, Dated 22.01.2025 & revised 26.03.2026
- Draft Construction Management Plan, Rev.01, Dated 19.05.2025
- Transport Statement, Rev.01, Dated 19.05.2025
- Residential Travel Plan, Rev.01, Dated 19.05.2025
- Preliminary Ecological Appraisal, Version 1.0, Dated 06.09.2023
- Addendum to Preliminary Ecological Appraisal, dated 30.05.2023
- Bat Survey Report, Ref: 240326-ED-01a, Dated September 2024
- Biodiversity Net Gain Assessment, Ref: 240326-ED-03a, Dated March 2025
- BNG Metric spreadsheet
- Outline Site Waste Management Plan, Rev.02, Dated 01.08.2025
- SUSTAINABILITY STATEMENT, Rev.02, Dated 22.05.2025
- ENERGY STATEMENT, Rev.02, Dated 23.05.2025
- 'ENERGY & CARBON DIOXIDE EMISSIONS' extract
- 3183 – Fellows Court Garages, SuDS Strategy Report, Dated June 2025
- Flood Risk Assessment, Rev.03, dated 28.03.2025
- Phase 1 Geotechnical and Environmental Desk Study, Rev. Final_v1, Dated 12.05.2025
- AIR QUALITY ASSESSMENT, Rev.03, Dated May 2024 and 26.03.2025
- Fire Safety Strategy Report and Fire Statement, Ref: TRG-230282-NHP3-FC-RT-02-I03, Dated 05.01.2026

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

9.1.4 **External materials**

Prior to the commencement of above ground works (excluding demolition) scaled detailed drawings, product references and images of all externally facing construction materials, boundary treatments and ground surfaces must be submitted to, and approved in writing by the Local Planning Authority (LPA). Samples of the proposed materials must also be made available on site for potential inspection and retrained for the duration of the works. The proposal must be implemented and maintained thereafter in perpetuity in accordance with the approved details, unless otherwise agreed in writing by the LPA.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character of the area, in accordance with Local Plan policies PP1, LP1 and LP3 and London Plan policy D4.

9.1.5 **Privacy of north east ground floor flat**

The north-facing window serving the north east ground floor flat must be obscurely glazed and non-opening below a height of 1.7m from the floor finish level of the room it serves.

REASON: To maintain privacy of future occupiers, in accordance with Local Plan policy LP2.

9.1.6 **Accessible dwellings**

At least 10% units within the development hereby approved must be completed in compliance with Building Regulations Optional Requirement Part M4(3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as thereafter for the lifetime of the development. The remaining dwellings must be built and maintained to a minimum of M4(2) standard.

REASON: To ensure that the development is adequately accessible for all occupiers, in accordance with London Plan policy D7.

9.1.7 **Parking Design and Management Plan (PDMP)**

Prior to first occupation, details of the PDMP shall be submitted to and approved in writing by the Local Planning Authority (LPA).

The PDMP shall:

- a) Demonstrate safe design of the agreed number of on-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
- 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 is actively controlled through measures to enforce the car parking arrangements for the relevant block

The approved PDMP must be implemented in full prior to occupation of the development, and thereafter retained for lifetime of the development, unless otherwise agreed in writing by the LPA.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with Local Plan policies LP41, LP42, LP44 and LP45 and London Plan policy T6.1.

9.1.8 **Cycle parking**

Prior to the commencement of above ground works (excluding demolition) scaled drawings of the proposed cycle stores and any external stands must be submitted to and approved in writing by the Local Planning Authority.

The details must demonstrate a policy compliant number of spaces and a design that is safe, secure and accessible.

REASON: To ensure adequate provision for the safe and secure storage of bicycles, to promote sustainable modes of transport, in accordance with Local Plan policy LP42.

9.1.9 **Waste & recycling**

Prior to the first occupation of the development hereby approved, notwithstanding the details as shown on the approved drawings, precise details of the proposed refuse and recycling storage capacity shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details and the area shall remain free from obstruction other than for its approved use.

REASON: To ensure adequate provision for refuse and recycling is provided which would safeguard the amenity of the area and not compromise pedestrian safety, in accordance with Local Plan policy LP57.

9.1.10 **Secured by Design**

Prior to occupation, the development shall achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) with the Metropolitan Police. The approved details submitted to the Metropolitan Police and the awarded Certificate must then be submitted to and approved in writing by the Local Planning Authority prior to occupation.

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: To ensure that the building functions securely, in a manner consistent with the principles of 'Secured by Design', in accordance with London Plan policy D11 and Local Plan policy LP1.

9.1.11 **Demolition & Construction Logistics 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 submitted in accordance with Hackney Council's Code of 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, to include the result of the construction dust risk assessment and details of noise control measures;
- b) Site waste management plan setting out how resources will be managed and waste controlled at all stages of the project, including, but not limited to, 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, including installation of noise, vibration and dust (NVD) monitoring systems and appropriate locations around the site;
- d) A demolition and construction traffic management plan to include the following: the construction programme/timescales, details of locations where deliveries will be undertaken, the size and number/frequency of vehicles expected to access the site per day, pedestrian and vehicular access arrangements (including turning arrangements if necessary), construction traffic route and trip generation, any temporary road/footway closures during the construction period, details of parking suspensions (if required) and the duration of works;
- e) 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. 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.
- f) Details of how the site will comply with the relevant Non-Road Mobile Machinery (NRMM) regulations

The Demolition and Construction Management Plan shall set out how the following will be adhered to:

- A 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 Health to be able to contact an appropriate person in event of complaints. The main contractor is requested to submit contact details to the planning authority and to display them on the site board at the site entrance;
- Details of at Least two relevant named individuals including their job role (one of whom should ideally be an off-site main office contact);
- Postal addresses;
- E-mail details; and,
- Mobile details with a robust arrangement for out of hours' complaints

REASON: To protect air quality and human health by minimising emissions 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,in accordance with with Local Plan policy LP58 and London Plan Policy SI 1,

9.1.12 Non-Road Mobile Machinery (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 must 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 must 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, in accordance with London Plan Policy SI 1.

9.1.13 **Land 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 generic and detailed quantitative risk assessment that identifies the risk to all receptors potentially affected, including those off site;
- b) In the event that remediation measures are deemed necessary following the results of (a), an options appraisal identifying feasible remediation options, detailing evaluation of options, and selecting the most appropriate remediation option(s);
- c) A remediation strategy focused on the remediation option(s) selected in (b) 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.
- d) A verification plan explaining how the effectiveness of the remediation works set out in © will be measured, and how data will be collected and assessed to demonstrate that the remediation objectives and criteria will be met.
- e) A verification report demonstrating that remediation objectives and criteria identified in (d) 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 accordance with Local Plan policy LP58 and the Hackney contaminated land strategy 2022/2030.

9.1.14 **Building Sound Insulation**

- a) The development hereby approved must be carried out in accordance with the mitigation measures set out in the report Noise Solutions Limited 'Noise and Vibration Report Ref: 91669-1.2, rev.1 dated 22nd January 2025, revised 26th March 2025
- b) Prior to installation, details of the selected materials must be submitted to and approved by the Local Planning Authority (LPA)
- c) Post-completion testing must be carried out in accordance with "BS8233:2014- Guidance on Sound Insulation and Noise Reduction for Buildings" to demonstrate that the criteria outlined in the report has been achieved. Details of this testing must be submitted to the LPA within 1 month of first occupation, and c) will only be discharged once the LPA approved these details in writing

REASON: To protect proposed residents from loss of amenity by way of noise, in accordance with Local Plan policy LP2.

9.1.15 Mechanical Plant Noise

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

The approved scheme shall be implemented in accordance with the approved details and thereafter maintained in perpetuity

REASON: To protect proposed residents from loss of amenity by way of noise, in accordance with Local Plan policy LP2.

9.1.16 Piling method statement

No piling shall take place until a piling method 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. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

9.1.17 Surface water drainage

a) 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 blue-green roofs with shallow attenuation crates, permeable paving, bio-retention features (rain gardens and tree pits), underground geocellular attenuation tank and the flow control system, which shall be submitted and approved by the Local Planning Authority (LPA) in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Sustainable Drainage (SuDS) Strategy (Job No. 3183, Rev. 02, Dated: June 2025) prepared by Heyne Tillett Steel and limit the peak discharge rate to 5.0l/s for all return periods up to the 1 in 100 year storm events, plus an allowance for climate change.

b) Evidence (including as-built drawings, photographs, post construction surveys) and a final completion statement signed off by a qualified drainage engineer should 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.

c) A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk shall be submitted to and agreed in writing with the LPA, in consultation with the LLFA, prior to the construction of the measures. The scheme shall confirm that the finished floor level (FFL) of all ground-floor areas is set no lower than 17.40 mAOD, and that safe access and egress are maintained. The approved scheme shall be implemented in its entirety before the site is occupied and shall be constructed and completed in accordance with the details approved under this condition and in line with BS 8582:2013 code of practice for "surface water management for development sites".

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

REASON: In the interest of flood resilience against surface water flood risk, in accordance with London Plan policy SI 12 and Local Plan policy LP53.

9.1.18 **Landscaping**

Prior to first occupation of the development hereby approved, 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 (LPA). The details shall include:

- 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;
- 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;
- A planting plan for all plants including a varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity;
- Soil volumes for proposed tree planting;
- Projected mature height and crown spread of proposed new trees;
- Tree pit specifications and planter specifications for above ground tree planting;
- Methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc;
- A diverse distribution of plant species to avoid block planting;
- Areas to be grass seeded or turfed;

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of 12 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 LPA for a period of 30 years, such maintenance to include the replacement of any trees or plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To ensure that the site protects and enhances biodiversity, in accordance with Local Plan policies LP47 and LP51 and NPPF section 15.

9.1.19 **Tree relocation**

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an Arboricultural Impact Assessment (AIA), a scheme for the protection

of the retained trees in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations', including a Tree Protection Plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

REASON: 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 relevant local and national planning policies, and pursuant to Section 197 of the Town and Country Planning Act 1990.

9.1.20 **Bird & bat boxes**

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

- A minimum of 2 swift bricks (same requirements for swift box) incorporated into the design of the development. They should be installed in groups of at least 2, and placed at or close to eaves level of the development hereby approved. They should be placed at least 5m above the ground with a 5m unobstructed flight path, both below and in front of the swift brick. The swift brick should be located facing north, east, or north east (direct sunlight should be avoided) and should not be placed immediately above doors or windows. Where possible, swift bricks should be set flush into the external wall to match adjacent brickwork.
- And/or 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. 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.
- 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. 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 Local policy LP47 which requires that all development schemes involving buildings with an eaves height or roof commencement height of 5m and above are required to provide nesting boxes for swifts, sparrows, starlings, and/or bats as appropriate.

9.1.21 **Biodiversity Net Gain (BNG)**

No development (except demolition) can commence until:

a) A biodiversity gain plan has been submitted to and approved in writing by the Local Planning Authority (LPA).

The biodiversity gain plan must include:

- 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;
- the pre-development biodiversity value of the onsite habitat;
- the post-development biodiversity value of the onsite habitat;
- any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- how the biodiversity gain objective of at least 10% will be met;
- any biodiversity credits purchased for the development; and
- any such other matters as the Secretary of State may by regulations specify.

b) A Habitat Management and Monitoring Plan (the HMMP) prepared in accordance with the approved Biodiversity Gain Plan for the whole has been submitted to and approved in writing by the Local Planning Authority (LPA).

The HMMP must include:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- 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;
- all landscaping in accordance with the scheme;
- 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;
- such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed;
- specific measurable targets linked to target habitat condition; and
- 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 12 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.

Notice in writing shall be given to the Council when the:

- HMMP has been implemented; and
- habitat creation and enhancement works as set out in the HMMP have been completed.
- 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, Local Plan policy LP47 and London Plan policy G6.

9.1.22 Biosolar Green Roof

Prior to commencement of above ground works (except demolition), full details and specifications of the biosolar roof(s) must be submitted to and approved in writing by the Local Planning Authority (LPA). 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

- 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;
- The design of the biosolar roof should be in line with GRO's code of best practice;
- Section drawings demonstrating a minimum substrate depth of no less than 80mm for a sedum roof, 100mm for extensive living roofs (100mm - 150mm for wildflower species); and no less than 250mm for intensive living roofs, 400mm for medium shrubs.
- Details of the proposed type of invertebrate habitat with a minimum of one feature per 30m²; which could include areas of bare, unplanted substrates, log piles, boulder or stone piles, sand piles;
- Details of the drainage system for the roof;
- Details of the planting mix;
- Including a minimum of 9+ species for sedum roof
- Including a minimum of 16+ species for wildflower/extensive roof
- All roofs to be sown with a wide mix of species (standard is 15+ species), the roof should not rely on one species of plant life
- 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 1 month of the first occupation of the development, evidence must be submitted to and approved by the LPA 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 accordance with HLocal Plan policy LP46.

9.1.23 Survey for nesting birds and bat roosts

1. 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).
2. Prior to any demolition or site clearance works, a bat dusk survey shall be undertaken by a suitably qualified ecologist to establish the likely presence of a bat roost on site.
3. Both the pre-works ecological check (if demolition works are to take place during the nesting season) and bat dusk survey must be undertaken no longer than 48 hours before any demolition or site clearance commences. If nesting birds and/or a bat roost are identified on site then no demolition works or site clearance works may commence until a further pre-works ecological check and bat dusk survey are undertaken (no longer than 48

hours before any demolition or site clearance commences) and no nesting birds or bat roosts are identified.

4. The findings and recommendations of all surveys, including any necessary mitigation or avoidance measures, must be submitted to and approved in writing by the Local Planning Authority as soon as possible after 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.

9.1.24 Bee Bricks/invertebrate Habitat Condition

Prior to above ground works (except demolition), details and full specifications of a minimum of 4 bee bricks shall be submitted to and approved in writing by the Local Planning Authority, and shall be maintained for the lifespan of the development.

The details shall include a minimum of 4 bee bricks incorporated into the design of the development hereby approved and shall be retained thereafter. The bricks shall be placed in a south facing wall in a sunny location at least 1m above ground level, in close distance to pollinator friendly planting.

REASON: To support bee populations in Hackney and preserve endangered urban biodiversity by providing nesting opportunities, in accordance with Local Plan policy LP47.

9.1.25 External lighting

Prior to above ground works (except demolition), an External Lighting Scheme must 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 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 for the lifetime of the development in accordance with the approved details.

REASON: To protect local wildlife, particularly bats, from the negative impacts of artificial lighting, and to ensure compliance with the Bat Conservation Trust guidelines, in accordance with relevant environmental and ecological policies, including chapter 15 of the NPPF

9.1.26 Urban Greening Factor (UGF)

Prior to the commencement of above ground works (excluding demolition), a detailed UGF plan must be submitted to and approved in writing by the Local Planning Authority, demonstrating how the development on the application site will achieve a minimum UGF score of 0.4. The submission must include a clearly colour-coded plan identifying all surface cover types within the development. A completed UGF calculation table must be provided.

detailing each surface cover type with its corresponding UGF value, the total area of each surface type, the weighted score for each feature, and the cumulative total UGF score for the site.

The planting must be implemented in accordance with the details hereby approved, which must be implemented prior to first occupation of the development, and the urban greening measures and soft landscaping must be maintained thereafter for the lifetime of the development.

REASON: To ensure that the development incorporates appropriate urban greening measures to enhance biodiversity, mitigate urban heat effects and contribute to environmental sustainability, in accordance with Local Plan policy LP48 and the London Plan policy G5.

9.1.27 Energy Statement

Prior to the commencement of above ground works (except demolition), 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 P02 by XCO2 dated May 2025):

- a) Minimum carbon savings of 34.7 % / 9.94 tonnes CO2e against Part L 2021 through fabric efficiency (Be Lean)
- b) Minimum overall carbon savings of 83.8% / 24.00 tonnes CO2e Part L 2021
- c) Maximum U-values (W/m2K): walls 0.15; walls to ancillary spaces 0.26, ground floor 0.13; roof 0.10; windows 0.80; opaque doors 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 0.6 ach @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 3.32kWh/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 54.61 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:

- at least one unit for each identified flat type/area type, and

- 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 Local Plan policies LP54, LP55 and LP56; London Plan policies SI2, SI3, SI4 and SI7 of the London Plan; and NPPF section 14.

9.1.28 Air Source Heat Pump

Prior to the commencement of above ground works (except demolition), full details of the communal heat pump based heating system specification and supporting drawings must be submitted to and approved by the Local Planning 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 P02 by XCO2 dated May 2025) and relevant supporting documents:

1. Minimum Heat pump Coefficient of Performance of 3.70 for the domestic hot water supply / heating supply to provide 100% of the heating and hot water demand.
2. Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
3. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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 Planning 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 Local Plan policies LP55 and LP56; London Plan policies SI2 and SI3; and NPPF section 14.

9.1.29 Photovoltaics

Prior to installation of the photovoltaic (PV) 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 Planning Authority to demonstrate that the consented standards have

been achieved or improved upon as set out in the hereby approved Sustainability & Energy Statement (Revision P02 by XCO2 dated May 2025) which are:

- a) Solar PV panels annual electricity peak generation of 20.06 kWp
- b) Horizontally mounted rooftop PV panel array of 97sqm
- 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 Planning 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 Local Plan policy LP55; London Plan policy SI 2 and NPPF section 14.

9.1.30 **Mechanical Ventilation with Heat Recovery (MVHR)**

Prior to the commencement of above ground works (except demolition), 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 Planning Authority (LPA) to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Sustainability & Energy Statement (Revision P02 by XCO2 dated May 2025):

- a) Minimum MVRH efficiency of 94.00% for residential units unless otherwise agreed in writing with the LPA.
- 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 LPA 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 LPA 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 Local Plan policies LP54 and LP55; London Plan policies SI2 and SI4; and NPPF Section 14.

9.1.31 Overheating

a) Prior to the commencement of above ground works (except demolition), a dynamic overheating risk assessment must 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 these are:

- 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 follows:

- Step 1 mitigation measures description leading to pass rate percentage
- Step 2 mitigation measures description leading to pass rate percentage

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:

1. at least one unit for each identified flat type/area type, and
2. 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.

b) 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 Local Plan policies LP54 and LP55; London Plan policies SI 2 and SI 4; and NPPF section 14.

9.1.32 Site Waste Management Plan (SWMP)

Notwithstanding details in the submitted draft SWMP, prior to the commencement of works (except demolition) a full SWMP must be submitted and approved in writing by the Local Planning Authority. The SWMP must detail how in managing any waste arising from construction processes, including demolition and groundworks and above ground works, that the following targets are met:

1. Municipal waste recycling rate of 65%
2. Business waste recycling rate of 75%
3. Minimum of 95% demolition or site waste diverted from landfill for reuse, recycling or recovery
4. Minimum of 95% of excavation waste diverted from landfill for beneficial use
5. 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 policy SI 7, GLA guidance, Local Plan policy LP57 and the NPPF.

9.1.33 Water efficiency

Prior to the commencement of above ground works (excluding demolition), a statement to confirm that the development has been designed to be water efficient and reduce water 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: To address 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, Local Plan policy and the NPPF.

9.1.34 Passivhaus and low energy buildings

Prior to first occupation, the applicant must 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 how 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 Local Plan policy LP55 and ensure that renewable energy technologies are adopted for optimal outcomes for residents health and wellbeing in line with Local Plan policy LP9, and to support climate resilience for Hackney residents in a changing climate in line with Local Plan policy LP54.

9.1.35 Future District Heat Network (DHN) connection

Prior to the commencement of above ground works (except for demolition) 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 (LPA). The submitted details shall include drawings drafted at the appropriate scale and full detailed specification of the following, but not be limited to:

- a) Updated evidence of 2 way 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) Layout of energy centre/plant room showing space for future heat exchanger
- c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- d) Details of any on-site connection with pre-installed and capped with flange
- 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 LPA. The retrofit plan should:

1. 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

2. 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 LPA. 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 Local Plan policies LP55 and LP56 and London Plan policies SI2, and SI3 and NPPF section 14.

9.1.36 Healthy materials

Materials selected for internal finishes and fit out should be low-emitting for Volatile Organic Compounds (VOC) or no-VOC. This includes for surface finishes including paints, floorings and for kitchen surfacing.

Materials must 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, chlorobenzynes, formaldehyde, lead, mercury and phthalates).

REASON: Due to the airtight environment in Passivhaus buildings the impact of internal finishes on human health is of increased relevance. Therefore, internal material selection needs to have regard to health and wellbeing of future occupiers alongside securing sustainable construction, in accordance with the Local Plan policy LP9.

Recommendation B

9.1.37 That the above recommendation be subject to the landowners and their mortgagees entering into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Director of Legal Democratic and Electoral Services:

Affordable Housing

- Provision of 28 Social Rent (13 x 2-bed & 15 x 3-bed) dwellings.

Highways & Transport

- Car Free development (Non-Blue Badge Holders) to restrict new business uses of the development from obtaining parking permits to park in the surrounding CPZ bays.
- £60 Car Club membership credit/dwelling and/or driving credit to a registered Car Club provider.
- £2,000 Travel Plan monitoring fee.

- Travel Plan.
- £8,750 towards the monitoring of the demolition and construction management plans.
- S278 highway works £51,946.40 (not including marking of Blue Badge bays).

Hackney Works Contribution

- £6,007.50 towards employment and training

Employment, Skills & Construction

- Employment and Skills Plan to be submitted and approved prior to implementation.
- Commitment to the Council's local labour and construction initiatives (25% local labour on site employment and 25% local labour for first 5 years of operational phase) in compliance with an Employment and Skills Plan.
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value, or 45 day placements to support T level qualifications if the Developer is unable to provide apprenticeships, and provide the Council with written information documenting that programme within seven days of a written request from the Council.
- £1,500 support fee per apprentice placement.
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Sign up to Considerate Constructors Scheme.

Sustainability

- Passivhaus Classic Certification (with AECB Carbonlite certification as a backup).
- £13,255 Carbon Offset contribution in the event Passivhaus/AECB Carbonlite is not attained).
- Renewable energy monitoring
- Be Seen reporting and monitoring in line with the London Plan requirements

Payment in Lieu for open Space

- £24,443.88 open space shortfall contribution

Education

- Education contribution (*to be confirmed in addendum report*)

Monitoring

- Financial obligations monitoring fee (*to be confirmed in addendum report*)
- Non-financial obligations monitoring fee (*to be confirmed in addendum report*)

Recommendation C

9.1.38 That the Planning Sub-Committee grants delegated authority to the Director of Environment & Climate Change and Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or Development Management & 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).

10.0 INFORMATIVES

Recommendation A

10.1.1 The following informatives are recommended added:

Building Control
Standard Hours of Building Works
Naming and Numbering
S106 Agreement
CIL

Land contamination

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. It is therefore advised that this risk is adequately assessed.

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.

Out of hours work/ S61 application

The Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the Environmental Protection Section at environmental.protection@hackney.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

Thames Water

Working near our assets

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.



Planning Sub-Committee – 04/02/2026

Email: 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

Public sewers

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 our guide on working near or diverting our 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.

Groundwater discharges into the public sewer

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. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Surface water drainage

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Mains water

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.



Planning Sub-Committee – 04/02/2026

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments (Piling method statement condition)

Please submit a foundation/piling layout plan clearly indicating the locations of all foundation/piles to be installed on the development site. This plan should show the positions of the foundation/piles in relation to Thames Water clean water mains and sewers and local topography such as roads (please include road names), existing buildings and/or any other notable features. Thames Water require drawings indicating the location of all piling and the clearance between the face of the pile to the face of a pipe. If any basements intended to be constructed as part of the development, please clearly indicate the location and footprint. Without these drawings and cross-sectional details Thames Water will not be able to review your proposals and discharge your planning condition.

The Developer is also requested to confirm whether they have been in touch with Thames Water to discuss or arrange for the abandonment of any existing assets beneath the development site. Please give a short summary of any correspondence to date and any references they have been provided.

Plans of Thames Water apparatus can be obtained through our website at www.thameswater-propertysearches.co.uk. Please use the following reference in all future correspondence: DTS 77114

Met Police Secured by Design (SBD)

The applicant must seek the continual advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk.

The comments made can be easily mitigated early if the Architects were to continue to discuss this project prior to commencement, throughout its build and by following the advice given. This can be achieved by the above Secured by Design condition being applied. If the Condition is applied, we request further contact is made with the DOCO team at the earliest opportunity. The project has the potential to achieve a Secured by Design Accreditation if the advice given is adhered to, and there is continuous communication.

Signed..... **Date.....**

Natalie Broughton - Assistant Director of Planning & Building Control

No.	Background Papers	Name, Designation & Telephone Extension	Location Contact
-----	-------------------	---	------------------



Planning Sub-Committee – 04/02/2026

		of Original Copy	
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>	<p>Tanveer Rahman X 4432</p>	<p>1 Hillman Street London E8 1DY</p>