



Planning Sub-Committee - 11/03/2026

ADDRESS: 1 Albion Drive, Hackney, London, E8 4ET	
WARD: London Fields	REPORT AUTHORS: Lorraine Murphy
APPLICATION NUMBER: 2024/2539 DRAWING NUMBERS: Application Drawings; 070_001 Rev D 070_002 Rev D 070_003 Rev D 070_004 Rev D 070_005 Rev D 070_006 Rev D 070_010 Rev D 070_011 Rev D 070_020 Rev D 070_100 Rev D 070_101 Rev D 070_102 Rev D 070_103 Rev D 070_104 Rev D 070_105 Rev D 070_110 Rev D 070_111 Rev D 070_120 Rev D 070_130 Rev D 070_131 Rev D <ul style="list-style-type: none">• Planning and cover letter, Design & Access Statement and Heritage Statement• Sunlight and Daylight Assessment (<i>Internal Scheme Performance</i>) prepared by Sunlight Assessments• Energy Statement prepared by BaseEnergy• Arboricultural Impact Assessment Report prepared by Landmark trees	VALID DATE: 28/11/2024
APPLICANT: Phil Irwin and Jennifer Cunningham	AGENT: Marty McColl Up Architects 133a Rye Lane London SE15 4BQ

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<p>PROPOSAL: Sub-division from single family dwelling (Use Class C3) to form two separate flats (Use Class C3). Demolition of rear outbuilding, excavation to create front light well and lowered rear garden, creation of three storey stepped rear extension and mansard roof extension. External alterations to existing building including new windows to side, new metal framed glazing to rear at lower ground. New bike and bin stores, railings and gates to communal area to front</p>
<p>POST REVISIONS:</p> <p>The Applicant has provided amendments and additional information in response to the LPA's concerns relating to design, amenity, cycle storage, refuse storage, trees and sustainability.</p> <p>Design: Materials for the proposed mansard and rear extension and windows have been revised, together with alterations to the front boundary treatment. Amenity: The roof terrace and glazing at mansard level on the east elevation have been removed. Cycle Storage: Relocated to serve Flat A (lower ground floor) and Flat B (west elevation). Waste Provision: Refuse storage reoriented away from the front boundary. Trees: An Arboricultural assessment has been submitted.</p>
<p>RECOMMENDATION SUMMARY:</p> <p>Grant planning permission subject to conditions and completion of a Section 106 legal agreement.</p>
<p>NOTE TO MEMBERS:</p> <p>This application is referred to members due to the level of public interest received</p>

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

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ANALYSIS INFORMATION

PLANNING DESIGNATIONS: (Yes) (No)

CPZ	Yes- (Zone J)	
Conservation Area	Albion Square	
Listed Building (Statutory)		No
Listed Building (Local)		No
Priority Employment Area		No

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	Class C3	Residential	150.5
Proposed	Class C3	Residential	227.5

PROPOSED RESIDENTIAL USE DETAILS:	Residential Type	No. of Bedrooms per Unit			Totals
		1	2	3	
Market Housing	Flats	0	0	2	2
Totals		0	0	2	2

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Blue Badge)	Bicycle storage
Existing Development Site:	0	0	0
Proposed Development Site:	0	0	4

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 The application site comprises No. 1 Albion Drive, a detached Victorian residential property located on the north side of Albion Drive. The building is arranged over three storeys, including a sunken lower ground floor. The building is characterised by a predominantly brick facade with painted stucco detailing, including horizontal bands at upper and lower levels and decorative surrounds to the front entrance and windows.
- 1.2 It was originally constructed as part of a semi detached pair but now appears detached following the construction of the adjoining schools playground. The property was historically occupied as a caretaker's dwelling associated with the school. However, it has been vacant for a number of years and is currently in a derelict condition following fire damage.
- 1.3 The site is bounded by the playground of Queensbridge Primary School to the north and east, Albion Drive to the south, and the rear curtilage of residential properties fronting Albion Square to the west. The surrounding townscape along this section of Albion Drive and the adjacent Albion Square is characterised by a mix of Victorian and Georgian buildings of varying architectural styles. The area displays a well established and coherent residential character.
- 1.4 The application property does not directly adjoin any residential buildings. The only structures immediately adjacent to the site are a single storey garage within the curtilage of No. 30 Albion Square and a lightweight open structure within the school playground.
- 1.5 The site is located within an area of good accessibility to public transport, with a Public Transport Accessibility Level (PTAL) rating of 3 (on a scale of 1a to 6b, where 6b represents the highest level of accessibility).
- 1.6 Bus services are available from stops on Queensbridge Road and Kingsland Road (6 minute walk), and Haggerston Overground Station is located within walking distance of the site. The site falls within a Controlled Parking Zone (CPZ).

2.0 HERITAGE CONSIDERATIONS

- 2.1 The building lies within the Albion Square Conservation Area. Within its immediate surroundings, there are a number of designated and non-designated heritage assets, including Statutory listed buildings and locally listed buildings.
- 2.2 The following heritage assets adjoin or are close to the site:
 - Nos. 23-30 Albion Square (Grade II listed) located to the west of the site.
 - Nos 18-36 Albion Drive (Locally listed), located to the south of the site.
 - Queensbridge Primary School and playground (Locally listed), located to the east of the site.

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- 2.3 The relationship between the proposal and surrounding heritage assets is assessed further in within this report

3.0 **RELEVANT HISTORY**

- 3.2 None

4.0 **CONSULTATIONS**

- 4.1 Date Statutory consultation Period Started: Initial consultation carried out 04/12/2024
- 4.2 Date Statutory Consultation Period Ended: 02/02/2026
- 4.3 Site Notices: Yes
- 4.4 Press Advert: Yes

Public consultation response

- 4.5 A total of 63 neighbouring properties were notified by letter. There were a total of 5 rounds by letter due to re-consultation. Site notices were erected outside the property and press notices were published. At the time of writing this report (27/02/2026), the application has received 8 letters of support and 40 letters of objection. A number of the objections comprise follow up representations submitted in response to the amended plans and re consultation. In addition, some have been submitted on behalf of local residents.

- 4.6 The letters of *support* were submitted on the following grounds

- Renovation of a long-vacant/dilapidated building is welcomed which saves it from deteriorating further.
- Development and conversion of the property into two family sized units is supported.
- Improvement to visual condition of site and the proposal extension and alterations are sympathetic to the existing
- Proposed would result in limited harm from public vantage points

- 4.7 The letters of *objection* were submitted on the following grounds:

Overdevelopment/ Land use

- Proposal additions described as excessive in scale relative to plot size
- Increase in bulk and footprint viewed as significantly larger than the existing dwelling with references made to the extension exceeding 50% of original building.
- Issue of overdevelopment not addressed by the applicant.
- Serves as a precedent for undesirable overdevelopment
- Conversion to two large maisonettes seen by some as intensifying built form.
- Private amenity is low for the upper residential unit.
- Limited contribution to housing stock.
- Development described as profit driven.

Design

- Concerns that the extension would be highly visible due to the building's isolated context and is jarring.
- The building design is overbearing, dominant and intrusive the area
- 3 storey extension is not compliant with residential SPD
- Proposed mansard would change the character of the house and provide precedent - contrary to policy
- Objection to roof terrace
- Strong objection to four sided mansard roof.
- Considered incongruous on a detached building type.
- Proposed materials (brick, zinc, timber, dark grey render/reveals) considered out of keeping.
- Concerns over excessive variety of materials and lack of unity.
- Objections to glazing specification
- Design of new windows, guttering and front boundary treatment criticised.
- Off-centre front gate and detailing raised as inappropriate.
- Development considered to fail to preserve or enhance the character/appearance of the Conservation Area, resulting in harm to the designated and non designated assets and conflict with Local Plan policies
- Concern that approval would undermine consistent decision-making within the CA.
- Grade II listed buildings and locally listed schools.
- Impact on historic sightlines through Albion Square and gardens referenced.
- The building was identified as part of early Middleton Estate development and therefore historically significant.
- Objection to perceived loss of historic form, scale and materiality: the proposal is not in keeping with the conservation area.
- Strong concern that approval would set a harmful precedent for mansards, large rear extensions and roof terraces within the Conservation Area.

Amenity

Residential

- New windows proposed a negative impact and loss of privacy.
- Direct overlooking from roof terrace
- Concerns regarding views into bedrooms and bathrooms..
- The building is described as visually oppressive from neighbouring properties.
- Increased height and massing is considered harmful to outlook and loss of light.
- Concerns regarding inconsistencies in submitted daylight/sunlight reports.
- Concerns of noise from ASHP and should be relocated
- Concerns regarding Air Source Heat Pump location- proximity to neighbouring terrace (Albion Square)

Queensbridge Primary School

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- Elevated vantage point overlooking the school playground results in safeguarding concerns
- Direct views into the playground and potentially into school buildings.
- Applicant failure to consult school adequately.
- Potential impact on school's ability to provide a safe learning environment.
- Potential for anti social behaviour from roof terrace
- Loss of light and privacy

Biodiversity, Trees and Green Space/ Drainage

- Reduction in rear garden size and existing green space.
- Increase in hardstanding/patio area to the rear
- Significant concern regarding mature trees in neighbouring gardens, the proposal would lead to potential loss of the tree and wildlife in the adjoining gardens
- Concern excavation would damage roots and adjusting RPA is not acceptable
- Concern development would disrupt ecosystems and biodiversity.
- Concern about patio paving and need for permeable materials.
- Surface water drainage queried.

Procedural Concerns

- Alleged inconsistencies and omissions in submitted drawings.
- Sunlight and daylight report relies on outdated revisions.
- Allegation of conflict of interest
- Concerns about timing of consultation period and who has been included within the consultation.

Officer comment: *Unless otherwise addressed above, the impact of the proposal on matters listed above will be discussed within the assessment below.*

Statutory /Local Group Consultees

4.8 Kingsland CAAC (to previous iteration of the scheme)

- We do not object to the revised plans but the issue of overdevelopment has not been addressed by this application. We are surprised by the proposed installation of 16mm glazing with solid glazing bars and "putty effect" seals. We are concerned that this will alter the external appearance of the windows in the existing house. In other Hackney Conservation Areas Heritage Slimline windows with 12mm glazing and integral glazing bars are considered acceptable. There is a substantial amount of paving around the property and, to ensure adequate surface drainage, we would expect permeable materials to be used.
- The entrance gate would traditionally be centred on the steps and the front door. In this proposal it is off balance which is further emphasised by the arched gate top. The gates on both the street elevation and the front garden entrance should have the same height finials.
- There are no details of the handrail on the main steps.
- The locations of the ASHP"s are shown in plan but not on the west elevation.

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- There appears to be no safe access to the mansard roof in order to maintain the photovoltaic panels.

4.9 Hackney Society Planning Group (to previous iteration of the scheme)

- The proposed renovation of the derelict house is welcome. Given its unusual isolated context. The detached building however is highly visible and the application site sensitive in terms of impact on the area.
- A 3-storey rear extension on this house type fails to adhere to the guidance in Hackney's residential SP; the proposed rear extension appears overbearing to the host building, disruptive to the quality and character of the Conservation Area and harmful to the various adjacent listed buildings and the school playground. A 2 storey extension would be more appropriate, while allowing a generous 2 bed apartment for the upper part of the development.
- Furthermore a four-sided mansard roof applied to a detached house is highly incongruous in the context of the Victorian residential area.
- The design of the new windows needs further consideration (bathroom or bedroom windows).
- The amenity provision is low, particularly for the upper 3-bed flat due to the desire to create 2 flats rather than a single dwelling.
- The applicant has failed to identify the significant mature London plane tree in the neighbouring garden to the west of the site as a tree '*on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character*'. The excavation proposed is likely to be within the root protection area.

Council Departments

- 4.10 Transportation: Officers noted no objection, subject to the inclusion of conditions for cycle parking, construction management plan and car free legal agreement.
- 4.11 Flooding and Drainage: Officers noted no objection, subject to the inclusion of a condition requiring the implementation of a sustainable drainage system.
- 4.12 Tree and Landscaping: Officers noted no objection, subject to the inclusion of conditions to submit further information

5.0 RELEVANT PLANNING POLICIES

5.1 Hackney's Local Plan 2033 (LP33)

PP1 Public Realm
PP2 Dalston
LP1 Design quality and Local Character
LP2 Development and Amenity
LP3 Designated Heritage Assets
LP4 Non Designated Heritage Assets
LP12 Meeting Housing Needs and Locations for New Homes
LP13 Affordable Housing
LP14 Dwelling Size Mix
LP17 Housing Design
LP19 Residential Conversion
LP24 Preventing the Loss of Housing
LP33 Hackney Central and Dalston
LP41 Liveable Neighbourhoods
LP42 Walking and Cycling
LP43 Transport and Development
LP44 Public Transport and Infrastructure
LP45 Parking and Car Free Development
LP46 Protection and Enhancement of Green Infrastructure
LP47 Biodiversity and Sites of Importance of Nature Conservation
LP50 Play Space
LP51 Tree Management and Landscaping
LP53 Water and Flooding
LP54 Overheating and Adapting to Climate Change
LP55 Mitigating Climate Change
LP57 Waste
LP58 Improving the Environment - Pollution

5.2 London Plan 2021

GG2 Making the best use of land
GC4 Delivering homes for Londoners
GG5 Growing a good economy
D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D10 Basement development
D14 Noise
HC1 Heritage conservation
H1 Increasing housing supply
H2 Small site
H4 Delivering affordable housing
H7 Monitoring affordable housing
H9 Ensuring the best use of stock
H10 Housing size mix
S3 Education and childcare facilities

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S4 Play and informal recreation
G1 Green infrastructure
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodland
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 4 Managing heat risk
T1 Strategic approach to transport
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

Mayor of London

Sustainable Design and Construction SPG;
Climate Change Adaptation Strategy;
Climate Change Mitigation and Energy Strategy;
Water Strategy;
Nationally Described Space Standards
Planning Supplementary Planning Housing SPD

London Borough of Hackney

London Borough of Hackney Planning Contributions SPD 2016
London Borough of Hackney Hackney's Transport Strategy 2015-2025
London Borough of Hackney Residential Extensions and Alterations SPD 2025
London Borough of Hackney Retrofit SPD 2025
London Borough of Hackney Albion Square Conservation Appraisal

5.3 **National Planning Policies/Guidance**

National Planning Policy Framework (2024)
Planning Practice Guidance

5.4 **Legislation**

Town and Country Planning Act 1990
Town and Country Planning (Listed Building and Conservation Areas) Act 1990
Planning and Compulsory Purchase Act 2004

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6.0 **ASSESSMENT**

6.0.1 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, a key material planning consideration, sets out a *presumption in favour of sustainable development*. It requires planning policies and decisions to promote the effective use of land to meet the need for homes and states that proposals, which accord with the development plan, should be approved without delay.

6.0.2 The development plan remains as the starting point for assessment of the proposal for consideration.

Background

6.0.3 The application seeks planning permission to bring back into use a derelict property. The proposal involves the change of use to two self contained residential flats. In terms of layout, the lower three bedroom unit will occupy the lower ground and upper ground floors, whilst the upper three bedroom unit will be situated on the first and second floors.

6.0.4 The scheme also includes the demolition of an existing outbuilding and the construction of a three storey stepped rear extension, a mansard roof extension and a front lightwell. External alterations to the existing building include the installation of new windows to the side elevation, a new metal framed glazing to the rear at lower ground floor level and the provision of new cycle and refuse storage along with railings and gates to the front area.

6.0.5 The main considerations relevant to this application are:

- 6.1 Principle of the Development;
- 6.2 Land Use;
- 6.3 Quality of Accommodation;
- 6.4 Heritage Consideration;
- 6.5 Urban Design;
- 6.6 Impact on Nearby Residential Amenity;
- 6.7 Transportation;
- 6.8 Energy and Sustainability;
- 6.9 Waste Management;
- 6.10 Trees and Biodiversity;
- 6.11 Drainage and Flood Risk;
- 6.12 Planning Obligations.

Each of these considerations is discussed in turn below.

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6.1 Principle of the development of the site

- 6.1.1 The NPPF sets out that local planning authorities should approach decisions on proposed development in a positive and creative way. Paragraph 125 encourages planning policies and decisions to promote and support the development of under utilised land and buildings, particularly where it would help to meet identified needs for housing in areas where land supply is constrained and available sites could be used more effectively.
- 6.1.2 Policies GG2 London Plan seeks to optimise the use of land across London promoting the development of under utilised sites to help meet housing demand and make efficient use of existing urban land. This approach is supported by LP12 of the Hackney Local Plan, which encourages the development of small and previously underutilised sites to contribute to the boroughs housing need.
- 6.1.3 The proposal would bring a long vacant and derelict residential property back into beneficial use for residential purposes and result in a net uplift of one additional residential unit. In doing so, it makes more efficient use of the site and contributes to local housing supply. The proposal therefore aligns with paragraph 125 of the NPPF as well as GG2 and LP12. Therefore, the proposal complies with the relevant land use policies and is considered acceptable in principle.
- 6.1.4 In order to achieve the maximum viability and efficient use of the site, the proposal includes extension and alterations to the existing property. This aspect of the proposal is considered acceptable in principle, subject to other material considerations, which will be assessed further within this report.

6.2 Land Use

Conversion of Dwellinghouse to self contained units

- 6.2.1 London Plan Policy H9 seeks to promote the efficient use of London's existing housing stock, including bringing back vacant and under-occupied dwellings back into active residential use.
- 6.2.2 LP12 of the Hackney Local Plan confirms that self contained residential units represent an appropriate land use within the borough and identifies housing as a priority land use for which there is significant and ongoing need.
- 6.2.3 LP19 of the Hackney Local Plan states that the conversion of houses into flats will be supported where following criteria are met:
- i. Adequate access would be provided to each dwelling; and
 - ii. Each dwelling would be self-contained; and
 - iii. The distinctive character of the building or area would not be adversely affected by development, with particular regard to heritage assets.
- 6.2.4 Part B of policy LP19 requires a minimum of one family unit of 3 or more bedrooms at the ground floor is provided.
- 6.2.5 In regards to part (i) and (ii), adequate and safe access would be provided for each dwelling, with both being self contained, providing a high standard of

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accommodation. Parts (i) and (ii) are discussed further within the report under, 'Quality of Accommodation'.

- 6.2.6 Criterion (iii) is assessed separately within the report under 'Heritage' and 'Urban Design'.
- 6.2.7 The proposal would provide two, three bed self contained dwellings, therefore meeting this requirement.
- 6.2.8 In conclusion, the development would result in the gain of one residential unit and an overall increase in the total number of bedrooms across the site. On balance, and having regard for the presumption in favour of sustainable development and the identified housing need, the principle of the proposal is supported.

Housing Mix

- 6.2.9 Policy H10 of the London Plan (2021) states that, when determining the appropriate mix of unit sizes within a scheme, applicants and decision makers should have regard to the nature and location of the site, local housing need, and the objective of optimising the housing potential of sites.
- 6.2.10 Policy LP14 of the Hackney Local Plan seeks to ensure that new residential development provides a suitable mix of dwellings types and sizes. Part A sets out the council's preferred dwelling mix for market housing is for up to one third of homes to be 3 bedroom units or larger,
- 6.2.11 The proposal would provide two, three bedroom units, each capable of accommodating up to six persons and is appropriately assessed as 100% market housing. It is noted that the applicant has indicated an intention to occupy one of the units; however, this does not form a material planning consideration, and the development is considered on the basis of two independent market residential units.
- 6.2.12 The proposal would exceed the minimum proportion of family sized accommodation sought for market housing in accordance with Policy LP14(A). The scheme therefore provides an appropriate housing mix and supports the delivery of larger units suitable for family occupation.
- 6.2.13 As the site is not located within the Stamford Hill Area Action Plan boundary, Part B of Policy LP14 does not apply.
- 6.2.14 Part C of the policy is also not under consideration given the provision of housing mix proposed.
- 6.2.15 Accordingly, the proposal is considered acceptable and compliant with policy H10 of the London Plan and policy LP14 of the Hackney Local Plan.

Affordable Housing

- 6.2.16 Policy H4 of the London Plan enables boroughs to seek affordable housing contributions from minor housing development in accordance with London Plan policy H2. At local level, Hackney Local Plan, policy LP13 requires development proposals to maximise opportunities to supply genuinely affordable housing on site. The council will seek the maximum reasonable amount of affordable housing subject

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to viability and site context.

- 6.2.17 Part 2 of policy LP13 sets out that schemes which provide 1-9 units will be required to provide on site provision or payments in lieu up to the equivalent of 50% of housing delivered as affordable housing, subject to viability. Further guidance is provided within the Hackney Housing SPD and Planning Contributions (S106) SPD.
- 6.2.18 The proposal results in a net uplift of one residential unit, and therefore triggers the requirement to provide an affordable housing contribution. The applicant has entered into a Small Sites Agreement with the Council to secure this as an off site affordable housing contribution.
- 6.2.19 A Financial Viability Assessment (FVA) was submitted to justify the level of affordable housing provision that could be paid and the FVA has been independently reviewed on behalf of the Council. Following this review process, the applicant has agreed to a policy compliant off site contribution of £50,000.
- 6.2.20 As such, the proposal is considered to comply with Policies H4, H2 of the London Plan, policy LP13 of the Hackney Local Plan and Hackney Housing SPD and Planning Contributions (S106) SPD.

6.3 Quality of Accommodation

Daylight and Sunlight

- 6.3.1 Policy D6 of the London Plan and Policy LP17 of the Hackney Local Plan require all homes to be of high quality design and meet the internal and external space and accessibility standard set out within the London Plan and the Mayor Housing SPG.
- 6.3.2 An internal Daylight and Sunlight Assessment has been submitted in support of the application to assess the performance of flat a, the lower ground floor unit. The assessment has been undertaken in accordance with the BRE guidance "*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*" (BR209, 2022).
- 6.3.3 BRE guidance requires that at least one habitable room within a dwelling achieves a minimum of 1.5 hours of direct sunlight on 21 March. The submitted assessment confirms that the lower ground floor living room and upper ground floor bedroom, which benefit from a southerly orientation, would achieve in excess of this target. While the rear kitchen/dining room and two bedrooms would not meet the sunlight target, these rooms are north and west facing and such results are consistent with their orientation. As at least one habitable room within the unit meets the BRE sunlight criteria, the dwelling is considered compliant in terms of internal daylight and sunlight. The submitted assessment also indicates all rooms in the lower proposed dwelling meet Spatial Daylight Autonomy requirements.
- 6.3.4 Given the elevated position of the second unit at first and second floor levels, together with its window arrangement across two elevations, officers are satisfied that the accommodation would benefit from good levels of daylight and sunlight. The unit is dual aspect, which further supports adequate natural light penetration and outlook. In these circumstances, and having regard to the straightforward form and

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layout of the upper unit, it was not considered necessary to undertake a separate internal daylight and sunlight assessment for this element of the scheme.

Flat sizes and Layout

- 6.3.5 Technical guidance sets out that a three bedroom, six person flat over two storeys should provide a minimum of 102 m² of internal space with 2.5 m² of Storage. All new development should provide at least 5m² of external private amenity per person.

Flat A

- 6.3.6 The proposed Flat A would benefit from its own independent access at lower ground floor level. The rear garden would be allocated exclusively to this unit. The flat would provide a total internal floor area of 126 sqm, which exceeds the nationally described space standards for a three-bedroom dwelling and is therefore considered acceptable in this regard.
- 6.3.7 At lower ground floor level, the layout would comprise a front-facing living room and a combined kitchen/dining area positioned to the rear, opening directly onto a substantial patio area. This level would also incorporate a WC and dedicated storage provision.
- 6.3.8 The upper ground floor would accommodate three double bedrooms of comfortable proportions. The principal bedroom would benefit from an en-suite bathroom, and a separate family bathroom would serve the remaining bedrooms. Overall, the arrangement would provide a clear separation between living and sleeping accommodation and would ensure an appropriate standard of residential quality for future occupiers.

Flat B

- 6.3.9 Flat B would be accessed from the principal entrance at upper ground floor level, with an internal staircase providing access to the first floor. This level would comprise a central hallway serving three double bedrooms. The principal bedroom would benefit from an en-suite bathroom, with a separate family bathroom also provided on this floor.
- 6.2.10 At second floor level, the unit would provide an open plan kitchen and dining area forming a spacious, dual-aspect living environment. The dual aspect arrangement would assist in achieving good levels of daylight and natural ventilation.
- 6.3.11 The proposed unit would provide a total internal floor area of 95 sqm, resulting in a shortfall of 7m². This falls below the nationally described space standards for a three-bedroom, six-person dwelling. In addition, the unit would not benefit from private external amenity space as this had to be omitted from the proposal given the safeguarding concerns in relation to the site's proximity to the adjoining school. However, the site would benefit from the provision of a communal front garden and private access to the side alleyway for additional storage and bike storage.
- 6.3.12 On balance, although Flat B would not fully comply with internal space standards, the scheme as a whole would deliver two three-bedroom family units of good overall

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quality. Both flats would be dual aspect, have access to communal and/or private amenity space, benefit from well-sized rooms and achieve acceptable levels of daylight and sunlight. The site is situated in a sustainable location with good access to local communal open spaces, public transport provision, services and community infrastructure.

- 6.3.13 The proposal would on balance deliver a high standard of accommodation for future occupants and is considered to comply with policy LP17 of the Hackney Local Plan, Policy D6 of the London Plan and the relevant provisions of the Mayors Housing SPG.

Accessibility

- 6.3.14 London Plan Policy D5 requires development to achieve the highest standards of accessible and inclusive design, ensuring that buildings can be used safely, easily and with dignity by all users. Policy D7 seeks to ensure that 90% of new build dwellings meet M4(2) (accessible and adaptable dwellings) standards, with the remaining 10% meeting M4(3) (wheelchair user dwellings).
- 6.3.15 The development would not provide step free access but is not a new build development proposal. The existing building is not currently step free, and achieving compliance would require significant alterations to the front elevation and to the existing entrance arrangement. Given the site's location within a designated conservation area, such works to the principle elevation would materially alter the character and appearance of the host building. The extent of intervention required would be disproportionate to the scale of the proposal and would conflict with the statutory duty to preserve or enhance the conservation area.
- 6.3.16 The proposal represents a reasonable and proportionate response to accessibility requirements, having regard to the constraints of the existing building and the heritage sensitivities of the site, and is considered to accord on balance with Policies D5 and D7 of the London Plan.

6.4 Heritage Considerations

- 6.4.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering development which affects a listed building or its setting to have "*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*" Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council is statutorily required to ensure that all development preserves or enhances the character and appearance of conservation areas.
- 6.4.2 Paragraph 215 of the NPPF set out where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.4.3 This statutory duty is echoed in Policy HC1 of the London Plan (2021), which requires proposals to demonstrate a clear understanding of heritage assets and their setting. At the local level, Policy LP3 of the Hackney Local Plan requires that

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development proposals affecting conservation areas and locally listed buildings preserve or enhance their significance, while Policy LP4 seeks the conservation and enhancement of non-designated heritage assets.

Significance of the Conservation Area and Buildings

- 6.4.4 Conservation areas are designated under the Planning (Listed Buildings and Conservation Areas) Act 1990 for their special architectural or historic interest, the character and appearance of which is desirable to preserve or enhance. The Albion Square Conservation Area contains a range of buildings dating from the 19th Century, of which many are listed or locally listed.
- 6.4.5 1 Albion Drive is located within the Albion Square Conservation Area. As set out in the Albion Square Conservation Area Appraisal, the building was originally one half of a semi detached pair, with the other half being demolished in the 20th Century to allow for the construction of the adjacent Queensbridge School playground. The building subsequently served as a school caretaker's house. The property suffered a significant fire, resulting in major internal damage, including the loss of all floors. Within the immediate context, it is notable for being the only detached property with a butterfly roof form. The site itself is not designated or non-designated but does lie within the Albion Square conservation area.

Setting of Grade II Listed Buildings: Albion Square

- 6.4.6 To the west of the site are the listed buildings on Albion Square, including a mix of paired and terraced houses arranged around the square. The closest listed properties to the site are Nos. 22–30 Albion Square. The Conservation Area Appraisal notes differences in roof treatments across the square, with additional storeys on the south side gabled and some of those on the north side with mansard roofs behind parapets, while others have butterfly roofs concealed behind parapets. These properties make a positive contribution to the character and appearance of the conservation area.
- 6.4.7 Objections have been raised regarding potential visibility of the proposals from Albion Square and the impact on its character. Given the separation distances and site context, views of the rear extension from the square would be limited. The proposed mansard would be visible in certain sightlines; however, similar mansard forms are already present elsewhere in Albion Square therefore this is not an incongruous roof form in the context. The proposal would be closest to the listed buildings at Nos. 23–30, but the design incorporates features to break up massing and reduce perceived bulk. As such, the impact on the setting of these designated assets and the wider conservation area is considered minimal.

Locally Listed buildings: Queensbridge School and Albion Drive

- 6.4.8 To the north east of the site is the locally listed Queensbridge Primary school, constructed in red brick in 1897. The school is a tall late 19th Century Board School and includes the later Tomlinson Centre, a modern Professional Development Centre for The Learning Trust.
- 6.4.9 To the south of the site are the locally listed buildings at Nos 18-36 Albion Drive, constructed in the 1840s, which also make a positive contribution to the character appearance of the area.

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- 6.4.10 Following revision to the proposal in response to conservation comments, the scheme has been amended to better align with traditional local forms. The massing has been reduced to the north east of the site and the overall design is considered to respect the scale and character of the surrounding non-designated heritage assets. As such the proposal is not considered to adversely affect the setting of the Queensbridge School.
- 6.4.11 Letters of support for residents living opposite the site note that refurbishment of the property would bring it back into use and enhance the character and appearance of the Conservation area.
- 6.4.12 For these reasons, the proposal is not considered to have a harmful impact on the historic character of designated and non designated heritage assets. The statutory tests set out in the Act together with policies HC1 of the London Plan and LP3 and LP4 of the Hackney Local Plan are considered to be satisfied. The scheme would preserve the character and appearance of the Albion Square Conservation Area and would overall enhance the appearance of the building through the restoration of features such as stucco architraves over the windows and boundary railings.

6.5 Urban Design

- 6.5.1 London Plan Policy D3 further emphasises the importance of contextually appropriate, high quality design, with Policy LP1 of the Hackney Local Plan 2033 seeking to adopt a rigorous design approach and ensure that all new development be of the highest architectural and urban design quality. Development must respond in a positive manner to the existing context and local character, having regard to the boroughwide Characterisation Study, and be compatible with the existing townscape and local views.
- 6.5.2 The Residential Extensions and Alterations Supplementary Planning Document (REA SPD) states that proposals should identify the key architectural features of the area and the need for any alterations or additions to respect the established form, scale, and setting of the character and appearance of an area.
- 6.5.3 Considering the immediate context, the site is bounded to the north and east by Queensbridge Primary School and its playground, a four storey building. Within the playground, adjacent to the site, there is a single storey open structure and to the west, a single storey garage associated with 30 Albion Square.
- 6.5.4 Houses on Albion Square are generally three to four storeys in height and are separated from the site by brick walls and long private gardens, providing sufficient distance. Adjacent houses along Albion Drive are predominantly two storey with two storey outriggers, maintaining a consistent residential scale along the street.
- 6.5.5 The proposal involves the following:
- Demolition of a rear outbuilding;
 - Construction of a three-storey stepped rear extension;
 - A mansard roof extension with associated alterations;
 - Excavation of the front and rear garden to create a lightwell, and partial lowering of the rear garden;

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- New boundary railings, a reconfigured front garden layout, and bicycle and bin storage.

6.5.6 The scheme has undergone amendments to its design during the course of the application following concerns raised by officers and the Council's Design officers.

Rear Extension

6.5.7 The Residential Extension and alterations SPD provides guidance on two-storey and above rear extensions. It states that the width of first floor and above extensions should generally not exceed half the width of the existing dwelling, while the depth should respond to the character of the surrounding context and potential impacts on neighbouring amenity. Heights should remain subordinate to the host building, typically set a storey below the eaves, and roof forms and detailing should respect the original design and architectural features of the property.

6.5.8 The existing property includes a single storey outbuilding to the rear, which the proposal would demolish to accommodate a three storey stepped rear extension. The lower ground and upper ground floor elements would extend across the depth of the rear garden up to the boundary wall. At first floor level, the extension would step back, sitting below the eaves with flat roofs proposed throughout. Rooflights on the two storey flat roof would feature metal glazing.

6.5.9 After revisions, in response to concerns raised, no windows are now proposed on the north and east elevation of the extension. To the west, an obscured bathroom window at upper ground floor is proposed, and double glazed metal framed sliding doors with obscured glass, 1.7m above internal floor level, incorporating a brickwork privacy screen. This arrangement is repeated directly above at first-floor level.

6.5.10 In the original submission, the extension incorporated slat cladding, black zinc and dark brickwork. Following conservation feedback, the materials have been revised to London stock brick, better matching the existing building and wider area material palette. While the stepped three storey form retains the revised detailing and materials result in a more sympathetic and cohesive design.

6.5.11 In response the scheme has been designed to appear subordinate to the host building with an appropriate depth, width and stepped approach which is in accordance with the Residential Extension and Alterations SPD.

6.5.12 Given the position and design of the extension, it would have limited views from public viewpoints and its design, scale and materiality are considered acceptable.

Mansard Roof Extension

6.5.13 The dwelling has a butterfly roof form with a built-up parapet wall. The applicant proposes a traditional mansard roof extension. In assessing whether this is acceptable, reference is made to the Residential Extensions and Alterations , which notes that rooflines are an important feature contributing to the character of a conservation area. Roof extensions on unaltered rooflines within conservation areas are generally not acceptable where they would fail to preserve or enhance the character of the area. Consideration is given to the number of existing roof extensions and the extent to which the unity and consistency of the roofline has already been compromised.

- 6.5.14 The principle of a mansard must also consider the scope for change to the front roofline and the uniformity of the street frontage. In this case, the property is a detached dwelling, and its butterfly roof form is different from the prevailing roof forms in the immediate area. The closest existing mansards are located at numbers 17 and 18 Albion Square. The property forms a standalone building rather than part of a continuous, uniform terrace. In addition, buildings along this northern section of Albion Drive are generally of greater height. In this context, the introduction of a mansard roof would not disrupt a cohesive roofline. Having regard to the site's detached form and the surrounding townscape, the proposed mansard is considered acceptable in townscape terms. As a standalone property, the proposed mansard would not compromise an existing uniform roofline. On this basis, the principle of a mansard on this property is considered acceptable.
- 6.5.15 In terms of design, officers requested that the materials be revised from zinc to natural slate, which better complements the character of the conservation area. The original design, which incorporated a roof terrace and glazing on the east elevation, has been removed. Side and rear windows have also been omitted in response to the safeguarding requirements. These amendments significantly reduce both the visual and functional impact of the roof extension, resulting in a more traditional form, which would be set behind the existing parapet.
- 6.5.16 Windows would align with the existing front and rear arrangement and incorporate arched dormers with double glazed timber framed units, finished in zinc or lead. Windows would also be located on the west elevation following a similar approach. On the rear elevation, glazing would be obscured up to 1.7 m above internal floor level to ensure privacy. The proposal also includes solar photovoltaic panels and rooflights, integrated sensitively into the design.
- 6.5.17 Following review by conservation officers, the revised mansard roof extension is considered acceptable in design terms and responds more appropriately to the character and appearance of the area.

Front Garden Works and Lightwell

- 6.5.18 The proposal includes alterations to the front elevation to improve access, appearance, and the coherence of the street frontage. A lightwell would be excavated to provide steps to access Flat A, with a retaining wall constructed in brickwork to match the existing house. A new entrance door and double glazed, white painted timber framed French windows are proposed. Within the lightwell, a new wall finished in painted render and a traditional metal balustrade, matching the existing front railings, are included.
- 6.5.19 The front garden layout has been revised to improve clarity and coherence. The bin store has been reoriented behind newly planted railings, and the cycle store relocated to the basement level, resulting in a cleaner and less cluttered street frontage. The new front boundary treatment includes a plinth wall in matching brickwork with stone coping and traditional iron railings above, reflecting historic boundary treatments found elsewhere in Albion Square.
- 6.5.20 The scheme also proposes restoration of the stucco window surrounds and a more appropriate off white colour scheme, enhancing the appearance of the host building and contributing positively to the street scene. All windows would be replaced with

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double glazed timber sash windows in the original opening positions, maintaining traditional materials, proportions, and painted white finishes. A new timber panelled door with fanlight and transitional gold leaf door numbers is proposed in the existing doorway. All existing brickwork will be cleaned to improve overall presentation.

- 6.5.21 The proposal would include an air source heat pump (ASHP), to be located within the rear garden and enclosed within a timber acoustic housing. Owing to its siting at the rear of the property and the existing boundary treatments, the unit would not be visible from any public vantage points.
- 6.5.22 In the latest revision, the applicant submitted detailed plans specifying the proposed window design, boundary treatment and bike storage. The original proposal included 16mm double glazed timber sashes with applied glazing bars, which were considered inappropriate for the conservation area. In response to officer feedback, the applicant has revised the scheme to incorporate 12mm slimline double glazed timber sashes with integral glazing bars, putty finish, and no trickle vents or horns, fully in line with conservation guidance, to preserve the traditional detailing.
- 6.5.23 The proposed development has been amended through the application process to respond positively to officer feedback. The stepped and subordinate form of the rear extension, the revised material palette, and the removal of the roof terrace ensure that the proposal respects the scale, character and appearance of the host building and its wider context.
- 6.5.24 The mansard roof extension, as revised, would not disrupt a consistent roofline and is considered proportionate for this detached stand alone building. The front garden alterations and associated works would enhance the appearance of the building and improve the quality of the street frontage.
- 6.5.25 The scheme includes substantial refurbishment works to the existing building, including the restoration of architectural detailing, replacement of windows with traditionally detailed timber sashes, repair of stucco surrounds, cleaning of brickwork, and reinstatement of appropriate boundary treatments. These works would significantly improve the visual appearance of the currently derelict property and secure its long term use.
- 6.5.26 The scheme is therefore considered to achieve a high standard of design that preserves the character and appearance of the conservation area and complies with London Plan Policies D3 and D4, and Policies LP1 and LP17 of the Hackney Local Plan 2033, as well as the Residential Extensions and Alterations SPD.

6.6 Impact on Nearby Residential Amenity

- 6.6.1 Policy D3 of the London Plan 2021 requires development to respond positively to the form, character and grain of an area, including the scale, massing and orientation of surrounding buildings. Policy D6 requires development to provide an appropriate level of amenity for existing and future occupation.
- 6.6.2 At local level, policy LP2 of the Hackney Local Plan requires that new development does not have a significant adverse impact on the amenity of neighbouring occupiers. This includes, but is not limited to, consideration of overlooking, loss of privacy, outlook, daylight/sunlight, sense of enclosure, and noise or disturbance.

Daylight and sunlight

- 6.6.3 The proposed development includes a three storey stepped rear extension and a mansard roof extension. While these additions increase the overall scale and massing of the building, the rear extension has been carefully designed to step down towards the rear garden, reducing bulk and avoiding a dominant single rear elevation. The scale and massing of the extension are proportionate in the context of the host building and the surrounding terrace.
- 6.6.4 Given the orientation property (broadly north-south) and the proximity between the buildings and the site, the proposed rear extension and mansard roof would have an acceptable impact on daylight and sunlight for adjoining properties. The Queensbridge Primary School has a large playground situated to the north and east of the site, with covered sections adjoining the site (to both the north and east). Whilst the proposed works would likely create some overshadowing, the degree to which is deemed to be minor and will be on parts of the adjoining playground already covered and already partly overshadowed by the existing building in the afternoon. The vast majority of the large existing playground will not be impacted by the development, at any stage of the day.
- 6.6.5 To the south, adjoining residential properties along Albion Drive would not experience any material loss of daylight or sunlight due to the orientation, position and distance between properties. To the west, the adjoining rear gardens of Albion Square properties are long in depth and experience a degree of existing overshadowing in the morning due to the existing building. The proposed rear extension is located on the eastern part of the site's rear garden and set back from the (Albion Square) garden boundaries, with the resulting defensible space mitigating against adverse overshadowing impacts to these gardens. The scale of the works and their location will not give rise to adverse daylight or sunlight properties to adjoining habitable windows. A formal daylight/sunlight assessment was not required given the stepped design, retained separation distances, and the established urban grain.
- 6.6.6 The mansard roof extension follows a traditional profile, set behind the existing parapet line, and does not project materially rearward beyond the established building line. Its scale is consistent with mansard extensions elsewhere within the terrace, including the extant permission at No. 13 Albion Drive, and would not result in adverse overshadowing or loss of light.
- 6.6.7 Overall, the development is not considered to result in unacceptable loss of daylight or sunlight to adjoining properties.

Outlook and Sense of Enclosure

- 6.6.8 The stepped rear extension has been reduced, particularly on the side adjacent to the playground. Within the playground, there is an existing single-storey structure, and to the rear, the proposed extension would sit behind the boundary wall. While the rear extension and mansard roof increase the massing of the property, given their positioning and separation from neighbouring properties, they would not result in a sense of enclosure or materially affect outlook for adjoining residential properties or the adjacent playground.

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Privacy and Overlooking

- 6.6.9 During the course of the application, amendments were secured to address potential overlooking concerns. These included the omission of the previously proposed roof terrace and glazing on the north and east elevations at mansard level, as well as the specification of obscure glazed, non opening side facing windows above 1.7m on the west elevation of the main dwelling. These changes reduce the potential for overlooking neighbouring residential properties, the Albion Square gardens, and Queensbridge Primary School, addressing both safeguarding and general amenity concerns.
- 6.6.10 Rear facing windows follow the established pattern of fenestration typical of the terrace, ensuring that no harmful sightlines are introduced with adjacent gardens. Mutual overlooking from upper floor windows is already a characteristic of the surrounding urban context, and the proposed development does not adversely exacerbate these existing relationships.
- 6.6.11 The omission of the roof terrace is particularly beneficial from an amenity perspective, eliminating the risk of elevated overlooking towards neighbouring gardens and school grounds. Combined with the stepped design of the rear extension and carefully considered window placement, these measures ensure that the development respects the privacy of neighbouring occupiers while still providing high quality accommodation for future residents.

Noise and Disturbance

- 6.6.12 Residential uses are not considered to be noise-generating uses per se, and the conversion of the building into two self contained residential flats is not expected to generate levels of noise beyond that associated with a typical family dwelling. All private amenity space is provided at ground floor level, minimising disturbance to neighbouring properties. The internal layout has been designed to provide suitable separation between living and sleeping areas, reducing the risk of internal noise transfer.
- 6.6.13 The proposal includes an air source heat pump within the rear garden. The unit would be enclosed within an acoustic timber screen to minimise noise impact on neighbouring properties. The final specification, installation, and operation of the heat pump will be secured by planning conditions to ensure compliance with noise and amenity standards.
- 6.6.14 The removal of the terrace at mansard level ensures that the proposal would not result in noise and disturbance for adjoining properties.
- 6.6.15 In conclusion, the proposed extensions and alterations have been carefully designed and amended to ensure that impacts on neighbouring residential amenity are acceptable. The stepped form of the rear extension, the mansard roof design, with the omission of the previously proposed roof terrace significantly reduce potential impacts.

6.7 Transportation

- 6.7.1 Hackney Policies LP41, LP42 and LP43 in the Local Plan highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Local Plan 2033 policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking. Cycle parking provided in accordance with the standards set out in Appendix 2.
- 6.7.2 Policy LP45 of the LP33 requires that, in order to reduce car usage and promote active travel, all new developments in the Borough must be car free with on site parking limited to either parking for disabled users, or essential operational or servicing needs as justified through a Transport Assessment.
- 6.7.3 The site is located within an area of very good accessibility to public transport, with a Public Transport Accessibility Level (PTAL) rating of 3 and is within walking distance of Haggerston overground station as well as bus routes along Queensbridge and Kingsland Road. The site falls within a Controlled Parking Zone (CPZ).

Cycle Parking

- 6.7.4 The proposed cycle parking will be provided for each of the two residential units, one being located within the lightwell for the lower ground floor for flat A, within a covered and locked bicycle storage unit. Two secure cycle parking spaces will be provided on the west elevation for flat B. While the detailed type of cycling park here has not been provided, the transport officer has reviewed the revised cycle parking arrangement and raises no objection, subject to a condition requiring a policy compliant parking plan.

Car Parking

- 6.7.5 The applicant has agreed to a car free development in line with LP45 requirements, which will be secured via a legal agreement to prevent future residential parking permits and support sustainable transport.

Demolition and Construction Management (CMP)

- 6.7.6 No CMP plan has been submitted with the application, which would be required to mitigate the negative impact on the surrounding highway network. The borough's transport officer has recommended that this can be secured by way of a condition. This will ensure that the work required to be undertaken is properly managed and minimises disruption to pedestrians and other road users.
- 6.7.7 The proposal is considered acceptable in transport terms, subject to the recommended conditions and s.106 legal requirements for car free development.

6.8 Energy and Sustainability

- 6.8.1 All new development is required to consider statutory requirements to reduce pollution, energy use and carbon emissions, and to incorporate best practice design principles where appropriate. Policy SI 4 of the London Plan and Policy LP54 of the

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Hackney Local Plan 2033 require development to regulate internal and external temperatures through appropriate orientation, design, materials and technologies, to avoid overheating and respond to the Urban Heat Island Effect.

- 6.8.2 Hackney Local Plan Policy LP55 applies to all development and requires schemes to actively mitigate climate change through design that minimises exposure to its effects and maximises sustainability.
- 6.8.3 Part H of Policy LP55 relates specifically to existing buildings and states that development, including the re-use or extension of existing buildings, should achieve the maximum feasible reductions in carbon emissions and support the strategic carbon reduction targets in the London Plan, while protecting the heritage and character of the building.
- 6.8.4 To ensure sustainability objectives are met, a range of conditions are proposed pursuant to Part L compliance and to increase the efficiency of energy sources to maximise the feasible reductions in carbon emissions within the development. This includes an Energy Statement condition to secure a 35% reduction in line with Part a and a detailed overheating assessment condition to demonstrate how the proposal would accord with the cooling hierarchy and minimise overheating risk through passive means, in line with policy LP54 of the London Plan.
- 6.8.5 In terms of 'Be Green' of the energy hierarchy, the proposal provides PV panels on the mansard roof, Mechanical Ventilation with heat recovery (MVHR) and air source heat pump (ASHP) which contribute towards the stated carbon savings. The detailed performance and specification of each will be secured through conditions to ensure the proposal delivers the assessed energy performance.
- 6.8.6 Subject to the recommended conditions, the proposal is considered acceptable in sustainability terms and is consistent with the requirements and objectives of the relevant regional and local plan policies.

6.9 Waste Management

- 6.9.1 London Plan SI 7 and Policy LP57 of the Hackney Local Plan seeks to ensure new development in Hackney supports the objectives of sustainable waste management, including the provision of safe, accessible and well integrated refuse and recycling storage facilities, within the site boundary. This will ensure waste is stored neatly and collected without impacting neighbouring amenity or the street scene.
- 6.9.2 The revised bin storage is proposed to be located in the front garden, sitting against the site boundary wall; this better reflects the prevailing character of the streetscene. A 3 bedroom unit is required to provide a capacity of 100 litres (waste) and 150 litres for dry mixed recycling.
- 6.9.3 The storage would be able accommodate four 240 litre bins, providing sufficient capacity for the two residential units.
- 6.9.4 The drag distance from the front entrance to the bin storage is considered to be short and manageable, and collection would take place from the highway in accordance with the Councils requirements.

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6.9.5 To ensure that the sufficient waste and recycling provision is delivered, it is considered reasonable to secure the final details of refuse and recycling storage, including exact bin sizes and layout by condition.

6.10 Biodiversity, Trees and Landscaping

6.10.1 Policy G1 of the London Plan requires development to be integrated into the environment with green infrastructure forming a fundamental component of design. Policy G5 of the London Plan and Policy LP46 of the Hackney Local Plan 2033 require development to contribute to the enhancement of the green infrastructure network and improve access to open space.

6.10.2 Policy G6 of the London Plan further seeks to protect and enhance biodiversity and secure measurable biodiversity net gain wherever possible. At local level, Policy LP47 requires development to protect and enhance biodiversity and maximise opportunities to create new habitats or improve existing habitats, contributing positively to the borough's wider green infrastructure network.

6.10.3 In England, Biodiversity Net Gain (BNG) is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, the objective is for development to deliver at least a 10 per cent increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

6.10.4 A site walkover and desk based assessment confirmed that the site is currently characterised by hardstanding to the rear and does not contain any on-site priority habitats or trees. As such, the baseline ecological value of the site is limited. On this basis, given the absence of existing habitat value, the proposal is exempt from the mandatory 10% Biodiversity Net Gain requirement under the Environment Act 2021.

6.10.5 Notwithstanding the exemption, opportunities remain for ecological enhancement. The incorporation of native planting within the garden space and soft landscaping will contribute positively to biodiversity.

6.10.6 As the proposal includes building work at roof level, a condition will be secured to provide swift or bird boxes to help preserve endangered urban biodiversity in the borough.

Trees and Landscaping

6.10.7 Policy G7 of the London Plan and Policy LP51 of the Hackney Local Plan 2033 require the retention and protection of trees of amenity value wherever possible.

6.10.8 The proposal includes areas of soft landscaping and planters, which would increase opportunities for ecological enhancement across the site.

6.10.9 Concerns were raised in relation to the proposal having a negative impact on birdlife and potential impact on trees located within a neighbouring garden. Given the proximity of the proposed ground-level works, there was potential for encroachment into the Root Protection Areas (RPAs), particularly during excavation and construction. As trees are a material consideration in the determination of planning

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applications, an Arboricultural Impact Assessment (AIA) was requested and submitted during the course of the application.

6.10.10 The dual aspect design of the proposed units will mitigate overshadowing from the tree, while the proposed rear extension beneath the canopy will be constructed in accordance with hand digging techniques and arboricultural supervision. Measures including gutter guards and ongoing protection via a Tree Preservation Order (TPO) are recommended to prevent future damage and safeguard the high amenity value of the tree, these will be secured

6.10.11 With these measures secured by planning conditions, the proposal is considered acceptable in terms of tree protection, landscaping, and visual amenity, in accordance with Policies LP47 and LP51 of the Hackney Local Plan 2033 and BS5837 (2012) guidance.

6.11 Drainage and Flood Risk

6.11.1 SI 12 of the London Plan should ensure that flood risk is minimised, mitigated and that residual risk is addressed. SI 13 of the London Plan 2021 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

6.11.2 Policy LP53 of the Hackney Local Plan should have regard to reducing flood risk and both to and from the site, over its expected lifetime. It would be expected that the proposed development would incorporate some form of sustainable drainage system (SuDs).

6.11.3 The site is shown to have 'low' risk of surface water flooding as stated on the 'Long Term Flood Risk Map for England' and has an increased potential for elevated groundwater. The borough's Drainage Team has reviewed the submitted information and no concerns were raised in regard to the findings.

6.11.4 In order to ensure the proposal achieves the objectives SI 13 and LP53, the officer has recommended conditions requiring detailed specification of the sustainable drainage system to be incorporated.

6.11.5 As such, subject to conditions, the proposal is acceptable on drainage grounds.

6.12 Planning Obligations

6.12.1 In terms of the current proposal, the following planning obligations are required in order to ensure that the proposed development would meet the relevant objectives of the Development Plan:

6.12.2 S106 Planning Contributions SPD are the most relevant documents. Contributions/Provisions for the following are sought:

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Item	Details
Affordable Housing	£50,000
Transport	Residential car parking permit free
Other (Monitoring fee)	£3,055 (£2,500 AH, £555 CF)

7.0 **CONCLUSION**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 7.2 The proposal would bring back into use a vacant derelict property which is considered to make a positive contribution to Hackney's and London housing needs, aligning with National Planning Policy Framework, H2 of the London Plan and LP12 of the Hackney Local Plan. The proposed unit mix is deemed acceptable, including family sized units in a sustainable location satisfying requirements LP14 of the Hackney Local Plan on dwelling sized mix.
- 7.3 The proposal is a policy complaint with H10 of the London Plan and policy LP13 of the Hackney Local Plan as the applicant has agreed to a £50,000 off site affordable housing financial contribution to be secured via a Section 106 Agreement.
- 7.4 Regarding quality of accommodation, one unit (Flat A) would meet the minimum internal floor area for a 3 bedroom, 6 person unit. While the second unit would result in a shortfall of 7m² (Flat B). On balance, the internal layout is well proportioned, dual aspect and provides adequate light, privacy and outlook, ensuring an acceptable standard of accommodation for future occupiers.
- 7.5 The proposal has been carefully designed to preserve the character and appearance of the Albion Square Conservation area. The revisions made during the application ensure that the development would have an acceptable impact on the designated and non designated heritage assets, including Queensbridge school, Albion Drive and Albion Square properties. The proposal therefore satisfies the statutory tests under Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 as well as Policy HC1 of London Plan and policies LP3 and LP4 of the Hackney Local Plan.
- 7.6 The stepped rear extension and revised mansard roof ensure the scale, form and massing are appropriate for the site. Materials (including the use of natural slate and London stock brick) and window detailing have been secured to ensure the proposal positively responds to the character and appearance of the area. Front alterations, including improved boundary treatments, enhance the street frontage. Overall the proposal would comply with London Plan policies D3 and D4 and policies LP1 And LP17 of the Hackney Local Plan and the guidance set out within the Residential Extensions and Alterations SPD.
- 7.7 As a result of the revisions, the proposal would not materially compromise the amenity of neighbouring residential properties or Queensbridge Primary school. The

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removal of the previously proposed roof terrace, the obscuring of windows and the stepped design of the rear extension has reduced the potential for overlooking and loss of light. The proposal is considered acceptable and in accordance with D3 of the London Plan and LP2 of the Hackney Local Plan.

- 7.8 Regarding sustainability, conditions are proposed to secure a reduction in carbon emissions inline with Part L (2021) requirements and to maximise the efficiency of renewable energy measures provided as part of the application. The proposal would not result in harm to the trees in neighbouring properties and would provide additional landscaping and nesting for wildlife. Subject to the recommended conditions, the proposal is considered acceptable to comply with policies G1, G5 and G7 of the London Plan and LP46 and LP47 of the Hackney Local Plan.
- 7.9 In relation to transport, waste, and drainage, subject to the recommended conditions and the completion of S.106 legal agreement for car free development, the proposal is considered to comply with relevant policies within the London Plan and Hackney Local Plan.
- 7.10 On balance, and having regard to the representations received and all relevant material planning considerations, the proposal is considered to accord with the relevant policies of the London Plan 2021 and Hackney Local Plan 2033. The granting of planning permission is therefore recommended, subject to appropriate conditions and completion of a S106 legal agreement.

8.0 RECOMMENDATIONS

Recommendation A

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

8.2 Commencement within three years

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

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

8.3 Development in accordance with plans

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

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

8.4 Construction Management Plan

A Construction Management Plan (CMP) specifying hours of working, construction traffic routing, measures to prevent dust pollution and contact arrangements between residents and contractors shall be submitted and agreed by the Local Planning Authority prior to the commencement of the development.

The construction logistics plan shall include the following details:(a) loading and unloading of plant and materials; (b) storage of plant and materials; (c) programme of works (including measures for traffic management); (d) provision of boundary hoarding behind any visibility zones; (e) wheel cleaning provision on site.

Construction shall thereafter take place in accordance with the measures identified within the CMP.

REASON: To ensure that during demolition and construction works that there would be no negative amenity or highway impacts as a result of the development. These details are required prior to commencement as they affect the entirety of the construction phase and cannot, therefore, be dealt with retrospectively.

8.5 Non Road Mobile Machinery

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

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REASON: To ensure that air quality is not adversely affected by the development in line with Policy SI 1 of the London Plan (2021) and the Mayor's The Control of Dust and Emissions During Construction and Demolition SPG (2014).

8.6 Sustainable Drainage

Prior to superstructure works, detailed specification and a drainage layout of at least one suitable sustainable drainage systems (i.e. water butt with overflow, raingarden, bioretention planter box, living roof (substrate depth of 80-150mm excluding the vegetative mat), permeable paving, etc.) shall be submitted to, and approved by the LPA, in consultation with the LLFA. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried out to ensure that the capacity of the soil is suitable for infiltration. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in peak flow rate and volume

REASON: To ensure the provision of sustainable drainage measures onsite, in accordance with LP53 of LP33 and Policy SI 13 of the London Plan 2021

8.7 Energy Statement

Prior to the above ground works of the development hereby approved, an Energy Statement prepared by a suitable specialist shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at the energy hierarchy has been followed and include:

- a) Minimum carbon savings (% and tonnes CO₂e) for the new build area against Part L 2021 through fabric efficiency (Be Lean) of at least 10%
- b) Minimum carbon savings (% and tonnes CO₂e) for the new build area against Part L 2021 through fabric efficiency of at least 35%
- c) Maximum u-values of; Walls 0.25; Ground floor 0.12; Roof 0.14; Windows 1.4, Doors 1.4
- d) Air permeability to a maximum of 5.00

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

REASON: In the interest of addressing climate change and securing sustainable development and construction, in accordance with LP55 of the Hackney Local Plan.

8.8 Overheating

Prior to the above ground works of the development hereby approved, an overheating risk assessment including a detailed statement demonstrating how each stage of the Cooling hierarchy has been followed and supported by the results of the Good Homes Alliance Early Stage Overheating Risk Tool or relevant CIBSE methodology (TM52/TM59) shall be submitted and approved in writing by the Local Planning Authority.

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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.

8.9 PV Panels

Prior to the occupation of the development hereby approved, as built PV system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by a MCS registered contractor must be submitted to and approved in writing by the Local Planning Authority. The following additional information shall also be provided:

- a) Solar PV panels annual electricity peak generation (kWp)
- b) Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- c) 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.

REASON: In the interest of addressing climate change and securing sustainable development and construction, in accordance with LP55 of the Hackney Local Plan.

8.10 Mechanical Ventilation Heating Recovery

Prior to the occupation of the development hereby approved, as built MVHR system (or any other related fixed plant adopted) specification, efficiency and supporting drawings and installation certificates by a suitable contractor must be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and securing sustainable development and construction, in accordance with LP55 of the Hackney Local Plan.

8.11 Heat Pump

Prior to the occupation of the development hereby approved, full details including as built ASHP system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by a MCS registered contractor must be submitted to and approved in writing by the Local Planning Authority. The following additional information shall also be provided:

- a) Minimum Heat pump Coefficient of Performance
- b) Minimum Heat pump Seasonal Coefficient of Performance

REASON: In the interest of addressing climate change and securing sustainable development and construction, in accordance with LP55 of the Hackney Local Plan.

8.12 Noise

The noise level from all plant and machinery included in the approved development shall at all times remain 10dB(A) below background levels when measured at any nearby residential window.

REASON: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise.

8.13 Cycle parking

Prior to the first occupation of the development hereby approved, notwithstanding the details as shown on the approved drawings, precise details of the proposed cycle parking provision which is safe, secure and accessible for all shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details and thereafter retained solely for its designated use.

REASON: To ensure adequate provision for the safe and secure storage of bicycles, to promote sustainable modes of transport and in the interest of safeguarding highway safety in accordance with Policy LP42 of the Hackney Local Plan 2033 (2020).

8.14 Refuse and recycling

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

REASON: To ensure adequate provision for refuse and recycling is provided which would safeguard the amenity of the area and not compromise pedestrian safety.

8.15 Swift boxes

The development hereby approved shall provide two swift boxes close to the eaves prior to first occupation and shall be retained as such in perpetuity.

REASON: To promote biodiversity on site in line with policy LP46 of the Hackney Local Plan 2033 (2020).

8.16 Foundation Design on Shrinkable Soil

Prior to the commencement of any development (including demolition and site preparation), a detailed Foundation Design Statement shall be submitted to and approved in writing by the Local Planning Authority (LPA). This is required for all new structures and extensions proposed within the zone of influence of any retained or adjacent trees, where the ground is confirmed or suspected to be shrinkable soil (e.g., clay).

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The Foundation Design Statement shall be prepared by a suitably qualified Structural Engineer in conjunction with an Arboriculturist and shall include the following:

- Soil Classification and Assessment: Confirmation of the soil type and its volume change potential (e.g., High, Medium, or Low, as classified by methods such as the Modified Plasticity Index) to establish the risk of ground movement (subsidence and heave).
- Tree Influence Calculation: Calculation of the Zone of Influence for all retained trees and hedgerows (based on species, mature height, and water demand) to determine the necessary foundation depths. Foundation Specification: Detailed plans, cross-sections, and calculations demonstrating that the foundations are designed to:
- Accommodate anticipated ground movement (both desiccation/subsidence and heave) without suffering structural damage. Be taken to a depth where the likelihood of damaging movement is low (e.g. in line with the minimum requirements of NHBC Standards Chapter 4.2).
- Heave Protection: Specification for the provision and detailing of appropriate heave precautions (such as void formers or compressible materials) and the use of suspended ground floors where necessary, particularly where trees are to be removed or where deep excavations occur.
- Root Disturbance Mitigation: Confirmation that the method of foundation construction will avoid excessive damage to the Root Protection Areas (RPAs) of retained trees, including the use of specialized techniques such as piled foundations or cantilevered ground beams where construction encroaches into an RPA.

The foundations shall be constructed strictly in accordance with the approved Foundation Design Statement.

REASON: To ensure that the design of the structure is safe and stable in shrinkable soil conditions and to prevent indirect damage (subsidence or heave) to the foundation caused by the moisture extraction or removal of adjacent tree roots, thereby safeguarding the health and long-term viability of the retained trees and the structural integrity of the development, in accordance with Hackney Local Plan LP33; LP51 and pursuant to section 197 of the Town and Country Planning Act 1990.

8.17 Full Arboricultural Method Statement (AMS) required

Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

The AMS shall specifically address, but not be limited to, the following:

- Methods for demolition and construction within or adjacent to RPAs, including details of specialised techniques (e.g., hand-digging, trenchless methods for services). Location and installation of all services, utilities, and drainage, demonstrating adherence to RPA protection principles.

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- Details of any changes in ground levels and the design of retaining structures within or near RPAs.
- Full specification for the construction of any new surfaces, including details of 'no-dig' specifications and relevant cross-sections within RPAs.
- Specification for scaffolding and ground protection within tree protection zones or adjacent to tree canopies.
- Details of site access, temporary parking, on-site welfare facilities, loading, unloading, storage of equipment, materials, fuels, and waste, as well as concrete mixing and use of fires, ensuring no adverse impact on retained trees.
- Methodology and detailed assessment of root pruning, if necessary, to be carried out strictly in accordance with BS 3998:2010.

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

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

8.18 **Approved Tree Protection Plan**

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

REASON: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020).

8.19 **Arboricultural monitoring**

Prior to the commencement of development, a qualified tree specialist must be appointed to provide arboricultural supervision and inspection. The details of this appointment and the specialist's responsibilities must be submitted to and approved in writing by the Local Planning Authority. The submission should include the methodology and program for reporting, as well as a timetable for inspections. The approved works must be carried out in strict accordance with the approved details. Upon completion of the development, a report from the appointed arboriculturist must be submitted to and approved in writing by the Local Planning Authority, confirming that all tree protection measures and tree works were carried out in accordance with the approved plans.

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.

8.20 **Materials**

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The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out otherwise than in accordance with the approved details.

- a) Details of the proposed rooflights
- b) External doors including cills, heads and reveals
- c) Rainwater good
- d) Details of proposed railings
- e) Details of reinstated stucco details

Details, including physical samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

The new railings shall accurately replicate original Victorian railings, in terms of material, profile and detailing, surviving on neighbouring properties in Albion Square. Each bar shall be individually inserted into a drilled hole in a stone or reconstituted stone plinth and sealed with lead.

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.

Recommendation B

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

- 1) Affordable Housing Financial Contribution of £50,000.
- 2) Residential Car Free Development (Non-Blue Badge Holders).
- 3) Monitoring costs of £3,055 in accordance with the Planning Contributions SPD (2020) to be paid prior to completion of the proposed legal agreement; and
- 4) 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.

Recommendation C

That the Sub-Committee grants delegated authority to the Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or Development Management & Enforcement Manager) to make any minor alterations, additions or deletions 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



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Sub-Committee).

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

Natalie Broughton - Assistant Director - Planning and Building Control

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Lorraine Murphy x 4715	HSC,Hillman Street, London E8 1FB