

ADDRESS: Weymouth Court, Weymouth Terrace, London, E2 8LT	
WARD: Haggerston	REPORT AUTHOR: Tanveer Rahman
APPLICATION NUMBER: 2025/1205	VALID DATE: 20/06/2025
DRAWING NUMBERS:	
<u>Existing</u>	
<ul style="list-style-type: none"> ● Existing location Plan - 032-BM-XX-00-DR-A-00100 Rev. C ● Existing Site Plan - 032-BM-XX-00-DR-A-00101 Rev. A ● Existing Roof Plan - 032-BM-XX-00-DR-A-00102 Rev. A ● Existing North Elevation - 032-BM-XX-00-DR-A-00210 Rev. A ● Existing South Elevation - 032-BM-XX-00-DR-A-00211 Rev. A ● Existing East Elevation - 032-BM-XX-00-DR-A-00212 Rev. A ● Existing West Elevation - 032-BM-XX-00-DR-A-00213 Rev. A ● Existing West Elevation (Wey. Ter.) - 032-BM-XX-00-DR-A-00214 Rev. A ● Existing Section AA (short) - 032-BM-XX-00-DR-A-00310 Rev. A ● Existing Section BB (short) - 032-BM-XX-00-DR-A-00311 Rev. A ● Existing Section CC (short) - 032-BM-XX-00-DR-A-00312 Rev. A ● Existing Section DD (long) - 032-BM-XX-00-DR-A-00313 Rev. A 	
<u>Proposed</u>	
<ul style="list-style-type: none"> ● Proposed location Plan - 032-BM-XX-00-DR-A-01000 Rev. C ● Proposed site plan - 032-BM-XX-00-DR-A-01100 Rev. A ● Proposed first and second floor plan - 032-BM-XX-00-DR-A-01201 Rev. A ● Proposed upper floors plan (3rd, 4th) - 032-BM-XX-00-DR-A-01202 Rev. B ● Proposed roof plan - 032-BM-XX-00-DR-A-01205 Rev. A ● 1B2P - Type A - 032-BM-XX-00-DR-A-01400 Rev. A ● 1B2P - Type B (window) - 032-BM-XX-00-DR-A-01401 Rev. A ● 1B2P - Type C - 032-BM-XX-00-DR-A-01402 Rev. A ● 2B4P - Type D - 032-BM-XX-00-DR-A-01403 Rev. A ● 1B2P - M4(3) - Type E - 032-BM-XX-00-DR-A-01404 Rev. A ● 1B2P - M4(3) - Type F - 032-BM-XX-00-DR-A-01405 ● Landscape General Arrangement: Ground Floor - NHP3-LDA-WC-00-DR-L-00001 Rev. B ● Landscape General Arrangement: Roof Plan - NHP3-LDA-WC-RF-DR-L-00001 Rev. B (received 13.01.2026) ● Landscape General Arrangement: Hardworks - NHP3-LDA-WC-00-DR-L-00002 Rev. B ● Landscape: Urban Greening Factor - NHP3-LDA-WC-ZZ-DR-L-00100 Rev. B (received 13.01.2026) ● Landscape Plan (Ground) - 032-BM-XX-00-DR-A-01200 Rev. B (<i>Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to a ground floor fire door.</i>) ● Landscape: Sections - Sheet 1 of 2 - NHP3-LDA-WC-00-DR-L-00200 Rev. B ● Landscape: Sections - Sheet 2 of 2 - NHP3-LDA-WC-00-DR-L-00201 Rev. B ● Proposed North Elevation - 032-BM-XX-00-DR-A-02100 Rev. B ● Proposed South Elevation - 032-BM-XX-00-DR-A-02101 Rev. B ● Proposed East Elevation - 032-BM-XX-00-DR-A-02102 Rev. B ● Proposed West Elevation - 032-BM-XX-00-DR-A-02103 Rev. A ● Proposed West Elevation (Weymouth Terrace) - 032-BM-XX-00-DR-A-02104 Rev. A ● Proposed Section AA (short) - 032-BM-XX-00-DR-A-03310 Rev. A ● Proposed Section BB (short) - 032-BM-XX-00-DR-A-03311 Rev. A ● Proposed Section CC (short) - 032-BM-XX-00-DR-A-03312 Rev. A 	

- Proposed Section DD (long) - 032-BM-XX-00-DR-A-03313 Rev. A
- Bay study - Private amenity space - 032-BM-XX-00-DR-A-07100 Rev. A
- Bay study - Deck Access - 032-BM-XX-00-DR-A-07101 Rev. A
- Typical Façade Bay - East Side Balcony - NHP3-HTL-WC-ZZ-DR-A-21400 Rev. T01
- Typical Façade Details - East Side Balcony Plan - NHP3-HTL-WC-ZZ-DR-A-21501 Rev. T01
- Cycle Store - NHP3-HTL-FC-00-DR-A-91200 Rev. T01 (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to the correct number of cycle stands and inclusion of a living roof.*)
- Cycle and Bin Store North Side - NHP3-HTL-WC-ZZ-DR-A-21405 Rev. T01 (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to the inclusion of a living roof.*)
- Cycle Store South-West Side - NHP3-HTL-WC-ZZ-DR-A-21406 Rev. P01

DOCUMENTS:

- Design and Access Statement, Dated February 2025
- Planning Statement, Issue 05, Dated May 2025
- Weymouth Court Garages, Hackney NHP Heritage Impact Assessment, Dated April 2025
- Archaeological Desk Based Assessment Rev.V1, Dated 10.02.2025
- Child Friendly Impact Assessment
- WEYMOUTH COURT Wayfinding, Dated February 2025
- DAYLIGHT, SUNLIGHT & OVERSHADOWING ASSESSMENT, Dated May 2025
- Transport Statement, Rev.01, Dated 12.05.2025
- Residential Travel Plan, Rev.01, Dated 12.05.2025
- Biodiversity Net Gain Assessment Ref: 240327-ED-03a, Dated March 2025
- Biodiversity-Net-Gain Metric
- Bat Survey Report, Ref. 240327-ED-01a, Dated October 2024
- Addendum to Preliminary Ecological Appraisal, Dated 30.05.2023
- Weymouth Court Preliminary Ecological Appraisal Version 1.0, dated 06.09.2023
- Shadow Habitat Regulations Assessment, Ref: 240326-ED-02a, Dated February 2025
- SUSTAINABILITY STATEMENT Rev.02, Dated 08.04.2025
- ENERGY & CARBON DIOXIDE EMISSIONS extract
- ENERGY STATEMENT Rev.02, Dated 08/04/2025
- Planning Noise and Vibration Report Rev.01, Dated 26.03.2025
- AIR QUALITY ASSESSMENT, Rev.03, Dated March 2025
- Phase 1 Geotechnical and Environmental Desk Study, Rev. Final v2, Dated 14.10.2025
- Fire Safety Strategy Report and Fire Statement, Ref: TRG-230282-NHP3-FC-RT-02-I03, Dated 05/01/2026 (*Officers requested minor changes to this document which had not been received at the time of writing. These relate to a ground floor fire door.*)
- 3183 – Weymouth Court Garages, Sustainable Drainage (SuDS) Strategy Rev. 01, Dated May 2025
- Flood Risk Assessment Rev.04, Dated 04.08.2025

APPLICANT:

Jennifer Langton
 London Borough of Hackney Housing
 Regeneration & Delivery Team
 Hackney Service Centre, 1 Hillman Street,
 London, E8 1DY

AGENT:

Robert Nicholas
 HTA Design
 75 Wallis Road, London, E9 5LN

PROPOSAL: 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.
<p>POST SUBMISSION REVISIONS:</p> <p>The following amendments were made during the application stage:</p> <ul style="list-style-type: none"> • Living roofs added to external cycle/bin stores to improve Urban Green Factor (UGF). This was at the request of officers. • Screens added to some ground floor windows for overheating mitigation reasons. This was not at the request of officers. <p>Given the limited scale and nature of these amendments, it was not considered necessary to undertake further consultation.</p>
<p>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a Legal Agreement (Unilateral Undertaking).</p>
<p>NOTE TO MEMBERS: None.</p>

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	240sqm
Proposed	C3	Residential	1,335sqm

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	14 (78%)	4 (22%)	0 (0%)	0 (0%)	18 (100%)
Intermediate/ Shared Ownership	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total:	14 (78%)	4 (22%)	0 (0%)	0 (0%)	18 (100%)

PARKING DETAILS

	Car parking spaces (Off-street on site)	Car parking spaces (On-street on Thurtle Road to the east of the site)	Cycle parking spaces
Existing	14	2	0
Proposed	0	1 Blue Badge Bay (BB), with potential for a further 1 BB bay	36 long-stay resident 4 long-stay visitor

1.0 SITE CONTEXT

- 1.1 The roughly L-shaped application site is just under 0.08ha. It contains an L-shaped row of 14 lock-up garages, a store, an open area used for storing bins and hardstanding. The main access is from the south via a gate on Thurtle Road. It is within the St Mary's Estate and the Haggerston ward.
- 1.2 The site is bounded by Thurtle Road to the east and south, a 5-storey block to the north, a part 3-storey/part single-storey block to the north west and a part 2-storey (with roof accommodation)/part single-storey building to the south west. Haggerston School is opposite to the east and south, and Brunswick House is opposite to the north east.
- 1.3 The adjacent 5-storey block has signage labelling it as '1-16 Weymouth Court'. Council Tax and Planning records indicate it contains 7 ground floor commercial units (94-106 Weymouth Terrace (evens)) and 28 flats above (1-28 Weymouth Court (inclusive)). The adjacent 3-storey/part single-storey block has signage labelling it as '23-28 Weymouth Court'. Council Tax and Planning records indicate it contains 12 flats (6 flats (82 - 92 (evens)) Weymouth Terrace at ground level and 6 upper floor flats). These records indicate that the 2-storey/part single-storey building (former Weymouth Arms public house) contains 3 flats (80, 80A, & 80B Weymouth Terrace).
- 1.4 The site is in the City Fringe Opportunity Area (Wider hinterland). Haggerston Park and Hackney City Farm are approximately 135m to the east, Hackney Road is approximately 210m to the south, Hoxton Station is approximately 315m to the south west and the Regent's Canal is approximately 315m to the north.
- 1.5 Haggerston School, Haggerston Park and Hackney City Farm, the Regent's Canal and St Marys Garden Project (which is approximately 120m to the west) are all designated Local Open Spaces. Haggerston Park and Hackney City Farm is also a Site of Importance for Nature Conservation (SINC).

2.0 CONSERVATION IMPLICATIONS

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

3.0 RELEVANT PLANNING HISTORY

Fellows Court, Weymouth Terrace

- 3.1 **2025/1324:** 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 up to 5 Blue Badge bays. Under consideration
- 3.2 **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

Flat 17, Weymouth Court, Weymouth Terrace

- 3.3 **2020/0861:** Erection of single storey waste bin enclosure. Lawful development Certificate granted 05.05.2020

80 Weymouth Terrace

- 3.4 **SOUTH/367/95/FP:** conversion of premises to form 3 self-contained flats. Granted 19.10.1995

4.0 CONSULTATION

Neighbours

- 4.1 328 neighbour letters were posted on 30.06.2025, 3 site notices were displayed on 01.07.2025 and a press advert was published on 11.07.2025.
- 4.2 In line with the Council's Statement of Community Involvement requirements, the Consultation period ended on 05.08.2025.
- 4.3 1 letter of objection was received from a Daylight/Sunlight consultant, on behalf of a local resident. The letter made the following main comments:
- The submitted Daylight, Sunlight & Overshadowing Assessment (DSO) report contains no discussion on relevant local and national policy.
 - The DSO contains no detail on the 3D assessment model use, the drawings utilised, whether neighbouring floor plans were used for modelling or whether the surrounding context used are reflective of the actual context.
 - No Sky Line (NSL) drawings are absent from the DSO, making it impossible to appraise if the modelling is based on actual layouts.

- A neighbouring private terrace has been missed from the overshadowing assessment.

Consultees

Internal

LBH Transport & Highways

- 4.4 No objection subject to 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.
- 4.5 Further detailed comments are incorporated within the 'Transport & highways' section below.

LBH Streetscene

- 4.6 The proposal is to reconstruct the footway adjacent to Weymouth Court, on Thurtle Road. Works will consist of removing the existing footway material including kerbs, and providing and laying a new base/bed and fibre reinforced Asphalt steel plastic (ASP) along with new Granite kerb. The estimated cost of work is £66,794.23.

LBH Waste & recycling Management

- 4.7 *"Having reviewed the waste plans these are in line with discussions we had throughout the pre application process; with one new bin store to serve the residents in the new upper floor units, and a replacement bin store for the residents currently using a bin storage area which will be taken up by the new development (this new bin store will also be used by the new ground floor properties). Capacities and other aspects are consistent with our guidance. We therefore do not have concerns with the application from a waste management view."*

LBH Public Health

- 4.8 The application is for fewer than 50 dwellings so do not wish to comment.

LBH Environmental Protection (noise & vibration)

- 4.9 No objection subject to conditions requiring construction to include installation of Noise, Vibration and Dust (NVD) monitoring systems and a site notice board to be erected during construction with contact details for the Site and Regional Office, a post installation test; sound insulation details; plant/machinery details; and submission of a post-installation noise assessment; as well as an out of hours work/ S61 application informative.

LBH Land, Water & Air (contaminated land)

- 4.10 No objection subject to a contamination assessment/ remediation/ verification condition; and informatives relating to Radon and Unexploded Ordnance.

LBH Land, Water & Air (air quality)

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

LBH Drainage & Flood Risk

- 4.12 *“cannot support the proposed drainage strategy in its current form. The drainage strategy would need to be revised and updated to meet these standards and demonstrate compliance with the allowable discharge limits”*

- 4.13 These comments will be addressed in the ‘Flood risk & drainage’ section later in the report.

LBH Building Control (BC)

- 4.14 BC reviewed the initially submitted Fire Statement and requested a number of clarifications. In response, the agent submitted an amended Fire Statement answering the majority of these queries. Although at the time of writing there is one outstanding issue which is BC’s request for a fire door at the base of the stairs.

- 4.15 These comments will be addressed in the ‘Fire Safety’ section later in the report.

External

Shoreditch Conservation Area Advisory Committee (CAAC)

- 4.16 No response received.

Hackney Society

- 4.17 No response received.

Thames Water

- 4.18 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.

- 4.19 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 informatives on the decision notice.*)

Historic England Greater London Archaeology Advisory Service (GLAAS)

- 4.20 The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. An Archaeological Desk Based Assessment was submitted during the application process however submission and approval of a Written Scheme of Investigation condition is still required.

Metropolitan Police Designing out Crime Officer (DOCO)

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

London Fire Brigade

- 4.22 No response received.

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) - NPPF
- *Planning Practice Guidance*
- *National Design Guide* (2019)

5.6 Legislation

- *Town and Country Planning Act 1990*
- *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 consultees 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 Planning Statement states that “14 garages are to be removed as part of the proposals, 13 of which are currently rented out by the Council. The 14th garage is vacant and is in the Council’s possession, remaining vacant until demolition. As such, the Council retains the right to end rental arrangements for the garages at their discretion. However, it is noted that people do not solely (sic) rent garages for the purpose of parking vehicles, with many of the garages used for storage purposes”.
- 6.2.8 The Planning Statement states that some of the garages may be used for storage rather than parking of vehicles. 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. 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.
- 6.2.13 In assessing the impacts on statutory listed buildings, Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requires the Local Planning Authority to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” when considering whether to grant permission. In assessing the impacts on CAs, Section 72 states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

Urban design assessment

Site context

- 6.2.14 The surrounding area is defined by post-WWII modern development with lightly defined street edges and large areas of open space between buildings. To the north west of the site (within Weymouth Terrace) is a landscaped square. On the corner of Weymouth Terrace and Thurtle Road, and on the same small urban block as the site, is the former Weymouth Arms pub which is one of the area’s few remaining pre-WWII buildings. The building was rebuilt, or refronted in the interwar years. The Grade II listed School House to the east was built in

1964-65 and the Modernist Grade II listed Haggerston Girls' School to the south was built in 1964-67, to the designs of Erno Goldfinger for the London County Council, subsequently the Inner London Education Authority.

Height, form, massing & building lines

- 6.2.15 The scheme's urban design concept is to replace the garages with a new block which will follow adjacent building lines and reinstate an active street edge. This will increase activity, provide natural surveillance to the street and help restore a comfortable sense of enclosure.
- 6.2.16 The proposed block follows a building line established by the former pub building on the corner and by the adjacent Thurtle Road block, creating a clear street frontage and repairing what currently feels like a void in the street enclosure.
- 6.2.17 The proposed 5-storey building is just over 17m tall from the adjacent eastern pavement level (the rooftop plant enclosure projects further by approximately 1.9m above the parapet). The proposal is slightly taller than the adjacent 5-storey block to the north on Thurtle Road because of more generous floor-to-ceiling heights. The proposed development is true dual aspect deck access, making it quite shallow. This means it only slightly extends beyond the front and rear elevations of its neighbour, limiting its impact. A generous separation between the proposal and the neighbouring 5-storey building reduces its impact further and also preserves an open view from the Weymouth Terrace landscaped square.
- 6.2.18 The proposed step up in height from the neighbouring 3-storey block and part 2/part single-storey former pub to the west is a proportionate relationship in townscape terms. The southern element of the massing is aligned to the street but slightly set back behind a planter to give extra space adjacent to the public realm. A circa. 3m high chamfer is taken off the south east ground floor corner to create additional relief at ground level.

Elevations & materiality

- 6.2.19 The proposed building is divided into two volumes, around a shared core. The northern linear volume aligns with the neighbouring block and has two attached gallery structures for private amenity spaces and deck access. These will be constructed in steel to reflect nearby deck access structures. The southern corner volume responds directly to the street geometry and heritage context. The volumes have golden ratio proportions seen in the main listed school building as a guiding principle.
- 6.2.20 The full brick cladding of the primary external cladding will complement the colours of the existing estate. Mortar will compliment the brickwork to create a uniform frontage. Coping details will be in precast stone. Steel will be used on the gallery structures to reflect adjacent deck materials. Windows have been sized and positioned to ensure optimum daylight and ventilation while also being attractive from the street. Clear plans have been produced at application stage giving a reassuring level of detail on materials and construction, which will guide the condition and construction stages.
- 6.2.21 Cycle storage, bin storage and plant rooms are located on the ground floor which creates some areas of inactive frontage. However, the main eastern entrance creates a point of transparency and activity between less active areas of frontage on the east elevation. Also, residential frontage faces the street on the south side. While it would have been preferable to further minimise inactive frontage to the street corner, optimising residential layouts has been prioritised which officers understand. If a flat had occupied the full corner it would have been in an exposed location where provision of amenity space would have been problematic, and

likely forced the inactive frontage to another more inappropriate location. The less active areas of frontage are improved by planters, setbacks and a chamfered corner. Details of service doors will be conditioned to ensure that the street frontage is as attractive as possible.

Landscaping

- 6.2.22 A paved and landscaped communal courtyard shared between existing and new residents is proposed to replace the existing parking courtyard. A visually permeable gate and fence would run along the open southern edge of the space for access and to allow views in and out. A second access route to the north would run beneath the 1st floor deck access of the new building. This will allow access onto the Weymouth Terrace landscaped square and create a direct link to the new open spaces nearby (proposed as part of the NHP application at Fellows Court) which the submission indicates are intended to be shared by residents of Weymouth Court.
- 6.2.23 Planting is provided in a gently sloped area on the west side of the block which creates a small 'play on the way' area and a SUDS area. To the south, the frontage of the block is setback behind planters to give additional separation from the pavement, and privacy for the southernmost ground floor flat.
- 6.2.24 A biosolar living roof is proposed which adds landscaping value to the area, albeit it is not readily visible given its height.
- 6.2.25 The replacement of the parking area with a playable communal courtyard is positive, as are the landscaping enhancements to the surrounding public realm. Also positive is the decision to provide some shared playspace in the nearby Fellows Court development (albeit a separate application) as the application site appears likely too small to provide a meaningful level of housing development and the full policy-compliant amount of required playspace. Overall, from a design perspective, the landscaping proposals have been carefully thought out to enhance the site for existing and new residents. Although, the quantum of proposed planting/greening will be discussed in greater detail within the 'Biodiversity & trees' section below.

Heritage assessment

Hackney Road Conservation Area (CA)

- 6.2.26 Hackney Rd CA is opposite to the south and east. The Hackney Road Conservation Area Character Appraisal refers to the part of the CA closest to the site as 'Character Area 2: Haggerston Park' and states that it "*includes Haggerston School, and Hackney City Farm, to the west of Goldsmith's Row. In historic terms, both Haggerston Park and the City Farm are fairly recent additions to the area, being created in the 1950's and 1970's, respectively. The character of this eastern end of the Hackney Road is more spacious, green and leafy, in total contrast to the busy traffic-lined thoroughfare to the south. The Park and the City Farm both serve as a pleasant relief, an oasis away from the built edge of the borough. Haggerston Park and Hackney City Farm are important 'green lung' assets. Recreation and education are important local assets they provide, so these rare public open spaces should be preserved and protected.*"
- 6.2.27 The submitted Heritage Impact Assessment states that "*the setting of the conservation area is not sensitive in the vicinity of the site – its north western corner being bordered entirely by post-war local authority built housing*". Officers agree with this assessment, and as the

proposed scale, massing, materiality and siting is a positive response to the existing context, it would preserve the character and appearance of the nearby CA.

Haggerston Girls' School and School House at Haggerston Girls' School

- 6.2.28 The Grade II listed Haggerston Girls' School to the south has a reinforced concrete frame with concrete and brick infill. The plan has three blocks, a central teaching spine incorporating a 1st floor library, with an entrance block to the west containing an assembly hall, music facilities and staff accommodation, and gymnasium to the east.
- 6.2.29 The proposal is a sensitive response to its context. It completes the urban block and it does not present itself as an overbearing structure in the setting of this listed building. The contrasting materiality is welcome as are the subtle architectural references.
- 6.2.30 The Grade II listed School House at Haggerston Girls' School to the east is a smaller caretaker's house. It is formed of dark grey brick with concrete floor slabs and exposed concrete roof slab, the latter bush hammered and treated as a cornice to the composition. Metal windows are punched into the composition. It has a square cubic plan reflecting the constructivist composition of the principal elevations. Its entrance is to the side, with a renewed door in white surround, with panels to the side incorporating a letter box and toplight above and with a hall window in separate brick surround. The living room window is renewed in timber within the original opening; the other windows are metal with coloured soffits; set-back clerestory on main facade giving the sensation that the cornice is floating, a favourite Goldfinger quirk seen in the parapet designs for his large blocks of flats.
- 6.2.31 The proposal would be visible in the setting of this listed building, particularly in views of this listed building from the north and east. However, the proposal would be set well away from the listed building and would not therefore dominate views of it.
- 6.2.32 The submitted Heritage Impact Assessment states that the proposal provides “*a high-quality backdrop to the setting of the conservation area and within the setting of Haggerston School*”. Officers agree with this assessment and are of the view that the setting of both listed buildings would be preserved.

Urban design & heritage conclusion

- 6.2.33 Overall, the proposal is considered acceptable in urban design terms and to result in no heritage harm.

Affordable housing & housing mix

Policy

- 6.2.34 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).
- 6.2.35 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

- 6.2.36 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.
- 6.2.37 The proposed housing mix for this application is 78% 1-bed and 22% 2-bed. This is a considerable over provision of 1-bed, an under provision of 1-bed and a complete absence of 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 Fellows Court (13 x 2-bed & 15 x 3-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.
- 6.2.38 The Fellows Court application site to the west 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

- 6.2.39 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

- 6.2.40 London Plan policy D6 states that 1-bed (2p) single-storey dwellings should have a minimum 50sqm gross internal area (GIA) and 2-bed (4p) single-storey dwellings should have a minimum 70sqm GIA. It states that: a dwelling with 2 or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide, every other additional double (or twin) bedroom must be at least 2.55m wide; a 1 bedspace single bedroom must have a floor area of at least 7.5 sqm. and be at least 2.15m wide; and a dwelling with 2 or more bedspaces must have a bedroom that is at least 11.5sqm. 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 5sqm 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.

- 6.2.41 The GLA's Housing Design Standards LPG standard C2.5 recommends that combined living/kitchen/dining (LKD) spaces should be at least 23sqm for 1-bed (2p) dwellings and at least 27sqm for 2-bed (4p) dwellings.

Assessment

- 6.2.42 The 14 proposed 1-bed (2p) flats would have: GIAs ranging from 52 - 65sqm, bedrooms ranging from 14 - 15.4sqm with widths ranging from 2.75 - 4.76m, private terraces ranging 5 - 10sqm with widths of 1.5m, and LKDs ranging from 23.1 - 29sqm. These all exceed or comply with D6 requirements and LPG guidance. The 4 proposed 2-bed (4p) flats would have: GIAs of 71sqm, bedrooms ranging from 12 - 12.8sqm with widths 2.75m, 7.5sqm private terraces with widths of 1.5m, and 25.6 sqm LKDs. The LKD areas are marginally smaller than the 27sqm recommended in the LPG but this does not raise undue concerns. All other areas exceed or comply with D6 requirements. All proposed flats would have ceiling heights of 2.5m across 100% of their entire areas, exceeding the 75% minimum requirements set out in D6.

Wheelchair units

Policy

- 6.2.43 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 Regulations requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulations requirement M4(2) 'accessible and adaptable dwellings'.

Assessment

- 6.2.44 The submitted drawings indicate the two ground floor units would be M4(3). This is 11% of the development which exceeds D7 requirements, and is welcomed in principle. During the application process, officers queried if there was much demand for 1-bed wheelchair units in the borough, and whether 2-bed+ units may be more in-demand. The agent responded stating that 26 households are on the borough's waiting list for 1-bed wheelchair units.
- 6.2.45 Turning to the detailed design, officers note that the units would have: level or ramped access to their entrances, wheelchair storage/charging area 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

- 6.2.46 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.

- 6.2.47 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

- 6.2.48 All proposed flats would be dual aspect which is welcomed in principle.
- 6.2.49 Officers note that the terrace and all windows serving the proposed southernmost ground floor flat would be close to the shared courtyard to the west and the Thurtle Road pavement to the south. This may give rise to overlooking impacts, particularly during the opening and closing times at Haggerston School and in the warmer months when the shared courtyard may be more heavily used. This is not ideal. However, there would be some planting around the terrace and windows to provide small buffer zones from the shared courtyard and pavement. Officers also note the constrained nature of the site and the need to optimise the amount of housing provided will in cases lead to some sub-optimal amenity. Therefore, weighing these factors together as well as the benefits of the scheme, this flat would not experience a level of overlooking that could constitute a refusal reason. Officers note that the future occupier/s may be more inclined to draw blinds or curtains to protect their privacy, which in turn would impact their outlook and natural light levels, as well their need to use artificial lighting. However again, on balance this is not considered to result in an unacceptable level of outlook and natural light.
- 6.2.50 The proposed northernmost ground floor flat would have its kitchen window directly adjacent to Weymouth Terrace pavement to the west, and close to the proposed northern access gate into the proposal. This could give rise to some overlooking issues, and unlike the other ground floor flat there would be no space to create a planted buffer zone in front of it. This is of some concern to officers. However, given the site's spatial constraints, it is not felt that this can constitute grounds for refusal, and therefore officers will seek to approve details to demonstrate that privacy to this window is maximised via condition. This flat would also have its LKD adjacent to a proposed bin store/cycle store. This is contrary to 'Best Practice' LPG guidance. However, officers note the spatial constraints of the site mean that all aspects of a scheme are unlikely to meet best practice. Officers also note that the LKD would be separated from the cycle/bin store by an external wall which would likely provide it with more acoustic separation than an internal wall. Officers also note that this flat would have 3 trees in the proposed buffer planting area in front of its private terrace. This would somewhat obscure the outlook from its bedroom window and east-facing LKD window and doors. However, on the other hand the trees may be of benefit by bolstering privacy to these windows from pedestrians on Turtle Road. Therefore, on balance the outlook from these windows/doors is acceptable.
- 6.2.51 All of the proposed upper floor flats would have their bedrooms and at least one of their LKD windows facing east or south onto Thurtle Road, and with Haggerston School or part of Brunswick House in the background. This represents a good quality of outlook for these rooms and with no unacceptable overlooking impacts from these neighbours, given the generous separation distances. A condition will be added requiring details of privacy screening between the proposed east elevation terraces and any privacy measures towards the proposed bathroom and kitchen windows accessed by the proposed deck access on the west elevation.

Natural light

Guidance

- 6.2.52 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.
- 6.2.53 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.
- 6.2.54 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.
- 6.2.55 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.
- 6.2.56 A development only needs to comply with one of these methods to comply with BS EN 17037 and BRE guidance.

Assessment

- 6.2.57 A Daylight, Sunlight & Overshadowing Assessment (DSO) was submitted with the application.
- 6.2.58 The DSO identifies that 3 proposed windows within the proposed development would not meet minimum Illuminance levels. All 3 windows (R1, R2 and R5) are at ground level. Windows R1 and R5 serve the kitchen and bedroom of the northernmost flat, and these rooms would achieve 19% and 31% of their area meeting the required Lux level - with the requirement being at least 50%. R2 serves the kitchen in the southernmost flat, and 44% of its area would meet the required Lux level.
- 6.2.59 However, the DSO has assessed sunlight exposure towards the 2 ground floor living rooms and all the upper floor LKDs, and demonstrates that figures would range from 2.2 hours (minimum) - 8.3 hours (maximum). Therefore, all flats comply with the sunlight exposure test. As such, the proposal complies with 1 of the 3 tests, in accordance with BS EN 17037 and BRE guidance. The proposal would therefore receive acceptable levels of natural light.

Access and communal circulation*Guidance*

- 6.2.60 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

- 6.2.61 Both proposed ground floor flats would have their own front door. Officers note these doors are not accessed directly from the street. However, this is considered acceptable.
- 6.2.62 The internal corridor (adjacent to the communal staircase) would be approximately 2.1 - 2.4m wide. At ground level it would be served by two entrance doors, which would likely provide it with some level of natural light and ventilation. At upper floor levels the internal corridor would be served by an entrance door from the deck access and a door from the stairwell (which is served by 5 windows). It would therefore receive some level of natural light and ventilation at upper floor levels too.
- 6.2.63 None of the windows facing the upper floor deck galleries would be a primary window serving a habitable room. The deck access galleries would be 1.45m at their narrowest points. This is marginally below the minimum 1.5m recommended in the LPG but this marginal shortfall does not raise any undue concerns.
- 6.2.64 There would be 4 dwellings/core at upper floor level which is comfortably fewer than the 8 dwellings maximum recommended in the LPG.
- 6.2.65 There would be two main entrances into the building. There would be two external gated accesses into the shared courtyard and a further access from the building's communal corridor. This is a reasonable level/layout of accessibility throughout the proposed development.
- 6.2.66 The cycle and bin stores would be within close proximity and fairly easy to access from the proposed flats.
- 6.2.67 For these reasons the proposal would have acceptable access and communal circulation arrangements, on balance.

Communal amenity space and child playspace*Policy*

- 6.2.68 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.

- 6.2.69 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

- 6.2.70 The proposal is for 14 x 1-bed (2p) and 4 x 2-bed (4p) Social Rent dwellings. The development could therefore potentially house up to 44 residents. However, entering this housing and tenure mix into the GLA’s population yield calculator gives an estimated 30.6 residents, of which 6.6 would be children.
- 6.2.71 Therefore, the proposal would need to provide 428.4sqm (30.6 x 14.4sqm) of open space to comply with LP50 part A. As fewer than 10 children are estimated, policy would not require child playspace if this development was submitted on its own. However, as it is following a ‘portfolio’ approach with the application at Fellows Court (13 x 2-bed & 15 x 3-bed Social rent dwellings) officers are of the view that the child yield calculation should be combined. As such, this results in a yield of 83.3 children. Therefore, 833sqm of child space is required across both developments to comply with LP50 part A.
- 6.2.72 The submitted Design & Access Statement sets out that the proposal provides 339sqm of open space on-site (82sqm ‘Civic Spaces’, 199sqm ‘Residential amenity space’ and 51sqm ‘Soft Landscape’). The provision of the communal courtyard space is welcomed, as it provides an opportunity for residents to interact and create social connections. Although officers note that its area would represent an 89.4sqm shortfall (428.4sqm - 339sqm) in policy terms. This will need to be mitigated via a financial contribution in the legal agreement, as per the S106 SPD requirements.
- 6.2.73 Officers note that the Fellows Court application has a shortfall in child playspace, when assessed against policy requirements. Therefore, a financial mitigation for the overall playspace shortfall across both applications will be sought in the legal agreement for the Fellows Court application.

Quality of accommodation conclusion

- 6.2.74 On balance the proposal would result in an acceptable quality of accommodation, subject to conditions and a legal agreement.

Neighbouring amenity

Policy

- 6.2.75 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*”.

- 6.2.76 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

- 6.2.77 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 by LBH Environmental Protection and LBH Land, Water & Air.
- 6.2.78 The proposal's overall size, layout, amount of glazing and relationship with neighbours does not give rise to concerns over wind comfort or solar glare impacts.
- 6.2.79 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

- 6.2.80 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.
- 6.2.81 The west-facing windows serving the proposed ground floor flats would not face directly towards neighbouring windows to the west. The south-facing windows serving the southernmost ground floor flat would face towards a boundary wall/fencing serving the school opposite to the south. The east-facing windows serving the northernmost ground floor flat would be over 40m from ground floor west-facing windows at Brunswick House. This is a generous separation distance which raises no concerns.
- 6.2.82 The proposed west-facing private balconies serving the upper floor flats in the south west corner of the building would be approximately 8.5m from the neighboring 1st floor terrace at 80 Weymouth Terrace. Officers note this is relatively close. However, this neighbouring terrace is relatively deep. Therefore, much of its area would have a greater separation distance. Also, its large depth should not unfairly prejudice the ability of the application site to redevelop. Therefore, this relationship is acceptable on balance. The proposed west-facing windows serving these upper floor flats would be approximately 18m from the neighboring upper floor east-facing windows at 80 Weymouth Terrace. This separation distance and relationship does not raise any undue concerns.
- 6.2.83 The proposed south-facing windows serving the two upper floor southernmost flats would be approximately 8m from the boundary with the school to the south and the school's amenity area beyond this. The east-facing windows serving the upper floor flats in the south east corner of the proposed building would be approximately 12m from the boundary with the school to the east and the school buildings beyond this. These distances are considered sufficient to prevent people in the school grounds and buildings from experiencing a sense of undue overlooking.
- 6.2.84 The proposed east-facing balconies serving the upper floor flats would be approximately 15m from the boundaries with the school and Brunswick House, with the school buildings and the block of flats set further back from these western boundaries. These separation distances

and relationships are similar to those already found on Thurtle Road and therefore acceptable.

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

Daylight

- 6.2.86 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 rooms's working plane which can receive direct skylight) is less than 0.8 times its former value.
- 6.2.87 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.
- 6.2.88 The submitted Daylight, Sunlight & Overshadowing assessment (DSO) assessed daylight towards windows at neighbouring: 3-storey 84 - 92 Weymouth Terrace, single-storey 82 Weymouth Terrace and 3-storey 80 Weymouth Terrace to the west; Haggerston School Blocks A & B to the south; and Haggerston School Block G and Brunswick House (labelled as '6 Kent Street') to the east. Officers consider this to be a reasonable range of properties.
- 6.2.89 8 assessed windows at 84 - 92 Weymouth Terrace would be left with VSC levels below 27% and less than 0.8 times their former value. 4 of these windows (W11, W12, W13 and W14) are at ground level and serve 2 bedrooms and 2 kitchens, and would be left with VSCs ranging from 20.5 - 23.9%. These VSC figures are still relatively high for a dense urban area. The other 4 windows (W8 and W9 at 1st floor level and W8 and W9 at 2nd floor level) serve 2 bedrooms and 2 living/kitchen/dining rooms (LKDs). Their remaining VSC figures would range from 9.1 - 11.4% down from 13.2 - 15% which ranges from 0.69 - 0.74 times their former value. Whilst these losses would be noticeable, officers note the percentage losses are partially down to low existing values which themselves are likely due to overshadowing from no. 84 - 92's own deck access design. As such, the losses are not considered sufficient to constitute grounds for refusal. Furthermore, all rooms assessed at no. 84 - 92 would be left with NSL levels greater than 0.8 their former value. For these reasons the proposal would not result in unacceptable daylight levels at 84 - 92 Weymouth Terrace, on balance.
- 6.2.90 2 windows assessed windows at 82 Weymouth Terrace would be left with VSC levels below 27% and less than 0.8 times their former value. Both of these windows (W1 and W2) would serve the same ground floor bedroom. Their remaining VSC figures would range from 14.9 - 15.2% down from 20.7 - 21.5% which ranges from 0.71 - 0.72 times their former value. Although the losses would be noticeable, officers note that the remaining mid-teen figures are still relatively good for a dense urban environment. Also, the room is served by 2 windows. This bedroom would be left with a 38.1% NSL down from 83.0% which is 0.46 times its former value. This large loss is noted. However, it is not in itself considered sufficient to constitute grounds for refusal, paying due regard to the benefits of the scheme which includes 100% Social rent homes.

Overbearing/sense of enclosure

- 6.2.91 The proposed building would be circa. 30.3m deep, 9.0 - 15.6m wide and 17.7m high (with plant enclosure projecting a further 2m above this but set well in from the edges of the building). Overall, given the proposed building's height, mass, bulk and separation distances to neighbours, it would not create unacceptable overbearing/sense of enclosure towards neighbours.

Sunlight

- 6.2.92 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.
- 6.2.93 The submitted DSO assessed sunlight impacts towards neighbouring windows at: 3-storey 84 - 92 Weymouth Terrace and single-storey 3-storey 80 Weymouth Terrace to the west; and Haggerston School Block G and Brunswick House (labelled as '6 Kent Street') to the east. This is considered to be a reasonable range of properties. Officers note that impacts towards Haggerston School Block A & B have also been assessed. However, these are directly south of the proposal and therefore officers do not feel they need to be assessed, as per BRE guidance.
- 6.2.94 4 windows (W8 and W9 at 1st floor level and W8 and W9 at 2nd floor level) at 84 - 92 Weymouth Terrace would be left with sunlight levels that breach BRE guidance. The remaining APSH levels would range from 14 - 17% down from 20 - 23% which is 0.61 - 0.74 times their former values. This breach is noted but not significant, especially given the site's tight urban context. Also, their remaining WPSH levels would be 14 - 17% which far exceeds the minimum recommended 5%. For these reasons the proposal would not result in unacceptable sunlight levels at 84 - 92 Weymouth Terrace, on balance.
- 6.2.95 All other assessed properties would meet BRE sunlight recommendations.

Overshadowing

- 6.2.96 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.
- 6.2.97 The DSO assessed proposed overshadowing towards the landscaped amenity area to the north west of the site on Weymouth Terrace. It sets out this area would be left with sunlight levels in accordance with BRE guidance on March 21st.

- 6.2.98 During the application stage, officers also requested the DSO addendum document include an overshadowing of the neighbouring terrace at 80 Weymouth Terrace to the west. This demonstrated that it would also be left with sunlight levels in accordance with BRE guidance on March 21st.

Neighbouring amenity conclusion

- 6.2.99 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

- 6.2.100 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.
- 6.2.101 The local road network includes: Thurtle Road, Weymouth Terrace, Kent Street, and Dunloe Street. The broader road network surrounding the site comprises the A10 Kingsland Road to the west, Whiston Road to the north, the B108 Queensbridge Road to the east and the A1208 Hackney Road to the south. These roads all have a 20mph speed limit.
- 6.2.102 The site is within the Cremer Street Low Traffic Neighbourhood (LTN). LTNs are designed to reduce traffic and pollution and to create more livable streets by encouraging walking and cycling. Vehicles can drive into any address within the LTN but cannot go through traffic filters.

Loss of existing garages

- 6.2.103 The submitted Transport Statement (TS) states that 1 of the existing garages is vacant and the other 13 are rented out by the Council. It does not clarify how many of these 13 garages are currently 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 13 vehicles being displaced onto the surrounding highway network. However, the TS sets out that following a review of car parking surveys there are approximately 40 parking spaces available on the local highway network, within circa. 200m walking distance of the site. There is therefore excess capacity for 13 additional vehicles.
- 6.2.104 LBH Transport & Highways officers reviewed the TS and raised no objection to its methodology. As such, the loss of 14 existing garages is acceptable.

Trip generation & Travel Plan

- 6.2.105 The TS estimates the proposal would result in: 11 total person two-way trips during the AM peak (08:00-09:00), 6 two-way trips during the PM peak (17:00-18:00), and 87 two-way trips throughout a typical day (07:00-21:00); 3 two-way vehicle trips, none of which would be two-way vehicle trips in both the AM and PM peak hours; 6 public transport trips in the AM peak, 3 in the PM peak, and 51 throughout the day, with the majority expected by bus which the TS concludes will not cause any notable impacts on the network; and 5 two-way delivery

and servicing trips daily, with none in the AM or PM peaks, nearly half of these trips are expected to be for takeaway deliveries, likely made by motorcycles, and the TS concludes that these trips will not impact the operation of the local highway network.

- 6.2.106 The submitted trip generation analysis indicates the proposed development will primarily generate trips through active and sustainable modes of transport; and that zero two-way vehicle trips are expected during the AM and PM peak hours, with 3 projected for the entire day. It estimates 15 two-way cycling trips and 16 two-way walking trips per day. It also estimates a significant number of public transport trips, with 6 in the AM peak, 3 in the PM peak, and 51 throughout the day.
- 6.2.107 The low level of vehicular trips and higher number of cycle, pedestrian and public transport trips aligns with the scheme's car-free nature. However, it is important to recognise that the trip generation assessment is an estimate and may underestimate the actual number of trips, particularly given that the Trip Rate Information Computer System (TRICS) data used is based on flats that are "privately owned" and not specifically social rented housing. Therefore, implementing a well-managed Travel Plan (secured via condition) is crucial to encourage residents to continue using sustainable transport modes and to mitigate any potential for an increase in car trips that were not accounted for in the assessment. The TP would help ensure that the development's car-free nature is effectively maintained over time.
- 6.2.108 A Framework TP Statement has been submitted with the application. However, a full detailed TP will be required to establish a long-term management strategy that encourages sustainable and active travel. The TP will be 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 Transport Strategy and Local Plan. The full TP will be required to be produced and implemented on occupation of the development. This will be secured through the legal agreement inclusive of a £2,000 financial contribution towards monitoring of the TP.

Car-free development

Policy

- 6.2.109 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.
- 6.2.110 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

- 6.2.111 The proposal would be car-free (except for 1 on-street Blue Badge bay (BB) and potential for a further 1 BB bay in the future). This accords with the requirements of LP45 and T6.1, subject to submission of an acceptable Parking Design and Management Plan via condition.
- 6.2.112 The BB bay would be on Thurtle Road, within 20m from the proposal's main entrance. Its implementation will be sought as part of the S278 agreement (beyond the £66,794.23 quoted by LBH Streetscene for highways works).

Cycle parking

Policy

- 6.2.113 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*”.
- 6.2.114 To accord with Local Plan policy T5 requirements, the 14 x 1-bed & 4 x 2-bed scheme would need to provide a minimum of 29 long-stay spaces and 2 short-stay spaces. Albeit, Local Plan Appendix 2 would have a higher 36 long-stay spaces and the same a 2 short-stay spaces requirement.

Assessment

- 6.2.115 The application proposes 36 long-stay resident and 4 long-stay visitor spaces. This exceeds London Plan requirements and also complies with the higher Local Plan requirements.
- 6.2.116 All of the 36 short-stay spaces would be within covered stores. This is welcomed as these stores would provide some protection from rain and some level of security. 1 space would be for an enlarged cycle which is also welcomed as this caters for a greater diversity of users. 24 (67%) of the stands are 2-tier and the remaining 12 (33%) are Sheffield stands. Officer preference would have been for all or more spaces to be single-tier Sheffield stands as these are accessible for all. However, the site is constrained and increasing the proportion of Sheffield stands could lead to more undesirable outcomes such as fewer cycle spaces, fewer homes or less communal space. For these reasons the short-stay provision is acceptable on balance.
- 6.2.117 The 4 short-stay visitor spaces would be in the form of 2 on-street Sheffield stands on Thurtle Road, to the east of the proposed building. This raises no concerns.

Car Club membership

- 6.2.118 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.
- 6.2.119 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.

Demolition and Construction Management Plan (DCMP)

- 6.2.120 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

- 6.2.121 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.
- 6.2.122 Highways works and transport mitigation measures are therefore required, as set out in the LBH Street Scene comments above. These include footway reconstruction and new kerbs on Thurtle Road, at an estimated cost of £66,794.23 (not including marking the new BB bays) which will be secured in the legal agreement.

Waste & recycling

Policy & Guidance

- 6.2.123 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.
- 6.2.124 The LBH *Refuse and recycling storage guidance* document states that: 1-bed dwellings should have capacity for 50L waste and 100L mixed dry recycling; 2-bed dwellings should have capacity for 75L waste and 125L mixed dry recycling; and developments of 6 -20 dwellings should have 1 x 140L communal food waste bin and a minimum 2.5sqm 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.
- 6.2.125 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.
- 6.2.126 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

- 6.2.127 The proposed building would have an attached bins store at the northern part of the site and a smaller internal bin store in the south east corner of the proposed building.
- 6.2.128 The submitted drawings do not label the size/capacity of the bins within the stores, bulky waste storage provision, the location of likely collection points or storage waste streams within the kitchens of individual flats. However, the drawings have been reviewed by LBH waste officers who raise no objection to the submitted drawings, and comment that they are in line with pre-app discussions.

6.2.129 As such, the proposal has acceptable waste and recycling arrangements.

Biodiversity & trees

Protecting existing trees and biodiversity

- 6.2.130 There are no trees within the red line drawn on the submitted location plan to delineate the application site. However, there are 2 street trees (to the north west on Weymouth Terrace and to the east on Thurtle Road) in close proximity which will need to be protected during construction. Tree Protection details will be secured via condition, in line with BS5837(2012).
- 6.2.131 The decision to retain a visual connection to the Weymouth Terrace street tree in views from Thurtle Road by maintaining a gap between existing and proposed buildings is welcomed by officers as it recognises its importance to the local sense of place and enhances its visual amenity.
- 6.2.132 There are no habitats on site. No presence of bats were found in the bat survey. However, the preliminary ecological appraisal (PEA) results indicated some potential roost features and potential for nesting birds in the garages. Therefore, works should be carried out outside the nesting bird season (March - August), or a nesting bird check must be conducted within 48 hours of work commencement if this is not possible. This will be secured via condition.
- 6.2.133 The submitted Hackney Shadow Habitat Regulations Assessment found no likely significant effects at Lee Valley RAMSAR/SPA or Epping Forest SAC. This was reviewed by LBH Biodiversity and Tree Protection Officers who raised no objection to these findings.

Proposed trees

- 6.2.134 The application proposes 1 new tree in the communal courtyard and 3 new trees on the eastern edge of the site facing Thurtle Road.
- 6.2.135 The central feature tree within the shared courtyard is proposed to act as a focal point, selected to maximize visual interest year-round with Spring blossom and Autumn color. Seating will be installed in the courtyard to enable residents to enjoy the sun and dappled shade from this tree. During the application stage officers suggested to the applicant team that this tree could be planted in a bed with other courtyard planting to achieve soil volume equivalent to at least two thirds of the projected canopy area of the mature tree and give the feature tree the best possible chance to thrive and be the focal point it is intended to be, and also help to increase the low proposed Urban Greening Factor (UGF) score. However, the applicant team stated that this would impact the proposed underground SUDS tanking. Planning officers accept this argument, especially given drainage concerns set out in the 'Drainage & flood risk' section below.
- 6.2.136 The 3 proposed Thurtle Road trees will provide habitat and natural screening to the raised ground floor private balcony. If these are designated as 'standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two-thirds of the projected canopy area of the mature tree' for the purposes of the UGF metric, it is important to provide details of the tree species selected, the amount of above ground space available for the mature trees' canopy spread, and volume of soil provided. This will indicate the feasibility of the new tree planting scheme. Even though there are only 3 new trees proposed for this location, it is suggested that a variety of species are chosen in order to increase the trees' resilience to the challenges associated with climate change.

6.2.137 All proposed planting, including trees, will be maintained by the LBH Estates Grounds Maintenance Team. During the application process, the applicant team stated that the maintenance team are aware and have been engaged with the proposals.

External lighting

6.2.138 Officers welcome that on the whole, the proposed lighting plan is directed away from trees and other planting. This will help the trees themselves to grow without harmful disruption to their day-night cycle, and will allow wildlife to use the habitat without excessive disruption from Artificial Light At Night (ALAN). The timer feature on the main courtyard feature lamp column is welcomed for this reason also. Lighting for the new development should also align with the Bats and Artificial Lighting guidance (Bat Conservation Trust, 2023).

6.2.139 An external lighting strategy condition, sensitive to wildlife, should be implemented to prevent detrimental impacts on bats and other wildlife. This includes minimising light spill onto suitable habitats. LED luminaires should be used for their sharp cut-off and dimming capacity. Lighting must have no upward spill, favour warm white luminaires with a peak >550nm, avoid UV lighting, and reduce blue content. Security lamps should be motion-triggered and switch off after a short period. Further guidance is available in 'Bats and Artificial Lighting at Night' (ILP, 2023).

6.2.140 These considerations are not included within the external lighting strategy already proposed but will be secured via an updated external lighting strategy (sensitive to wildlife) via condition.

Public realm, urban greening & biodiversity

6.2.141 The public realm improvements proposed for Thurtle Road and the wider site are welcomed, given that the area is currently entirely hardstanding. The proposals for urban greening are overall positive and will enhance the site significantly.

6.2.142 The ground level floor plan indicates one planter along Thurtle Road (running north/south) but there is also scope for a low level planter at the base of the building on the new corner of Thurtle Road (due to the proposed set back building line) (page 50 DAS part 2). This could be secured via the proposed UGF condition.

6.2.143 Local Plan policy LP47 states 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. Provision of bird/bat boxes will be secured through planning condition. For a development of this size, provision of 2 bat boxes and 2 bird/swift boxes is recommended.

6.2.144 Swift bricks 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.

6.2.145 If installing bird boxes, ideally a variety of box types are included (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 5m 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.

- 6.2.146 Bat boxes/bricks 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.
- 6.2.147 An extensive green roof was originally proposed with a substrate depth of 80mm. However, it is highly recommended that the applicant looks at introducing an intensive / biodiverse green roof as this could be achieved by only a slight increase in substrate depth. This would have a much greater benefit to biodiversity, and would help improve the below policy level UGF score. An intensive biodiverse roof would have a minimum substrate depth of 150mm, and allow for greater diversity of planting. If the growing substrate is soil, there should be a suitable irrigation system to support the green roof. A management plan is key to ensuring long term success and establishment of the living roof. Alternatively other growing substrates can be explored. Undulating substrate depths are encouraged on the living roof which increases diversity of planting by promoting both shallow and deep rooted plants, and diversity in terms of drought tolerance. Introducing invertebrate habitats on the roof, such as bee and bug habitats can also enhance the biodiversity of which the roof can support. A suitably worded condition requiring a minimum 0.3 UGF score (above the 0.18 originally proposed as part of this submission) will be attached, and improving the main proposed living roof could be part of the applicant's strategy to address this condition.

Landscaping plan and planting details

- 6.2.148 The proposed planting palette is acceptable. However, greater periwinkle (*Vinca major*) is considered an invasive non-native species in the UK, although not on the London Invasive Species Initiative (LISI) list, with *Vinca minor* being a more acceptable native alternative. Therefore, if this species is replaced as part of submission of the landscaping condition details then this would be welcomed.

Urban Greening Factor (UGF)

- 6.2.149 The initial submitted scheme proposed a 0.18 UGF score which is well below the London plan target of 0.4. During the application stage officers raised concerns about this to the applicant team. Officers acknowledge there are limited opportunities on the site but there were some areas to improve the score such as: increasing volume of soil within the tree pits; adding an additional planter on the new corner of Thurtle Road; exploring the option of the main biosolar roof to be an intensive living roof, with a much greater biodiversity value and a higher score in relation to UGF; and adding living roofs to the proposed cycle and bin stores.
- 6.2.150 Officers also suggested that nearby greening improvements could be made outside of the application site but within the blue outline on the submitted location plan i.e. within the applicant's (Hackney Council) ownership. For example, there is potential to increase urban greening in the patch of grass on the corner of Thurtle road and Kent Street. This area could be enhanced with low-level planting, without disturbing sight lines, and waste construction materials could be introduced to support the planting substrate. Also, the existing square on Weymouth Terrace could benefit from meadow planting, introduction of drought-tolerant species, deadwood habitats, log piles, bee planters, invertebrate habitats, enhancement of

hedgerows, wildlife friendly planting and if possible, a water source such as a seasonal pond to support wildlife and help with urban cooling. Officers also suggested consideration should be given to using waste materials as a plant growing medium on site, which is low-cost and supports a circular economy, as per Local Plan policy LP57 requirements. For instance, brickwork removed for courtyard access could be used as a substrate.

- 6.2.151 Following extensive discussions, the applicant team agreed to some of these suggestions. This included increasing the substrate depth of the main biosolar roof, adding living roofs to the cycle and bin stores and adding additional planting to the patch of grass on the corner of Thurtle road and Kent Street. Officers preference would have been for the Thurtle Road and Kent Street planting details to have been submitted at application stage. However, on balance it is felt that these details can be secured via a Grampian condition requiring details of planting plan that achieves a minimum overall 0.3 UGF score between this patch of grass and the 0.21 achieved on the application site. Although this would be below the minimum 0.4 London Plan target, officers undertook capacity studies for the patch of grass and assessed that 0.3 is an achievable overall target.

Biodiversity & trees conclusion

- 6.2.152 On balance the proposal would have acceptable biodiversity and trees impacts subject to conditions requiring: tree protection details, underground apparatus to be outside of tree RPAs, a landscape plan, living roof details, a survey for nesting birds, an external lighting scheme details, details demonstrating an overall 0.3 UGF between the site and within the blue line, details of bird and bat boxes and details of the green roofs.

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 a Sustainability Statement, Energy & Carbon dioxide Emissions extract and Energy statement. These documents were reviewed by the Council’s Sustainability & Climate Change Officer.
- 6.2.162 In summary, the officer assessment was that although the scheme exceeds minimum policy requirements on a number of counts (such as Be Lean savings of 24.4% which is a considerable betterment over the savings of 10% required by the GLA, and Be Green savings of 56.6% through incorporation of solar PVs and communal Air Source Heat Pumps (ASHPs), resulting in a combined carbon saving of 81%, considerably exceeding the required 35% carbon savings and recommended 50% carbon savings set out in the London Plan) and should be considered to be a good level of performance on net zero in particular, as Passivhaus certification is not being pursued it is not considered this to reach exemplary levels of some other NHP schemes and this also gives rise to concern over compliance regarding District Heat Networks not being fully addressed.
- 6.2.163 Therefore, at application stage officers requested the applicant team to address a number of recommendations. For ease of reference, the following table sets out these recommendations, the responses received from the applicant team and then Sustainability & Climate Change Officer’s responses.

Initial LBH officer comments	Applicant team responses	Follow-up LBH officer responses
Sustainability summary		
Clarify why Passivhaus Classic Certification is not being pursued despite the scheme	The applicant has conducted the Passivhaus Planning Package (PHPP) analysis and has	This is disappointing, as Passivhaus would provide more favourable outcomes in terms of

<p>being on track to attaining the certification. The applicant is recommended to pursue Passivhaus Classic Certification - this would satisfy the DHN concern without needing to connect to a DHN (due to guaranteeing very low heat needs) and will generally provide better outcomes for Hackney residents in a changing climate.</p>	<p>evaluated performance of the proposal against costs and viability. It is demonstrated that AECB Carbonlite certification can be achieved. The Energy Statement demonstrates that the current proposals greatly exceed minimum and recommended carbon emissions reduction above the current Building Regulations Part L.</p>	<p>net zero energy; and in terms of health and wellbeing and climate resilience for occupants. Passivhaus would also be given greater weight in planning terms as a more stringent assessment and with quality control through construction to ensure carbon savings are maximised as far as expected.</p> <p>It is recommended that a planning condition be provided on certification, with Passivhaus preferred and Carbonlite a backstop in combination, to ensure that attainment of Carbonlite does not preclude the potential for Passivhaus to be later found to be achievable.</p> <p>Attainment of the design stage fabric performance (in line with PH) would also be recommended for planning condition.</p> <p>Additionally a monitoring condition will be recommended to ensure that renewable energy systems are performing as per design and connected.</p>
<p>There is a need to recommend planning conditions to ensure that the fabric performance and net zero technologies are implemented as far as is possible to assure through the planning system in the absence of this certification.</p>	<p>This is noted and welcomed.</p>	
<p>Net zero operational carbon</p>		

<p>Overall, this results in a combined carbon saving of 81%, considerably exceeding the required 35% carbon savings and recommended 50% carbon savings set out in the London Plan. This is very much considered acceptable and an example of good practice performance on net zero. The lack of Passivhaus certification however gives some uncertainty about whether this will be achieved in practice and whether the construction quality will deliver the proposed carbon savings, and as such, this is not considered exemplar.</p>	<p>This is noted. The applicant has conducted the Passivhaus Planning Package (PHPP) analysis and has evaluated performance of the proposal against costs and viability. It is demonstrated that AECB Carbonlite certification can be achieved. Final decision to be taken by the client on certification to be targeted. The Energy Statement demonstrates that the current proposals greatly exceed minimum and recommended carbon emissions reduction above the current Building Regulations Part L.</p>	<p>As above.</p>
<p>The scheme adopts a communal ASHP based approach with HIUs. There are no current references to making this adaptable to DHN, however this form of communal heat could potentially be made to be adaptable to a District Heat Network (DHN).</p>	<p>As noted within the Energy Statement, the central energy centre of the proposed development, can accommodate connectivity with a future DHN, if one becomes available in the area.</p>	<p>This is noted. A planning condition will be recommended to ensure future heat network connectivity potential.</p>
<p>The scheme is within 500m of the proposed Shoreditch North Heat Network, so the usual expectation would be to see engagement with the future heat network provider to explore potential to connect and to ensure that appropriate measures are taken in the design of the energy system and facilities to accommodate future connectivity. This is required and the scheme is not considered acceptable without further exploration of DHN connectivity.</p>	<p>The applicant has had a meeting with the Head of Energy and Carbon Management for the London Borough of Hackney, to discuss proposed DHNs across Hackney and their proximity to proposed developments as part of the Hackney New Homes Programme. It has been indicated that there are no set plans for the Shoreditch North Heat Network to expand in the vicinity of the Weymouth Court Garages proposed development. If this proposed DHN expands and becomes available for connection with the proposed development, then there is the potential for the proposed development to connect to the DHN, as the energy centre has been designed to allow for future connectivity.</p>	<p>As above.</p>
<p>It is unclear from the information provided why Passivhaus was not pursued in this instance, given that the performance in the Passivhaus Feasibility study showed the</p>	<p>The applicant and project team has carefully considered the potential for achieving Passivhaus certification. A full Passivhaus Planning Package (PHPP) analysis has been</p>	<p>Comments as before.</p>

<p>scheme was on track to attain Passivhaus and of a performance level compatible with attainment of this standard. The applicant is recommended to pursue full Passivhaus certification, as this provides surety to the final performance of the scheme and provide quality control in construction to ensure the final performance is per design predictions.</p>	<p>undertaken to test the performance of the proposals against the requirements of the standard, alongside a detailed review of costs and viability. While the analysis demonstrates that performance levels are high and align closely with Passivhaus principles, the additional measures needed to secure certification are not considered proportionate or deliverable in the context of wider project priorities. Instead, the applicant is pursuing AECB CarbonLite certification, which can be achieved within the current design and provides independent assurance of robust energy performance. The Energy Statement demonstrates that the proposals already greatly exceed both the minimum and recommended carbon emissions reductions required under Building Regulations Part L, ensuring a best-practice, fabric-first approach that is aligned with London Plan and Local Plan sustainability policies, and was agreed as the proposed approach at pre-app stage.</p>	
<p>Carbon offsets are proposed for the value of £8,809 to address residual emissions of 92.tCO2e over 30 years at £95/tCO2. This is not to be negotiated on as we may otherwise suggest for a Passivhaus certified scheme.</p>	<p>Previous discussions with the Council Energy team have indicated that if AECB Carbonlite certification is achieved, the Carbon offset contribution will not be applicable (similar to if Passivhaus certification is achieved). The carbon offset contribution is presented as an indication if AECB Carbonlite certification is not achieved.</p>	<p>For consistency with previous discussions with, this is accepted. Appropriate legal wording will be required.</p>
<p>Climate change & overheating risk</p>		
<p>This is considered Active Cooling and as such will be required to be robustly justified, with evidence that the Cooling Hierarchy has been fully adhered to and implemented.</p>	<p>The cooling hierarchy has been followed as outline within the Overheating Risk Assessment. Compliance is demonstrated with passive means/natural ventilation scenario, if acoustics on site are not taken into account (as per Part O and London Plan guidance). This will allow residents to open their windows to mitigate potential overheating risk via natural ventilation. Due to the acoustics on site (noise levels exceed</p>	<p>This is acceptable, however overheating strategy and further assessment will be recommended to be secured by planning condition. In addition, it is recommended there be an extreme heat management planning condition to ensure safety and wellbeing of Hackney Residents alongside reducing carbon emissions.</p>

	<p>40dB overnight, as per Part O guidance), and due to the fact that safety restrictors will be fitted on windows that do not face on balconies or external walkways (that residents may keep in place), another scenario has been run for the development with windows having restricted openings (as outlined in the Overheating Risk Assessment). The inclusion of cooling coils has been incorporated as part of the MVHR systems. This does not account for active cooling, it is 'trim cooling, as it pre-tempers the incoming air by reducing its temperature by approximately 8-14 degrees. It does not allow residents to set the temperature, thus results in lower energy consumption. Furthermore, the provision of cooling coils futureproofs the scheme for more extreme weather scenarios (as represented by the future DSY2 & DSY3 weather files).</p>	
<p>While some shading devices are incorporated into the scheme, thermal mass has been enhanced and windows are kept to a reasonable scale and form, there does appear to be more that could be achieved through incorporating shading devices externally to the facade and through utilising more passive means within the facade design. The scheme also incorporates large floor to ceiling glazing in some areas which may be potentially worsening the performance of the scheme for overheating.</p>	<p>Full height glazing is only present on balcony doors. All windows have cill at 1.1m. External shading is provided in the form of access walkways and private amenity spaces (balconies). Furthermore, even though internal blinds have not been used to demonstrate compliance with overheating risk criteria, those are to be provided on the base build to allow for manual control of solar gains during summer, thus reducing the risk of overheating further.</p>	<p>The comments do not address the lack of external shading and further passive means. This would be reflected in any further comments provided</p>
<p>There is lack of discussion on whether alternative cooling purging options exist, including through insulated and attenuated vents or similar to address the concerns about safety and acoustics.</p>	<p>Attenuated vents have been explored with the design team. Incorporation of vents would reduce thermal performance during winter, due to the fact that those have a higher U-value compared to the external wall they would substitute. Incorporation of vents would result in an increase of space heating demand and corresponding energy and carbon for space heating. This would result in higher energy</p>	<p>Noted.</p>

	consumption compared to the minimal energy consumption of the cooling coils.	
Furthermore, more information would be required to justify the active cooling performance meets industry standards and to ensure that global warming potential impacts arising from refrigerants are limited as far as possible.	As noted above, cooling coils are considered 'trim cooling' and not active cooling coils. As such, they result in minimal energy consumption increase. The whole life cycle carbon assessment conducted at Stage 3+, which accounts of refrigerants and their global warming potential, demonstrates that the proposals still meet the GLA benchmarks for embodied carbon. Incorporation of attenuated vents would result in higher operational carbon emissions.	Noted and comments as previous.
Whole life carbon (WLC)		
The applicant is encouraged to follow best practice for cement replacements, avoiding high utilisation of Ground Granulated Blast-furnace Slag (GGBS) without robust justification that this provides genuine carbon savings (see IStructE guidance).	This is noted; the applicant will be following best practice for cement replacement and has been exploring this during Stage 3+.	This is welcomed.
Waste & Circular Economy		
The application relies upon the demolition of a row of garages. The applicant states that a pre-demolition audit has been undertaken by Clearway Environmental, but this has not been provided as part of the planning materials.	Pre-demolition audit has not been conducted. XCO2 have recommended that the required garage vacancies are established for the pre-demo survey to take place in order to identify the quantities of materials available for reuse/recycling.	This should be secured by planning condition.
Targets for avoiding waste and supporting the circular economy have not been provided. The applicant is recommended to provide targets in line with industry practices, such as those set out by the GLA. This should be secured by planning condition to ensure that LP57 is met.	The context of avoiding waste and supporting the circular economy is discussed within the Sustainability Statement. A Site Waste Management Plan is to be produced post determination and will be secured via condition.	Noted.
A Site Waste Management Plan has not been provided as yet.	A Site Waste Management Plan will be secured via condition.	Noted.
Consider fully the potential to incorporate waste and circular economy materials within the landscape and urban realm beyond building envelopes.	Noted, this is considered by the applicant and the design team.	Noted and welcomed.

Sustainability & climate change conclusion

- 6.2.164 Most officer comments were addressed by the applicant team at application stage. Concerns regarding lack of external shading and other passive means remain, and it is felt that further improvements in this regard may be possible. On balance, it is felt that these measures can be secured via condition. A detailed Site Waste Management Plan will also be secured via condition.
- 6.2.165 For these reasons the proposal would have acceptable sustainability & climate change impacts subject to: Passivhaus certification or AECB Carbonlite as a backstop (and a further £8,809 carbon offset backstop if neither are achieved) secure via legal agreement; and conditions requiring: attainment of design stage fabric and net zero technologies performance, monitoring demonstrating renewable energy systems are performing as per design and connected, details demonstrating future heat network connectivity potential, a further detailed overheating strategy, non-VOC internal material details, an extreme heat management strategy and a Site Waste Management Plan.

Flood risk & drainage

Policy

- 6.2.166 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.
- 6.2.167 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

- 6.2.168 The application was accompanied by a SuDS Strategy Report. This was reviewed by the Council's Flood Risk & Drainage officer.
- 6.2.169 The officer commented the inclusion of Sustainable Drainage Systems (SuDS) features such as blue/green roofs, permeable paving, bioretention features (including rain gardens and tree pit systems), and below-ground attenuation were welcomed. However, the proposed peak discharge rate of 5.0 l/s for the 1 in 100-year + 40% climate change event significantly exceeds the calculated greenfield runoff rate of 0.12 l/s (based on the 1 in 1-year event). This represents a discharge rate more than 40 times higher than the greenfield benchmark and does not comply with Policy LP53 of the Hackney Local Plan or Policy SI13 of the London Plan. Hackney's policy clearly states that "all development 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. The officer added “*Therefore, the applicant is expected to revisit the drainage strategy to demonstrate how the discharge rate can be reduced to a level closer to the greenfield runoff rate or to provide sufficient technical justification for why this is not feasible in this context. Without such evidence, the proposed discharge rate is not considered acceptable and fails to meet local and regional SuDS policy requirements*”.

- 6.2.170 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.
- 6.2.171 The applicant team submitted an FRA which was deemed acceptable by the Council’s Flood Risk & Drainage officer. The applicant team also countered that they could not improve the run-off rate due to a number of site and buildability constraints. In response, the officer comments that it is not clear if roof attenuation is being fully optimised so the Flood Risk and Drainage team is not in a position to provide final comments. Planning officers understand and appreciate these concerns. However, at application stage the applicant team agreed to increase the substrate depth of the main biosolar roof and add living roof to the bin and cycle stores which should help with rainwater attenuation. For these reasons planning officers are of the view that the proposed drainage system be secured via condition.
- 6.2.172 For these reasons the proposal would create no unacceptable flood risk/drainage risks, subject to condition.

Fire safety

Policy

- 6.2.173 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

- 6.2.174 LBH Building Control have reviewed a number of revisions of the Fire Statement. In planning terms, their only outstanding comment is for a fire door to be added to the base of the internal staircase. The Committee will be updated with any amended document/drawings to this effect

Safety & security

- 6.2.175 London Plan policy D11 part C states that development should include measures to design out crime that are in proportion to the risk.
- 6.2.176 The Met Police DOCO was consulted on this application and commented that “*We have previously met with the project Architects to discuss Crime Prevention and Secured by Design (SBD). And I am pleased to see Secured by Design has been mentioned within the DAS, p99. 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. Whilst in principle we have no objections to the proposal, we have recommended the attaching of a suitably worded condition*”.
- 6.2.177 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

- 6.2.178 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.
- £80 Car Club membership credit/dwelling and/or driving credit to a registered car club provider.
- £66,794.23 S278 Highways works (not including marking of Blue Badge bays)
- £8,809 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 update report*)
- Education contribution (*Exact figure to be confirmed in the update report*)
- Financial contributions monitoring fee (*Exact figure to be confirmed in the update 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

- 18 Social Rent (14 x 1-bed & 4 x 2-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
- Local Supplier Procurement Plan
- Car-free development
- 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)
- Travel Plan
- Financial contributions monitoring fee (*Exact figure to be confirmed in the update report*)

Community Infrastructure Levy (CIL)

6.2.179 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, some additional greening and some communal open space, 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

- Existing location Plan - 032-BM-XX-00-DR-A-00100 Rev. C
- Existing Site Plan - 032-BM-XX-00-DR-A-00101 Rev. A
- Existing Roof Plan - 032-BM-XX-00-DR-A-00102 Rev. A
- Existing North Elevation - 032-BM-XX-00-DR-A-00210 Rev. A
- Existing South Elevation - 032-BM-XX-00-DR-A-00211 Rev. A
- Existing East Elevation - 032-BM-XX-00-DR-A-00212 Rev. A
- Existing West Elevation - 032-BM-XX-00-DR-A-00213 Rev. A
- Existing West Elevation (Wey. Ter.) - 032-BM-XX-00-DR-A-00214 Rev. A
- Existing Section AA (short) - 032-BM-XX-00-DR-A-00310 Rev. A
- Existing Section BB (short) - 032-BM-XX-00-DR-A-00311 Rev. A
- Existing Section CC (short) - 032-BM-XX-00-DR-A-00312 Rev. A
- Existing Section DD (long) - 032-BM-XX-00-DR-A-00313 Rev. A

Proposed

- Proposed location Plan - 032-BM-XX-00-DR-A-01000 Rev. C
- Proposed site plan - 032-BM-XX-00-DR-A-01100 Rev. A
- Proposed first and second floor plan - 032-BM-XX-00-DR-A-01201 Rev. A

- Proposed upper floors plan (3rd, 4th) - 032-BM-XX-00-DR-A-01202 Rev. B
- Proposed roof plan - 032-BM-XX-00-DR-A-01205 Rev. A
- 1B2P - Type A - 032-BM-XX-00-DR-A-01400 Rev. A
- 1B2P - Type B (window) - 032-BM-XX-00-DR-A-01401 Rev. A
- 1B2P - Type C - 032-BM-XX-00-DR-A-01402 Rev. A
- 2B4P - Type D - 032-BM-XX-00-DR-A-01403 Rev. A
- 1B2P - M4(3) - Type E - 032-BM-XX-00-DR-A-01404 Rev. A
- 1B2P - M4(3) - Type F - 032-BM-XX-00-DR-A-01405
- Landscape General Arrangement: Ground Floor - NHP3-LDA-WC-00-DR-L-00001 Rev. B
- Landscape General Arrangement: Roof Plan - NHP3-LDA-WC-RF-DR-L-00001 Rev. B (received 13.01.2026)
- Landscape General Arrangement: Hardworks - NHP3-LDA-WC-00-DR-L-00002 Rev. B
- Landscape: Urban Greening Factor - NHP3-LDA-WC-ZZ-DR-L-00100 Rev. B (received 13.01.2026)
- Landscape Plan (Ground) - 032-BM-XX-00-DR-A-01200 Rev. B (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to a ground floor fire door.*)
- Landscape: Sections - Sheet 1 of 2 - NHP3-LDA-WC-00-DR-L-00200 Rev. B
- Landscape: Sections - Sheet 2 of 2 - NHP3-LDA-WC-00-DR-L-00201 Rev. B
- Proposed North Elevation - 032-BM-XX-00-DR-A-02100 Rev. B
- Proposed South Elevation - 032-BM-XX-00-DR-A-02101 Rev. B
- Proposed East Elevation - 032-BM-XX-00-DR-A-02102 Rev. B
- Proposed West Elevation - 032-BM-XX-00-DR-A-02103 Rev. A
- Proposed West Elevation (Weymouth Terrace) - 032-BM-XX-00-DR-A-02104 Rev. A
- Proposed Section AA (short) - 032-BM-XX-00-DR-A-03310 Rev. A
- Proposed Section BB (short) - 032-BM-XX-00-DR-A-03311 Rev. A
- Proposed Section CC (short) - 032-BM-XX-00-DR-A-03312 Rev. A
- Proposed Section DD (long) - 032-BM-XX-00-DR-A-03313 Rev. A
- Bay study - Private amenity space - 032-BM-XX-00-DR-A-07100 Rev. A
- Bay study - Deck Access - 032-BM-XX-00-DR-A-07101 Rev. A
- Typical Façade Bay - East Side Balcony - NHP3-HTL-WC-ZZ-DR-A-21400 Rev. T01
- Typical Façade Details - East Side Balcony Plan - NHP3-HTL-WC-ZZ-DR-A-21501 Rev. T01
- Cycle Store - NHP3-HTL-FC-00-DR-A-91200 Rev. T01 (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to the correct number of cycle stands and inclusion of a living roof.*)
- Cycle and Bin Store North Side - NHP3-HTL-WC-ZZ-DR-A-21405 Rev. T01 (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to the inclusion of a living roof.*)
- Cycle Store South-West Side - NHP3-HTL-WC-ZZ-DR-A-21406 Rev. T01 (*Officers requested minor changes to this drawing which had not been received at the time of writing. These relate to the inclusion of a living roof.*)

Documents

- Design and Access Statement, Dated February 2025
- Planning Statement, Issue 05, Dated May 2025
- Weymouth Court Garages, Hackney NHP Heritage Impact Assessment, Dated April 2025
- Archaeological Desk Based Assessment Rev.V1, Dated 10.02.2025
- Child Friendly Impact Assessment
- WEYMOUTH COURT Wayfinding, Dated February 2025
- DAYLIGHT, SUNLIGHT & OVERSHADOWING ASSESSMENT, Dated May 2025
- Transport Statement, Rev.01, Dated 12.05.2025

- Residential Travel Plan, Rev.01, Dated 12.05.2025
- Biodiversity Net Gain Assessment Ref: 240327-ED-03a, Dated March 2025
- Biodiversity-Net-Gain Metric
- Bat Survey Report, Ref. 240327-ED-01a, Dated October 2024
- Addendum to Preliminary Ecological Appraisal, Dated 30.05.2023
- Weymouth Court Preliminary Ecological Appraisal Version 1.0, dated 06.09.2023
- Shadow Habitat Regulations Assessment, Ref: 240326-ED-02a, Dated February 2025
- SUSTAINABILITY STATEMENT Rev.02, Dated 08.04.2025
- ENERGY & CARBON DIOXIDE EMISSIONS extract
- ENERGY STATEMENT Rev.02, Dated 08/04/2025
- Planning Noise and Vibration Report Rev.01, Dated 26.03.2025
- AIR QUALITY ASSESSMENT, Rev.03, Dated March 2025
- Phase 1 Geotechnical and Environmental Desk Study, Rev. Final v2, Dated 14.10.2025
- Fire Safety Strategy Report and Fire Statement, Ref: TRG-230282-NHP3-FC-RT-02-I03, Dated 05/01/2026 (*Officers requested minor changes to this document which had not been received at the time of writing. These relate to a ground floor fire door.*)
- 3183 – Weymouth Court Garages, Sustainable Drainage (SuDS) Strategy Rev. 01, Dated May 2025
- Flood Risk Assessment Rev.04, Dated 04.08.2025

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 retained 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 northernmost ground floor flat

The west-facing window serving the northernmost 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 Privacy of upper floor flats with east-facing balconies

Prior to the commencement of above ground works (excluding demolition) details of privacy screening between the upper floor private balconies on the east elevation 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 retained 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 maintain privacy of future occupiers, in accordance with Local Plan policy LP2.

9.1.7 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.

9.1.8 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.

9.1.9 Cycle parking

Prior to the commencement of above ground works (excluding demolition) scaled drawings of the proposed cycle stores (including living roofs) 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.

9.1.10 Refuse & 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.

9.1.11 **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.

9.1.12 **Archaeology**

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: This pre-commencement condition is necessary to safeguard archaeological interest on this site. Approval of the SS! Before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme, in accordance with NPPF paragraph 218.

9.1.13 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,

9.1.14 **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.

9.1.15 **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.

9.1.16 **Post installation test**

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

Table 6 Measured octave band sound pressure levels at the measurement location

Pos.	Period	Incident sound pressure levels (dB) at Octave Band Centre Frequencies (Hz)								dBA
		63	125	250	500	1000	2000	4000	8000	
1	Daytime $L_{eq, 16}$ hours	59	56	55	53	50	47	42	37	55
	Night-time $L_{eq, 8}$ hours	53	52	50	46	44	41	38	32	49
2	Daytime $L_{eq, 16}$ hours	62	58	55	52	50	48	43	38	55
	Night-time $L_{eq, 8}$ hours	57	53	51	46	44	42	39	32	50

Table 9 Proposed building envelope specifications

Item		Attenuation (dB) at Octave Band Centre Frequency (Hz)								
		63	125	250	500	1000	2000	4000	8000	
Glazing [typically 4mm glass /16mm cavity /4 mm glass]	SRI	21	24	20	25	34	37	40	40	
Non-vision wall – all areas Cavity brick-block construction (or cladding with dry-lining with similar acoustic performance)	SRI	35	41	45	45	54	58	55	55	

Table 2 BS 8233 Desirable Internal Ambient Noise Levels for Dwellings

Activity	Location	07:00 to 23:00 hours	23:00 to 07:00 hours
Resting	Living room	35 dB $L_{Aeq,16h}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16h}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16h}$	30 dB $L_{Aeq,8h}$

REASON: To obtain required sound insulation and prevent noise nuisance, in accordance with Local Plan policy LP2.

9.1.17 **Sound insulation in and between dwellings**

Prior to the commencement of above ground works (excluding demolition), a scheme of sound insulation measures shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ [and $L'_{nT,w}$] of at least 5dB above the standards of Building Regulations Approved Document E ‘Resistance to the passage of sound’ for the

floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Local Plan policy LP2.

9.1.18 **Plant/machinery noise**

Any new plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall not increase the existing background noise level (10dB below) when measured 1m external from the nearest residential or noise sensitive premises. An assessment of the expected noise levels shall be carried out by a suitably qualified (IOA accredited) and experienced acoustic consultant, in accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound,' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to the Local Planning Authority in writing for approval.

The plant shall thereafter be installed and maintained in accordance with the approved details.

REASON: To ensure that the amenity of occupiers of the development site and neighbouring amenity is not adversely affected by noise, in accordance with Local Plan policy LP2.

9.1.19 **Post-installation noise assessment**

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

REASON: To protect the amenities of adjoining occupiers and the surrounding area, in accordance with Local Plan policy LP2.

9.1.20 **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.

9.1.21 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. A peak discharge rate must also be specified 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, 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.

9.1.22 Tree Protection

Tree protection for trees marked T1 (sweet gum) and T2 (London plane) in 6.6 Trees section of the Design and Access statement included with this application, on adjacent land shall be undertaken in accordance with BS5837:2012 (Trees in relation to construction - Recommendations) The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2012 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps, unless first approved in writing by the Local Planning Authority.

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

9.1.23 No service runs within Root Protection Areas

All new underground utility apparatus, including drainage, shall be routed and installed outside the Root Protection Area(s) (RPAs) shown on the approved drawings. Should it not

be feasible to route new underground utility apparatus outside the RPAs of retained trees, trenchless insertion methods (as detailed in BS 5837:2012, Table 3) shall be employed for their installation within the RPAs, with entry and retrieval pits sited outside the RPAs. No other new underground utilities shall be installed within the RPAs of retained trees without prior written consent from the Local Planning Authority. Any such works, if permitted, shall be carried out in strict accordance with the principles of BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations" and the National Joint Utilities Group Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees, Volume 4, Issue 2 (2007) (or any standard that reproduces or replaces this standard).

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

9.1.24 **Landscaping plan**

Prior to the occupation of the development hereby approved, detailed drawings and plans for the soft landscaping scheme must be submitted to and approved in writing by the Local Planning Authority.

The details must 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;
- 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 varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity;
- A diverse distribution of plant species to avoid block planting;
- 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;
- Areas to be grass seeded or turfed;

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten 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 Section 15 of the National Planning Policy Framework.

9.1.25 **Survey for nesting birds**

Prior to any demolition or site clearance works, an updated bat and bird survey must be undertaken to establish the likely presence of a bat roost or bird nest. Furthermore, a pre-works ecological check for nesting birds must be carried out by a suitably qualified ecologist during nesting season (March - August) before any demolition or site clearance commences. The findings and recommendations of both surveys, including any necessary mitigation or avoidance measures, shall be submitted to and approved in writing by the Local Planning Authority. Works shall proceed strictly in accordance with the approved 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.

9.1.26 **External Lighting Scheme**

Prior to the commencement of above ground works (excluding demolition), an External Lighting Scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme must 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.
- LED luminaries should be used for their sharp cut off and dimming capacity. Lighting must have no upward spill, favour warm white luminaires, avoid UV light and blue content. Security lamps should be motion triggered.

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.

9.1.27 **Urban Greening Factor (UGF) Grampian condition for off-site planting**

Prior to the the first occupation of the development hereby approved, a detailed UGF masterplan must submitted to and approved in writing by the Local Planning Authority, demonstrating how the development on the application site (within the application site's red line) together with a proposed planting scheme in the grassed area at the corner of Turtle Road and Kent Street (within the location plan's blue line) will achieve a minimum UGF score of 0.3. The submission must include a clearly colour-coded master 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, within 12 months of first occupation of the development, and the urban greening measures and soft landscaping must be maintained thereafter for at least 5 years.

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.

9.1.28 **Bird & Bat boxes**

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

- A minimum of X2 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 X2 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.

REASON: To promote biodiversity on site, in accordance with Local Plan policy LP46.

9.1.29 **Biosolar Gree roof detail**

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.

9.1.30 Energy Statement

Prior to 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 April 2025):

- a) Minimum carbon savings of 24.4 % / 3.96 tonnes CO₂e against Part L 2021 through fabric efficiency (Be Lean)
- b) Minimum overall carbon savings of 81.0% / 13.16 tonnes CO₂e Part L 2021
- c) Maximum U-values (W/m²K): walls 0.15; floor 0.10; roof 0.10; windows 1.20; doors 1.00 unless otherwise agreed in writing with the Local Planning Authority
- d) Maximum G-values for windows and doors of 0.5 unless otherwise agreed in writing with the Local Planning Authority
- e) Maximum Air permeability of 2m³/m².h at 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 10.3kWh/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 59.9 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 LP54, LP55 and LP56 of the Hackney Local Plan, SI2, SI3, SI4 and SI7 of the London Plan, and Section 14 of the National Planning Policy Framework

9.1.31 **Air Source Heat Pump**

Prior to above ground works (excluding demolition) full details of the communal heat pump based heating system specification and supporting drawings shall be submitted to and approved by the Local Authority. This shall demonstrate at least the following standards been achieved or further optimised as set out in the hereby approved Sustainability & Energy Statement (Revision P02 by XCO2 dated April 2025) and relevant supporting documents:

1. Minimum Heat pump Coefficient of Performance of 3.78 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 Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

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

9.1.32 **Photovoltaics (PV)**

Prior to installation of the photovoltaic panel array, full details including PV panels system (and any other related fixed plant adopted) specification, operation and maintenance plan, fire safety risk assessment and supporting drawings must be submitted to and approved by the Local authority to demonstrate that the consented standards have been achieved or

improved upon as set out in the hereby approved Sustainability & Energy Statement (Revision P02 by XCO2 dated April 2025)

- a) Solar PV panels annual electricity peak generation of 8.35 kWp
 - b) Horizontally mounted rooftop PV panel array of 41 m²
 - c) Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
 - d) Detailed Operation & Maintenance manual including fire risk assessment where applicable
- the development hereby approved shall not be carried out otherwise than in accordance with the details thereby approved.

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

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

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

Prior to 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 Authority 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 April 2025):

- a) Minimum MVRH efficiency of 90.00% unless otherwise agreed in writing with the Local Planning Authority
- b) Details of summer by pass where applicable including provision and location across the development

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

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

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

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

9.1.34 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.

9.1.35 **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.

9.1.36 **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.

9.1.37 **AECB Carbonlite**

Prior to first occupation the development hereby approved shall achieve AECB CarbonLite certification. The final certificate of completion issued by relevant accredited certifier and supporting performance evidence shall be provided to the local authority.

In the event that the applicant seeks to attain Passivhaus certification, this would be welcomed and preferable to AECB Carbonlite, and this enhanced performance certification would replace the need for AECB Carbonlite.

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

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

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

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

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

REASON: To support carbon savings reductions in line with 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.

9.1.39 **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.

9.1.40 **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/HFCs, 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

9.1.41 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 18 Social Rent (14 x 1-bed & 4 x 2-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 £66,794.23 (not including marking of Blue Badge bays).

Hackney Works Contribution

- £6,007.50 towards employment and training

Employment, Skills & Construction

- £6,007.50 towards employment and training.
- 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.
- A full written Procurement Plan detailing the goods, materials, services and works that will be used during the Construction Phase of the Development and the location of the suppliers they have been sourced from
- Sign up to Considerate Constructors Scheme.

Sustainability

- Passivhaus Classic Certification (with AECB Carbonlite certification as a backup).
- £8,809 Carbon Offset contribution in the event Passivhaus/AECB Carbonlite is not attained).
- Be Seen reporting and monitoring in line with the London Plan requirements

Payment in Lieu for open Space

- (Contribution to be confirmed).

Education

- Education contribution (Contribution to be confirmed).

Monitoring

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

Recommendation C

- 9.1.42 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.

Historic England Greater London Archaeological Advisory Service

Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure)(England) Order 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-yourdevelopment/working-near-our-pipes>

Should you require further information please contact Thames Water.

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-yourdevelopment/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](https://www.thameswater.co.uk/buildingwater).

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 of Original Copy	Location Contact
1.	Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies Other background papers referred to in this report are available for inspection upon request to the officer named in this section. All documents that are material to the preparation of this report are referenced in the report	Tanveer Rahman X 4432	1 Hillman Street London E8 1DY