

## Planning Sub-Committee 26/02/2026

<b>ADDRESS:</b> 1&3 Albert Close, Hackney, London , E9 7EX	
<b>WARD:</b> Victoria	<b>REPORT AUTHOR:</b> Micheal Garvey
<b>APPLICATION NUMBER:</b> 2025/1836	<b>VALID DATE:</b> 26-08-2025
<b>DRAWING NUMBERS:</b> 2503(0)002, 010, 011, 012, 013, 020, 021, 030, 100, 125, 130, 200, 210, 300, Daylight, Sunlight & Overshadowing Assessment, Design and Access Statement	
<b>APPLICANT:</b> Mr Toby Neilson and Alex Keogh-Lopez	<b>AGENT:</b> Mrs Ashley Hinchcliffe (Ashley Hinchcliffe Studio)
<b>PROPOSAL:</b> Construction of additional storey to Nos. 1 & 3 Albert Close and replacement of existing windows to No.3 Albert Close.	
<b>POST SUBMISSION REVISIONS:</b> BRE Report	
<b>RECOMMENDATION SUMMARY:</b> Grant planning permission subject to conditions	
<b>NOTE TO MEMBERS:</b>  This application is presented to Planning Sub-Committee as it constitutes a Council's own change of use planning application.	

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

### **ANALYSIS INFORMATION**

#### **PLANNING DESIGNATIONS:**

CPZ	Yes	
Conservation Area		No

Listed Building (Statutory)		No
Listed Building (Local)		No
Priority Employment Area		No

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	C3	Residential	
Proposed	C3	Residential	

## **CASE OFFICER'S REPORT**

### **1.0 SITE CONTEXT**

- 1.1 The application sites are two adjoining two-storey terrace and end-of-terrace single dwelling houses. The host properties are of relatively modern construction and form part of a wider estate that is made of single, two storey and three storey buildings. The building lines and ridge heights of properties within the estate are mixed, with the design of properties differing slightly between different sections of the estate.
- 1.2 The surrounding area is predominantly residential in character. The site is not within a conservation area, and there are no listed buildings nearby.

### **2. Relevant History**

- 2.1 **2019/2943:** 1 Albert Close, Hackney, London, E9 7EX - Erection of a single storey ground floor rear extension and replacement of windows. Granted.

### **3.0 Consultations**

- 3.1 Date Statutory Consultation Period Started: Initial consultation was carried out on 8/09/2025 & 18/09/2025. Further consultation was carried out on 31/10/2025
- 3.2 Date Statutory Consultation Period Ended: 21/11/2025
- 3.3 Site Notice: Yes.
- 3.4 Press Advert: No.

### **3.5 Neighbours**

- 3.5.1 Letters of consultation were sent to 36 adjoining owners/occupiers. At the time of writing the report 15 objections were received in the form of individual

representations and 12 letters of support. A summary of these objections is included below:

### Summary of objections

Object to example of Earlston Grove

Loss of privacy

Disrupts the established stepped terrace typology. And roofline and massing differences

Loss of sunlight to properties in Victoria Park Road

Carbon offset contribution

Inaccuracies in the BRE report

Set precedent for the other other adjoining properties in the terrace

No provision for additional parking

Communal garden would be affected in terms of casting long shadows and creating a cramped, canyon-like feel.

Overdevelopment

### 3.5.2 Summary of letters of support:

The planned renovation is in keeping with the style of our estate.

Daylight assessment confirms there is no impact to my property

The development represents an appropriate character of the Albert Close estate.

I have first-hand experience of the need to create additional space to accommodate a growing family with a similar scheme. It is essential for buildings to have the flexibility to adapt to the evolving needs of families.

This proposal offers a smart solution to creating more living space without taking up additional land. Crucially, the distance between the houses here is greater than in a typical three-storey terrace street, meaning there is no loss of light or privacy for neighbours.

The proposal directly responds to the pre-application advice and aligns with both the London Plan (2021) and Hackney Local Plan (LP33) policies.

The current application incorporates these recommendations, ensuring a joint construction with appropriate alterations and matching materials, and addressing all residential amenity concerns.

The impact to us would solely be during construction and they have reached out to us to discuss the proposed work and offer flexibility around avoiding certain construction hours.

This presents a smart, sensible and responsible way of increasing development density in areas such as Hackney, which are in much need of good quality family housing, without compromising architectural integrity or local amenity.

A similar upward extension was carried out in Earlston Grove. The work was done with great care and consideration for the surrounding homes, preserving the character and appearance of the estate. In fact, the extension is so well integrated that it's barely noticeable today.

**Officer comment:** *The examples mentioned in the applicants' Design and Access Statement regarding a similar approval for no.s 8-10 Earlston Grove ref: 2023/2130 is the opinion of the agent. Each case is judged on its own merits and that approval is not a precedent but an example of what can be considered an acceptable development within that location.*

## **4. RELEVANT PLANNING POLICIES**

### **4.1 Hackney's Local Plan 2033**

- PP1 Public Realm
- LP1 Design quality and Local Character
- LP2 Development and Amenity
- LP17 Housing Design
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP58 Improving the Environment - Pollution

### **4.2 London Plan 2021**

- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D14 Noise
- G1 Green infrastructure
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 3 Energy infrastructure
- SI 4 Managing heat risk

### **4.3 SPD/SPG Planning Policies/Guidance**

- Residential Extensions and Alterations SPD 2025

### **4.4 National Planning Policies/Guidance**

- National Planning Policy Framework (2024)
- Planning Practice Guidance (NPPG)

## 5.0. **Comment**

5.1. The main considerations relevant to this application are:

- Principle of development;
- Design considerations;
- Amenity impact on neighbouring occupiers;
- Sustainability;
- Biodiversity

## 5.2 **Background**

5.2.1 The proposal seeks to extend both properties above roof level and changes to windows to No.3 Albert Close.

## 6.0 **Principle of development**

6.0.1 The principle of extending and altering residential properties is supported by planning policy at national, regional and local levels. As such, the principle of the development is considered acceptable subject to assessment of other material planning considerations.

## 6.1 **Design Considerations**

6.1.1 Any development at this location must respect local planning policies, including Hackney's Local Plan Policy LP1 (Design Quality and Local Character) and London Plan Policy D3 (Optimising Site Capacity through the Design-led Approach), which seeks high quality design that respects local character, scale, and context.

6.1.2 The proposed extensions would involve the creation of an additional storey to both properties at 1 & 3 Albert Close. Whilst the proposal would be adding a new third floor to these two-storey buildings, the properties form part of a wider estate which is heavily characterised by a mixture of two and three-storey buildings. Although the subject buildings are linked to No. 5, a two-storey dwelling, the additional storey would not be out of character in this instance, given the pattern of development throughout the estate.

6.1.3 The proposal shows a gable roof design and incorporates a brick lintel, a design that is a feature of the existing buildings and is replicated in the proposed plans. These features help to reduce the perceived sense of scale of the subject buildings to an acceptable degree and would be in keeping with the scale and details found in properties within the area. However, there is a slight stagger to the heights between Nos. 1 & 3, due to the difference in depth of those buildings and this has been replicated, rather than both buildings having the same ridge height. This would also help with regards to retaining a transition in terms of height towards the smaller buildings due east of the site

- 6.1.4 No.1 Albert Close would still be lower in height than no.3, with the fenestration patterns matching the existing house. No.3 would be taller than no.1 and whilst there are new timber windows to No.3, this is considered acceptable.
- 6.1.5 The proposal reflects the differences in height on surrounding buildings, as the buildings to the west are part four and part three storey in height, the buildings to the north are three storey with roof heights vary in a staggered formation. The buildings to the east are part two and part three-storey. The variation in heights and plot layout means that the site can accommodate an upwards extension without appearing out of keeping or harming the character of the terrace and the wider estate. As such, the proposal is considered to be in keeping with the character of the surrounding buildings and no harm results.
- 6.1.6 Public views of the extension would mainly be from the south as the rear gardens of the two properties face Northiam Street. The increase in height would be similar to neighbouring buildings in Northam Street. Properties on the other side of this street front onto Northiam Street and are built up to the pavement line while buildings in Albert Close face inward like a cul-de-sac and are set back from Northiam Street with landscaping and gardens to the rear. These setbacks help reduce the impact on the street scene.
- 6.1.7 The size and scale of the additional storeys are sympathetic and subordinate to the existing dwellings, ensuring that the extensions will not detract from the established residential character values and will have a minimal impact upon the appearance of the buildings and the wider area. There are other examples in the surrounding area of the established staggered formation. The difference in height between Nos. 3 and 5 is similar to what exists elsewhere in the estate, such as the terrace at 1-21 Northiam Street, and is considered acceptable in design terms.
- 6.1.8 To ensure the success of the development in design terms, a condition should be included to ensure that the two extensions to the properties are carried out concurrently.
- 6.1.9 The proposed use of matching materials, to be secured by condition, will ensure visual continuity with the existing property. The proposed changes to the windows are supported.
- 6.1.10 Overall, the design and scale of the roof extension are acceptable and will appropriately relate to the character and appearance of the host buildings and will integrate well with the wider character of the estate. The proposal is therefore deemed to be in accordance with Hackney Local Plan Policy LP1 (Design Quality and Local Character) and London Plan Policy D3 (Optimising Site Capacity through the Design-led Approach).

## 6.2 Amenity Impact on Neighbouring Occupiers

- 6.2.1 London Plan Policy D6 (Housing Quality and Standards) and Hackney Local Plan Policy LP2 (Development and Amenity) require new development to protect the

amenity of existing and future occupants, with particular regard to outlook, privacy, sunlight, daylight, and noise.

- 6.2.2 In terms of privacy, the proposed additional floors would include windows at a higher level; however, given the presence of existing windows at the first floor level, the proposed windows would not result in any further overlooking. The views towards neighbouring windows would be forward facing into Albert Close and would not result in any significant loss of privacy to any neighbouring occupiers.
- 6.2.3 Neighbours to the north have raised concerns with regard to a loss of light, however, because of the distance to and orientation with the nearest properties directly north (those likely to be mostly affected), there would be no loss of light. This has been confirmed with a BRE sunlight and daylight report that has assessed the closest properties to the south, west and north. The report includes an assessment of light to gardens and confirms that the proposal passes the test, resulting in no loss of light to adjoining habitable rooms and gardens. There will be some minor overshadowing of the communal garden directly to the north of the sites, however, this will not be significant and would not, in the officer's opinion, stand up to the test on appeal.
- 6.2.4 The BRE is an acceptable assessment, and the errors that the objector(s) states relates to northern properties which are of sufficient distance as stated in paragraph 6.2.3. The BRE report states that all 12 habitable south-facing habitable windows were tested at Nos.32-42 Victoria Park Road, and a single south-facing habitable window was tested at No.30. All windows passed the test, and there is no reduction in sunlight to the amenity spaces for Nos. 32-42.
- 6.2.5 Householder extensions of this type of development do not require additional parking spaces.
- 6.2.6 The proposal would not significantly impact the communal garden to the north. The garden is already enclosed by two and three-storey buildings. Any overshadowing would be minor.
- 6.2.7 The proposal is not considered to result in overdevelopment of the application site given that the development includes extending the buildings upwards.

### 6.3 **Sustainability**

- 6.3.1 All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate. Policy LP54 and LP55 LP33 require that the development address overheating and consider sustainability measures.
- 6.3.2 The intent behind the proposed changes to the windows at No.3 is to improve the thermal efficiency of the existing windows. They would be replaced with new double-glazed windows, which require low U values and are therefore supported by policies in this regard. The proposed extension is constructed of modern materials that will result in acceptable energy efficiency of the building, which is considered sufficient for the scale of development. In addition, householder application do not require a carbon offset contribution. Overall, the proposal is considered to result in a sustainable form of development.

## **6.4 Biodiversity**

- 6.4.1 Policy G5 of the London Plan and LP46 of Local Plan 33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space.
- 6.4.2 Policy G6 of the London Plan states that development proposals should manage Impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 of LP33 reinforces this policy, stating that all development should protect and where possible enhance biodiversity leading to a net gain.
- 6.4.3 In England, Biodiversity Net Gain (BNG) is required under a statutory framework Introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, the objective is for development to deliver BNG. In this case the development does not impact an on-site priority habitat and therefore this development is not liable for BNG.
- 6.4.4 Policy LP47 requires all development should protect and where possible enhance biodiversity leading to a net gain. Policy LP47 point D, states all development schemes involving buildings with an eaves height or roof commencement height of 5 metres and above are required to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity in Hackney. This would be conditioned.
- 6.4.5 Accordingly, the development is considered compliant with the biodiversity objectives of the London Plan and Hackney Local Plan.

## **7. CONCLUSION**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The additional storey and associated alterations are of an appropriate scale and design, and will preserve the character and appearance of the surrounding built context. No significant adverse impacts are anticipated in respect of neighbouring amenity.
- 7.3 On balance, and having regard to the objections received, the proposal is considered to comply with the relevant policies of the London Plan (2021) and Hackney Local Plan LP33 (2020). The granting of planning permission is therefore recommended, subject to conditions.

## **8. RECOMMENDATIONS**

### **Recommendation A**

- 8.1 That planning permission be GRANTED, subject to the following conditions:**

### **8.1.1 - Commencement within three years**

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

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

### **8.1.2 - Development in accordance with plans**

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

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

### **8.1.3- Joint Commencement**

The extensions hereby approved at the two properties are to be undertaken as one development and works are not to be substantially completed at either property until such a time as works are commenced at the other property.

REASON: To ensure that a partially completed development does not result in an obtrusive and incompatible form of development detrimentally impacting on the character and appearance of the properties.

### **8.1.4 - Materials to Match**

The external materials to be used for the proposed development shall match in appearance to those used in the existing building.

REASON: To ensure a satisfactory external appearance for the proposed development, to safeguard the visual amenity of neighbouring properties and the appearance of the locality consistent with Policies D3 & D4 of the London Plan 2021 & Policies LP1, LP2 & LP17 of the Hackney Local Plan 2020.

### **8.1.5-Bird/Swift boxes**

The development hereby approved shall provide a minimum of 4 bird nesting boxes/bricks close to eaves level of the development. Details in the form of elevation plans and detailed specifications must be provided. The bricks/boxes shall be retained thereafter in perpetuity.

REASON: In the interests of biodiversity

## **8.3 Recommendation C**

8.3.1 That the Sub-Committee grants delegated authority to the Director of Public Realm and Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions or legal agreement 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).

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

**Natalie Broughton**

**Assistant Director - Planning and Building Control**

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Micheal Garvey x 8053	<b>HSC, Hillman Street, London E8 1FB</b>