

Planning Sub-Committee – 11/03/2026

ADDRESS: Regents Court, Pownall Road, Hackney, E8 4QB	
WARD: Haggerston Ward	CASE OFFICER: Oliver Enticott
APPLICATION NUMBER: 2025/2579	VALID DATE: 04.12.2025
DRAWING NUMBERS:	
<p>NHP1-HTL-RC-00-DR-A-P-01001 Existing Site Location Plan NHP1-HTL-RC-00-DR-A-P-01900 Existing Site Plan NHP1-HTL-RC-00-DR-A-P-02100 Demolition Plan NHP1-HTL-RC-00-DR-A-P-00001 Proposed Site Location Plan NHP1-HTL-RC-ZZ-DR-A-P-01200 Existing Site Sections AA and BB NHP1-HTL-RC-ZZ-DR-A-P-01201 Existing Site Section CC NHP1-HTL-RC-ZZ-DR-A-P-01300 Existing North and South Elevation NHP1-HTL-RC-ZZ-DR-A-P-01301 Existing East and West Elevations NHP1-HTL-RC-00-DR-A-P-00100 Proposed G+0 Plan NHP1-HTL-RC-01-DR-A-P-00101 Proposed G+1 Plan NHP1-HTL-RC-02-DR-A-P-00102 Proposed G+2 Plan NHP1-HTL-RC-02-DR-A-P-00103 Proposed G+3 Plan NHP1-HTL-RC-02-DR-A-P-00104 Proposed G+4 Plan NHP1-HTL-RC-02-DR-A-P-00105 Proposed Roof Plan NHP1-HTL-RC-00-DR-A-P-00130 Proposed G+0 Building Plan NHP1-HTL-RC-00-DR-A-P-00131 Proposed G+1 Building Plan NHP1-HTL-RC-00-DR-A-P-00132 Proposed G+2 Building Plan NHP1-HTL-RC-00-DR-A-P-00133 Proposed G+3 Building Plan NHP1-HTL-RC-00-DR-A-P-00134 Proposed G+4 Building Plan NHP1-HTL-RC-00-DR-A-P-00135 Proposed Roof Building Plan NHP1-HTL-RC-ZZ-DR-A-P-00200 Proposed Site Sections AA and BB NHP1-HTL-RC-ZZ-DR-A-P-00201 Proposed Site Section CC NHP1-HTL-RC-ZZ-DR-A-P-00230 Proposed Sections NHP1-HTL-RC-00-DR-A-P-00231 Proposed Sections – Ancillary Building NHP1-HTL-RC-ZZ-DR-A-P-00300 Proposed North and South Elevation NHP1-HTL-RC-ZZ-DR-A-P-00301 Proposed East and West Elevations NHP1-HTL-RC-ZZ-DR-A-P-00330 Proposed Elevations - R1 NHP1-HTL-RC-ZZ-DR-A-P-00331 Proposed Elevations - R2 NHP1-HTL-RC-ZZ-DR-A-P-00332 Proposed Elevations - Ancillary Building NHP1-HTL-RC-ZZ-DR-A-P-00400 Proposed Bay Study - South Entrance NHP1-HTL-RC-ZZ-DR-A-P-00401 Proposed Bay Study - East Balcony NHP1-HTL-RC-ZZ-DR-A-P-00402 Proposed Bay Study - North Deck NHP1-HTL-RC-ZZ-DR-A-P-00403 Proposed Bay Study - South Balcony NHP1-HTL-RC-00-DR-A-P-21400 Ground Floor Regents Row Entrance NHP1-HTL-RC-ZZ-DR-A-P-21401 Typical Condition, Windows NHP1-HTL-RC-ZZ-DR-A-P-21402 Southern Canal Balcony NHP1-HTL-RC-04-DR-A-P-21403 Eastern Courtyard Balcony NHP1-HTL-RC-ZZ-DR-A-P-21404 Northern Deck Access NHP1-LDA-RC-00-DR-L-00001 Landscape General Arrangement NHP1-LDA-RC-00-DR-L-00002 Landscape General Arrangement: Hardworks NHP1-LDA-RC-RF-DR-L-00001 Landscape General Arrangement: Roof Plan NHP1-LDA-RC-ZZ-DR-L-00001 Landscape: General Arrangement: UGF</p>	

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NHP1-LDA-RC-00-DR-L-00200 Landscape Section: Section A
 NHP1-LDA-RC-00-DR-L-00201 Landscape Section: Section B

Planning Application Form (HTA Design)
 Ownership Certificate (HTA Design/Applicant)
 CIL Form 1: Additional Information (HTA Design)
 Application Covering Letter (HTA Design)
 Air Quality Assessment (XCO2)
 Arboriculture Impact Assessment (TMA)
 Archaeological Desk Based Assessment (SLR)
 Bat Survey and Report (TMA)
 Biodiversity Net Gain Assessment (TMA)
 Child Friendly Impact Assessment (LDA Design)
 Draft Construction Management Plan (SLR)
 Daylight, Sunlight & Overshadowing Assessment (XCO2)
 Design and Access Statement (Haworth Tompkins/LDA Design)
 Drainage Strategy Report (HTS)
 Drawings Package (Haworth Tompkins)
 Energy Statement (XCO2)
 Fire Statement (Trigon)
 Flood Risk Assessment (SLR)
 Ground Investigation Report (SLR)
 Habitat Regulation Assessment (TMA)
 Heritage Impact Assessment (Portico Heritage)
 Noise Impact Assessment (Noise Solutions Ltd)
 Preliminary Ecological Appraisal (Temple)
 Planning Statement (incl. Draft Heads of Terms) (HTA Design)
 Site Waste Management Plan (SLR)
 Statement of Community Involvement (Christina Norton)
 Sustainability Statement (XCO2)
 Transport Assessment (SLR)
 Travel Plan (SLR)
 Wind and Microclimate Assessment (XCO2)

APPLICANT:

London Borough of Hackney

AGENT:

HTA Planning

PROPOSAL:

Demolition of existing garages, construction of 38 new residential dwellings (Class C3) with associated amenity space, cycle parking, refuse stores, hard and soft landscaping, play space, improvements to public realm and other associated works.

POST SUBMISSION REVISIONS:

Daylight, Sunlight and Overshadowing (February 2026, XCO2)
 SUDS Strategy (February 2026, Heyne Tillett Steel)
 Area and Accommodation Schedule (P02, Haworth Tompkins)

NHP1-HTL-RC-00-DR-A-00130 P02 (Proposed G+0 Building Plan)
 NHP1-HTL-RC-00-DR-A-00100 P02 (Proposed G+0 Plan)
 NHP1-LDA-RC-ZZ-DR-L-00001 D (Landscape; General Arrangement: UGF)
 Tree Transplant Note (54/44/7/0, Ruskins)

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<p>RECOMMENDATION SUMMARY:</p> <p>Grant conditional planning permission subject to completion of a legal agreement.</p>
<p>NOTE TO MEMBERS:</p> <p>N/A</p>

ANALYSIS INFORMATION

ZONING DESIGNATION

ZONING DESIGNATION	YES	NO
CPZ	Queensbridge (Mon to Fri 8:30am to 6:30pm)	
Conservation Area	Adjacent to Regent's Canal (Central & South Hackney CAAC)	
Statutory Listed Building	Adjacent to Post at corner of Regent's Row (Grade II)	
Locally Listed Building		X
Priority Employment Area (PEA)		X
City Fringe Opportunity Area		X
Central Activities Zone		X

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EXISTING LAND USE DETAILS

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

PROPOSED LAND USE DETAILS

USE CLASS	USE DESCRIPTION	GIA (SQM)
C3	Residential	3,315
TOTAL		

EXISTING RESIDENTIAL MIX

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

PROPOSED RESIDENTIAL MIX

PROPOSED RESIDENTIAL MIX BY TENURE	NO OF UNITS	TENURE SPLIT	RESIDENTIAL MIX WITHIN TENURE GROUP (%)
Private			
1	0		-
2	0		-
3	0		-
Total:	0		-
Social Rented			
1	14		36%
2	12		33%
3	12		33%
Total:	38		100%
Intermediate/ Shared Ownership			
1	0		-
2	0		-
3	0		-
Total:	0		-
Overall Total:	38		

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PARKING DETAILS:

	Parking Spaces (off street)	Parking Spaces (on street)	Parking Spaces (Disabled)	Bicycle Storage
Existing	12	0	0	0

	Parking Spaces (off street)	Parking Spaces (on street)	Parking Spaces (Disabled)	Bicycle Storage
Proposed	0	4	1	86

1. SITE CONTEXT

- 1.1 The application site measures approximately 0.3ha in size, is roughly rectangular shaped in layout and is located to the south of Pownall Road in Haggerston/London Fields. The site consists of a number of estate housing blocks, which together form the Regents Court housing estate.
- 1.2 The existing Regent's Court Estate comprises 133 homes, including 1-44 Regents Court, an eleven-storey tower block positioned at the corner of Pownell Road and Queensbridge Road to the west. Adjacent to that is a large 'L' shaped, apartment block consisting of the four storey 45-101 Regents Court (which is split 45-56 Regents Court / 57-80 Regents Court / 81-92 Regents Court / 93-101 Regents Court) and the six storey 102-134 Regents Court. This wide development encloses the site along Pownall Road to the north and Marlborough Avenue to the east. Immediately to the south of the estate is Regents Canal and alongside it Regents Row. Located centrally between the estate buildings and the canal is a central lawn and communal open area which includes a number of footpaths and play areas including a ball court. This area also includes residents' parking and 14 garages, which are accessed via Regents Row. Good sized rear gardens for all of the ground floor dwellings at 45-101 and 102-134 Regents Court also face this way, with many having garden gates that open directly onto the communal space.
- 1.3 The site is not situated within a conservation area but is adjacent to the Regent's Canal - Central & South Hackney Canal Conservation Area. The canal also forms part of a designated green chain and green corridor throughout the borough. In terms of listed buildings, the bridge over Regents Canal is Grade II listed as is a post next to the bridge. The site is also located within the Roman Road London to Great Dunmow Archaeological Priority Area.
- 1.4 The site has a PTAL score of 2, meaning it has poor access to public transport. The nearest bus stops are located on Pownall Road which provide access across Hackney and into north London. The nearest overland station is Haggerston Station which is approximately 700m (10 minute walk) away.
- 1.5 Finally, the site is located within a Flood Zone 1, meaning it is at low risk of river flooding. However, it is at high risk of surface water flooding (i.e. flash flooding).

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2. CONSERVATION IMPLICATIONS

Asset: Regent's Canal Conservation Area

- 2.1 The Regent's Canal runs east to west across Hackney from Victoria Park to Islington and beyond. Historically it was an industrial corridor and is now important for leisure, biodiversity and open space as well as historic interest found in unique buildings and structures along its route. The tow path was opened to the public in the 1960s.
- 2.2 The Conservation Area Appraisal describes this stretch of the canal: *"Beyond Actons Lock there is a long section of cobbled road (Regent's Row) beside the towpath, an interesting survival of the early road that was built beside the canal soon after 1820. It runs for the entire length beside the canal from Actons Lock to Queensbridge Road Bridge. The cobbled road is substantially complete except where repairs have been undertaken and setts replaced by tarmac. It is unusual for a cobbled street of this length to survive in any urban area and even rarer in London. It is a unique feature and possibly worthy of Listing....The canal at this point is straight and open. On both the north and south sides are extensive public housing estates. The estate to the south is screened from the canal by mature sycamore trees planted at the estate boundary."*

3. RELEVANT HISTORY

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

4. CONSULTATION AND PUBLICITY PROCEDURE

- Neighbour notification letters were issued to 214 properties on 9 December 2025
- A site notice was posted on 17 December 2025
- A press notice was printed on 12 December 2025

5. NEIGHBOURS AND INTERESTED GROUPS

Neighbours

- 5.1 At the time of writing the report 30 objections have been received. The issues raised can be summarised as follows:
 - Lack of consultation with residents prior to submission
 - Lack of Environmental Impact Assessment Screening
 - Design grounds:
 - Excessive in height, scale and massing
 - Five storey building is out of character with the neighbourhood
 - Does not make a positive contribution to the surrounding area
 - Overdevelopment of site
 - Poor justification for its design
 - Lack of justification for a "tall building"
 - Insufficient fire escapes
 - Harmful to the setting of the adjacent Conservation Area

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- Failure to engage with the Hackney Design Panel
- Loss of existing green/playspace and lack of new proposed open/play space
- Poor landscaping / lack of trees
- Harmful to neighbour amenity:
 - Loss of outlook
 - Loss of privacy
 - Overbearing / increased sense of enclosure
 - Loss of light and increase in overshadowing
 - Light pollution
 - Noise and disturbances during construction and operation
 - Increase in antisocial behaviour
- Inadequate Daylight and Sunlight Assessment has been submitted
- Increase in traffic and car parking congestion on surrounding roads
- Increased demand on local services
- Poor emergency access
- Lack of investment to existing residential dwellings
- Harm nearby property values

Officers Response:

- 5.2 The applicant undertook substantial neighbour consultation as outlined in the submitted Statement of Community Involvement.
- 5.3 The LPA considers that a proposal of this size does not require an Environmental Impact Assessment screening.
- 5.4 The proposal is considered well designed.
- 5.5 The proposal is not deemed to be a tall building under Local Plan policy LP1, which under para 5.8, states that a tall building is defined as “50% taller than the prevailing building height or which significantly changes the skyline or is 30 metres or more in height”. At five storeys the building is a maximum of 20m tall (from ground floor to the top of the roof planting). It is also smaller in height than a number of adjacent buildings (45-56 Regents Court and 93-101 Regents Court, for example)
- 5.6 A fire safety report was submitted with the application. In terms of fire safety, both the HSE and London Fire Brigade have been consulted. HSE did not respond and the Fire Brigade raised no objections to the scheme.
- 5.7 The proposal is not anticipated to be out harmful to, or out of character with, the conservation area. In particular, the cobbled street surface will be retained and sensitively modified. See Heritage Section below for further details.
- 5.8 The scheme was presented to Hackney Design Panel on 10 December 2024.
- 5.9 The proposal includes 15 new trees, with three trees existing removed and six existing trees relocated. Officers acknowledge that the proposal will result in a net loss of open space, however the quality of proposed landscaping included with the report is considered acceptable. A new play area is also proposed.
- 5.10 Regarding the harm to neighbour amenity, it is acknowledged that the proposal will have an impact on a small number of residential units in terms of outlook/sense of enclosure, privacy and light, as is detailed in the report that follows. It is not expected that the use of

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the new development will cause undue light pollution, or noise and disturbances, meanwhile during construction this can be controlled by conditions (as attached). The proposal is not anticipated to result in an increase in antisocial behaviour and the local Secure by Design officer has been consulted and raises no objection subject to a condition requiring SbD certification being achieved. This has been attached.

- 5.11 In terms of an inadequate daylight and sunlight assessment being submitted, this is inaccurate. The details within the submitted daylight/sunlight report are compliant with BRE standards.
- 5.12 In terms of traffic congestion and parking. Though concerns were raised by the Highways team, the Council's Parking Services team have been consulted and are satisfied with the parking provision in the surrounding area. The development would result in a net loss of parking spaces and would be permit free with the exception of blue badge holders. The site also provides 86 cycle parking spaces, encouraging sustainable travel. Moreover, Local Plan Policy LP45 states that where sites are redeveloped, existing parking provision must be significantly reduced.
- 5.13 Regarding increased demand on local services, the proposal will include a £400,000 payment towards local schools.
- 5.14 In terms of emergency access, the London Fire Brigade and the Police Constabulary have both been consulted and raised no objections.
- 5.15 The lack of investment in existing residential apartments is not a material planning matter for this application, neither is the impact on property prices.

Interest / Community Groups

- 5.16 Feedback from community design groups was also received:
- 5.17 The Regents Canal Conservation Area Advisory Committee have responded and support the scheme, but raise the following points:
- The cut-through routes are stepped, narrow and high-fenced.
 - What is the purpose of the access route at roof level on the north side of the west block? Its solid steel balustrade creates unnecessary bulk and increases overshadowing of existing flats.
- 5.18 The Hackney Society have also responded and object to the scheme. The issues raised can be summarised as follows:
- Loss of existing open space.
 - The proposed building extends beyond the garages it is supposed to replace.
 - The building sits awkwardly and makes no effort to belong to the place. It neither celebrates the canal or its former industrial character, further eroding the strip along the canal.
 - The design appears as an attempt to mix two separate languages: a solid block with attached walkways and balustrades.
 - Confusing amount of documents

Officer response:

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- 5.19 The cut throughs are existing pathways under Regents Court estate. The balustrade in question is not a solid steel balustrade but a steel mesh panel which will let most (sun)light through. We require a balustrade in this position for H&S reasons but have deliberately detailed this in mesh to not read as solid
- 5.20 As is mentioned above, the proposal includes 15 new trees, with three trees existing removed and six existing trees relocated. Officers acknowledge that the proposal will result in a net loss of open space, however the quality of proposed landscaping included with the report is considered acceptable.
- 5.21 The proposed building is not located directly upon the site of the existing garages but centrally located, and the appropriateness of this is considered in the report that follows
- 5.22 The design is considered acceptable, see Design section of the Officer Report below.
- 5.23 The number of documents are considered necessary for the validation for a scheme of this size.

6. CONSULTATION RESPONSES - STATUTORY, LOCAL AND OTHER

Consultations (Internal)

Contamination

No objection subject to detailed quantitative risk assessment being provided. This has been conditioned.

Environmental Protection

No objection subject to a number of dust and noise protective measures being attached. These have been conditioned.

Flooding

No objection subject to conditions requiring full details of sustainable drainage systems and management plans.

Noise

No objection subject to conditions. These have been attached.

Traffic and Transportation

Concerns raised regarding parking capacity and the number of blue badge parking spaces. This can be resolved via condition and the s278 agreement.

Waste

No objections raised.

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Consultations (External)

Canal And River Trust

No objections subject to lighting and landscaping conditions. Officers have attached the recommended conditions.

GLAAS

No objections.

Health & Safety Executive (HSE)

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

Historic England

No response.

London Fire Brigade

No objection.

Metropolitan Police

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

Natural England

No response.

Thames Water

No objection subject to a piling condition. This has been attached.

7. POLICIES

London Plan (2021)

D3 - Optimising Site Capacity Through Design Led Approach

D4 - Delivering Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D8 - Public Realm

D11 - Safety, Security and Resilience to Emergency

D12 - Fire Safety

D14 - Noise

H1 - Increasing Housing Supply

H5 - Threshold Approach to Applications

H6 - Affordable Housing Tenure

H10 - Housing Size Mix

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HC1 - Heritage, Conservation and Growth
G1 - Green Infrastructure
G5 - Urban Greening
G6 - Biodiversity and Access to nature
G7 - Trees and Woodland
SI 1 - Improving Air Quality
SI 2 - Minimising Greenhouse Gas Emissions
SI 3 - Energy infrastructure
SI 4 - Managing Heat Risk
SI 5 - Water Infrastructure
SI 7 - Reducing Waste and Supporting the Circular Economy
SI 12 - Flood Risk Management
SI 13 - Sustainable Drainage
T4 - Assessing and Mitigating Transport Impacts
T5 - Cycling
T6 - Car Parking

LBH Local Plan 2033 (2020)

LP1 - Design Quality and Local Character
LP2 - Development and Amenity
LP3 - Designated Heritage Assets
LP4 - Non Designated Heritage Assets
LP12 - Meeting Housing Needs
LP13 - Affordable Housing
LP14 - Dwelling Size Mix
LP17 - Housing Design
LP31 - Local Jobs, Skills and Training
LP36 - Shops Outside of Designated Centres
LP41 - Liveable Neighbourhoods
LP42 - Walking and Cycling
LP43 - Transport and Development
LP44 - Public Transport and Infrastructure
LP45 - Parking and Car Free Development
LP46 - Protection and Enhancement of Green Spaces
LP47 - Biodiversity and Sites of Importance of Nature Conservation
LP48 - New Open Spaces
LP51 - Tree Management and Landscaping
LP52 - Water spaces, Canals and Residential Moorings
LP53 - Water and Flooding
LP54 - Overheating and Climate Change
LP55 - Mitigating Climate Change
LP57 - Waste
LP58 - Improving the Environment - Pollution

Other

Mayor of London Housing Design Standards (2023)

National Planning Policies

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

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8. ASSESSMENT

Introduction

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

Principle of Development

- 8.5 Chapter 2 of the NPPF identifies sustainable development as the key objective of the planning system and clearly sets out the presumption in favour of sustainable development, in alignment with the need to determine planning applications in accordance with the Development Plan.
- 8.6 In specific regard to proposals for estate regeneration, such as this, paragraph 98 of the NPPF states *“that planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”*
- 8.7 The principle of development is thus considered acceptable, subject to all other matters discussed below.

Loss of Garages

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- 8.8 Hackney Local Plan Policy LP45 states that where sites are redeveloped, existing parking provision must be significantly reduced to make the new development car free unless there is site-specific justification to re-provide an element of the existing parking. It also states that for developments relating to housing estates, parking may be re-provided only for returning residents with existing permits, supported by Controlled Parking Zone (CPZ) capacity and improvements to public spaces. Development for new occupiers must be car-free.
- 8.9 The proposal includes the demolition of 14 existing garages along with existing on site parking for 12 cars, with four new parking bays (and one further blue badge bay) being provided on site. The applicant has stated that the garages are unsuitable for vehicle storage due to their age and size. The garages are owned by the Council and rented to local residents.
- 8.10 The applicant conducted a parking survey within 200m of the site. Following the removal of eight net parking spaces, occupancy is forecast to reach 101% during weekdays, indicating a shortfall of one space relative to the theoretical capacity within the 200m study area. The Parking Services team have been consulted and did not raise objections to this as residents are still able park their vehicles outside of the 200m study area and be within walking distance of their property.
- 8.11 The Council retains the right to end rental arrangements for the garages at their discretion. The removal of existing garages enables the proposed infill development and supports the delivery of new high-quality social housing. It also facilitates improvements to the public realm and encourages sustainable forms of travel. Given this, its loss is considered acceptable, despite the capacity stress it will place on the surrounding streets and impact to some neighbouring properties.

Housing Provision

New Housing

- 8.12 London Plan Policy H1 and Table 4.1 set an annual target of 13,280 net new houses for Hackney over a ten-year period up until 2028/29. This is supported by Local Plan Policy LP12 which stipulates that the Council will aim to deliver a minimum of 1,330 new homes per year up to 2033.
- 8.13 The proposal would provide a total of 38 net new dwellings, contributing to local and national targets. The proposal accords with London Plan Policy H1 and Hackney Local Plan Policy LP12.

Affordable Housing

- 8.14 London Plan Policy H5 and H6 set out affordable housing provision and states that the threshold level of affordable housing on gross residential development is set at a minimum of 35%, with a minimum of 30% social rent, a minimum of 30% intermediate rent, and the remaining 40% set by the borough.
- 8.15 Hackney Local Plan Policy LP13 requires an affordable housing contribution for all schemes. Development will be required to provide 50% affordable housing on site at a ratio of 60:40 social housing and intermediate types. However, the policy makes clear that other affordable housing tenure to those outlined above will be permitted where it can be

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demonstrated to be genuinely affordable relative to local ward level incomes.

- 8.16 The proposal is set to be 100% affordable housing and all of the proposed housing would be in the social rent tenure. Given that social housing is the greatest demand of accommodation within the borough this is considered acceptable. Accordingly it complies with London Plan Policies H5 and H6 and Local Plan Policy LP13.

Housing Mix

- 8.17 London Plan Policy H10, together with the Mayor of London Housing SPG, seek to promote housing choice and a balanced mix of unit sizes in new developments.
- 8.18 Hackney Local Plan Policy LP14 sets out the preferred unit mix for different tenure types. For affordable housing tenure, a 33% split between one-bed, two-bed and three-bed units is generally expected.
- 8.19 Of the 38 units being proposed, 14 are one-bed dwellings, 12 are to be two-bed, and 12 are three-bed dwellings. This is roughly a 33% split, with a good provision of family sized housing (32%).
- 8.20 This is considered acceptable and compliant with London Plan Policy H10 and Local Plan Policy LP14.

Conservation and Heritage

- 8.21 The Council is under statutory duties contained within sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to grant permission only to applications which preserve or enhance listed buildings, their settings and conservation areas.
- 8.22 The NPPF provides a range of policies relating to heritage protection at paragraphs 189 to 208. The Council has considered the proposed development in relation to these policies and particularly paragraphs 199 to 208. London Plan HC1 and Hackney Local Plan Policies LP3 and LP4 require that development preserves or enhances the character of designated heritage assets.
- 8.23 The impacts of the proposed development on these heritage assets are considered as follows as required by the above identified legislation and policy.

Asset: Regent's Canal Conservation Area

- 8.24 The Regent's Canal runs east to west across Hackney from Victoria Park to Islington. Historically it was an industrial corridor and is now important for leisure, biodiversity and open space as well as historic interest found in unique buildings and structures along its route. The tow path was opened to the public in the 1960s. The Conservation Area Appraisal describes this stretch of the canal:

“Beyond Actons Lock there is a long section of cobbled road (Regent's Row) beside the towpath, an interesting survival of the early road that was built beside the canal soon after 1820. It runs for the entire length beside the canal from Actons Lock to Queensbridge Road Bridge. The cobbled road is substantially complete except where repairs have been undertaken and setts replaced by tarmac. It is unusual for a cobbled street of this length to survive in any urban area and even rarer in London. It is a unique feature and possibly

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worthy of Listing... The canal at this point is straight and open. On both the north and south sides are extensive public housing estates. The estate to the south is screened from the canal by mature sycamore trees planted at the estate boundary.”

8.25 Guidance relevant to this site includes:

- “New trees should be encouraged in all new developments on the canal. Some sections of the towpath are somewhat neglected but provide good habitat for invertebrate species. “
- “...Where new development is to be fitted into an existing or potential gap site on the canal much thought ought to be given to the massing and scale of the development and its relationship with the water....’

8.26 Clearly relevant opportunities:

- Encourage new residential developments that respect the scale and setting (in both height and massing) of the buildings historically seen on the canal.
- Encourage new developments on the off-side of the canal that relate appropriately to the canal.
- Introduce trees where possible on new developments beside the canal while not endangering the navigation or canal structures.

8.27 Threats include:

- Over development of the canal side sites for new residential developments.
- Neglect of some of the council owned parks and open spaces that lie beside the canal.
- Conflicts between different users can result in accidents and aggressive behaviour due to the narrowness of the towpath.
- Increased development means an increased pressure to sanitise the area and install lighting both for decorative purposes and functionality to make a dark corridor feel safer. More light means greater intrusion on the environment and these should be discouraged or where required for safety reasons should be sensitively designed low level lighting that will not discourage the use of the canal corridor by bats.

8.28 The proposal is considered to be appropriately scaled. Particular effort has been made to break down the scale by splitting the scheme into two wings to respond to the historic grain of the canalside. Materially and architecturally the scheme would be high quality. Despite the loss of several medium/small trees, the new landscaping and compensatory tree planting would enhance a Hackney Council owned open space as well as the entire frontage of the Regent’s Court estate. The scheme will reinstate an active frontage, enlivening the canalside. The cobbled street surface will be retained and sensitively modified. A recommended condition would require detailed design work to be approved by a conservation officer.

8.29 Changes to Regent’s Row and the removal of railings is likely to improve the safety and comfort of the canal route. Lighting could be excessive and as such a condition should be imposed that no exterior lighting should be applied to the building on the south, east or west elevations. A lighting condition has been attached.

Asset: Queensbridge Road Canal Bridge Assessment.

8.30 The proposed development is 80m to the east of the bridge and would be visible through

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the archway from the tow path to the west. The bridge is part of a varied and changing urban context with buildings up to six storeys in the near vicinity. Historically Regent's Row and the length of the tow path would have been lined with a mix of buildings of varying uses. The proposed building would add to the varied urban context seen through the bridge from the path. It would not block any key views towards the bridge. The building would partially re-establish the street frontage to Regent's Row, somewhat restoring the continuous frontages that the bridge was historically seen in the context of. As such, it is considered that the proposal will not have a harmful impact on the bridge or its setting.

Design

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

Context

- 8.33 The Regent's Court Estate is defined by four storey linear blocks facing north onto Pownell Road, a six storey linear block facing east onto Marlborough Avenue, and a 10 storey tower on the western edge of the estate facing onto Regent's Row and Queensbridge Road. These buildings surround a large area of green amenity space, car parking and garages on the southern, canalside frontage of the estate. Within the space, the area of surface car parking and garages is the indicative development opportunity. Facing towards the site from the opposite side of the canal to the south and a mixture of residential blocks between three and five storeys. The Regent's Canal Conservation Area is to the south of the site which incorporates the historic Queensbridge Road bridge and the cobbled surface of Regent's Row. All other surrounding buildings date from the middle of the 20th Century or later and all nearby buildings are residential. The site is a short circa 10 minute walk from key amenities including Broadway Market, Haggerston Triangle shops, Haggerston Park Haggerston Overground Station, and Kingsland Road. Queensbridge Road is a public and active travel corridor.

Existing Urban Design Issues

- Limited natural surveillance, enclosure and definition to Regent's Row and a poor frontage to the canal conservation area.
- Along the canalside there are parallel routes separated by railings. The cycle route is intended to be along Regent's Row but the cobbled surface, though characterful, is a less suitable surface for cycling meaning many bikes still use the narrow path which is a significant walking route
- The estate's open space is backed onto by homes, and lacking the benefits of frontage. It is also publicly accessible making it feel neither clearly public nor semi-private/communal.
- Existing homes have a good outlook over the open space towards the canal.

Layout

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- 8.34 The proposal is made up of two linked blocks. One block is aligned to Regent's Row and the canal creating a strong frontage to the canal, while the other is aligned to the estate buildings to create a formal relationship between new and old. The proposed layout optimises distances between existing and proposed homes and divides the existing open space into two smaller but better defined open spaces on the east and west sides of the proposal, benefiting from additional overlooking. The two spaces are linked by a landscaped route which runs between the proposed building and the backs of existing homes.

Height, Form and Massing

- 8.35 The proposal is five storeys and c17m in height to the top of parapet walls. Hackney's definition of a tall building is 30m or 50% greater in height than the height of the surrounding context. This compares to c10.5m of the Pownall Road blocks and the c16.2m of the Marlborough Road blocks. Above this massing is a plant enclosure set at the furthest point from existing homes but also set back from Regent's Row and the building edges to minimise visual impact. Over the course of the pre-app process blocks with a similar number of homes but with different massings were tested, including a six storey block on a smaller footprint and a lower height building on a larger footprint. The proposal's height is greater than the four storey block to the north by 6.5m, and slightly taller than the six storey building to the east. While any development on the site would reduce direct outlook, separation distances of 20m minimum are intended to limit impact.
- 8.36 As a new building facing the Regent's Canal, the proposal echoes the height of the development on the south side of the conservation area, creating a balanced relationship. While the scheme is likely to sit at around the prevailing height of the estate buildings to the west, the scheme will impact homes to the north and objections have been raised over the impacts on light, privacy, outlook. This is acknowledged and dealt with in the Neighbour Amenity section below.

Internal Layout

- 8.37 The upper floor flats are accessed by a naturally lit stair and lift core which opens onto short, north-facing external decks which lead to front doors. Two flats per floor are accessed from internal landings off the main core. The benefits of a deck-access block are that homes are dual aspect at least, with doors and windows facing the deck and south onto south-facing balconies facing the canal.
- 8.38 Ground floor flats are accessed from the north where there are also solid planters to maximise privacy. Main private spaces face south towards the canal and have a secondary entrance to maximise activity onto Regent's Row. Privacy is maximised at the ground floor with higher boundary walls, and deep planters surrounding all sides of the building. Privacy to balconies and deck access frontages come from solid balustrades to the north to help minimise overlooking between buildings, and to the south from the mesh balustrade which will reduce oblique views upwards from street level.
- 8.39 In general, the layout of the proposed building is of a very high standard with all homes benefiting from an excellent arrival experience and good internal layouts.

Architecture and Materials

- 8.40 The proposal consists of two blocks or wings, pivoted around a naturally lit circulation core.

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The east wing is defined by a red-brown brick, while the west wing is defined by a warm grey brick. The contrast creates visual separation breaking down the mass of the proposal. Red metal access and balcony decks run horizontally along the north and south elevations with pale blue columns running vertically. The colours create bright outlooks, which is important on the north aspect. The deck access area has a solid fluted metal balustrade to minimise overlooking. The southern balustrade is a white mesh which minimises oblique views towards private spaces (used successfully in the award winning 'House for Artists' in barking by Apparata Architects).

- 8.41 Some elevations at ground level a castellated brick boundary wall, incorporating signage, encloses the building and private gardens. The wall has been designed to be an attractive feature but also creates a robust and private edge to the adjacent public spaces.
- 8.42 The architecture and materials proposed are high quality, with reassuring levels of detail included. The appearance of the proposal is likely to enhance the Regent's Canal Conservation Area as well as making a positive contribution to the character of the estate.

Landscape

- 8.43 The landscaping proposals cover the wider site as well as part of Regent's Row and have been developed through consultation with Officers, residents and resident steering groups, and designing out crime officers.
- 8.44 The approach to the open space comes from a reduction in overall space but an increase in quality and functionality. The space is changed from a single open space to two linked spaces all with different functions, characters and targeted users. To the east of the development a new play-focused area is created on the former parking area. The well-used ball court, which currently sits alongside car parking, is retained in the same place and surrounded by a new playground and biodiverse natural play loop. To the west of the proposal, outside the site boundary, the landscape is largely unchanged with picnic areas, grass, play and access paths. Joining the two spaces is a central amenity space with less of a focus on play, with planting, seating and grow-beds. On the north side of the central space, new raised borders are proposed in front of existing garden fences. On all sides, the buildings are surrounded with defensible space behind walls to allow views out and minimise views into homes.
- 8.45 The main existing movement routes around and through the site are maintained with all routes between Pownell Road and Regents Row retained and unobstructed. Regents Row is changed with a wider cobbled section to facilitate site access. Some small and medium trees on Regent's Row are proposed to be removed/moved which allows for the proposal to be positioned on the historic building line and to maximise separation distances to the north.
- 8.46 Also on Regent's Row, the railings which separate the tow-path from Regents Row are proposed to be removed to match the conditions seen to the east of the site. The cobbled surface of Regent's Row is an important feature of this part of the conservation area. Where new parking bays are proposed alongside the cobbled area these will be paved in smooth cobbles to create a subtle differentiation between historic and new. As a condition of any planning permission, the fine details of this new treatment would be approved by a conservation officer as a result of the recommended condition. Lastly, the existing garages which back on to the houses of Marlborough Avenue are to be replaced with new garages containing bin storage and a substation.

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- 8.47 Biodiverse planting including flowering plants, perennial plants, SUDS rain gardens and shade tolerant flower-rich planting is proposed which will visually enhance the landscaping. Lighting should be discussed in detail as a condition of any planning permission. This should include lighting with a warm temperature, with a minimisation of light spill and pollution.

Design Conclusions

- 8.48 The proposal offers 38 high quality new homes in a block with a very good deck-access, mostly dual aspect layout and with a high quality and attractive external appearance. The scheme is surrounded by landscaping which compensates for the overall reduction in open space with a greatly improved offer supporting a wide range of users. The scheme is likely to bring activity to this section of the Regent's canal Conservation Area, reinstating a built frontage to Regent's Row and a northern frontage to the canal.
- 8.49 Overall, the scheme is acceptable in terms of urban design, architectural and landscape design subject to the suggested conditions and design changes being applied. The scheme will have a neutral to positive impact on the Conservation Area and nearby historic structures and is acceptable in terms of conservation subject to the suggested conditions being applied. It is acknowledged that the proposal will have some impact on residential amenity to the properties immediately to the north.

Quality of Accommodation

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

Cores

- 8.51 Standard B2 of the Housing Design Standards relates to access to units, including incorporation of access control measures, core layouts and lift provision and that each core should be accessible to generally no more than eight units per core.
- 8.52 The development includes a maximum of nine units per floor, accessed via central lift and stairwell. This is one unit greater per core than is recommended by the Mayor's Housing Design Standards, but on balance, the additional unit is not considered to be harmful enough to justify withholding planning permission.

Internal Space Standards

- 8.53 London Plan Policy D6 and Table 3.1 require new housing to meet specific internal space sizes, including the provision of built-in storage. Policy D6 also states that a minimum ceiling height must be 2.3m for at least 75% of the gross internal area. This is supported by Hackney Local Plan Policy LP17.
- 8.54 Overall, the units would provide a good standard of accommodation in regards to internal space standards, with all of them exceeding the minimum requirements. All of the units would offer an acceptable amount of storage and have minimum head heights of at least 2.5m. The proposal complies with London Plan Policy D6 and Table 3.1.

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Outlook and Privacy

- 8.55 London Plan Policy D6 states that developments should minimise the number of single aspect dwellings, particularly if they are north facing. London Plan Policy D6 also requires new housing to provide sufficient outlook and privacy.
- 8.56 All of the units are dual aspect, with the exception of four, which are single aspect and east facing. These four units are all one bedroom units. All of the units have the main views from the living room facing either south or east, providing good levels of aspect. Even the northernmost units will remain 20m away from the southern facing elevation of 71-92 Regents Court, ensuring that these too are provided with acceptable outlook for their bedroom windows.
- 8.57 In terms of privacy, all of the upper floor units will be provided with appropriate levels of privacy. At ground floor level, the development includes defensive landscaping around the units to help ensure the privacy of occupants.
- 8.58 Overall the quality of outlook and privacy is deemed acceptable and compliant with London Plan Policy D6.

Accessibility

- 8.59 London Plan Policy D7 requires that 10% of new housing must meet Building Regulations requirement M4 (3) 'wheelchair user dwellings, whilst the remaining 90% of units meet Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' and.
- 8.60 Four of the 38 homes (10%) will be wheelchair adaptable and built to M4(3) standards. These are all located at ground floor level. The remaining units will all be M4(2) and a condition is recommended in this regard. This is to be secured by condition. The proposal therefore complies with London Plan D7.

Daylight and Sunlight

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

Daylight/Illuminance

- 8.63 The UK National Annex recommends that median illuminances be exceeded in more than half the assessment points (a plane at table top height - 0.85 meters from the floor level) in a room for more than half of the daylight hours for a typical year. The median illuminance for rooms are as follows:
- 100 lux in bedrooms
 - 150 lux in living rooms
 - 200 lux in kitchens/living/diners (KLDs)
- 8.64 The 38 dwellings consist of 126 habitable rooms that encompass 25 KLDs (kitchen/living room/diners), 13 kitchen diners, 13 living rooms and 75 bedrooms.

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- 8.65 The results indicated that from the 25 KLDs, 16 meet the BRE target of 200 lux based on the kitchen use. The BRE guidance, however, makes allowance for shared use spaces where there is a single predominant use. In this case, the KLDs are predominantly intended to be used as living rooms with the kitchen being only a small proportion of the space and so it is considered appropriate to use the living room target. Under this assessment, a further six KLDs meet BRE living room targets. Three KLDs fall slightly below the recommended guidance.
- 8.66 Among the 13 sole living rooms assessed, six meet the BRE recommendations. Although the remaining seven living rooms are below the BRE recommendations, the associated kitchen diners within the same units meet the recommendations and thus the residents will have access to a space with good levels of daylight. Furthermore, among these seven living rooms, two are only marginally short of the BRE recommendations as they meet within 80% of the living room targets, and four are meeting within 60% of the living room targets. The one remaining living room does not fall under any of the above categories.
- 8.67 From the 13 KDs, 10 meet the BRE recommendations. Although the remaining kitchens are below the BRE recommendations, the associated living rooms within the same units meet the recommendations and thus the residents will have access to a main living space with good levels of daylight.
- 8.68 Of the 75 bedrooms, 57 meet the BRE recommendations. The remaining 18 are facing directly onto access walkways and thus have limited visibility of the sky however as these are expected to be used primarily at night this is not considered to be a sensitive shortfall.
- 8.69 Overall, the proposed scheme achieves a compliance rate of approximately 71%. However, it is worth noting that when the KLDs are tested against the living room target, the scheme achieves a compliance rate of approximately 75%. Both of which represent a good level of BRE compliance for an urban infill scheme.

Sunlight

- 8.70 The BS EN 17037 standard recommends that a space receive a minimum of 1.5 hours of direct sunlight (assuming cloudless conditions) between the 1st February and 21st of March. Although the BS EN 17037 applies to all rooms, if a room faces north of due east or west, it is unlikely to demonstrate enough sunlight. Within homes, at least one living space should meet the minimum criteria. The BS EN 17037 criteria apply to a minimum (1.5 hours), medium (3 hours), and high level (4 hours) of sunlight in various situations.
- 8.71 The results show that all 38 LKDs/living rooms meet the BRE recommendations. 26 of these rooms received more than four hours of sunlight meeting the high level of BRE recommendations and three received more than three hours of sunlight meeting medium level of BRE recommendations. The remaining nine received more than 1.5 hours of sunlight which is the BRE minimum recommendation.

Noise and Vibration

- 8.72 London Plan Policies D13 and D14 and in particular paragraph 3.13.7 discuss how uses proposed near to an existing noise-generating use should include necessary acoustic design measures, for example, site layout, building orientation, uses and materials. Meanwhile, Hackney Local Plan Policy LP58 also states that noise-sensitive development should be located in areas where occupiers will not be exposed to significantly adverse noise levels.

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- 8.73 Providing that all of the units and neighbouring properties are occupied in a neighbourly manner it is unlikely that the new dwellings would suffer from undue noise disturbances from other residents.
- 8.74 The applicant has submitted a Planning Noise and Vibration Report. The report states that, in general, the site falls into the “low” range of risk values in current Professional Practice Guidance.
- 8.75 Based on the findings of the noise survey and using typical glazing and building constructions, internal sound levels within habitable rooms would comply with recognised Standards and Guidance. The site can therefore be considered acoustically suitable for the proposed development. No significant adverse noise impacts on the amenity of occupiers and neighbours are anticipated.
- 8.76 Measured vibration levels are significantly below guidance values in the relevant Standards and vibration and ground borne noise is not likely to result in any adverse effects on the proposed dwellings or their occupants.
- 8.77 The Council’s Environmental Health Officer has reviewed the submitted Noise and Vibration Report, and is satisfied with its findings. No objections have been raised subject to a variety of conditions including a Noise, Vibration and Dust monitoring system, and a number of post installation tests on noise and sound installation. These conditions have been attached. The proposal is considered acceptable in regards to London Plan Policies D13 and D14.

Private Outdoor Amenity

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

Communal Open Space

- 8.80 Hackney Local Plan Policy LP48 states that all developments for 10 or more residential units must maximise on-site provision of open space and where feasible provide 14sqm per person of communal open space. Where this is not possible, the development must make physical improvements to the public realm to improve access to existing public open spaces, and make financial and/or physical contributions towards the provision of new open space, the enhancement of existing public open space or the enhancement of other green infrastructure and biodiversity in the locality.
- 8.81 The size of the development is likely to result in a total yield of 98 residents, meaning 1,372sqm of open space is required. The proposed development will incorporate a total of roughly 2,000sqm of open space. However, it is noted that the development will result in an overall net loss of open space, from 2,470sqm (within the red line plan).

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- 8.82 Although the proposal would result in a net loss of open space, it would improve the open space being provided, and would meet the need for the new residents. Given this, Officers are satisfied with the scheme in terms of communal space.

Play Space / Child Friendly Design

- 8.83 London Plan Policy S4 states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation, incorporating good-quality, accessible play provision for all ages. At least 10sqm of playspace should be provided per child. This is supported by Local Plan Policy LP50.
- 8.84 Using the GLA Population Yield Calculator, the development could yield up to 36 children living on site. The scheme therefore would need to provide circa 360sqm of play space. The scheme proposes 594sqm of play space which is considered acceptable. The existing ball court is to be retained and a new play area to the south of it is proposed.
- 8.85 Lastly, a Child Friendly Impact Assessment has been submitted as part of the application which includes the completed child friendly design checklist. In accordance with the RAG the proposal achieves a score of 13 for the 'doorstep' category and 13 for the 'street' category, both of which equate to a 'good' rating.

Overshadowing

- 8.86 BRE Guidance recommends at least half of the communal amenity space (50%) should receive at least two hours of direct sunlight on 21st March (spring equinox).
- 8.87 The applicant has submitted an overshadowing assessment as part of their Daylight and Sunlight document. The assessment covers three separate public spaces - the land immediately to the north of the site, and those to the east and west.
- 8.88 Both the communal land to the east and west would receive 100% of sunlight for two hours on 21 March.
- 8.89 Only 8% of the land to the north would receive two hours of direct sunlight. This is due to it being located directly behind the proposed new building, which is five storeys tall.
- 8.90 It should be noted, though, that on the summer equinox in June, 87% of the land to the north of the development would receive at least two hours of sunlight. Given that this is when residents are more likely to use the open space the harm is less severe than it might initially appear.

Neighbour Amenity

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

Outlook, Privacy and Sense of Enclosure

1-44 Regents Court

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- 8.92 This 11 storey tower block is situated on the western edge of the estate.
- 8.93 The proposed development is located 45m to the south east of the tower block. At this distance the development is not anticipated to cause any harm to outlook, privacy or sense of enclosure.

45-56 Regents Court / 57-80 Regents Court / 81-92 Regents Court / 93-101 Regents Court

- 8.94 These dwellings form a four storey tower block that stretches along Pownall Road to the north of the site and are split into four distinct blocks separated by through-ways at ground floor level. With the exception of Nos. 91-101 (which are located in the north-west corner and do not possess gardens) the ground floor units of this block possess relatively deep rear gardens which face the canal and existing playspace.

- 8.95 The majority of the units are not directly impacted by the new development and are not expected to suffer from any significant loss of outlook, privacy or sense of enclosure. The exception to this are the units at 57-80 Regents Court which are located directly to the north of the scheme. The proposed eastern block would be roughly 5m away from the rear garden boundary and circa 20m away from the southern windows of the apartments here. At this distance the proposal is likely to appear overbearing and impact the sense of enclosure and privacy, especially for those residents with gardens. Though it should be noted that the proposed apartments within the northern edge of the scheme are orientated to face east-west, with only two bedroom windows and a secondary living room window facing towards the Nos. 57-80 per floor, helping to mitigate potential overlooking. Moreover, the majority of the development (i.e the western block) is located further away - at least 10m away from the rear garden boundary and 25m away from the nearest residential windows.

- 8.96 Officers accept that the proposal would have a detrimental impact on outlook and sense of enclosure (and to a lesser extent - privacy) on a small number of at 57-80 Regents Court, and that this harm needs to be taken into consideration when determining the acceptability of the proposal. On balance, though, only a relatively few number of units would suffer a detrimental impact on their amenity and this harm is outweighed by the strong benefits the scheme would provide, notably the creation of 38 socially rented units.

102-134 Regents Court

- 8.97 These units form the six storey tower block along the eastern flank of Regents Estate, which is accessed via Marlborough Avenue. The units at ground floor level have gardens which adjoin the central garden area.

- 8.98 The proposed development would remain 35m from the rear garden boundary walls and over 50m from the rear elevation of apartments at Nos. 93-134. At this distance the development is not anticipated to harm outlook, privacy or sense of enclosure for the existing residents.

Gloucester Square and Cester Street

- 8.99 These properties are a combination of two storey terraced houses and a three storey apartment block located to the south of the site, on the southern side of Regents Canal.
- 8.100 The proposed development would remain at least 25m away from the northern elevation of these buildings. At this distance the scheme is not anticipated to harm outlook, privacy or

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sense of enclosure to the residents within.

Daylight and Sunlight

- 8.101 London Plan Policy D4 states new development should provide sufficient daylight and sunlight to new housing and is appropriate for its context.
- 8.102 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received from adjoining properties. BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.
- 8.103 The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment which has been assessed as part of this application.

Daylight Assessment 1 - Vertical Sky Component (VSC)

- 8.104 The VSC test calculates the potential for daylight to a building and measures the amount of light available at the centre of the outside plane of a window. The VSC test calculates the potential for daylight to a building and measures the amount of skylight available at a given point (normally the centre of the outside plane of a window) from an overcast sky. The BRE targets suggest that a noticeable effect would likely occur if the VSC with the development in place is both less than 27% and less than 0.8 (20%) times its former value.
- 8.105 In measuring prospective VSC, BRE guidance also makes reference to adjoining windows with balconies/roofs above receiving less sunlight as the balcony/roof cuts out light available from the sky. In such situations, it is advised that results should be provided for VSC levels both with and without the balconies/deck access, to ensure the development is not unfairly prejudiced.

Daylight Assessment 2 - No Sky Line (NSL)

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

Sunlight (APSH)

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

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Assessment of Neighbours

1-44 Regents Court

8.108 This 11 storey tower block is situated on the western edge of the estate, located 45m to the west of the proposed development.

8.109 In terms of daylight and sunlight all of the units meet BRE guidance.

45-56 Regents Court / 57-80 Regents Court / 81-92 Regents Court / 93-101 Regents Court

8.110 These dwellings form a four storey tower block that stretches along Pownall Road to the north of the site and are split into four distinct blocks separated by through-ways at ground floor level.

8.111 In terms of daylight, the units immediately to the north of the proposed development (i.e. those within block 57-80 Regents Court) would experience a loss of daylight, particularly at ground floor, first floor and second floor level. Despite this though, all of the units would still retain a VSC of at least 20% which is considered acceptable for urban environments. NSL would also be reduced, especially for ground floor rooms.

8.112 In terms of sunlight, all of the units complied with BRE standards, with an APSH greater than 25% and WPSH greater than 5%, or of at least 0.8 of their former existing value.

101-134 Regents Court

8.113 These units form the six storey tower block along the eastern flank of Regents Estate, which is accessed via Marlborough Avenue. The units at ground floor level have gardens which adjoin the central garden area. The proposed development would remain 35m from the rear garden boundary walls and over 50m from the rear elevation of apartments.

8.114 In terms of daylight and sunlight all of the units meet BRE guidance.

Gloucester Square

8.115 These properties are a combination of two storey terraced houses and a three storey apartment block located to the south of the site, on the southern side of Regents Canal. The proposed development would remain at least 25m away from the northern elevation of these buildings.

8.116 In terms of daylight, from the total 68 windows assessed, 62 windows meet the BRE targets. For the final six windows, two still retain a VSC score about 20%, which is considered acceptable in urban environments. In regards to the remaining four windows, these already possess a very low VSC score and would not be significantly impacted by the development.

8.117 Due to be located to the south of the proposed development, the properties here are not evaluated against sunlight (APSH).

Cester Street

8.118 Located adjacent to the Gloucester Square development, these properties are also a combination of two storey terraced houses and a three storey apartment block located to

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the south of the site, on the southern side of Regents Canal. The proposed development would remain at least 25m away from the northern elevation of these buildings.

- 8.119 From the total 29 windows assessed, all of them satisfy the BRE recommendations, in terms of daylight, with 27 windows achieving both the recommended VSC levels and passing the NSL test. Of the other two windows, these were found to have VSC of at least 0.8 and passed the NSL.
- 8.120 Due to be located to the south of the proposed development, the properties here are not evaluated against sunlight (APSH).

Overshadowing

- 8.121 BRE guidelines recommend that at least half of the garden or open space (50%) can receive at least two hours of sunlight on 21 March.
- 8.122 A review of the site plan shows there 27 gardens in close proximity to the proposed development, which belong to the existing occupiers at Regents Court estate. These all back on to the existing central public play area. A Solar Access Analysis was undertaken on these amenity areas on 21 March as set out by the BRE guidance.
- 8.123 Firstly, it is noted that eight rear gardens belonging to the units at 101-134 Regents Court on Marlborough Avenue - to the west of the proposed development - already receive less than 50% sunlight coverage for two hours on 21 March. The proposal would have an extremely marginal impact on these, to the extent that the change can be considered irrelevant (circa 1-3% additional loss).
- 8.124 Beyond these, there were four gardens which currently receive over 50% of sunlight but would fall short of the BRE targets following development. These are located directly to the north of the proposal. These gardens would receive circa 40-47% sunlight across the two hours on 21 March if the scheme were to be approved. This level of shortfall is marginal enough that all four gardens would meet the BRE targets should they be tested on 25 March, only four days after the day of the required test. It is considered that the existing neighbouring gardens would generally be expected to retain a good level of sunlight exposure post development, especially in the spring and summer months when they are more likely to be used.
- 8.125 Overall, the proposed impact to neighbouring gardens is not considered to be unreasonably harmful in terms of overshadowing.

Neighbour Amenity Conclusions

- 8.126 Overall, given the scale of the development and its relationship to the existing residents the likely harm in terms of amenity harm is relatively limited. It is acknowledged that the proposal will have the most impact on the residents of the units at 57-80 Regents Court, which are those directly north of the scheme. To the occupiers of these units it is accepted that the proposal will appear dominant and cause some loss of privacy, outlook and light.
- 8.127 These concerns are taken into consideration in the conclusion to this report where the overall planning balance is assessed.

Highways & Transport

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

Site Conditions

- 8.129 A Transport Statement (TS) has been submitted as part of the application.
- 8.130 The site is located in a predominantly residential area. The local highway network is characterised by residential roads, including Pownall Road, Marlborough Avenue, and Regents Row, which feature 20mph speed limits, street lighting, and traffic calming measures like speed bumps.
- 8.131 The A10 is situated to the west, providing connections to the M25 and Central London. The site falls within Hackney Parking Zone J, with restrictions enforced Monday through Friday and extended to Saturdays in areas near Broadway Market. Additionally, the site is situated within a Low Traffic Neighbourhood (LTN), which utilises traffic filters to prioritize liveable streets and reduce through-traffic.
- 8.132 In terms of public transport, the site achieves a Public Transport Accessibility Level (PTAL) of 2 (on a scale of 1-6b, where 6b is the most accessible). This indicates a lower level of accessibility although the site is adjacent to areas with a PTAL of 3.
- 8.133 Bus connectivity is provided by stops on Pownall Road, approximately 140m to 240m away, served by the 236 bus route. Other frequent services, such as the 149, 242, 243, and 394, are accessible within a 5 to 11 minute walk. Rail connectivity is robust, with four London Overground stations - Haggerston, Hoxton, London Fields, and Cambridge Heath - all located within a 15 minute walk, providing services to key destinations like London Liverpool Street and Highbury & Islington.
- 8.134 The area includes active travel infrastructure for pedestrians including footways, tactile paving, and dropped kerbs. For cyclists, nearby facilities include segregated cycleways on Queensbridge Road and Cycleway 16, which follows the Regent's Canal Towpath immediately south of the site.

Access

- 8.135 Pedestrian and cycle access to the development is provided from multiple points to ensure site permeability. Primary routes are available from the north via existing footways through the Regents Court estate and from the south via Regents Row. Access is also facilitated directly from the Regent's Canal Towpath.
- 8.136 Vehicular access is achieved via Regents Row, routing from Marlborough Avenue to the east. As the development is categorised as car-free, vehicle movements are limited to those associated with the single on-street Blue Badge parking bay, the four re-provided permit holder bays, and essential refuse, servicing, or emergency vehicles.
- 8.137 To support these movements, the application states that Regents Row will be amended through carriageway widening and a new turning area to allow larger vehicles to enter and egress the site in a forward gear. Additionally, the existing emergency gate on Marlborough Avenue is to be removed and replaced with a vehicle restriction designed to facilitate easier maneuvering for larger vehicles, such as refuse collectors.

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- 8.138 A key point for further discussion is the location of the emergency gate, which will be addressed and arranged with the Highways team at the next stage. The carriageway widening and the proposals mentioned above, are factored into the S278 estimate for the scheme (see below).

Trip Generation / Delivery and Servicing

- 8.139 The trip generation assessment was carried out using the Trip Rate Information Computer System (TRICS). The proposed development of 38 residential units is forecast to generate 183 total two-way person trips across a typical day. During the AM peak hour, the site is expected to produce 24 two-way person trips, while the PM peak hour is forecast to generate 12 two-way person trips.
- 8.140 The scheme is anticipated to generate only five two-way vehicle trips over the course of a day, with one vehicle trip occurring in the AM peak and zero in the PM peak. Delivery and servicing activities are expected to generate approximately 10 two-way trips daily, though no servicing trips are forecast during the peak hours.
- 8.141 The net trip generation indicates a minimal impact on the local highway network, with the majority of movements occurring via sustainable travel modes. The highest proportion of trips is expected to be made by bus, minibus, or coach at 31%, followed by underground, metro, or light rail at 21%. Walking and cycling are each expected to account for 18% of trips, while 7% are anticipated to be via train. Only 3% of trips are forecast to involve driving a car or van, with the remaining 2% split between motorcycles, taxis, and car passengers.

Road Layout Changes & Road Safety Audit (RSA)

- 8.142 The application proposes several modifications to the existing road layout, primarily focused on Regents Row and Marlborough Avenue to facilitate essential vehicle movements.
- 8.143 Key changes include the widening of the Regents Row carriageway and a minor kerb line realignment at its junction with Marlborough Avenue. To ensure larger vehicles, such as refuse collectors and fire tenders, can turn and egress in a forward gear, a new turning area will be constructed on Regents Row. Furthermore, the existing emergency vehicle access gate and bollards on Marlborough Avenue will be removed and replaced with a modern vehicle restriction to improve maneuverability for the Hackney refuse team. Finally, the kerb radius at the junction will be widened specifically to accommodate the swept paths of these larger vehicles.
- 8.144 In light of the proposed highway amendments, the Council's Highways Development team have factored the proposals into their S278 estimate (see below). As noted above, a key point for further discussion is the location of the emergency gate, which must be addressed and arranged with the Highways team. The applicant should coordinate this and liaise with the Highways Development team on this matter.
- 8.145 A full Road Safety Audit (RSA) is required. This must be agreed in consultation with the Council's Highways Developments team. It will be funded by the applicant and include up to stages 1, 2, 3 and 4. This is essential to independently verify that the new turning head and reversing maneuvers for refuse/emergency vehicles do not introduce unacceptable risks. All stages of the RSA must be fully funded by the applicant and consulted upon with the Council's Highways Developments team in line with their S278 works. The RSAs must be

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submitted to the Council's planning team and approved by the Highways department at each stage. A Stage 1 RSA must be submitted and approved prior to any works commencing on the public highway.

- 8.146 A full Road Safety Audit covering all subsequent stages (1, 2, 3 and 4) must be secured as part of the planning process, funded by the applicant. This has been attached.

Car Parking

- 8.147 London Plan T6 and Table 10.3 set out parking standards for new development. All residential car parking spaces must provide infrastructure for electric or ultra-low emission vehicles, with at least 20% of spaces having active charging facilities and passive provision for all remaining spaces.
- 8.148 Hackney Local Plan Policy LP45 states that in order to reduce car usage and promote active travel, all new developments in the Borough must be car-free, with the exception of parking for disabled users.
- 8.149 The scheme is proposed to be car-free for new residents which is supported by the London Plan and Hackney's Local Plan, LP33. These state that to reduce car usage and promote active travel, new developments in the borough must be car-free.
- 8.150 A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge).
- 8.151 The proposed development involves the removal of 12 existing car parking spaces from the Regents Court estate car park, with four of these spaces to be re-provided within the site. To assess the impact of this loss, parking surveys were conducted for all roads within a 200m walking distance during both neutral weekdays and weekend periods.
- 8.152 On weekdays, the surveyed area showed a peak occupancy of 94%. Following the removal of eight net spaces, occupancy is forecast to reach 101%, indicating a shortfall of one space relative to the theoretical capacity within the 200m study area. However, the Transport Statement notes that drivers are able to park beyond this arbitrary 200m boundary, and the Hackney Parking team raised no significant concerns regarding these occupancy levels. During the weekend peak, existing occupancy was recorded at 92%, which is forecast to rise to 98% post-development, leaving at least two unoccupied spaces within the study area.
- 8.153 Highways has reviewed the parking proposals and the associated parking stress estimates. The indicated 101% occupancy figure raised a concern although as the application states, the Council's Parking Services have been consulted on the application and did not raise an objection. The figures should also be considered alongside the reality that drivers would be able to park beyond the 200m boundary of the survey.
- 8.154 Due to the substantial impact on the public highway and the necessity of managing parking disruptions effectively, the applicant will need to coordinate closely with Parking Services regarding confirmed start dates. The project programme must accommodate the mandatory minimum three-month lead time required to organise the decommissioning process for existing estate parking.
- 8.155 To ensure the delivery of the Blue Badge parking and the management of onsite vehicle provisions, a Parking Design and Management Plan (PDMP) must be submitted by the

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applicant and reviewed and approved by Streetscene prior to occupation. The PDMP must show that the site will be car free with the exception of the accessible Blue Badge space(s). It should show how the parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. This condition has been attached.

Blue Badge Parking

- 8.156 London Plan Policy T6 states that where car parking is included with a proposal the London Plan requires plans to show that initially 3% disabled parking is provided and demonstrate a further 7% could be provided in the future if required.
- 8.157 The planning application proposes a single accessible Blue Badge parking bay on-street along Regents Row. This is compliant in that it meets the initial 3% disabled parking provision. To meet the London Plan's requirement for an additional 7% provision upon request, the applicant proposes either identifying further on-street locations in the immediate vicinity or repurposing re-provided standard permit bays within the site as designated disabled person parking spaces. The Highways team do not support this suggestion. Following these comments, the Highways team have amended their estimate to ensure that an additional Blue Badge bay can be placed to the west of Regents Row if need be.

Delivery and Servicing

- 8.158 A final delivery and servicing plan (DSP) should be conditioned to be approved by Streetscene and the Local Authority prior to occupation of the proposed site. This has been attached.

Car Club Membership

- 8.159 Local Plan Policy LP44 states on-Street car club development will be supported when delivered in conjunction with an overall reduction in car parking or other effective demand management measures.
- 8.160 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.
- 8.161 The S106 car club contribution clause should state:

"A credit equalling a minimum monetary value of £60 per new residential unit made available, to the first occupant of each new residential unit, as a contribution towards their car club membership fee and/ or driving credit."

- 8.162 This should be secured as part of the S106 legal agreement.

Travel Plan

- 8.163 A Framework Travel Plan Statement has been submitted as part of this application. A full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. The Travel Plan is required to include SMART targets that are: specific, measurable, achievable, realistic and time bound.

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8.164 The Travel Plan should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to our Transport Strategy and LP33.

8.165 The full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan of £2,000

Demolition and Construction Management Plan (DCMP)

8.166 A framework CMP has been submitted as part of the application. Given the nature and location of the proposed development a Demolition and Construction Management Plan (DCMP) is required to mitigate the negative impact on the surrounding highway network.

8.167 This should be in line with TfL CLP guidance:
<http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>

8.168 To effectively monitor the final CMP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.

Access and Public Realm Works

8.169 In accordance with Local Plan Policy LP41 new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London.

8.170 Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users. Highways works, transport mitigation measures and other S106 transport mitigation measures may be sought based on the final application and transport statement.

8.171 The revised estimate and the total cost is: £713,361.22

8.172 The proposal is to reconstruct the Footway & Carriageway on Regents Row. Works will consist of :

- Remove the existing footway material including kerbs.
- Provide and lay a new 100mm base/ 50mm 3:1 sand cement bed. Supply and lay Yorkstone as spec clause 1172 AR with "Riven" finish along with new Granite kerb.
- Take up and store the existing setts in the carriageway
- Provide and lay a new 150mm CBM3 Base/50mm sand bed.
- Relay the existing setts and allow for 20% reclaimed setts to be laid and reprofiled if required.
- Amend the existing entrance to the garages onsite and provide a new entrance to the development.
- Remove existing Gully grate onsite and provide and install x4 new along with associated works.
- A new blue badge parking bay and associated works

8.173 Section 278 Highway work is undertaken by Hackney Streetscene, not by the developer.

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Please note that the Highways department must be advised when payment has been made and the developer must give us six months' notice of the proposed start date for highway works.

- 8.174 The target kerb height to the frontage of the property will be 120 - 140mm above the carriageway edge with footway having a cross fall of 1:40. It is the developer's responsibility to incorporate this into their design as this is essential in ensuring the thresholds to the premises are level and EA 2010 compliant and that surface water falling on the public footway can drain onto the carriageway.
- 8.175 Following discussions with the Highways Development team, the S278 estimate has been amended to include two tree protection contributions, where we will use a form of 0.5m bollard around the tree for protection. Please note a costing for the relocation of the lamp column which is currently in place is included.

Cycle Parking

- 8.176 London Plan Policy T5 and Table 10.2 set cycle provision standards. Hackney Local Plan Policies LP41, LP42 and LP43 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. In particular, Local Plan LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes.
- 8.177 The application states that based on the 38 residential units, the minimum requirement is 76 residential and nine visitor spaces. The site proposes a total of 76 long-stay and 10 short-stay spaces, which is compliant.
- 8.178 The long-stay provision consists of approximately 69% two-tier stands and 31% single-tier Sheffield stands, with 5% of the total spaces specifically designed for enlarged or adapted cycles. The storage facilities are distributed across two main locations to ensure security and convenience for residents.
- 8.179 The design also incorporates a dedicated mobility scooter parking space measuring 1.5m by 1m and located within the cycle store. The mobility scooter parking must be fully aligned with the London Plan to ensure the facility is fit for purpose, including appropriate dimensions, maneuvering space, and electric charging capabilities.
- 8.180 The first secure, sheltered cycle store is located within the public realm to the east of the development building. A second store is situated further east within the undercroft of an existing Regents Estate building.
- 8.181 Short-stay visitor parking is provided via Sheffield stands located in the public realm near the primary pedestrian and cycle entrances to the north and east of the building.
- 8.182 The design of the cycle parking must prioritise the personal security of users, particularly given the standalone nature of the stores. To ensure safety, the proposal should incorporate robust security measures and deterrents, including controlled access, adequate lighting, CCTV, and clear visibility within the compound.
- 8.183 A policy compliant cycle parking plan is required which shows details of the number, layout, foundation, stand type and spacing. This is recommended to be secured through a condition to ensure timely provision, which is kept in good working condition in perpetuity.

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This has been attached.

- 8.184 Accordingly, the proposal is deemed to comply with London Plan Policy T5 and Table 10.2 and Hackney Local Plan Policy LP42.

Waste & Recycling

- 8.185 London Plan Table 3.2 states recycling and waste disposal, storage and any on site management facilities should be convenient in their operation and location, appropriately integrated, and designed to work effectively for residents, management and collection services.
- 8.186 Hackney Local Plan Policy LP57 states that developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling. The Council's Refuse and Recycling Storage Guidance (2020) provides guidance on the amount of refuse and recycling storage that should be provided per unit and the design of the bin stores.
- 8.187 For one bedroom units, guidance requires 50l of space for refuse and 100l for recycling, whilst for two bedroom units the requirements are 75l of waste and 125l of recycling.
- 8.188 The Council's Waste Officer has been consulted and confirmed that the provision planned for the bin storage is in line with Council guidance, and is consistent with discussions with the developer during the planning process. It is noted that reprovided bins are being proposed 102-134 Regents Court as part of the proposal.
- 8.189 As such, this aspect of the proposal is deemed acceptable in regards to London Plan Table 3.2 and Hackney Local Plan Policy LP57.

Green Infrastructure & Biodiversity

- 8.190 London Plan Policy G1 demands that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced, and that proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. This position is supported by Local Plan Policy LP46 and LP47 which requires all major development to include a biodiversity survey of the site.
- 8.191 Local Plan Policy LP47 also states that new development on or adjacent to Sites of Importance for Nature Conservation (SINCS), alongside watercourses and wetlands' must not have a detrimental impact on the biodiversity or nature conservation value of the site. Development will only be permitted where appropriate mitigation or compensatory measures are put in place.

Biodiversity Net Gain (BNG)

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

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- 8.193 The development is proposed to result in a net gain of 37.20%, which exceeds the minimum 10% requirement.
- 8.194 Habitat losses include the removal of nine trees (though six of these are to be relocated on site) and the loss of existing grassland across the site.
- 8.195 Biodiversity improvements include the inclusion of 15 new trees that would be planted throughout the site in communal amenity spaces. Six existing trees are due to be retained and relocated. Amenity lawn will be planted within the north-west and north-east of the development along with mixed planting throughout the development. Raised grow beds will be planted within the west of the development along with hedge planting along the south-east of the development.
- 8.196 A rain garden with mixed herbaceous planting and low shrubs will be planted within the east of the development. A biosolar green roof with sedum and wildflower planting is also proposed to be created on top of new proposed buildings.
- 8.197 Accordingly, the proposal is deemed to comply with London Plan Policy G6 and Local Plan Policy LP47

Watercourse Units

- 8.198 Since the adjacent Regent's Canal is within 10m of the site boundary (intersecting the riparian zone), the development must achieve a minimum of 10% net gain in watercourse units, as per Biodiversity Metric 4.0.
- 8.199 Despite the number of watercourse units remaining unchanged, the proposal does not meet the standard 10% net gain required for watercourse units under the Environment Act / the Town and Country Planning Act. Target: A gain of 0.02 additional watercourse units is required. Riparian Zone (10m either side of the watercourse). The riparian zone is critical to river functioning, can provide a vital wildlife corridor, and controls heat, light, and darkness onto the river.
- 8.200 In this instance the proposal does not include a BNG increase for the area along the canal (for example the tow path). On-site options were deemed unachievable due to the lack of opportunities to enhance the riparian zone which is dominated by hardstanding with very limited feasibility for planting, as well as there being a road and public footpath on the northern bank and private property on the southern bank which would be difficult to make modifications to. In addition, enhancements to the watercourse itself would be unachievable due to it being a busy urban canal with lots of boat traffic and pollution. The Canal and River Trust were consulted but did not raise any objections to this matter.
- 8.201 Given the site circumstances and lack of concern from the Canal and River Trust, Officers take the view that in this instance, the lack of BNG improvement along the canal is acceptable.

Urban Greening Factor (UGF)

- 8.202 London Plan Policy G5 and Local Plan Policy LP48 state major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design. The minimum UGF score for residential development is 0.4.

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- 8.203 The proposal includes permeable paving, flower and tree planting, new grassland areas and green roofs. Overall this is a positive scheme, providing important new housing, and care has been taken to improve the landscape, retain trees where possible and increase urban greening within a site with many constraints.
- 8.204 That notwithstanding, the proposed UGF score is 0.23. This is below the required target score of 0.4 for residential developments, though it is recognised that the site has multiple constraints, and the space is limited.
- 8.205 Given the limited opportunities to increase UGF to the recommended 0.4 score, the Council is minded to ask the applicant to explore off-site improvements / contributions. Off-site improvements or contributions could include supporting the delivery of green space enhancements in the neighboring or wider Hackney housing estate (blue line boundary) to compensate for its low UGF score. This could be included as part of the s106 agreement.

Trees / Planting

- 8.206 London Plan Policy G7 states that proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by CAVAT or another appropriate valuation system. This is supported by Local Plan Policy LP51.
- 8.207 The existing wider site has a total of 52 trees. Of these, nine are to be removed (though six of these are to be relocated). The nine trees to be removed all are Category C, except for T24 that is a Category B specimen, a tulip tree. The Cat B tulip tree would be one of the six trees relocated on site.
- 8.208 15 new trees are proposed, along with the six relocated existing trees. The scientific consensus is that tree relocation - especially for larger trees - is extremely challenging and unlikely to succeed. For trees to have any chance of establishing after relocation, they would require careful root pruning over several seasons in preparation before transplantation, and prohibitive aftercare requirements when planted. The Council has raised this issue with the applicant, who remain confident that the replanting of the existing trees will be successful. Given this, Officers are minded to accept the decision on the basis that a CAVAT valuation is provided for the replanted trees which is then compared to the proposed value of new planting, and that this difference in cost is included in the s106 agreement.
- 8.209 Given the above, the standard tree replacement condition for the new trees (which require them to be replaced if any fail within the first five years post development), should be increased to 10 years, in order to protect the relocated trees. This has been attached.

Bird and Bat Nesting

- 8.210 Hackney Local Plan Policy LP47 requires all development schemes involving buildings with an eaves height or roof commencement height of 5m and above to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity in Hackney.
- 8.211 Two bird boxes, four swift bricks/boxes, and four bat boxes/bricks should be provided to ensure local wildlife is not harmed. Accordingly, a condition will need to be attached to ensure bird and bat nesting. This has been included. As such the proposal complies with

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Hackney Local Plan Policy LP47.

Sustainability

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

Energy and Net Zero

- 8.214 London Plan Policy SI 2 requires major development to be net zero-carbon. This means a minimum on-site reduction of at least 35% beyond Building Regulations is required for major development. This requires reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy (be lean, be clean, be green and be seen). This is supported by Hackney Local Plan Policy LP 55.
- 8.215 The application includes an Energy Statement and Sustainability Statement.
- 8.216 The scheme results in Be Lean savings of 35.2%, which is a considerable improvement over the savings of 10% required by the GLA. The scheme results in Be Green savings of 47.5% through incorporation of PVs and ASHPs. Overall this results in a combined carbon saving of 82.7%.
- 8.217 The applicant proposes to adopt a communal ASHP and local Heat Interface Units based approach, with HIUs located in the utility cupboard for each residence. PVs are also proposed.
- 8.218 At pre-application stage, AECB Carbonlite was referenced for this scheme as a design target. It is unclear why this scheme is not being designed to meet Passivhaus or AECB Carbonlite certification per other NHP sites, given the high levels of carbon savings being proposed. Certification attainment would provide confidence that the carbon savings proposed are likely to be achieved in practice, alongside healthier homes for Hackney residents but, since the scheme goes beyond the requirements of existing local and regional policies, it is considered acceptable in this regard.
- 8.219 The heating system is communal, and is intended to be ready to connect to a heat network when this becomes available. There are a number of aspects that it is recommended to be secured by planning conditions, including on net zero supporting technologies.
- 8.220 A carbon offset payment is proposed for £18,555.
- 8.221 Overall the scheme more than complies with local policy on net zero operational carbon which is welcomed, although the lack of attainment of Passivhaus/AECB Carbonlite is disappointing as compared to other NHP sites.

Climate Change and Overheating

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- 8.222 London Plan Policy SI 4 requires all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change. This is supported by Local Plan Policy 54.
- 8.223 The applicant has outlined that the modelled habitable residential rooms and communal corridors are all found to meet required Part O overheating risk criteria for the DSY1 weather data incorporating solar control measures and thermal mass in the design.
- 8.224 Overhangs have been incorporated, private balconies provide some shade, and there is a pergola on the southern/eastern facades. The proposal includes optimised g-value glazing (0.4).
- 8.225 There are concerns about opening windows in relation to both safety (falling) and with regards to external noise, with noise of concern particularly at nighttime. Child restrictors have been proposed to all windows where there is a risk of falling.
- 8.226 Trim cooling is proposed to be incorporated into MVHR units with integrated cooling coils for all corner flats on the N/S/W flats. The cooling strategy using trim cooling by MVHR should be secured by planning conditions.
- 8.227 More testing of overheating risks is recommended in subsequent design stages and to be secured by planning condition(s) to ensure that the overheating strategy is fully policy compliant as the design progresses, including with fuller assessment of the full range of accommodation.
- 8.228 It is also recommended that there be a planning condition on excess heat management practices for future residents. The success of the overheating strategy will depend on some degree of awareness and involvement from residents. Consideration should be given to particularly vulnerable residents.
- 8.229 Subject to condition, the proposal is deemed compliant with London Plan Policy SI 4 and Hackney Local Plan Policy 54.

Whole Life Cycle Carbon Assessment

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

Reducing Waste and Circular Economy

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

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- 8.234 As with WLC, the scale of development does not necessitate provision of a pre-demolition audit.
- 8.235 There is some deconstruction on the site and an outline Site Waste Management Plan (SWMP) has been provided. This confirms that the applicant is seeking to attain the target for reuse, recycling and recovery of 95% of demolition waste as set out by the London Plan.
- 8.236 A more detailed SWMP should be secured through planning condition so that this aspect can be considered through planning to exceed requirements in policy and demonstrate good practice.
- 8.237 There is more opportunity for the circular economy to be integrated in material specifications and in groundworks/landscaping. The applicant is encouraged to retain waste materials on site as far as possible and maximise the opportunity through any clearance or demolition works towards this

Water

- 8.238 London Plan Policy SI 5 and Local Plan Policy LP53 states that all residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption).
- 8.239 The scheme is targeting policy compliance for water efficiency and has shared proposed specifications for sanitary fittings towards this. This is recommended to be secured by condition
- 8.240 SUDs are being introduced across the Proposed Development in the form of rainwater permeable paving, rainwater harvesting, a rain garden, ground attenuation tank, channel drainage and an extensive green roof.
- 8.241 Overall, the proposal is considered to be compliant with London Plan Policy SI 5 and Local Plan Policy LP53.

Health & Wellbeing

- 8.242 Given higher airtightness levels of performance being proposed, the applicant is recommended to specify healthier finishes including low VOCs paints and other products. Sustainability Officers have recommended this be secured by planning condition to safeguard the health and wellbeing of Hackney residents. This has been attached.

Pollution

Air Pollution

- 8.243 London Plan SI 1 and Hackney Local Plan Policy LP58 states that all development must as a minimum not exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the lifetime of the development.
- 8.244 An Air Quality Assessment was submitted with the application which assessed potential pollutants during both construction and operational phases of the project.
- 8.245 Environmental Health Officers have been consulted and raise no major concerns with the development.
- 8.246 The proposed development is acceptable in principle. It is car-free and energy demand will

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be met through non-combustion, electrical means. This will reduce any impacts on local air quality during the operational phase. Backup power will be met via an uninterruptible power supply (UPS), which also does not have emissions to air.

- 8.247 The impact on local air quality will therefore not be significant, and the proposals meet the 'air quality neutral' standards. Air quality for future occupiers in the area is likely to be acceptable without mitigation. However, given the proposed development's proximity to the Regents Canal, there is a possibility that emissions from vessels could impact upon future occupiers, especially in winter (due to the use of solid fuel for heating by boaters).
- 8.248 It is noted from the Sustainability Statement that an MVHR system is proposed. This should be sufficient to ensure that unpolluted air can be supplied to all dwellings, provided the air intakes are adequately sited away from the canal. Environmental Health Officers would typically recommend a condition to ensure this detail is provided to the satisfaction of the Council - this can be a pre-occupation condition but it may be required pre-commencement if it affects the design of the MVHR system. This has been attached.
- 8.249 The proposed development is of medium risk of dust and PM10 impacts during the construction phase, and suitable mitigation measures will need to be secured to ensure the impacts on surrounding neighbours are not significant. The appropriate mitigation measures are outlined in the submitted air quality assessment. It is noted that the applicant has submitted a Construction Management Plan, which includes some information relevant to dust management. Environmental Health Officers recommend that a condition is applied to require a final version of the CMP with all of the relevant information included to ensure this mitigation is secured for the duration of the construction works. This has been attached.
- 8.250 Given the size and scale of the works, and proximity to existing residents, it is also recommended that dust monitoring is also secured by condition for the duration of dust generation. This has been attached.
- 8.251 In consideration of the above, the development broadly complies with Local Plan Policy LP58 and London Plan Policy SI 1.

Contamination

- 8.252 Local Plan Policy LP58 also states that for development proposed on contaminated or potentially contaminated land, a desk study and site investigation in line with the most up-to-date guidance will be required and remediation proposals agreed to deal with any identified contamination.
- 8.253 The applicant has submitted a Phase 1 Geotechnical and Environmental Desk Study. In summary, based on the current and historical uses of the site and its surroundings, it is considered that there is a low risk for significant and widespread contamination. There is a moderate risk to on-site human receptors (end site users, construction workers etc.) from direct contact with contaminated soils via the ingestion and dermal contact pathways. There is a low risk to construction workers and off-site human receptors during construction works from contaminated airborne dust via the inhalation pathway. Finally, there is a low risk to buried structures and services in direct contact with contaminated soils
- 8.254 Contamination Officers have been consulted and they recommend a preliminary risk assessment along with remediation. This is considered an acceptable approach and a condition has been attached.

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- 8.255 Additionally, whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance br211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. It is therefore recommended that this risk is adequately assessed and an informative has been added in this regard.
- 8.256 Lastly, before any excavation works start, it is best practice to carry out a UXO survey. It is therefore recommended within an informative that a preliminary UXO assessment is undertaken and results are provided to the main contractor responsible for Health & Safety matters on and off site under the CDM Regs 2015.

Flood Risk and Drainage

- 8.257 Both London Plan Policy SI12 and Local Plan Policy LP53 state proposals must have regard to reducing flood risk, both to and from the site, over its expected lifetime, ensuring that flood risk is minimised and mitigated, and that residual risk is addressed.
- 8.258 Meanwhile, London Plan Policy SI13 relates to sustainable drainage and indicates that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Hackney Local Plan Policy LP53 which requires all major developments to submit a Sustainable Drainage Strategy taking into account climate change allowances and supported by a site-specific management and maintenance plan of the drainage proposal.
- 8.259 The proposal includes a SUDS Strategy and Flood Risk Assessment.
- 8.260 The proposed drainage strategy incorporates a range of SuDS measures, including green/blue roofs, permeable block paving, rain gardens and a below-ground geocellular attenuation tank. Surface water runoff will be restricted to a peak discharge of 2.9 l/s for all storm events up to and including the 1-in-100-year plus 40% climate change event, controlled via a vortex flow control device (e.g. Hydro-Brake or equivalent), with discharge directed to the public combined sewer in Regents Row.
- 8.261 Flood Risk Officers have reviewed the details and are satisfied with the proposals subject to a condition requiring 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, along with evidence after this has been installed. These have been attached.
- 8.262 Accordingly, the proposal is deemed compliant with London Plan Policy SI12 and SI13, and Local Plan Policy LP53 and LP55.

Crime and Fire Safety

- 8.263 London Plan Policy D11 states boroughs should work with their local Metropolitan Police Service in order to 'Design Out Crime' and maintain a safe and secure environment. Furthermore, Local Plan Policy LP1 notes that new development must be secure and designed to minimise crime and antisocial behaviour.
- 8.264 The local police constabulary have been consulted and raise no objection subject to conditions requiring that a 'Secured by Design' accreditation be obtained for the building and permanently retained. This has been included as a condition.
- 8.265 Meanwhile, London Plan Policy D12 states all development proposals must achieve the

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highest standards of fire safety and that a fire safety assessment must be included with any future full application

- 8.266 The applicant has submitted a Fire Safety Strategy Report and Fire Statement was submitted. The London Fire Brigade were consulted and raised no objections. The Health and Safety Executive (HSE) were also consulted but did not consider it large enough to warrant a response.
- 8.267 Additionally, the proposed development will not impact the current fire service access to neighbouring buildings.

Planning Obligations

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

Financial Contributions

- £14,917.50 towards employment training
- £457,502.50 towards educational costs
- £2,280 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- £713,361.22 towards the cost of highway works associated with the development
- Payment towards BNG monitoring costs. This amount will be confirmed in the Committee Addendum prior to the meeting.
- Payment towards CAVAT. This amount will be confirmed in the Committee Addendum prior to the meeting.
- Off-site UGF payment. This amount will be confirmed in the Committee Addendum prior to the meeting.
- £18,555 towards Carbon Offset fund
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

Non-financial contributions:

- 25% Local Labour Apprenticeships
- 38 affordable homes (38 x social rented - 14 x 1-bed, 12 x 2-bed, 12 x 3-bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development

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- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Securing Connection to the Energy Network
- Travel Plan

Other Matters

Local Finance Considerations

- 8.269 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 units is not negligible in the context of the overall totals, this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies and any other material considerations.

Equalities Considerations

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

9. CONCLUSION

- 9.1 The application has been assessed in accordance with the provisions of the National Planning Policy Framework, London Plan and the adopted Development Plan.
- 9.2 On balance, the benefits of the proposal are substantial. This includes the provision of 38 affordable housing units, all of which are of social rented tenure and provide a good standard of accommodation. Moreover, the development is considered highly sustainable. It is accepted that the proposal will impact the amenity of some existing residents, and that the development will result in a net loss of existing open space. Moreover, the development will have an impact on parking capacity within the immediate area. Nonetheless, despite these flaws, the benefits of the scheme are considered to outweigh the harm in terms of the overall planning balance.
- 9.3 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above, subject to the recommended conditions and Legal Agreement provisions.

10 RECOMMENDATIONS

Recommendation A

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10.1 That planning permission be GRANTED, subject the following conditions

1. Commencement Within Three Years

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

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

2. Development in Accordance with Plans

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

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

3. Detailed Drawings

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

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

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

4. External Elements

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

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

5. Planting Plan

Prior to the commencement of development, a Detailed Planting Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- A. A diverse mix of species, including those adapted to changing climatic conditions and native species, which are known to have value to wildlife;
- B. A varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity;
- C. Provision of at least one invertebrate box or habitat to further support local wildlife;
- D. A maintenance and management plan to ensure the long-term success of the planting scheme, including details on watering, monitoring, and replacement of failed plants;

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- E. The development shall be carried out in accordance with the approved planting strategy and maintained thereafter.

REASON: To ensure the green roofs and habitats on site contribute positively to local biodiversity, provide habitat for pollinators and invertebrates, and support climate resilience in accordance with Hackney's Local Plan Policy LP46 and LP47.

6. Bee Bricks

Prior to the construction of the development hereby approved, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

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

The development shall not be undertaken otherwise than in accordance with the details hereby approved, which shall be installed in full prior to the first occupation of the development and maintained thereafter for the lifetime of the development.

Reason: To support bee populations in Hackney and preserve endangered urban biodiversity in accordance with Hackney's Local Plan LP33 policy LP47.

7. Survey for Birds and Bats

- A. Demolition works are recommended to be carried out outside of the bird nesting season. If this is not possible, a pre-works ecological check for nesting birds must be carried out by a suitably qualified ecologist during the nesting season (March - August).
- B. Prior to any demolition or site clearance works undertaken between May - August, a bat dusk survey must be undertaken by a suitably qualified ecologist to establish the likely presence of a bat roost on site. Prior to any demolition or site clearance works undertaken outside of May - August, a pre-works bat check must be undertaken by a suitably qualified ecologist to establish the likely presence of a bat roost on site.
- C. The pre-works check for nesting birds (during the nesting season) and pre-works bat dusk survey (if works commence between May - August) or pre-works bat check (if works commence outside of May - August) must be undertaken no longer than 48 hours prior commencement of any demolition or site clearance works. If nesting birds and/or a bat roost are identified on site then no demolition works or site clearance works may commence until a further pre-works ecological check for birds or bats are undertaken (no longer than 48 hours before any demolition or site clearance commences) and which identify no nesting birds or bat roosts.
- D. The findings and recommendations of all surveys, including any necessary mitigation or avoidance measures, must be submitted to the Local Planning Authority (LPA) within 2 weeks of the commencement of any demolition or site clearance works. Works shall proceed strictly in accordance with the recommendations. This condition will not be fully discharged until the LPA has approved the surveys in writing.

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

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8. Biodiversity Net Gain (BNG)

Prior to commencement of development A biodiversity Gain Plan shall be submitted to and approved, in writing, by the Local Planning Authority.

The biodiversity gain plan must include as a minimum:

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

Prior to commencement of development A Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved, in writing, by the Local Planning Authority.

The HMMP must include as a minimum:

- A. A non-technical summary;
- B. The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- C. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- D. All landscaping in accordance with the scheme;
- E. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan shall be carried out for a period of 30 years from the completion of development;
- F. Such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed;
- G. Specific measurable targets linked to target habitat condition; and
- H. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The development shall not be undertaken otherwise than in full accordance with the details approved which 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. Notice shall be given, in writing to the Local Planning Authority when the:

- A. HMMP has been implemented; and
- B. Habitat creation and enhancement works as set out in the [HMMP] have been completed.

Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

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

9. Bird and Bat Boxes

Prior to the occupation of the development hereby approved, details and full specifications of 2 bird boxes, 4 swift bricks/boxes, and 4 bat boxes/bricks, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

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

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

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

10. Biosolar Roof

Prior to commencement of works, full details and specifications of the biosolar roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include the following:

- A. Detailed drawings of a roof plan identifying where the green roofs will be located and the measurement of their coverage; this should include other structures on the

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- roof including location of PV panels, roof lights and access points where applicable, and their relationship with the green roof;
- B. The design of the biosolar roof should be in line with GRO's code of best practice;
 - C. Section drawings demonstrating a minimum substrate depth of no less than 80mm for a sedum roof, 100mm for extensive living roofs (100mm - 150mm for wildflower species); and no less than 250mm for intensive living roof, 400mm for medium shrubs;
 - D. 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;
 - E. Details of the drainage system for the roof;
 - F. Details of the planting mix;
 - G. Including a minimum of 16+ species;
 - H. Management and maintenance plan, including access arrangements, irrigation, and general maintenance actions of biosolar roof;
 - I. For biosolar roofs, details of how the roof's design meets fire and building safety requirements.

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

REASON: To promote biodiversity on site through green roofs, in line with Hackney's Local Plan LP33, policy LP46.

11. External Lighting Condition

- A. Prior to the commencement of development, an External Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed and implemented in accordance with the Bat Conservation Trust guidelines and must be sensitive to wildlife. The lighting design should ensure that: Harsh lighting is minimised to avoid making habitats (including the green roofs) unfavourable to local species, particularly bats and other nocturnal wildlife. The use of low-intensity lighting is prioritised, ensuring that any light sources do not directly illuminate bat roosts, foraging areas, or flight paths. All lighting fixtures are shielded or directed to limit light pollution and to maintain dark corridors that are critical for bat and wildlife movement. The approved lighting scheme shall be implemented prior to the occupation of the development and maintained thereafter in accordance with the approved details.
- B. Full details of the proposed lighting scheme should include a lux levels plan demonstrating there is no light spill over the Regent's Canal waterspace

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 Hackney Local Plan policy LP47 and National Planning Policy Framework (NPPF) Chapter 15, and in the interest of ecology, security and the waterway setting.

12. Tree Protection

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The works hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan. The measures set out in the Tree Protection Plan shall remain in place until the completion of the construction.

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

13. Finalised AIA and AMS

No development, including demolition or site clearance, shall commence until an Updated Arboricultural Impact Assessment (AIA) and a Project-Specific Arboricultural Method Statement (AMS) have been submitted to and approved in writing by the Local Planning Authority (LPA). The submissions shall include the following specific details:

- A. i) Revised Tree Status: The AIA must be updated to show the 9 designated trees (T23, T24, T25, T26, T32, T33, T34, T39, and T40) as removed rather than relocated.
- ii) Enhanced Mitigation: A finalized landscape plan must be provided showing the planting of 19 new trees within the Site.
- B. i) Detailed Arboricultural Method Statement (AMS) The AMS must expand upon the current draft principles within TMA AIA ref. 240323-TMA-XX-RP-AP-2700-P00, to include specific technical methodologies for: Manual Foundation Removal: A step-by-step method for the demolition of the existing garage foundations within the Root Protection Area (RPA) of T37, ensuring the underlying soil serves as the formation level for new structures without disturbance.
- ii) No-Dig Footpath Construction: Specific manual excavation and no-dig techniques for the resurfacing of footpaths within the RPAs of T18 and T22 to ensure formation levels do not exceed current depths.

The approved methodology shall be implemented in full and maintained thereafter in accordance with the approved details.

REASON: To ensure the protection of trees of amenity value and to provide adequate replacement planting for those removed, in accordance with Policy LP51 of the London Borough of Hackney Local Plan 2033 and Policy G7 of the London Plan and pursuant to Section 197 of the Town and Country Planning Act (1990).

14. Pruning

The only pruning permitted by this decision is the minimum required to achieve a 2.0m lateral separation between the crown of T18 (Category B) and the proposed residential block as discussed in the TMA AIA ref. 240323-TMA-XX-RP-AP-2700-P00. All tree work, including pruning and removals, must be carried out in strict accordance with British Standard 3998:2010 Tree Work – Recommendations. Any pruning must be performed by a qualified arboriculturist to maintain the tree's health and visual amenity value.

REASON: To ensure that pruning is restricted to the minimum necessary and carried out to a professional standard to avoid undermining the long-term health or amenity value of retained trees, in accordance with Policy LP51 of the London Borough of Hackney Local

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Plan 2033 and Policy G7 of the London Plan and pursuant to Section 197 of the Town and Country Planning Act (1990).

15. Arboricultural Supervision and Reporting

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

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

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

16. Soft Landscaping

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

A tree planting plan consisting of a diverse mix of species that follows as a minimum, the 10-20-30% rule (species/genus/family diversity), including both those adapted to changing climatic conditions and native species, which are known to have value to wildlife:

- A. Soil volumes for proposed tree planting;
- B. Projected mature height and crown spread of proposed new trees;
- C. Tree pit specifications and planter specifications for above ground tree planting;
- D. Methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc;
- E. A diverse distribution of plant species to avoid block planting;
- F. A maintenance and management plan to ensure the long-term success of the planting scheme, including details on watering, mulching, weeding, young tree maintenance, removal of guys, stakes and ties when no longer necessary, monitoring, and replacement of failed plants;
- G. 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;
- H. Areas to be grass seeded or turfed

In the event of any tree(s) or plants dying, being removed or becoming seriously damaged or diseased within 10 years from the completion of the development, it shall be replaced within the next planting season with others of similar size and species (unless the Local Planning Authority gives written consent to any variation), and evidence of the replacement shall be submitted and approved in writing by the Local Planning Authority.

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

REASON: To ensure that the site protects and enhances biodiversity, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework, and to ensure the satisfactory appearance of the development, the safety of waterway users, and to enhance the biodiversity environment of the waterway corridor.

17. Hard Landscaping

Prior to the occupation of the development hereby permitted, full details of a hard landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include a detailed hard landscape specifications, including surfacing, boundary treatments and street furniture, any signage and information boards, together with the means of on-going maintenance in a landscape management and maintenance plan. Thereafter the development should be carried out fully in accordance with the approved details.

REASON: To ensure the satisfactory appearance of the development, the safety of waterway users, and to enhance the biodiversity environment of the waterway corridor.

18. 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 (LPA). Any such works, if permitted, shall be carried out in strict accordance with the principles of BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations" and the National Joint Utilities Group Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees, Volume 4, Issue 2 (2007) (or any standard that reproduces or replaces this standard).

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

19. Secured By Design

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

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

20. 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 (c) 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 line with paragraphs H, I and J, LP 58 of the Hackney Local Plan 2033 and the Hackney contaminated land strategy 2022/2030.

21. Air Inlets and Vents

Prior to the occupation of the development hereby approved, details of the positions of air intakes, vents and exhausts associated with any mechanical ventilation, air conditioning or any other ventilation system, supplying air to and extracting air from habitable rooms, shall be submitted for approval by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: To ensure acceptable air quality conditions for the protection of the health of future occupiers.

22. Construction Management Plan

Prior to commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to, and approved in writing by, the local

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

The best practical means available, in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise emission of noise and vibration.

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

23. Construction Dust Monitoring

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

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

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

24. 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 shall comply with the emissions standards of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at:

<https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/pollution-and-air-quality/nrmm>.

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

25. SUDS

No development shall commence, other than works of demolition, until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan of the sustainable drainage system has been submitted to and approved by the Local Planning Authority. Details shall include but not limited to the proposed blue/green roofs (with a substrate depth of at least 80mm not including vegetative mats), permeable paving, rain gardens, underground attenuation system and the flow control system, which shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the Regents Court, SuDS Strategy (ref: 3182 Revision 04, dated February 2026) by Heyne Tillett Steel and limit the peak discharge rate to 2.9 l/s for all return periods up to the 1 in 100 year storm events plus an allowance for climate change.

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

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

26. Residential Cycle Parking

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until full details of secure, accessible, on site bicycle storage for 76 bicycles including location, layout, stand type and spacing shall be submitted to and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

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

27. Visitor Cycle Parking

Prior to the first occupation of the development hereby approved, details of 10 cycle parking spaces including location, layout, stand type and spacing shall be submitted to and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

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

28. Delivery and Servicing Plan

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

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

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

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

29. Road Safety Audit

Prior to construction works, including site clearance or groundworks, shall commence until a Level 4 Road Safety Audit (RSA), pertaining to all off-site highway works associated with this development, has been secured and submitted to the Local Planning Authority for written approval.

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This independent audit must:

- Be carried out by an appropriately qualified and independent body.
- Be submitted to and reviewed in full consultation with LBH Streetscene.

Detail the findings and include a complete schedule demonstrating the resolution or mitigation of all identified highway safety issues to the satisfaction of the Local Planning Authority and the Highway Authority.

REASON: To ensure a detailed, independent assessment and resolution of all highway safety issues before the commencement of construction, thereby safeguarding highway users.

30. Parking, Design and Management Plan (PDMP)

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

- A. Demonstrate safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between use groups; and
- B. Appropriate provision of blue badge parking and electric vehicle charging points; and Include details of how additional blue badge car parking could be provided in future; and
- C. Permanent Mechanisms for prevention of non-car parking areas to be controlled for that purpose; and
- D. Ensure that use of car parking for the relevant block is actively controlled through measures to enforce the car parking arrangements for the relevant block

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

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

31. Demolition Noise and Dust

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

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

32. Notice Board

Prior to the commencement of development, a Notice Board shall be erected externally to provide contact details for the Site and Regional Office of the relevant construction firm. The contact details shall be sufficient for Planning Enforcement and Environmental Protection to be able to contact an appropriate person in event of complaints during the construction period. Due to the proximity of commercial properties and other residential

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premises, these occupiers shall be informed well in advance as to when any extreme noisy activity would take place.

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

32. Sound Insulation - Inside and Outside

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

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

34. Sound Insulation Between Units

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

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

35. Planting Equipment

Noise levels from fixed plant and machinery associated with the proposed development shall be 10dB(A) or more below the background noise level when measured at any nearby noise sensitive premises at any time.

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

37. Plant Room

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

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

38. Piling Methods Statement

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

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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.

39. Energy Statement

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

- A. Minimum carbon savings of 35.2% / 13.21 tonnes CO₂e against Part L 2021 through fabric efficiency (Be Lean)
- B. Minimum overall carbon savings of 82.7% / 31.04 tonnes CO₂e Part L 2021
- C. Maximum U-values (W/m²K): walls 0.15; floors 0.10; roof 0.10; windows 1.20; opaque doors 1.00 unless otherwise agreed in writing with the Local Planning Authority
- D. Maximum G-values for windows and doors of 0.4 unless otherwise agreed in writing with the Local Planning Authority
- E. Maximum Air permeability 3m³/h/m²@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 9.75 kWh/sqm/yr unless otherwise agreed in writing with the Local Planning Authority
- G. Maximum Energy Use Intensity of 53.35 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 aspirational target of 35 kWh/sqm/yr unless otherwise agreed in writing with the Local Planning Authority. The applicant will be expected to benchmark the results against the UK Net Zero Carbon Building Standard relevant data sets.
- H. A third party review report of the as-design predictive modelling calculations
- I. Updated GLA Carbon Emission Reporting Spreadsheet

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

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

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

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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

40. ASHP

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

- A. Minimum Heat pump Coefficient of Performance of 3.67 for the domestic hot water supply / heating supply to provide 100% of the heating and hot water demand in a communal network system.
- B. Details of HIU units and how they contribute to an efficient, low-carbon system.
- C. Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- D. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)
- E. The heat pumps 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

41. PVs

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

- A. Solar PV panels annual electricity peak generation of 29.73 kWp
- B. Solar PV panels array of 142.4 sqm
- C. Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable

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- 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

42. MVHR

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

- A. Minimum MVRH efficiency of 96.00% for residential units unless otherwise agreed in writing with the Local Planning Authority
- B. Details of summer by pass and trim cooling 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

43. Overheating

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

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

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

Step 2: Minimise internal heat generation through energy efficient design

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

Step 4: Passive ventilation

Step 5: Mechanical ventilation

Step 6: Active cooling systems

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

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

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

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

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

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

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

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

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

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

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44. Sustainable Waste Management Plan

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

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

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

45. Water Efficiency

Prior to above ground construction works, the applicant shall provide a statement to confirm that the development has been designed to be water efficient and reduce water consumption as far as possible, demonstrating that the development will not exceed a maximum water use of 105 litres of water per person per day, with an additional maximum water use allowance for external water consumption of 5 litres.

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

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

46. DHN Connection

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

- A. Updated evidence of 2 ways correspondence between the applicant, the relevant local authority and network provider confirming the identified DHN has the capacity to serve the development, as well as supporting estimates of the CO2 emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- B. 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

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E. Details of any pre-installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)

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

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

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

47. Low Energy Buildings User Guide

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

The guidance should explain:

- A. An explanation of what are the difference between a standard (building regulation compliant) building and a low energy certified building which have been 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 shall 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 shall be provided as part of welcome packs and made easily accessible on an ongoing basis. The guidance shall be updated at appropriate intervals as building management practices and systems change.

REASON: to support carbon savings reductions in line with LP55 and ensure that renewable energy technologies are adopted for optimal outcomes for residents Health and

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Wellbeing in line with LP9. To support climate resilience for Hackney residents in a changing climate, to support Hackney Policy LP54.

48. Managing Excess Heat

Prior to first occupation, the applicant shall ensure that appropriate guidance is developed by a relevant specialist and provided appropriately for residents and occupiers to understand how to minimise overheating risks, including in heatwaves and about the building's expected performance in a changing climate.

This should explain:

- A. Key concepts underlying overheating and cooling in buildings and urban places.
- B. How buildings and systems are designed to operate to address overheating, with an explanation of any cooling measures in place.
- C. How building management systems will adapt in times of overheating concern, and how residents and occupiers will be kept informed of any adaptations being taken centrally.
- D. Any measures can be taken by residents/occupants to reduce overheating risk, including using the building systems and designs effectively. This should also include suitable additional personal behaviour measures that residents may be recommended to take to further reduce heat risk.
- E. Emergency procedures for periods of extreme and dangerous heat, referring to relevant contact details and support for residents and occupants, including reference to Cool Spaces.
- F. How residents can provide feedback on the performance of cooling systems in place centrally in the building to ensure these perform as intended.

This guidance shall be developed appropriately in a context of other concerns including affordability, air pollution, acoustics and net zero, highlighting any trade-offs that may need to be considered by residents in empowering them to choose their own preferred cooling methods.

This guidance shall 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 shall be provided as part of welcome packs and made easily accessible on an ongoing basis, especially at times of extreme heat. The guidance shall be updated at appropriate intervals as building management practices and systems change or as the climate changes.

REASON: to ensure that health and wellbeing of building residents and occupants is supported and to reduce risk to health and life at times of extreme heat, to support Hackney Policy LP9. To support climate resilience for Hackney residents in a changing climate, to support Hackney Policy LP54.

49. Part M4(3) Dwellings

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

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Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

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

Recommendation B

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

Financial Contributions

- £14,917.50 towards employment training
- £457,502.50 towards educational costs
- £2,280 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- £713,361.22 towards the cost of highway works associated with the development
- Payment towards BNG monitoring costs. This amount will be confirmed in the Committee Addendum prior to the meeting.
- Payment towards CAVAT. This amount will be confirmed in the Committee Addendum prior to the meeting.
- £18,555 towards Carbon Offset fund
- Off-site UGF payment. This amount will be confirmed in the Committee Addendum prior to the meeting.
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

Non-financial contributions:

- 25% Local Labour Apprenticeships
- 38 affordable homes (38 x social rented - 14 x 1-bed, 12 x 2-bed, 12 x 3-bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development
- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Securing Connection to the Energy Network
- Travel Plan

Recommendation C

- 10.3 That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning and Building Control (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions including to the recommended heads of terms and/or

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recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

11. **INFORMATIVES**

11.1 The following informatives should be added:

1. Radon

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.

2. Unexploded Ordnance

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

3. Thames Water 1

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

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

Should you require further information please contact Thames Water.

Email: developer.services@thameswater.co.uk

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

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

4. Thames Water 2

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

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

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

5. Thames Water 3

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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.

6. Thames Water 4

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

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

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

Assistant Director - Planning and Building Control

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

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	<p>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>		
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