

<b>ADDRESS:</b> Frampton Park Estate, Frampton Park Road	
<b>WARD:</b> Victoria	<b>REPORT AUTHOR:</b> Nick Bovaird
<b>APPLICATION NUMBER:</b> 2025/2841	<b>VALID DATE:</b> 02/02/2026
<p><b>DRAWING NUMBERS:</b></p> <p>FPE-EAS-XX-00-DR-L-10000 P05,  FPE-EAS-XX-00-DR-A-02100 P01, 01-DR-A-02101 P01, 02-DR-A-02102 P01, 03-DR-A-02103 P01, 04-DR-A-02104 P01, 05-DR-A-02105 P01, RF-DR-A-02106 P01, RF-DR-A-02107 P01,</p> <p>FPE-EAS-XX-XX-DR-A-03001 P01, 03002 P01, 03003 P01, 03004 P01,</p> <p>FPE-EAS-XX-XX-SH-A-00002 P01,</p> <p>FPE-EAS-XX-ZZ-DR-A-04001 P01, 04002 P01, 04011 P01, 04012 P01, 04013 P01,  FPE-EAS-XX-00-DR-L-10001 P03,  FPE-EAS-XX-00-DR-L-10002 P04,  FPE-EAS-XX-00-DR-L-10006 P01,  FPE-EAS-XX-00-DR-L-10010 P01,  FPE-EAS-XX-00-DR-L-10011 P01,  FPE-EAS-XX-00-DR-L-10110 P01,  FPE-EAS-XX-00-DR-L-10111 P01,  FPE-EAS-XX-00-DR-L-10113 P01,</p> <p>Phasing Plan A-ALL-PLN-001,</p> <p>Planning Statement dated 12 January 2026 from PPM Planning, Design and Access Statement, Townscape and Visual Impact Assessment December 2025 by Heritage Information Ltd, Heritage Assessment December 2025 by Heritage Information Ltd, Accommodation Schedule, Energy Statement December 2025 by XCO2, Sustainability Assessment December 2025 by XCO2, Carbon Emission</p>	

<p>Spreadsheet, Air Quality Assessment dated 27 November 2025 by Hawkins Environmental, Fire statement form, Fire Safety Strategy dated 12 December 2025 by Calford Seaden, Noise Impact Assessment 11706/JLO dated 23 October 2025 by Acoustic Consultants Ltd, Daylight and Sunlight Report V2 dated December 2025 by Point 2 Surveyors but updated 17 February 2026, Daylight and Sunlight Cover Note dated 17 February 2026 by Point 2 Surveyors, Health Impact Assessment Addendum January 2026 by Sustainable Foot Forward Ltd, Transport Assessment Technical Note Issue 2 ref 10779/03 by Cole Easdon, Travel Plan Issue No. 3 dated December 2025 by Cole Easdon, Delivery, Servicing and Management Plan Technical Note 10779/02 dated December 2025 by Cole Easdon, Construction Logistics Plan dated 09 December 2025 by RPS, Preliminary Ecological Appraisal and Roost Assessment dated 9 December 2025 by Arbtech, Letter dated 12th January 2026 from Trevor Heaps of Arboricultural Consultancy Ltd, UGF FPE-EAS-XX-00-DR-L-10002 P01, Flood Risk Assessment P452030-WW-XX-XX-RP-C-0001 Rev P04 (named P2 on the frontsheet) dated 11/03/2026 by Whitby Wood, Drainage Letter P452030-WW-XX-XX-FN-C-1001 dated 25/11/2025 by Whitby Wood, Land Contamination Letter P452030-XX-ZZ-XX-TN-G-0001 dated November 2025 by Whitby Wood, Statement of Community Involvement Addendum December 2025, Accommodation Schedule FPE-EAS-XX-XX-SH-A-00001 P01, Community Uses Report Addendum by PPM Planning, Be Seen Form,</p>	
<p><b>AGENT:</b> Mark Pender (PPM Planning Limited) 185 Casewick Road, London, SE27 0TA</p>	<p><b>APPLICANT:</b> Housing Regeneration &amp; Delivery, London Borough of Hackney, 2 Hillman Street, London , E8 1FB</p>
<p><b>PROPOSAL:</b> Variation of condition 1 (approved drawings) of planning permission 2021/1065 dated 23 March 2021, as amended, for “Demolition of the existing Frampton Park Community Hall and estate cleaning depot to rear; demolition of disused parking structure on Wooldridge Way; additional works associated with site clearance. Construction of mixed tenure residential dwellings within two new blocks and within the undercroft area of Tradescant House. Landscape and public realm improvements</p>	

within the site boundary including provision of play space and reorganisation of existing car parking.” The proposed changes include an increase in the number of dwellings from 69 to 72; a change in massing of the Phase 1 ‘Atrium’ building from a part 4 and part 7 storey block to a 6 storey block; changes to the unit and tenure mix in Phase 1, changes to materiality and landscaping.

**POST SUBMISSION REVISIONS:**

- Provision of an amended Flood Risk Assessment document.
- Amended planting mix, shown on updated landscaping plans.
- Confirmation that PV panels are not proposed for the Atrium building, though the design allows for their installation at a later date.

These amendments are sufficiently minor that it has been considered unnecessary to carry out a further consultation on the application.

**RECOMMENDATION SUMMARY:**

Grant planning permission subject to conditions and a deed of variation to the Unilateral Undertaking.

<b>REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:</b>	
Major application (not s73)	<b>No</b>
Substantial level of objections received	<b>No</b>
Council Owned Application	<b>Yes</b>

**ANALYSIS INFORMATION**

ZONING DESIGNATION: (Yes) (No)

	(Yes)	(No)
CPZ	Zone D	
Conservation Area		No
Listed Building (Statutory)		No
Listed Building (Local)		No
Priority Office/Industrial Area		No

<b>LAND USE:</b>	Use Class	Use Description	Floorspace Sqm
<b>Existing</b>		Vacant	0
<b>Proposed</b>	C3	Residential	6629

RESIDENTIAL USE DETAILS:	Residenti al Type	No. of Bedrooms per Unit				Totals
		1	2	3	4	
Type						
Private		7	4	2	0	<b>13 (18%)</b>
Social rent	Flats	6	6	7	2	<b>21 (29%)</b>
Intermediate	Flats	13	25	0	0	<b>38 (53%)</b>
<b>Totals</b>		<b>26 (36%)</b>	<b>35 (49%)</b>	<b>9 (12%)</b>	<b>2 (3%)</b>	<b>72</b>

PARKING DETAILS: (Whole Estate)	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	32	0	0
Proposed	9	7	164 Long Stay 36 Short Stay for visitors

### CASE OFFICER'S REPORT

#### 1.0 SITE CONTEXT

- 1.1 The proposal relates to two separate, adjacent parcels of land within the Frampton Park Estate. The first parcel (Site 1) is bounded by the rear of properties on Well Street to the east and buildings/landscaping within the wider Frampton Park Estate to the north, west and south respectively. At the time of the original permission, the existing buildings on site comprised the two-storey Frampton Park Community Hall and a single storey cleaning depot with associated car parking/hardstanding but these have now been demolished following a prior approval application for demolition. This site also includes the access roads to the north, east and west of the two buildings and a ground level car park located on the eastern part of the site. Landscaping associated with the Community Centre and wider estate is also located on the site.
- 1.2 The second parcel of land (Site 2) is located a short distance to the west and includes a car parking/garage structure to the west of Tullis House and the existing Council block known as Tradescant House. The site also includes the estate road

Woolridge Way on its northern side along with the existing sports court to the east of Sloane House. The site is bounded by Frampton Park Road to the west and buildings within the wider Frampton Park Estate to the north, south and east. The garage structure is one storey (plus basement) in height and includes an area of hardstanding along with an access ramp. Tradescant House is part 3 storey, part 11 storeys in height but the development proposals relate to the ground floor undercroft spaces within this building only.

- 1.3 The surrounding context is primarily residential, comprising buildings within the Frampton Park Estate. These include the six storey Woolridge Way and part 3, part 6 storey Sloane House to the north; the six storey Fairchild House, 6 storey Forsyth House, 3 storey Mason House and the part 3, part 5, part 6 storey Petiver Close to the south/southeast; and the 6 storey Parkinson House to the east along with the 3 storey Frampton Park Baptist Church. To the east of the site are 3 storey buildings on Well Street with retail uses at ground floor level and residential on the floors above.
- 1.4 Homerton and Hackney Central Overground Stations are both located approximately 10 minutes away from the site by foot. There are a number of local bus routes on Mare Street to the west and Well Street to the east. The site has a PTAL rating of 4/5 which is 'good' accessibility as defined by TfL.
- 1.5 The site does not have any local plan designations but is located a short distance from the Well Street Local Shopping Centre to the north east.

## **2.0 Conservation Implications**

- 2.1 The site is not located within a Conservation Area. The nearest Conservation Area is Victoria Park Conservation Area which is 50m to the east.
- 2.2 There are no statutory or locally listed buildings in the immediate vicinity of the site. The nearest listed buildings are at Cassland Road, approximately 200m to the east.

## **3. Planning History**

- 3.1 Application Number: 2021/1065  
Demolition of the existing Frampton Park Community Hall and estate cleaning depot to rear; demolition of disused parking structure on Woolridge Way; additional works associated with site clearance. Construction of 69 mixed tenure residential dwellings within two new blocks, one of part 4 and part 7 storeys and one of 8 storeys, and within the undercroft area of Tradescant House. Landscape and public realm improvements within the site boundary including provision of play space and reorganisation of existing car parking.  
Decision Date: Granted 23-06-2022

*Officer's Note:* Since the approval of this development, no applications in respect of the approved conditions have been received.

- 3.2 Application Number: 2025/2524  
Non material amendment to planning permission 2021/1065 dated 08/08/2018, comprising changes to the development description to remove reference to the

building height and residential dwelling numbers, to be replaced by new conditions in these respects.

Decision Date: Granted 13-08-2025

- 3.3 Application Number: 2025/1024  
Application for Prior Approval for the demolition of the existing Frampton Park Community Hall, estate cleaning depot and disused garages to rear; and additional works associated with site clearance.  
Decision Date: Granted 04-06-2025

- 3.4 No relevant enforcement or appeal history.

#### **4.0 Consultation**

- 4.1 Date Statutory Consultation Period Started: 19 February 2025

- 4.2 Date Statutory Consultation Period Ended: 16 March 2026

- 4.3 Site Notices: Yes.

- 4.4 Press Advert: Yes

#### **4.5 Neighbours**

Letters of consultation were sent to 490 adjoining owners/occupiers, site notices were erected on 19 March 2026 and a press notice placed in the Hackney Citizen. At the time of writing the report (17 March 2026) five written objections had been submitted, which are summarised below:

- The amended design does not pay sufficient regard to the existing context or respond appropriately to street width, scale and surrounding buildings.
- Impact on neighbouring amenity, including loss of daylight/sunlight and outlook, and an increase in overlooking and the sense of enclosure.
- Noise impacts from proposed terraces and ground level play areas on existing residents. Certain properties would now be faced on both elevations by children's play areas.
- The proposal represents overdevelopment of the site.
- Impact on local highways and parking in an area with existing parking stress.
- Lack of consultation with neighbours prior to the planning application.
- Floor to ceiling heights are greater in new builds so this new block will stand at least 7 stories compared to existing blocks on Frampton Park Estate.
- Impact of construction period.
- Waste Management and Bin Storage: There are already serious issues with overflowing bins in the area. Bins regularly become so overfilled that they cannot be properly emptied. This problem has been exacerbated by the most recent block built nearby, where residents frequently use existing communal bins rather than their allocated facilities.
- The loss of garages has impacts on existing, including disabled, residents, who rely on them for storage and parking.

- The proposed new units should be first offered to existing residents of the Frampton Park Estate.

These objections are considered in the report that follows.

### 4.6 Statutory / Local Group Consultees

- 4.6.1 London Fire Brigade: No objection.
- 4.6.2 Secure By Design (SBD): No objection. The applicants have met with SBD officers and we consider that the scheme can conform to Secure by Design guidance. The approved condition should be retained in this respect.

### 4.7 Council Departments

- 4.7.1 Environmental Protection: No objection, subject to the approved conditions being again recommended.
- 4.7.2 Highways: The development is considered acceptable with respect to the level of car and cycle parking, servicing arrangements and the scope of highway works. The additional public realm works on the estate roads represent an improvement and should be conditioned to ensure that the public benefit is secured. The proposal promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network.
- Conditions requiring the provision of cycle parking, demolition, construction and delivery/servicing plans have been recommended, in line with the original permission, along with Unilateral Undertaking clauses restricting future residents from applying for parking permits, Blue Badge spaces, compliance and adoption of a Travel Plan containing a Parking Design Management Plan and Highway Works.
- 4.7.3 Air Pollution: No objection with relation to air quality. The approved conditions should be retained.
- 4.7.4 Drainage: No objection, following further submissions from the applicant, subject to new and amended conditions in relation to Sustainable Urban Drainage and details of finished floor levels to mitigate flood risk.
- 4.7.5 Contaminated Land: No objection, so long as the three approved conditions (Pre-commencement, Pre-occupation and Reporting of Unexpected contamination) are retained.
- 4.7.6 Waste Team: The applicants have provided updated drawings, moving a parking bay to allow access to the bin store for the new block. They have also clarified collection arrangements, access and capacities for the bin stores for the existing units. One remaining concern is access to the bin store for 49-131 Well Street as it appears there are parking bays directly outside the bin store entrance. We would require a 2m clearance width on the route from the bin store to the parking point for our vehicles. In addition, if the parking bays can't be moved we would ask for

pillars / bollards to be used to ensure that cars do not override the space and thereby narrow the clearance distance.

*Officer Note:* This is considered within the Waste section (paragraph 6.10.2) of the report that follows.

- 4.7.7 Streetscene: The estimated cost for S278 highway work is £95,425.68. The proposal is to reconstruct the footway with fibre reinforced stone paving and new granite kerb.
- 4.7.8 Public Health: No objection to the submitted details, including the Health Impact Assessment Addendum.

## 5.0 POLICIES

### 5.1 Hackney Local Plan 2033 (2020)

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non Designated Heritage Assets
- LP6 Archaeology
- LP8 Social and Community Infrastructure
- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure
- LP12 Housing Supply
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP24 Preventing the Loss of Housing
- LP31 Local Jobs, Skills and Training
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP49 Green Chains and Green Corridors
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks (DEN)
- LP57 Waste
- LP58 Improving the Environment - Pollution

Hackney Child Friendly SPD

Hackney Planning Contributions SPD

**5.2 London Plan (2021)**

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H7 Monitoring of affordable housing
- H8 Loss of existing housing and estate redevelopment
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S4 Play and informal recreation
- S5 Sports and recreation facilities
- HC1 Heritage conservation and growth
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling

- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

Mayor of London Housing Design Standards LPG

Mayor of London Shaping Neighbourhoods: Play and Informal Recreation SPG

Mayor of London Sustainable Design and Construction SPG

Mayor of London Transport Strategy

Mayor of London Affordable Housing and Viability SPG

### **5.3 National Planning Policies/Guidance**

National Planning Policy Framework (NPPF)

Planning Practice Guidance

### **5.4 Legislation**

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

## **6.0 COMMENT**

- 6.0.1 Planning permission is sought for minor material amendments to planning permission 2021/1065 dated 23-06-2022, to include the following:
- An increase in the number of dwellings from 69 to 72;
  - A change in massing of the Phase 1 'Atrium' building from a part 4 and part 7 storey block to a 6 storey block
  - Changes to the unit and tenure mix in Phase 1,
  - Changes to the materiality of the Atrium Building,
  - Changes to hard and soft landscaping.
- 6.0.2 The approval of Non Material Amendment 2025/2524 ensures that details of the height of the buildings and the number of dwellings were removed from the development description and added as conditions.
- 6.0.3 As such, the current proposal involves amendment of the following approved conditions:
- Condition 1: Development in accordance with the submitted plans;
  - NMA 2025/2524 condition 1: Height of buildings
  - NMA 2025/2524 condition 2: Number of residential units
- 6.0.4 The approved development is based around two sites. Site 1 is the western of the two and comprises Tradescant House and land between Tradescant House and Tullis House, along with the adjacent road and play courts. The proposal at Site 1 has two elements, the first known as Hidden Homes and the second known as the

Bookend Building. The development is phased and this would be the second phase of development.

- 6.0.5 Site 2 is the eastern of the two sites and, at the time of the previous approval, comprised the Frampton Park Community Centre, the cleaning depot and hardstanding to its rear, the adjacent estate roads and some car parking spaces. Following the recent Prior Approval (2025/1024) for the demolition of these structures, the site is now vacant.
- 6.0.6 The approved building on Site 2, the 'Atrium' building, is the focus of the current submission. Since this would be the first phase of the development and it is important to secure the public benefits of the approved scheme, the proposed tenure mix of Site 2 has changed to become 100% Affordable Housing.
- 6.0.7 The main considerations relevant to this application are:

- 6.1 Principle of the development of the site, land uses and amount of development
- 6.2 Proportion and tenure mix of housing provision
- 6.3 Design of the proposed development
- 6.4 Quality of accommodation
- 6.5 Transport and Servicing
- 6.6 Impact on Nearby Residential Amenity
- 6.7 Energy and Sustainability
- 6.8 Trees and Biodiversity
- 6.9 Condition Amendments
- 6.10 Other planning matters
- 6.11 Consideration of Consultee Responses
- 6.12 Planning contributions and Community Infrastructure Levy (CIL)
- 6.13 Equalities Considerations

Each of these considerations is discussed in turn below.

- 6.0.8 Since the second phase would not change, the following assessment relates to the first phase only, apart from where explicitly mentioned.

### **6.1 Principle of the development of the site**

- 6.1.1 The proposed land use has not changed from the approved scheme and is considered acceptable.

### **6.2 Proportion and tenure mix of housing provision**

#### *Tenure Mix and Affordable Housing*

- 6.2.1 London Plan policy H5 (Threshold approach to applications) suggests a fast tracked approach for private developments that provide 35% of housing as affordable, where this (part c.3) meets the Borough policy targets. Local Policy LP13 requires 50% of housing as affordable, of which 60% is social rented and 40% intermediate, to promote mixed and balanced communities.

6.2.2 As approved, the Atrium building was the largest of the two buildings, representing 74% of the total and 51 dwellings. The proposed scheme would add three units in the Atrium, creating 54 dwellings. This is the *approved* unit and tenure mix:

	1	2	3	4	Total	%
<b>Private</b>	8	12	1	0	<b>21</b>	41%
<b>Intermediate</b>	4	6	2	0	<b>12</b>	24%
<b>Social Rent</b>	3	10	3	2	<b>18</b>	35%
<b>Total</b>	<b>15</b>	<b>28</b>	<b>6</b>	<b>2</b>	<b>51</b>	
<b>%</b>	29%	55%	12%	4%		

6.2.3 This is the *proposed* unit and tenure mix for the first phase:

	1	2	3	4	Total	%
<b>Private</b>	0	0	0	0	<b>0</b>	0%
<b>Intermediate</b>	13	25	0	0	<b>38</b>	70%
<b>Social Rent</b>	4	6	4	2	<b>16</b>	30%
<b>Total</b>	<b>17</b>	<b>31</b>	<b>4</b>	<b>2</b>	<b>54</b>	
<b>%</b>	31%	57%	7%	4%		

6.2.4 As can be seen, there is an increase in the number of one and two bedroom dwellings and a decrease by two units in the number of three bed dwellings.

6.2.5 The unit and tenure mix of the second phase of development remains as previously approved and as defined at pages 70-71 of the approved Design and Access Statement for the 2021/1065 permission.

6.2.6 As originally approved, the unit mix across both phases of the scheme had a high proportion of smaller dwellings and the proposals do not significantly worsen that situation. The reduced proportion of family units is considered acceptable, in light of the move to greatly increase the number of Intermediate units, where larger units can create affordability issues. The changes are also understood in terms of the changed internal layouts caused by the response to fire safety concerns.

6.2.7 The 2x three bedroom units that are being lost are:

- A social rent unit on the first floor that is changed to a social rent two bed unit;
- An intermediate unit on the third floor that is changed to a social rent two bed unit.

6.2.8 As can be seen from the tables above, the number of social rent family sized (three and four bedroom units) increases from five to six as a result of the proposed changes, despite the overall reduction.

6.2.9 Overall, it is considered that the scheme has improved in respect of its tenure mix, since it would now provide 100% Affordable Housing. However, within this overall improvement is the loss of two social rented units, from 18 units to 16. While this is unfortunate, it must still be considered unreasonable to refuse the application on that

basis, given that the overall offer is considerably better than found in the policy targets, which would expect 16.2 Social Rent units and only 10.2 intermediate units in this phase (and 21.6 Social Rent and 14.4 Intermediate units across both phases).

- 6.2.10 On balance, the proposed development is considered acceptable in terms of its unit and tenure mix and to represent minor material changes from the approved scheme.

### **6.3 Design of the proposed development**

#### Urban Design

- 6.3.1 Policies D1-D4 of The London Plan 2021 require architecture to make a positive contribution to a coherent public realm, streetscape and wider cityscape, incorporating the highest quality materials and design appropriate to the surrounding context. LP33 Policy LP1 states that all new development must be of the highest architectural and urban design quality. Development must respond to local character and context having regard to the boroughwide Characterisation Study, and be compatible with the existing townscape and local views.

- 6.3.2 Policy HC1 of The London Plan 2021 requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. LP33 Policies LP3 (Designated heritage assets) and LP4 (Non designated heritage assets) require the Council to conserve designated and non-designated heritage assets (including their settings).

- 6.3.3 Since the second phase would not change, the following comments relate to the first phase only.

#### *Significance of Area and Buildings*

- 6.3.4 NPPF Section 16 and the London Plan (2021 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 207 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. A field evaluation may also be necessary.
- 6.3.5 NPPF paragraphs 212 - 215 place great weight on conserving designated heritage assets, including non-designated heritage assets with an archaeological interest equivalent to scheduled monuments. Non- designated heritage assets may also merit conservation depending upon their significance and the harm caused (NPPF paragraph 216). Conservation can mean design changes to preserve remains where they are.
- 6.3.6 In terms of heritage assets in the vicinity, the site is located approximately 50m outside of the Victoria Park Conservation Area, which is situated to the east. The impacts of the proposed development on the Victoria Park Conservation Area are as follows:

- 6.3.7 The site is located nearby, but not within, the Victoria Park Conservation Area, which is situated approximately 50m to the east of the site. The proposal is a fairly large distance from the Conservation Area, meaning any impact to setting is minimal. The scale, form and massing of the proposal is generally in keeping with the existing character of the Frampton Park Estate. In views looking west along Cassland Road, the proposal is only slightly visible. Any bulk remains comfortable in its relationship to foreground buildings within the Conservation Area. Therefore, the proposal is considered to preserve the setting of the conservation area and there is no harm identified.
- 6.3.8 Since there is no harm identified, the policy tests relating to substantial and less than substantial harm to designated heritage assets in NPPF paragraphs 201 and 202 are not engaged.
- 6.3.9 Therefore it is considered that the Council has discharged its duty in relation to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that the proposals preserve the setting of the conservation area.
- 6.3.10 The proposals are in compliance with LP33 Local Plan policies LP3 Designated Heritage Assets and with The London Plan Policy HC1 Heritage Conservation and Growth and the NPPF.

#### *Form and Massing*

- 6.3.11 The proposed development has undergone revisions to the maximum height from 7 to 6 storeys in order to take the building out of the Higher Risk Building (HRB) category, to introduce design amendments addressing the legislative changes introduced since the consent.
- 6.3.12 The four-storey element along Woolridge Way has been retained, with additional height set back. This approach maximises the amount of daylight reaching Woolridge Way and helps to reduce the perceived mass of the building at street level.
- 6.3.13 The stair core volumes projecting at roof level have been revised and more fully integrated within the overall massing of the building. This reduces potential visual clutter and improves the appearance of the building when viewed westwards along Woolridge Way.
- 6.3.14 Along Well Street, the increase of two storeys is considered to remain within an acceptable range for the surrounding context, albeit that this results in a more uniform vertical elevation along Well Street.

#### *Layout*

- 6.3.15 The proposed external layout is considered acceptable and well resolved, with the building sitting comfortably within its surrounding context.
- 6.3.16 The building is entered through one of three large entrances which lead into a communal atrium space. From this space residents have direct visual access to their front doors, supporting natural surveillance and a clear internal arrangement.

- 6.3.17 The ground floor design, which omits defensible boundaries, promotes visual permeability and active frontages to the surrounding public realm. This approach is supported as it encourages natural surveillance, contributes positively to the street environment, and reinforces the openness of the development.
- 6.3.18 A publicly accessible space incorporating play elements is proposed between the new block and the existing block on Woolridge Way. This arrangement is consistent with the consented scheme and is considered acceptable, providing valuable shared amenity space and opportunities for informal play and social interaction between residents.
- 6.3.19 The external layout maintains clear pedestrian routes through and around the site and benefits from good levels of natural surveillance from surrounding dwellings. The landscape treatment contributes to the quality of the public realm and supports the intended open and accessible character of the space.
- 6.3.20 Overall, the proposed external layout is considered appropriate and raises no concerns from an urban design perspective.

*Architectural Details and Appearance*

- 6.3.21 The proposed architectural approach and palette of materials are considered acceptable in principle and provide a coherent and contemporary appearance for the development.
- 6.3.22 The design strategy of adopting a more pared-back architectural approach within the atrium, combined with a more expressive and colourful treatment to the external elevations that are expressed in red brick and colourful window frames and rainwater goods, is supported.
- 6.3.23 The change from cement board to a full white brick finish on the atrium elevations is welcomed. This approach will provide a more durable and higher quality material treatment to the internal elevations of the building, improving the overall robustness and longevity of the development while also enhancing the architectural character of the atrium space.
- 6.3.24 The recommended conditions in respect of materials are recommended to be retained and amended as appropriate, with detailed drawings, material specifications and samples to ensure that the final finishes are of a suitable quality and consistent with the submitted proposals.
- 6.3.25 The sustainability measures incorporated within the façade design are supported in design terms. In particular, the use of windows with integrated fin louvres on the south and west elevations, together with ventilation panels to the ground floor windows, demonstrates a considered response to overheating and environmental performance requirements. The proposed brise-soleil elements are also supported as they provide solar shading while adding depth and articulation to the façades.
- 6.3.26 During the application process it was noted that the balconies facing neighbouring buildings are proposed with railing balustrades. While this approach maintains openness and transparency, it can sometimes result in a visually untidy appearance

where balconies are informally furnished or used for storage. The applicants have advised that they are willing to explore alternative designs, via the recommended condition. Consideration could therefore be given at the next stage of, for example, whether the angle or detailing of the metalwork could be adjusted to create a greater sense of opacity from certain viewpoints while retaining openness for light permeability. Any such changes would be fully assessed at the time of the condition submission.

#### *Landscape*

- 6.3.27 The quantum of communal outdoor space and playspace is in line with the approved development and is considered acceptable in respect of Local Plan policies LP48 and LP50.
- 6.3.28 The proposed landscape strategy is considered acceptable and contributes positively to the overall quality of the development.
- 6.3.29 The public space with play elements proposed along Woolridge Way is viewed as a positive component of the scheme, contributing to the provision of publicly accessible space within the Frampton Park Estate. This space has the potential to support informal play, social interaction and improved pedestrian experience within the estate. The introduction of permeable surfaces, soft landscaping and planting will further enhance the character and environmental quality of the space, helping to create a more attractive and sustainable landscaped setting.
- 6.3.30 The proposed cycle storage has been revised and its location has changed, resulting in improved integration with the play street. This approach is supported as it allows cycle parking to be incorporated within the wider landscape design in a manner that is secure, visually coherent and does not detract from the usability or character of the public space.
- 6.3.31 The approved condition requiring the installation of a mural on the northern elevation of the Atrium Building at ground floor level is again recommended.
- 6.3.32 In addition, a cycle storage unit located within the courtyard is positioned adjacent to the building near the entrance.

#### *Design and Heritage Conclusions*

- 6.3.33 The scheme is of a high quality and is considered acceptable in design and conservation terms subject to the recommended conditions, which will ensure high quality detailing and landscaping.

### **6.4 Quality of Accommodation**

#### Residential Floorspace

- 6.4.1 New residential developments are expected to provide a good standard of amenity for future occupiers and demonstrate compliance with the minimum floorspace standards of national policy and London Plan policy D6. LP33 policy LP17 references these standards and the Mayor's Housing Design Standards provides further guidance.

- 6.4.2 The internal design of the new residential units is of a high quality and meets the overall floorspace requirements of the National Technical Housing Standards. Each unit has good floor to ceiling heights, private amenity space, well sized bedrooms and adequate storage space. All of the units are dual aspect, with access from the atrium deck access, which will allow some cross ventilation. The proposal is considered acceptable in this regard.
- 6.4.3 In terms of internal daylighting, outward facing rooms generally achieve the BRE target levels of illuminance by the second floor, with all outward facing rooms very close to, or above the targets by the third floor. Even at first floor level, the main living areas are well daylight, with the notable exception of the most south eastern unit AT-01-01. In addition two west facing units at first floor, one with a deep plan LKD area, AT-01-07, and one directly facing Fairchild House, AT-01-09, do not meet the targets at their main living area but this is largely due to the balcony arrangement, which would provide compensatory outdoor space. It is also noted that the arrangement of rooms is very similar to the approval up to the third floor. The proposal is considered acceptable in respect of the outward facing rooms.
- 6.4.4 The submission also includes lux levels where measures to mitigate overheating are included, which causes a notable reduction in the achieved daylight. However, such measures, such as glazing with a lower g-value, may not be necessary where less daylight is received, since there would be less solar gain to cause overheating. As such, this assessment is carried out with the premise that measures to mitigate overheating would only be used where the level of daylighting would already be high, in line with the BRE guidelines. As per the Sustainability section (6.7) below, the overheating strategy will be considered in full at the next stage, via the recommended conditions..
- 6.4.5 It is noted that all the rooms facing the atrium would be very dark, save at the top floor. This is partly due to the change of design, which encloses the atrium all the way to the sixth floor, and partly due to the deck access that further encloses these windows but is part of the approved design too. The scheme is designed to minimise these single aspect, inward facing rooms, with no more than four per floor. On balance, since they each represent only one room of dual aspect units that would be adequately daylight in other rooms, this is also considered acceptable.
- 6.4.6 In respect of sunlighting to the proposed residential units, data on this has not been provided in the submitted report. However it is clear that the arrangement of the additional massing means that the units above the approved level on the eastern side of the Atrium block would get better sunlighting than the units from the second floor and below that were previously found acceptable. Equally, the enclosure of the atrium itself, along with the deck access, means that none of the inward facing rooms would receive any sunlight except at the top floor. As such, it is not necessary to have the data submitted to make the assessment. While the lack of sunlight to the internal facing rooms is to the detriment of those rooms, as stated above they are part of dual aspect units. The sunlighting of the proposed units is considered acceptable.

Accessibility of Residential Units:

6.4.7 London Plan policy D6 seeks to achieve the highest standards of accessible and inclusive design. To ensure a fully accessible environment, London Plan policy D7 requires 90% of all new housing to be built to the nationally described housing standard Building Regulations M4 (2), which replaced Lifetime Homes standards. The remaining 10% of the residential units should be wheelchair user dwellings, either Building Regulations M4 (3)(a) wheelchair adaptable and/or M4 (3)(b) wheelchair accessible.

6.4.8 Information has been submitted within the application illustrating all units are designed to comply with Building Regulations M4 (2) standards. Six homes (11%) would also meet M4 (3) wheelchair adaptable standards, and a condition is recommended in this regard.

6.4.9 Secured by Design:

The applicants have met with the Secured by Design officer. Overall, the design is considered likely to result in an acceptable level of security and to discourage anti-social behaviour. The approved condition has again been recommended to ensure that the scheme achieves Secured By Design accreditation.

*Quality of Accommodation Conclusions*

6.4.10 In light of the above, the proposed development is deemed to provide a high standard of residential accommodation for prospective future residents and is deemed to meet the requirements of policy.

## **6.5 Transport and Servicing**

6.5.1 A Transport Assessment Technical Note has been submitted as part of the application. This provides the context for the application. Surrounding public highways are within 20 mph zones. The site lies within the Hackney Central Zone D Controlled Parking Zone with restrictions operating for Mon-Sat 8.30am - 6.30pm. Parking within the estate roads is also controlled. An important update for Phase 2 is the revision of its Public Transport Accessibility Level (PTAL) score. While the Phase 1 site retains a PTAL score of 4, the area immediately to the west, which encompasses Phase 2, now achieves a PTAL score of 3. This is a decrease from its previous rating of 4–5 at the time of the original application. No physical amendments to the Phase 2 residential dwellings or their layout are being sought as part of this submission.

*Trip Generation*

6.5.2 A trip generation assessment has been provided in the Transport Statement Addendum. The impact of the proposed changes is not significant, representing just one additional two-way vehicle trip approximately every four hours during the day. The most significant impact identified is on the public transport network, which is forecast to accommodate an additional 26 trips between 07:00 and 19:00, averaging roughly two trips per hour.

*Car Parking*

6.5.3 On housing estate development schemes within Hackney, Local Policy LP45(B) recommends that parking provision may be retained or re-provided. As part of the application, a parking survey was therefore conducted within a 200m radius of the site

to assess the proposed parking space reconfiguration. The survey recorded an average overall parking stress of 73.5% over the two-day audit period. While the streets immediately adjacent to the development experienced high demand, with both Woolridge Way and Petiver Close reaching peak stress levels of 95% , significant spare capacity was identified nearby. Specifically, Well Street, which is located within 45m of the site, showed a maximum occupancy of only 50%. Across the entire 200m study area, the survey confirmed that an average of 104 parking spaces remained available for use.

6.5.4 The original planning approval for Phase 1 proposed the removal of 10 existing parking spaces and the provision of 14 new residential spaces. Under the current Section 73 application, this provision is slightly adjusted to a total of 13 residential parking spaces. As such, the current proposal is for a reduction by one in the proposed number of spaces and this is in line with the low levels of parking stress identified by the survey.

6.5.5 The number of dedicated spaces for Blue Badge holders remains unchanged from the consented scheme, with two accessible spaces provided. The 2021 approval supported the provision of 5 adaptable spaces (convertible to disabled bays). The submitted Landscape Plan does not clearly distinguish which of the 13 relocated spaces are designated as "adaptable" which is a policy requirement and would therefore be addressed as a requirement for the recommended Parking Design and Management Plan (PDMP) within the Heads of Terms for the legal agreement.

#### *Cycle Parking*

6.5.6 Hackney's Local Plan LP33 highlights the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible cycles, tricycles and cargo bikes. Two-tier cycle parking is generally not supported.

6.5.7 The proposed provision is for 108 safe and secure cycle storage spaces distributed for accessibility as follows:

- 76no 2-tier spaces (70%)
- 32no Sheffield spaces including 2 oversized spaces (30%)

6.5.8 A total of 22 visitor cycle spaces will be provided externally through the provision of Sheffield stands.

6.5.9 Streetscene typically does not support the provision of two-tier cycle parking. However, they acknowledge that the application proposes a mixed design, including both two-tier and single-tier spaces and are satisfied that securing design improvements can be effectively managed through a planning condition.

6.5.10 As such, a policy compliant cycle parking plan is required by the recommended condition which shows details of the number, layout, foundation, stand type and spacing, and is designed to ensure the personal security of those accessing the compound, including lighting, CCTV and visibility in the compound.

*Car Club and Car Club membership*

- 6.5.11 Although a car-free development is supported, Streetscene officers recognise there may be some need for occasional vehicle use, particularly given the site's relatively low PTAL rating.
- 6.5.12 The recommended clause within the legal agreement replicates one within the approved agreement. Car club membership and driving credit would be offered to all residents of the new development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided. Residents would be provided with the equivalent of £60 free members and/or driving credit to a registered car club provider.

*Travel Plan*

- 6.5.13 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.
- 6.5.14 A full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. It would be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). The recommended clause in the legal agreement requires a full Travel Plan to be produced and implemented on occupation of the development, inclusive of a financial contribution towards the monitoring of the Travel Plan of £2,000.

*Construction Management Plan (CMP)*

- 6.5.15 Given the nature and location of the proposed development a Construction Management Plan (CMP) is required to mitigate any negative impact on the surrounding highway network. A CMP condition has once again been recommended, as per the approved scheme. A contribution of £8,750 should be secured in the legal agreement to effectively monitor the final CMP.

*Delivery and Servicing*

- 6.5.16 The approved Delivery and Servicing condition is again recommended, to encourage provision of low-emission, consolidation and last mile delivery modes.

*Urban Realm, s278 Highway works and S106*

- 6.5.17 In accordance with Local Plan policies, 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 (see Local Plan 33 policies LP41 - 45 for further details).
- 6.5.18 The approved scope of Highways Works is again recommended. The proposal is to reconstruct the footway with fibre reinforced stone paving and new granite kerb. The cost estimate has been updated to reflect current build costs and is now £95,428.68.
- 6.5.19 The scheme involves considerable additional public realm works within the red line boundary. These are welcomed in Transport terms but do not involve the public highway and so would not be undertaken under s278. As such, since they form a

public benefit of the scheme to be considered in the planning balance and must accordingly be adequately secured, a new condition is recommended requiring the detailed design of, and completion of those works.

#### *Transport Summary*

- 6.5.20 The development is considered acceptable with respect to the level of car and cycle parking, servicing arrangements and the scope of highway works. The proposal promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network.
- 6.5.21 The approved conditions requiring the provision of cycle parking, demolition, construction and delivery/servicing plans have been recommended, along with Unilateral Undertaking clauses restricting future residents from applying for parking permits, Blue Badge spaces, compliance and adoption of a Travel Plan containing a Parking Design Management Plan and Highway Works. An additional condition is recommended to require that the proposed public realm works are completed, as a public benefit of the scheme to be considered in the planning balance.
- 6.5.22 In light of the above, it is considered that the proposed development is acceptable in terms of transport considerations.

#### **6.6 Impact on Nearby Residential Amenity**

- 6.6.1 London Plan policy D3 states that development should have regard to the form, character and function of an area, through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions and that they should deliver appropriate outlook, privacy and amenity. Policy D6 requires that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. Local Plan 2033 policy LP2 is concerned with the amenity of neighbouring occupants.

#### *Daylight, Sunlight and Overshadowing Assessment*

- 6.6.2 The assessment of the daylight, sunlight and overshadowing impact of the proposal on nearby sensitive receptors is informed by a Daylight and Sunlight Review submitted in support of the application. The methodology adopted for the assessment of daylight, sunlight and overshadowing is set out in the 2011 Building Research Establishment (BRE) Guidance. In accordance with BRE guidelines and with best practice, the assessments undertaken have primarily considered residential properties.
- 6.6.3 When assessing daylight to existing properties, the primary methods of measurement are vertical sky component (VSC); and No Sky Line (NSL).
- 6.6.4 The BRE Report sets out two guidelines for vertical sky component: a) If the vertical sky component at the centre of the existing window exceeds 27% with the new development in place, then enough sky light should still be reaching the existing window and b) If the vertical sky component within the new development is both less than 27% and less than 0.8 times its former value, then the reduction in daylight will

appear noticeable to the occupants and more of the room will appear dimly lit. In this urban area, VSC levels of around 15% would be considered typical of the windows in the surrounding streets and is considered to be a reasonable rule of thumb when considering the retained levels of daylight to surrounding properties following the proposed development.

- 6.6.5 The BRE Report also gives guidance on the distribution of light in existing buildings, based on the areas of the working plane which can receive direct skylight before and after the new development. If this area is reduced to less than 0.8 times its value before, then the distribution of light in the room is likely to be adversely affected, and more of the room will appear poorly lit. This is referred to as the No Sky Line (NSL) analysis.
- 6.6.6 For sunlight, the primary method of measurement is annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south and subtend the new development at an angle of 25 degrees from the centre of the lowest window to a main living room. If a point at the centre of a window can receive more than one quarter of APSH, including at least 5% of APSH in the winter months, then the room should still receive enough sunlight. If these percentages are not met and the reduction in APSH is more than 20% of its former value, then the loss of sunlight will be noticeable.
- 6.6.7 BRE guidance is clear that it 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, in line with guidance set out in paragraph 1.3.46 of the Mayor of London's Housing SPG.
- 6.6.8 In addition, the guidance clarifies that the impact of balconies and other overhangs may be discounted from the calculation of daylight and sunlight impacts, since balconies (and their supporting structures) bring their own amenity but will constrain existing windows by overhanging them. The guidance therefore considers that this aspect of balconies should not be to the detriment of future development.
- 6.6.9 *Daylight Impacts*
- 6.6.10 The existing buildings on site, prior to their demolition, were low level and untypical of the surrounding urban grain. It was accepted at the time of the extant permission that some impacts to the daylighting of surrounding properties were bound to occur through redevelopment of the Atrium site.
- 6.6.11 Considering the findings of the submitted Daylight/Sunlight report. The impacts to the majority of properties are in line with the approved scheme or better, owing to the positioning of the Atrium building in relation to neighbouring properties and the reduction of height by a storey across much of the footprint. These impacts are considered acceptable.
- 6.6.12 Nevertheless, the two storey increase in massing over the rest of the footprint has created additional impacts to certain windows, which are considered in detail below:

6.6.13 1-94 Woolridge Way

This linear block faces both the section that is increased in height by two storeys and the section that is reduced by a storey. In comparison to the approved development the results are markedly similar, though slightly worsened. All windows would retain a level of VSC above the mid-teens, despite the impacts. The exceptions are balcony doors and small balcony windows, below balconies themselves, that serve rooms that are served by other windows with good retained VSC, even at ground floor level. All rooms would have an acceptable No Sky Line, despite some significant impacts from the existing situation. The impacts to the units in this block are considered acceptable for the urban context.

6.6.14 49-131 Well Street

The proposed southern flank of the Atrium building runs perpendicular to the adjacent northern flank of this building. As such, the windows of 49-131 Well Street would look out over both the reduced and increased massing proposed here. It is accepted, and was a feature of the original permission that the daylight to the directly neighbouring windows would be significantly affected, from already low levels, and at all levels. Only one of these neighbouring windows (W1) at each floor is not under a deck access balcony, which exacerbates the impact of neighbouring development. However, the impacts to daylight are shown to be so similar to the consented scheme, that the proposal is considered acceptable in these terms.

6.6.15 133-151 Well Street (terrace)

Residential properties of this mixed use terrace are found at first and second floor level as maisonettes. The windows facing the deck access of these properties would also directly overlook the eastern flank of the proposal, which is due to increase by two storeys in relation to the approval. As such, these windows are significantly impacted, both in comparison to the existing situation and the approved consent. However, it is noted in the submitted Daylight/Sunlight report and confirmed by officers on a site visit, that these windows do not serve habitable rooms. The habitable rooms for these dual aspect properties face Well Street, ensuring that daylight is retained where it is most needed. The impacts to these properties are considered acceptable.

6.6.16 As such, it is considered that the impacts to the daylight of surrounding properties that are resultant of the proposed changes in massing, should be found acceptable and that the results are in line with the approved application.

6.6.17 *Sunlight Impacts*

6.6.18 While there are some significant reductions to neighbouring windows because of the vacant existing condition of the site, the retained levels of sunlight are generally good. There are some exceptions, where impacts would be more significant, as follows:

6.6.19 49-131 Well Street

In general, the orientation of this linear block in relation to the proposed development means that the impacts are not severe. None of the rooms show any impact to the winter sunlight. 9 rooms would see impacts of over 20% to their annual sunlight, representing the three closest facing windows at each floor. In addition, the loss of annual sunlight is very similar to that of the approved scheme, despite the proposed

changes in massing. The impacts to the sunlight of this building are considered acceptable.

6.6.20 133-151 Well Street (terrace)

At these properties, the rooms facing the development would be significantly impacted and would receive relatively low levels of sunlight, measured annually and in the winter. However, as discussed above, these are not habitable rooms and are located in dual aspect maisonettes with good levels of sunlight at the other aspect. The impact to these properties is considered acceptable.

6.6.21 For these reasons, the impacts on the sunlight of neighbouring properties are considered to be acceptable.

6.6.22 *Overshadowing of Private and Public Outdoor Amenity Areas*

6.6.23 The submission does not detail the overshadowing of neighbouring spaces but it is considered that the assessment at the time of the approved application still holds. While there would be increased overshadowing of the spaces adjacent to the Atrium site, at present these are not open space in any usable sense and would be greatly improved by the proposed landscaping. The proposal is considered acceptable in this regard.

*Daylight/ Sunlight Conclusions*

6.6.24 The proposal is surrounded by residential development but has been sensitively designed to ensure that the impacts in terms of daylight, sunlight and overshadowing is not significant. It is considered acceptable in these terms.

*Outlook/Sense of Enclosure*

6.6.25 In line with the assessment above in respect of daylight/sunlight, it is noted that the proposed building of Phase 1 would develop a site that is currently open and formerly housed a relatively low level building. In addition, it would have more of an impact on certain properties than the approved Phase 1 design, for example 133-151 Well Street where it would be three storeys taller and in close proximity to the main rear elevation of the existing building:

- Approximately 10.5m at the closest point window to window, approximately 9m from the closest balcony.
- While the proposed building is at an angle to 133-151 Well Street, over two thirds of its 6 storey eastern elevation would be within 15m of the existing rear windows.

6.6.26 It is considered that there will be a reduction in outlook and an increased sense of enclosure at neighbouring properties in comparison to the approved scheme. The main impacts are assessed at being on the linear block of 1-94 Woolridge Way and the terrace of 133-151 Well Street. In the case of the former, it is noted that both the existing and proposed buildings would be of six storeys and have a similar relationship to the street they face, albeit that the proposed floor to ceiling heights are more generous in the proposed buildings. While there would be impacts, these would therefore be reflective of the surrounding urban grain, notwithstanding that it is

noticeable that the original estate was designed to avoid such relationships. The set back above four storeys on the north elevation is also helpful in mitigating the impact.

- 6.6.27 In the case of 133-151 Well Street, it is crucial that the existing facing residential windows serve kitchens and bathrooms in dual aspect maisonettes, with the kitchens placed alongside a deck access at (their) ground floor level. In these circumstances, the impacts are considered lesser than they would have been for habitable rooms, or for single aspect units.
- 6.6.28 At the linear block of 49-131 Well Street, windows overlooking the proposal would see both an increase from 4 to 6 storeys and a decrease (over a greater portion of the visible elevation), from 7 to 6 storeys. The impact of the change is considered to be more or less neutral in relation to the windows of this block.
- 6.6.29 Adjacent to the west elevation, at Fairchild House, where the height has been reduced from 7 storeys to 6, the location of the plant enclosure ensures that there is little change to the impacts. To other existing properties, any additional impacts on outlook and the sense of enclosure are considered not to be significant.
- 6.6.30 For these reasons, and on balance, the impacts to outlook and the sense of enclosure are considered acceptable overall.

#### *Privacy and Overlooking*

- 6.6.31 The Council has no specific policy guidance on acceptable separation distances for overlooking. This is due to the differing established grain and density of the borough, the potential to limit the variety of urban space and unnecessarily restrict density.
- 6.6.32 The proposed window arrangement is similar to the approved window arrangement and it is considered that the proposed development will not create significant overlooking impacts at adjoining properties. There would be additional windows and balconies facing the rear of 133-151 Well Street but these kitchen and bathroom windows are already overlooked in the approved proposal from the first and second floor levels on which they sit. Additional, higher proposed windows would have little additional impact to overlooking or the perception of overlooking.
- 6.6.33 With respect to 49-131 Well Street, proposed windows on the south elevation of the building, are placed only about 4m away from an existing bedroom at each floor. While this is a feature of the original scheme, there are three additional floors proposed, so there would be an impact on three additional neighbouring properties. The proposed and existing windows do not directly overlook each other, each being at an angle that helps to mitigate the harm, but nonetheless it is considered reasonable to recommend a condition that would require obscure, unopenable glazing to a height of 1.6m above floor level. This would help protect the amenity of the existing residents and the future residents alike.
- 6.6.34 The south facing balconies adjacent to the 49-131 Well Street block are proposed closer than approved. It is considered appropriate to require privacy screening on the eastern edge of these balconies, to prevent proximate and direct overlooking.

- 6.6.35 The development is therefore deemed acceptable in terms of prospective overlooking and so meets London Plan policy D3 and LP33 policy LP2 in these terms.

*Amenity Conclusions*

- 6.6.36 The proposed development is considered acceptable in terms of its impact on daylight, sunlight, sense of enclosure, outlook and overlooking. As a wholly residential scheme, there are considered to be no significant impacts in respect of noise and odour. In all respects the proposed development is considered to be acceptable in terms of its amenity impact.

**6.7 Energy and Sustainability**

- 6.7.1 London Plan policy SI 2 and LP33 policy LP55 state major development proposals should be net zero-carbon.

- 6.7.2 The applicant has provided an updated Energy Statement to take into account the design changes and reflecting the changes to performance and assessment coming about through Part L 2021. Overall the proposals are considered acceptable in this respect, amounting to the following with regard to the GLA energy hierarchy:

- Overall carbon saving of 70.9% carbon savings with SAP10.2 emission factors, are beyond the minimum requirement of 35% and the target for housing of 50%.
- Be Lean savings of 13.8%, beyond the 10% minimum target.
- Be Clean: the low carbon heat network on site is proposed to have a future proofed connection to a DHN.
- Be Green savings of 57.1% Be Green carbon savings through incorporation of ASHPs.

- 6.7.3 Additional carbon savings are identified by the incorporation of PV panels, but the applicants have confirmed that there are no PV panels proposed for this scheme. The scheme is designed in such a way as their installation at a later date would be possible, but they do not form part of this assessment.

- 6.7.4 The scheme is seeking to attain full Passivhaus standard certification for the apartments. This is welcomed since certification attainment would provide confidence that the carbon savings proposed are likely to be achieved in practice, alongside healthier homes for Hackney residents. To ensure that either the Passivhaus certification is attained, or the planning contributions are robust if it is not attained, it is recommended that this element be secured as part of the legal agreement within the amended Heads of Terms.

- 6.7.5 Once the above carbon savings and Passivhaus accreditation are taken into account, the estimated carbon offset payment would be £41,075, which is recommended to be secured in the Deed of Variation to the UU. If Passivhaus is not attainable at a later stage, this carbon offset payment would be increased.

*Overheating*

- 6.7.6 The overheating assessment has been undertaken for a sample of the development (18 units (33%), including 23 Kitchen/Living/Dining spaces and 28 bedrooms, were analysed) - it has not yet been conducted for all residential units. Two additional conditions are therefore recommended in respect of the potential for overheating

within the residential units, as recommended by the Borough's Sustainability team. The first of these conditions is to ensure that sufficient detail is provided to demonstrate that all of the units (not just the ones so far tested) will not overheat in foreseeable weather conditions with the proposed installation of passive and mechanical measures to aid cooling, and that no further installations would be required. The second is to ensure that residents are provided with comprehensible, jargon free information as to the best ways to cool their homes at times of overheating. With these two conditions, the proposal is considered acceptable in respect of overheating.

*Conditions*

- 6.7.7 An approved condition in relation to District Heating Network connections is updated to reflect the submission documents for this application. Further conditions are recommended to ensure that the targets of the submitted energy statement, the Site Waste Management Plan, Water Efficiency and Healthy Material finishes, are all met. Additional conditions are recommended to ensure that the future occupants of the scheme are provided with clear instructions when they move in on how to efficiently utilise the sustainable design of their units.
- 6.7.8 Subject to the above conditions, the proposal is deemed to be in line with the requirements of local and regional policy.

**6.8 Trees and Biodiversity**

- 6.8.1 Policy G7 (Biodiversity and access to nature) and G7 (Trees and Woodland), along with Local Plan 2033 policies LP47 (Biodiversity and Sites of Importance of Nature Conservation) and LP51 (Tree Management and Landscaping) stress the importance of trees and biodiversity.

*Green Roofs*

- 6.8.2 The Atrium development now includes an area of intensive green roof, the construction and maintenance of which is subject to the recommended condition.

*Landscaping/Planting*

- 6.8.3 The submission shows a larger area surrounding the Atrium building as landscaped than the approved plans. This is welcomed and the proposed landscaping is well thought out, with a planting plan that has been amended positively during the course of this application, in dialogue with the Biodiversity officer. The proposed hard and soft landscaping condition ensures that these elements will be refined as necessary prior to occupation of each phase of the development.

*Preliminary Ecological Appraisal (PEA) Recommendations*

- 6.8.4 Conditions are recommended in support of the findings of the Preliminary Ecological Appraisal (PEA). Bird and Bat boxes and bricks would be provided, wildlife protections measures implemented during the period of construction, and a Habitat Management and Maintenance Plan produced to ensure that biodiversity measures are embedded in the design.

*Urban Greening Factor (UGF)*

- 6.8.5 The proposed UGF score is 0.295, which has increased significantly from the pre application stage though it is below the policy target for residential development of

0.4. This also represents an increase from the consented scheme for phase 1 which was 0.19, the increase being allowed by the increased area of landscaping to be provided. Nevertheless, there is the potential for slight improvement and, in line with the biodiversity officer advice, a condition requiring the completion of this phase to a UGF of 0.3 is recommended.

### *Trees*

- 6.8.6 As per the approved application, the proposals provide a net gain in tree stem girth circumference (an analogue for canopy coverage). Therefore the new tree planting quantity is acceptable and no CAVAT contribution is required.
- 6.8.7 In general, the selected species represent a good variety of trees that offer a combination of climate and urban resilience and wildlife benefits. One tree species (the Himalayan birch, *Betula utilis*) has been chosen that is not recommended in the proposed location but the amended soft landscaping condition allows for the approval of these details, along with ensuring that the ground conditions are appropriate for the chosen species, at the next stage.
- 6.8.8 A number of further conditions are recommended to ensure the protection of the existing trees during the construction period and their continued health, in line with the recommendations of the Tree officer. While these are new conditions, they are considered reasonable and necessary, given the additional information that is now available, compared to the time of the original permission.

### *Biodiversity and Tree Conclusions*

- 6.8.9 For these reasons, the proposal is considered acceptable with regard to its impact on biodiversity and trees and is considered an improvement on the approved development in this regard, subject to the recommended conditions.

## **6.9 Condition Amendments**

- 6.9.1 As there have not been any applications for approval of details of the original permission 2021/1065, the main conditions that need to be amended are:
- Condition 1: Development in accordance with the submitted plans;
  - NMA 2025/2524 condition 1: Height of buildings
  - NMA 2025/2524 condition 2: Number of residential units
- 6.9.2 The two conditions approved under NMA 2025/2524 to define the permission should be amended to read:

#### *Condition 32:*

*The two buildings of the development hereby permitted shall not exceed a height of **6 storeys**, and 8 storeys respectively, as illustrated in the approved application drawings.*

*REASON: To define the planning permission and ensure that the development remains consistent with the design intent and respects the scale and character.*

#### *Condition 33:*

*The development hereby permitted shall provide **72 residential dwellings**, as*

*illustrated in the approved application drawings.*

*REASON: To define the planning permission and ensure that the development remains consistent with the design intent and respects the scale and character.*

- 6.9.3 No approved conditions have previously been addressed by applications providing details and all those approved conditions are recommended to be retained. Where it is recommended that the conditions are amended to reflect the amendments in this proposal, this is addressed in the report above. A number of additional conditions are recommended in relation to the amendments of the scheme shown in the submission documents, and these are discussed in the above assessment.
- 6.9.4 The scheme also requires a Deed of Variation to the approved Unilateral Undertaking and the amended and additional Heads of Terms are found in Recommendation B, below.
- 6.9.5 These additional and amended legal obligations and conditions are considered to be necessary and reasonable to provide an acceptable level of control over the scheme amendments that form this application.

## **6.10 Other Planning Matters**

### *Fire Safety*

- 6.10.1 In line with Policy D12 of the London Plan, the submission includes documents in relation to the proposed fire safety strategies. The amended Atrium building is not a high risk building in the terminology of the Health and Safety Executive, and the London Fire Brigade do not object to the proposals. The approved condition, which requires compliance with the submitted fire strategy, is recommended to be retained.

### *Waste and Recycling*

- 6.10.2 During the course of the application, the applicants responded to comments made by the Borough's Waste and Recycling team. They provided updated drawings, which moved a proposed parking bay to allow improved access by refuse vehicles to the bin store for the new block. The updated submission also clarified collection arrangements, access and capacities for the bin stores for the existing units. Following these amendments, the scheme is considered acceptable, subject to the inclusion of the approved condition that required details of the arrangements for storage for refuse and recycling areas to be provided.
- 6.10.3 One remaining concern is over access to the repositioned bin store for 49-131 Well Street, where parking bays are proposed in front of the bin store entrance. Since the Waste team require a 2m clearance width on the route from the bin store to the parking point for their vehicles, further details are required at this stage to show that this is achieved, and whether it is necessary to move those parking bays, or to provide bollards to ensure that cars do not override the space and thereby narrow the clearance distance. Since it appears from the submitted plans as if this aspect can be dealt with successfully, it will be dealt with in the addendum to this report.

## 6.11 Consideration of Consultee Responses

6.11.1 In general, the response to issues raised by consultees has been outlined in the main body of the report, However there were additional consultation questions that are dealt with here:

- *Noise impacts from proposed terraces and ground level play areas on existing residents. Certain properties would now be faced on both elevations by children's play areas.*  
Officer's response: While it is acknowledged that play areas, and outdoor amenity spaces in general, do cause noise, this is considered to be insufficient grounds to refuse this application, or to have negotiated those proposed spaces to be removed. Despite the noise associated with the use of spaces by children (and adults), it is recognised by policy that there is an overall public benefit in their provision.
- *Lack of consultation with neighbours prior to the planning application.*  
Officer's response: It is good practice for developers to engage with neighbours prior to the submission of a development. Given the nature of the application, a report has not been produced detailing whether this occurred in this instance. Nevertheless, it is not required by policy that pre-application period consultations do occur, and the LPA has conducted its own consultation for this application in accordance with the statutory requirements detailed in the Hackney Statement of Community Involvement.
- *Floor to ceiling heights are greater in new builds so this new block will stand at least 7 stories compared to existing blocks on Frampton Park Estate.*  
Officer's response: The observation is correct and the generous floor to ceiling heights is adequately explained in the section drawings submitted by the applicants. The overall height of the proposed blocks and their relationship to the surrounding townscape has been considered within the above assessment, albeit that the number of storeys is used as convenient shorthand within the report.
- *Impact of construction period.*  
Officer's response: The amenity impacts of the period of construction, which is temporary by its nature, are considered insufficient grounds to refuse this application.
- *Waste Management and Bin Storage: There are already serious issues with overflowing bins in the area. Bins regularly become so overfilled that they cannot be properly emptied. This problem has been exacerbated by the most recent block built nearby, where residents frequently use existing communal bins rather than their allocated facilities.*  
Officer's response: Waste Officers have confirmed that half of the Frampton Park estate was part of the Housing Estates Recycling Programme (ERP), completed in 2024. Under this programme of works, chutes were closed and bin areas were built with the required waste and recycling capacity for each block, significantly increasing the recycling provision. The waste capacity at these bin areas is sufficient for weekly collections; However, the waste bins are currently cleared three times a week, providing more than enough waste capacity.

They are unaware of any issues with overflowing bins and cannot find any recent complaints where this has been reported. It is possible there may have been isolated instances where collections could not take place due to access issues.

At one of the new blocks at Frampton Park they acknowledge an issue due over fob access to the bin store for many months, which impacted on collections. That issue has now been resolved.

The remainder of the Frampton Park Estate will be addressed in Phase 6 of the ERP planned works, which is to commence in 2027. This will also include closing chutes and building bin areas and adding further recycling capacity. In the meantime they are still receiving three waste collections a week, providing sufficient waste capacity

With regard to the proposed development, these all have their own bin stores that have the required waste and recycling capacity for each block. Since future residents will be using these bin stores, there would be no additional impact on existing bins on Frampton Park Estate.

- *The loss of garages has impacts on existing, including disabled, residents, who rely on them for storage and parking.*  
Officer's response: The amendments described within this application do not involve the loss of any additional garages in comparison to the approved scheme.
- *The proposed new units should be first offered to existing residents of the Frampton Park Estate.*  
Officer's response: This was not a requirement of the original approval and is not proposed to be a requirement of this permission, which is again found to be acceptable.

## **6.12 Planning contributions and Community Infrastructure Levy (CIL)**

6.12.1 The Mayor of London has introduced a CIL to assist with the funding of Crossrail. In the case of developments within the London Borough of Hackney, Mayoral CIL2 is chargeable at a rate of £60 per square metre of development. Hackney Zone B CIL is applicable to this development, at a rate of £25 per square metre of residential floorspace.

6.12.2 The proposal involves the erection of new buildings with a net additional floorspace of 6629m<sup>2</sup>. The development is as such liable for both Local CIL and Mayoral CIL. There is no existing floorspace on either of the sites that has been in use for six continuous months of the 36 previous months. The Hackney and Mayoral CIL liability for the development is calculated as follows:

### 6.12.3 *LBH CIL*

$$6629\text{m}^2 \times £25 \text{ (New Residential Floorspace – Zone C)} = £165,725$$

### 6.12.4 *Mayoral CIL*

6629m<sup>2</sup> x £60 = £139,7740

- 6.12.5 We note that a social housing exemption can be applied for at the next stage. Any amounts due will be subject to indexation.
- 6.12.6 The CIL/s106 team has confirmed that, on this site specific basis, phasing of the Community Infrastructure Levy (CIL) payments can be accepted and each phase would be treated as separate for CIL purposes.

*Employment and Skills Obligations*

- 6.12.7 A Ways into Work contribution of £29,830.50 has been secured which will provide employment support to residents, through job brokerage, work placements, local labour programmes, supply chain management and programmes aimed at assisting SMEs. In addition, the Heads of Terms to the Unilateral Undertaking require an Employment and Skills Plan in partnership with the Regeneration Delivery Team to ensure a joined up approach to local provision of employment support. The plan should aim to achieve a 30% commitment to local labour and at least one apprentice to be employed per £2 Million of construction contract value.

*Other Obligations*

- 6.12.8 The other obligations secured under the original permission will remain in force, including the £250,000 to fund the renovation and extension of Elsdale Hall, which would be payable on commencement for the first phase.
- 6.12.9 On this site specific basis, it is considered acceptable to phase relevant planning contributions, such as the Carbon Offset, Highways Works and Employment/Skills contributions in accordance with the agreed phasing plan.

**6.13 Equalities Considerations**

- 6.13.1 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.
- 6.13.2 Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise specific equality issues other than where discussed in this report.

**7.0 CONCLUSION**

- 7.1 The changes proposed all relate to the Atrium building, which is intended to form the first phase of the development. The principle of a residential use at the Atrium site was agreed at the time of the parent permission. The amended scheme is considered to be of high architectural quality and well integrated within its context. The first phase

would now provide 100% Affordable Housing, which is a significant improvement compared to the parent permission.

- 7.2 The proposal is considered to be in line with the approved development and is acceptable in planning terms in all other respects, including the impact on amenity of adjoining residents, transport impact and car parking provision, sustainability and energy efficiency measures and biodiversity.
- 7.3 The proposal is, on balance, therefore deemed to comply with pertinent policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021), and the granting of permission therefore is recommended subject to conditions and completion of a Deed of Variation to the Unilateral Undertaking.

## **8.0 RECOMMENDATIONS**

### **8.1 Recommendation A**

**That planning permission be GRANTED, subject to completion of a Deed of Variation to the Unilateral Undertaking and the following conditions:**

#### **8.1.1 - 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.

2025/2841: FPE-EAS-XX-00-DR-L-10000 P05, FPE-EAS-XX-00-DR-A-02100 P01, 01-DR-A-02101 P01, 02-DR-A-02102 P01, 03-DR-A-02103 P01, 04-DR-A-02104 P01, 05-DR-A-02105 P01, RF-DR-A-02106 P01, RF-DR-A-02107 P01, FPE-EAS-XX-XX-DR-A-03001 P01, 03002 P01, 03003 P01, 03004 P01, FPE-EAS-XX-XX-SH-A-00002 P01, FPE-EAS-XX-ZZ-DR-A-04001 P01, 04002 P01, 04011 P01, 04012 P01, 04013 P01, FPE-EAS-XX-00-DR-L-10001 P03, FPE-EAS-XX-00-DR-L-10002 P04, FPE-EAS-XX-00-DR-L-10006 P01, FPE-EAS-XX-00-DR-L-10010 P01, FPE-EAS-XX-00-DR-L-10011 P01, FPE-EAS-XX-00-DR-L-10110 P01, FPE-EAS-XX-00-DR-L-10111 P01, FPE-EAS-XX-00-DR-L-10113 P01, Phasing Plan A-ALL-PLN-001, Planning Statement dated 12 January 2026 from PPM Planning, Design and Access Statement, Townscape and Visual Impact Assessment December 2025 by Heritage Information Ltd, Heritage Assessment December 2025 by Heritage Information Ltd, Accommodation Schedule, Energy Statement December 2025 by XCO2, Sustainability Assessment December 2025 by XCO2, Carbon Emission Spreadsheet, Air Quality Assessment dated 27 November 2025 by Hawkins Environmental, Fire statement form, Fire Safety Strategy dated 12

December 2025 by Calford Seaden, Noise Impact Assessment 11706/JLO dated 23 October 2025 by Acoustic Consultants Ltd, Daylight and Sunlight Report V2 dated December 2025 by Point 2 Surveyors but updated 17 February 2026, Daylight and Sunlight Cover Note dated 17 February 2026 by Point 2 Surveyors, Health Impact Assessment Addendum January 2026 by Sustainable Foot Forward Ltd, Transport Assessment Technical Note Issue 2 ref 10779/03 by Cole Easdon, Travel Plan Issue No. 3 dated December 2025 by Cole Easdon, Delivery, Servicing and Management Plan Technical Note 10779/02 dated December 2025 by Cole Easdon, Construction Logistics Plan dated 09 December 2025 by RPS, Preliminary Ecological Appraisal and Roost Assessment dated 9 December 2025 by Arbtech, Letter dated 12th January 2026 from Trevor Heaps of Arboricultural Consultancy Ltd, UGF FPE-EAS-XX-00-DR-L-10002 P01, Flood Risk Assessment P452030-WW-XX-XX-RP-C-0001 Rev P04 (named P2 on the frontsheet) dated 19/06/2026 by Whitby Wood, Drainage Letter P452030-WW-XX-XX-FN-C-1001 dated 25/11/2025 by Whitby Wood, Land Contamination Letter P452030-XX-ZZ-XX-TN-G-0001 dated November 2025 by Whitby Wood, Statement of Community Involvement Addendum December 2025, Accommodation Schedule FPE-EAS-XX-XX-SH-A-00001 P01, Community Uses Report Addendum by PPM Planning, Be Seen Form,

2021/1065: A-ALL-PLN-000, A-ALL-PLN-001, A-EX-PLN-P-001, A-BE-EX-ELE-N, A-BE-EX-ELE-E, A-BE-EX-ELE-S, A-BE-EX-ELE-W, A-EX-PLN-P-002, A-AT-EX-ELE-N, A-AT-EX-ELE-E, A-AT-EX-ELE-S, A-AT-EX-ELE-W A-BE-PLN-100 Rev A, A-BE-PLN-101, A-BE-PLN-102, A-BE-PLN-103, A-BE-PLN-104, A-BE-PLN-105, A-BE-PLN-106, A-BE-PLN-107, A-BE-PLN-108, A-BE-PLN-109, A-BE-ELE-N-S Rev A, A-BE-ELE-W-E, A-BE-SEC-AA, A-BE-BAY-500, A-BE-BAY-501 A-HH-PLN-100 Rev A, A-HH-ELE-E, A-HH-ELE-N, A-HH-ELE-S, A-HH-ELE-W, A-HH-SEC-AA, A-HH-SEC-BB-CC, A-HH-BAY-400 Rev A, A-HH-BAY-401 Rev A, L-BE-HH-PLN-01-100 Rev A, A-BE-MAT, A-HH-MAT, A-ALL-PLN-001, Design and Access Statement March 2021, Planning Statement March 2021, Transport Assessment June 2020, Community Uses Report Feb 2021, Community Hall - Supplemental Planning Response, Energy and Sustainability Statement Dec 2020, Overheating Assessment July 2020, Air Quality Assessment Dec 2020, Overshadowing Assessment Dec 2020, Internal Daylight Report June 2020 (Bookend Site), Internal Daylight Report June 2020 (Community Centre Site), Daylight/Sunlight Report June 2020 (Bookend Site), Daylight/Sunlight Report Jan 2019 (Community Centre Site), Arboricultural Impact Assessment Aug 2020, Statement of Community Involvement March 2021, Health Impact Assessment Feb 2021, Below Ground Drainage Strategy June 2020, Flood Risk Assessment June 2021, Fire Safety Statement June 2020.

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

### **8.1.2 - Commencement within five years**

The development hereby permitted must be begun not later than 23 June 2027, five years after the date of the original permission.

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

### **8.1.3-Details to be approved**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works on site (excluding demolition works). The development shall not be carried out otherwise than in accordance with the details thus approved. Samples of cladding system and flashing

- 1) Sample of External Doors and Windows
- 2) Sample of Balconies including Railings, soffits, structural system
- 3) Sample of Low Transparency Glazing, privacy screens and any other materials designed to mitigate overlooking, such as louvres.
- 4) Technical detail drawings (scaled 1:5, 1:10 and 1:20) of walls and features, showing all joints and interface of materials, including doors and windows, sills, walls, balconies, balustrades, and parapets.
- 5) 1:50 drawings of the balcony balustrades, which demonstrate consideration and exploration of alternative designs, which increase opacity and user privacy.
- 5) Detail drawings (scaled 1:5, 1:10 and 1:20) and specifications for the entrance gates at the Atrium Building

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

#### **8.1.4-Materials**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works for each phase of the development on site (excluding demolition works). The development shall not be carried out otherwise than in accordance with the details thus approved.

- 1) On site mock-ups of brick, mortar and windows for the three main facade types (Atrium, Bookend and Hidden Homes), with red line drawing provided to show location in facade of mock-up;
- 2) Material samples of all externally appearing features submitted for approval, on request;
- 3) Provision of a detailed materials sheet showing the location of materials, their manufacturer and product reference and precedent photographs.
- 4) The submitted details shall include bricks, and not brick slips.

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

#### **8.1.5- Green Roof**

Prior to commencement of each phase of works, full details and specifications of the green roofs for that phase shall be submitted to and approved in writing by the Local Planning Authority. Green roofs shall be planted with flowering species that provide amenity and biodiversity value at different times of the year. The submission shall include the following:

- Detailed drawings of a roof plan identifying where the green roofs will be located and the measurement of their coverage; this should include other structures on the roof including location of PV panels, roof lights and access points where applicable, and their relationship with the green roof;
- The design of the green roof should be in line with GRO's code of best practice;
- Section drawings demonstrating a minimum substrate depth of no less than 100mm;
- Details of the proposed type of invertebrate habitat with a minimum of one feature per 30m<sup>2</sup>; which could include areas of bare, unplanted substrates, log piles, boulder or stone piles, sand piles or containers;
- Details of the drainage system for the roof;
- Details of the planting mix, including a minimum of 16+ species;

Management and maintenance plan, including access arrangements, irrigation, and general maintenance actions.

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.

### **8.1.6-Future Proofing Connections**

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 CO<sub>2</sub> emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- b) Layout of energy centre/plant room showing space for future heat exchanger
- c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- d) Details of any on-site connection with pre-installed and capped with flange
- e) Details of any pre-installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)

Where it has been robustly demonstrated that a refrigerant based heating system (VRF) is the only viable option, a retrofit plan shall be submitted to and approved in writing by the Local Planning Authority. The retrofit plan should:

- f) detail how such system will be upgraded to a wet system compatible with a local DHN when there is a viable connection opportunity or when the system reaches its end of useful life whichever comes first, and;
- g) identify who will be responsible to implement the upgrade.

Prior to the occupation of the development hereby approved, the as built drawings and specifications demonstrate the ability for future connection to Decentralised Energy Network (DEN) shall be submitted to and approved in writing by the 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:

- h) as built layout of energy centre/plant room showing space for future heat exchanger
- i) as built layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- j) as built details of on-site connection with pre-installed and capped with flange
- k) 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

#### **8.1.7-Air Permeability Testing**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- 1) A full air permeability test report confirming the development has achieved an average air permeability of 3 m<sup>3</sup>/h/m<sup>2</sup> at 50pa.

REASON: In the interests of the promotion of sustainable forms of development and construction.

#### **8.1.8-Energy Monitoring Information**

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance. Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance

indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years. In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner must use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority and be implemented by the legal Owner as soon as reasonably practicable.

REASON: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan

#### **8.1.9-Construction Materials**

Prior to the commencement of the relevant phase of construction, full details of insulation and refrigerant materials to have, where feasible, a low or zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP), shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the promotion of sustainable forms of development and construction.

#### **8.1.10-No new pipes and plumbing**

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 or otherwise approved in writing by the local planning authority.

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.

#### **8.1.11-Contaminated Land: Pre-Commencement**

Development except demolition to ground level will not commence until preliminary risk assessment work has been undertaken and fully reported on. If required additional physical site investigation work has been undertaken and fully reported on and a remedial action plan has been produced to the satisfaction of and approved in writing by the Planning

Authority. Where physical site investigation work has not been agreed at a pre-application stage further physical investigation work must be agreed with the contaminated land officer before being undertaken. Development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development verification report has been produced to the satisfaction of and approved in writing by the Planning Authority. Work shall be completed and reported by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Planning Authority and Contaminated Land Officer must receive verbal and written notification at least five days before investigation and remediation works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

#### **8.1.12-Contaminated Land: Pre-Occupation**

Before first occupation/use of the development hereby approved a post-development verification report will be produced to the satisfaction of and approval in writing by the Planning Authority. The verification report must fully set out any restrictions on the future use of a development and demonstrate that arrangements have been made to inform future site users of the restrictions. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Contaminated Land Officer must receive verbal and written notification at least five days before development and remedial works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases. Any additional, or unforeseen contamination encountered during the course of development shall be immediately notified to the Planning Authority and Contaminated Land Officer. All development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Contaminated Land Officer. Where development has ceased in the affected area, it shall re-commence upon written notification of the Planning Authority or Contaminated Land Officer.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

#### **8.1.13-Reporting unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in

writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination

#### **8.1.14-Waste Strategy**

Prior to the occupation of the development hereby approved, full details of the arrangements for storage for refuse and recycling areas, including details of doors to storage chambers, details of locking arrangements, details of ventilation and details of the management arrangements and proposed collection points for residential waste to be presented twice weekly (general waste/recycling) and once weekly (food waste) prior to collection, to facilitate collection of waste, shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented prior to the occupation of the development and shall thereafter be retained.

REASON: To protect the amenity of future residents, to ensure that there is adequate provision for the hygienic and convenient storage of refuse and recycling and to ensure that the drag distances for refuse are appropriate each collection day.

#### **8.1.15-Restriction of noise from plant and equipment**

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB (A) below the pre-existing background level as determined by BS4142 -"Method of rating industrial noise affecting mixed residential and industrial areas" within the daytime (between the agreed hours of 07:00 and 23:00) with a lower limit of 30dB at night-time (between the agreed hours of 23:00 and 07:00).

REASON: To safeguard the amenity of nearby premises and the area generally

#### **8.1.16-Cycle Parking**

Notwithstanding the details shown on the plans and documents hereby approved, prior to the commencement of above ground works, details of secure bicycle storage facilities in respect of 190 cycle parking spaces including 36 visitor spaces, including layout, stand type and spacing, shall be submitted to and approved in writing by the Local Planning Authority. This shall include a provision of accessible cycle parking in line with the minimum policy requirements of policy LP42 and priority shall be given to the provision of single tier spaces. 118 long stay spaces and 24 visitor spaces shall be provided in the first phase of the development. Such details as are approved shall be implemented prior to the occupation of the development and shall thereafter be retained.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for occupants and visitors.

#### **8.1.17-Demolition and Construction Management Plan**

Notwithstanding the documents hereby approved, no development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below only has been submitted to and approved in writing by the Local Planning Authority. The

development shall only be carried out in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period. The plan must include:

- a) A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A Dust Management Plan to control dust emissions during demolition and construction;
- c) Details of compliance with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery' in relation to Only Non Road Mobile Machinery or used at the development site during the demolition and construction process along with details that all NRMM are entered on the Non Road Mobile Machinery online register at <https://nrmm.london/user-nrmm/register> before being operated. Where Non-Road Mobile Machinery, which does not comply with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery', is present on site all development work will stop until it has been removed from site.
- d) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means.
- e) Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing; details of parking suspensions (if required) for the duration of construction.

REASON: To avoid hazard and obstruction being caused to users of the public highway, in the interest of public safety and amenity, in order to prevent the construction of the development having an unacceptable environmental impact upon neighbouring properties and to protect air quality, human health and to contribute to National Air Quality Objectives.

#### **8.1.18-Delivery and Servicing Plan**

The development hereby approved shall not be occupied until a detailed Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. Delivery and Servicing to the site shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity.

#### **8.1.19 Ecological Enhancements: Bird and Bat Boxes**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details this approved.

a) A minimum of 2 bird boxes incorporated into each phase 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.

b) A minimum of 2 swift bricks (same requirements for swift box) incorporated into each phase 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.

c) A minimum of 4 bat boxes incorporated into each phase 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.

#### **8.1.20-Secure by Design**

The proposed development, hereby approved shall achieve Secure by Design accreditation, prior to occupation of the development

REASON: To ensure satisfactory accommodation standards and safeguard against potential crime and anti-social behaviour.

#### **8.1.21-Roof plant**

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof unless otherwise agreed in writing by the Local Planning Authority.

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.

**8.1.22-Sustainable Drainage (pre commencement)**

No development of any phase, other than demolition, shall commence until full details of a sustainable drainage system for the site, supported by appropriate drainage calculations, construction details, drainage layout drawings, exceedance routing and a site-specific management and maintenance plan, have been submitted to and approved in writing by the LPA, in consultation with the LLFA. Details shall include but are not limited to the proposed green/blue roofs, permeable paving, rain gardens, underground attenuation and flow control, and shall be designed in accordance with the approved Flood Risk Assessment by Whitby Wood (Ref: FPE-WW-XX-XX-RP-C-0001, dated 11/03/2026). The scheme shall restrict the peak surface water discharge rate from Site 2 to a maximum of 2.0 l/s for all return periods up to and including the 1 in 100 year storm event plus 40% climate change. The approved drainage scheme shall be implemented in full prior to first occupation of the site and retained and maintained thereafter for the lifetime of the development.

**8.1.23-Sustainable Drainage (pre occupation)**

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.

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

**8.1.24-Flood Risk Mitigation**

Prior to commencement of superstructure works for any phase, details of proposed ground floor finished floor levels and entrance threshold levels for all ground floor entrances shall be submitted to and approved in writing by the LPA, in consultation with the LLFA. The submitted details shall demonstrate that these levels are set as high as reasonably practicable above the design surface water flood level of 14.51mAOD. Where these levels cannot be set 600mm above 14.51mAOD, details of flood-resistant and flood-resilient measures (including threshold details and construction specifications) providing protection to 600mm above 14.51mAOD shall be submitted to and approved in writing by the LPA, in consultation with the LLFA. The approved details/measures shall be implemented prior to first occupation of the site and retained and maintained thereafter for the lifetime of the development.

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

**8.1.25-Landscaping and Public Realm Design**

Prior to the occupation of each phase of the development, a detailed hard and soft landscaping scheme illustrated on detailed drawings, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) Hard landscaping material details
- b) Play equipment

- c) A soft landscape and tree planting plan consisting of a diverse mix of species including both those adapted to changing climatic conditions and native species, which are known to have value to wildlife;
- d) Soil volumes for proposed tree planting demonstrating where applicable that the Standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two-thirds of the projected canopy area of the mature tree UGF category soil volume requirements have been met;
- e) Projected mature height and crown spread of proposed new trees;
- f) Tree pit specifications and planter specifications for above ground tree planting;
- g) Methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc;
- h) A varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity;
- i) A diverse distribution of plant species to avoid block planting;
- j) 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;
- k) 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;
- l) Areas to be grass seeded or turfed;

In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 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.

All landscaping in accordance with these details, 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.

### **8.1.25-Public Art Strategy**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.-

- 1) A Public Art Strategy in relation to the installation of a mural on the northern elevation of the Atrium Building at ground floor level. The strategy shall include the details of community engagement, the commissioning process, the timetable for the installation of the mural and the long term maintenance of the mural.

REASON: In order to animate the facade of the building and in order to meet the objectives of the Child Friendly SPD.

### **8.1.26-Non-Road Mobile Machinery**

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, 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 developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

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

### **8.1.27-Internal Noise Levels**

Internal Noise Levels: All residential premises shall be designed in accordance with BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings" to attain the following internal noise levels:

Activity	Location	07.00 to 23.00	23.00 to 07.00
Resting	Living room	35 dB LAeq 16hour	None
Dining	Dining area	40 dB LAeq 16hour	None
Sleeping	Bedroom	35 dB LAeq 16hour	30 dB LAeq 8hour

Before commencement of the use hereby permitted a test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Environmental Protection Team for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess environmental noise.

### **8.1.28-Accessibility**

Ten percent of the residential units hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter. All other dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

REASON: To assist in meeting the Local Development Framework Core Strategy objective of reducing carbon emissions.

### **8.1.29-Fire Strategy**

The development must be carried out in full accordance with the approved fire strategy that complies with all aspects of Part B Fire Safety under schedule 1 (Requirements) of the Building Regulations 2010 (as amended) and should be maintained thereafter. Due consideration should be given in particular to the means of escape, safe evacuation for disabled persons and access for the fire brigade appliances. This is to ensure that appropriate fire safety measures are in place for people in and around the building and access for the fire brigade. Should any subsequent changes be required to the approved fire strategy to ensure compliance, a revised fire strategy would need to be submitted and approved by the Local Planning Authority

REASON: To ensure that the measures outlined to mitigate the risks of fire remain part of the development as constructed.

### **8.1.30-Car Park Design and Management Plan**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- 1) Detailed design of the two dedicated Blue Badge holder spaces, within 50 metres of the building entrance to ensure high-quality accessibility for residents with mobility impairments.
- 2) Adaptable Parking Allocation: Identification of five "adaptable" parking spaces within the 13-space provision that can be converted to Blue Badge holder spaces if and when required.
- 3) Management & Enforcement: Details of how the re-located spaces will be managed to ensure they are reserved exclusively for eligible estate permit holders and Blue Badge users.
- 4) EV Infrastructure: Allocation and management of infrastructure for electric or ultra-low emission vehicles, with at least 20% active EV chargers and remaining passive provision.
- 5) Operational Coordination: Evidence of a coordinated strategy with LBH Parking Services, demonstrating that the mandatory minimum three-month lead time for the decommissioning of existing estate parking has been integrated into the project programme.
- 6) Safety & Visibility: Measures to mitigate potential conflicts between reversing vehicles and residents utilizing the adjacent "Island" green space, ensuring visibility splays are maintained (see below in relation to the required RSA).

REASON: In order to ensure that there is an adequate provision of disabled persons car parking spaces.

### **8.1.31-Phasing Plan**

The phasing of the development shall be undertaken strictly in accordance with the approved Phasing Plan A-ALL-PLN-001, with 'Phase B' on the plan being delivered first.

REASON: In order to allow the development to be appropriately phased.

### **8.1.32- NMA 2025/2524 first condition to define the permission**

The two buildings of the development hereby permitted shall not exceed a height of 6 storeys, and 8 storeys respectively, as illustrated in the approved application drawings.

REASON: To define the planning permission and ensure that the development remains consistent with the design intent and respects the scale and character.

#### **8.1.33- NMA 2025/2524 first condition to define the permission**

The development hereby permitted shall provide 72 residential dwellings, as illustrated in the approved application drawings.

REASON: To define the planning permission and ensure that the development remains consistent with the design intent and respects the scale and character.

#### **8.1.34- Public Realm Works**

Prior to undertaking above ground construction works, detailed designs for public realm upgrade works around the atrium building, including resurfacing and landscaping works, a pedestrian space to link to the island to the south, the removal of 17 parking spaces and the provision of 9 parking spaces, the provision of 2 x blue badge parking bays, and the installation of play equipment, shall be submitted to and approved by the Local Planning Authority, in collaboration with, and to the specification of the Local Authority's Streetscene team. The public realm works shall thereby be carried out and completed strictly in accordance with the details approved, prior to the occupation of the development.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide a reasonable environmental standard in the interests of enhancing the public realm.

#### **8.1.35- Privacy Screens and Opaque Windows**

Prior to undertaking above ground construction works, details of the following measures to prevent overlooking shall be submitted to and approved in writing by the Local Planning Authority:

1) Privacy Screens for the eastern wall of south facing balconies adjacent to 49-131 Well Street, and;

2) Opaque Glazing to the two bedroom windows at each floor of the south elevation adjacent to the bedroom windows of 49-131 Well Street. The glazing shall be unopenable and opaque below a height of 1.6m above floor level, or.

3) An alternative architectural solution to point (2), sufficient to mitigate the issue of overlooking at the neighbouring windows of 49-131 Well Street.

The development shall be carried out and completed strictly in accordance with the details approved, prior to the occupation of the development.

REASON: To ensure the amenity of neighbouring occupants, in respect of overlooking.

#### **8.1.36- Urban Greening Factor (UGF)**

Prior to the commencement of development, a detailed Urban Greening Factor (UGF) Master Plan shall be submitted to and approved in writing by the Local Planning Authority, demonstrating how the development will achieve a minimum UGF target score of 0.3. The

submission must include a clearly colour-coded master plan identifying all surface cover types within the development. A completed UGF calculation table must be provided, detailing each surface cover type with its corresponding UGF value, the total area of each surface type, the weighted score for each feature, and the cumulative total UGF score for the site. The development shall be implemented in accordance with the approved details prior to first occupation, and the greening features and soft landscaping must be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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

#### **8.1.37- Wildlife Protective Measures**

No development shall commence until a plan detailing precautionary working methods to protect wildlife, has been submitted to and approved in detail by the Local Planning Authority. The development shall be executed strictly in accordance with the approved plan throughout the construction period. These measures must include:

- a) All fuel and chemicals must be stored in a secure, bunded, and locked area.
- b) Immediate remediation protocols for any accidental spillages.
- c) At the end of each working day, all open excavations must either be securely covered or provided with mammal escape routes (e.g., sloped earth ramps or sturdy wooden planks).
- d) All exposed pipework must be capped off at the end of each day to prevent animals becoming trapped.
- e) Any wildlife found in the working area are allowed to disperse of their own accord, or if at risk, moved carefully to a sheltered, vegetated area away from disturbance.

Reason: To protect and preserve urban biodiversity in accordance with Policy LP47 of the Hackney Local Plan (LP33).

#### **8.1.38- Habitat Management and Maintenance Plan (HMMP)**

Prior to commencement of each phase 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;
- D) all landscaping in accordance with the scheme;
- E) the management measures to maintain habitat shall be carried out for a period of 10 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.

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, and maintained thereafter for the lifetime of the development.

Notice shall be given, in writing to the Local Planning Authority when the:

G) HMMP has been implemented within; and

H) habitat creation and enhancement works as set out in the [HMMP] have been completed.

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.

#### **8.1.39- Tree Protection Plan and Arboricultural Method Statement.**

The works hereby approved shall not be carried out unless in accordance with the hereby approved Tree Protection Plan and Arboricultural Method Statement. The measures set out in the Tree Protection Plan shall remain in place until the completion of the construction. Any permanent hard surfacing within the Root Protection Areas of retained trees should be installed and maintained in line with the approved Arboricultural Method Statement using a 'no-dig' method as outlined within the report.

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.

#### **8.1.40- Arboricultural supervision**

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.

#### **8.1.41- Services in Root Protection Areas**

All new underground utility apparatus, including drainage, shall be routed and installed outside the Root Protection Areas (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.

#### **8.1.42- Existing tree retention**

All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. Any pruning works within the five year period shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

REASON: In the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020).

#### **8.1.43- Energy statement confirming inclusion of PVs (Prior to construction)**

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 02 by XCO2 dated 05/11/2025):

- a) Minimum carbon savings of 13.8% against Part L 2021 through fabric efficiency (Be Lean).
- b) Minimum overall carbon savings of 70.9% against Part L 2021.
- c) Maximum U-values (W/m<sup>2</sup>K): walls 0.15; ground floors 0.15; ancillary walls 0.25; roof 0.10; windows 1.20; and doors 1.00 unless otherwise agreed in writing with the Local Planning Authority.
- d) G-values for windows and door of 0.35-0.4 unless otherwise agreed in writing with the Local Planning Authority.
- e) Maximum Air permeability of 3m<sup>3</sup>/h/m<sup>2</sup>@50pa unless otherwise agreed in writing with the Local Planning Authority.
- f) A third party review report of the as-design predictive modelling calculations.
- g) 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:

- i) at least one unit for each identified flat type/area type, and
- ii) 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.

#### **8.1.44- Energy statement confirming inclusion of PVs (Pre occupation)**

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.

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 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

#### **8.1.45- Future-proofing for rooftop PVs**

The rooftops shall be enabled to provide future installation and connectivity of PVs and associated kit as outlined in the hereby approved Energy Statement (Revision 02 by XCO2 dated 05/11/2025) and associated drawings. The rooftops shall not be constructed in any manner that would prevent:

- a) A PV array, maintenance and access paths, other plant and services, landscaping including fire breaks where applicable with spaceproofing; for a horizontally mounted biosolar rooftop PV panel array of 130m<sup>2</sup> with capacity for solar PV panels to provide a minimum annual electricity peak generation of 26.92 kWp to be integrated into the wider building MEP systems and grid effectively.
- b) Future PVs to be installed in adherence with GRO guidelines, without compromising the planting scheme towards Urban Greening Factor and/or Biodiversity Net Gain
- c) Detailed Operation & Maintenance of a biosolar system, including fire risk mitigations where applicable.

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

#### **8.1.46- Air Source Heat Pumps (ASHPs)**

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 Energy Statement (Revision 02 by XCO2 dated 05/11/2025) and relevant supporting documents:

- a) Minimum Heat pump Coefficient of Performance of 3.24 for the domestic hot water supply / heating supply to provide 100% of the heating and hot water demand.
- b) Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- c) Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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

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

#### **8.1.47- Air Source Heat Pumps (ASHPs) (Prior to occupation)**

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

#### **8.1.48- Mechanical Ventilation with Heat Recovery (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 Energy Statement (Revision 02 by XCO2 dated 05/11/2025):

- a) Minimum MVRH efficiency of 85% for residential units unless otherwise agreed in writing with the Local Planning Authority

b) Details of summer bypass where applicable including provision and location across the development

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

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

**8.1.49- Mechanical Ventilation with Heat Recovery (MVHR) (Prior to occupation)**

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

**8.1.50- Overheating risk assessment for full site**

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

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

Step 2: Minimise internal heat generation through energy efficient design

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

Step 4: Passive ventilation

Step 5: Mechanical ventilation

Step 6:Active cooling systems

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

- Step 1 mitigation measures description leading to pass rate 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:

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

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

The applicant will demonstrate that appropriate g-values have been achieved, including for lower level units where overheating risk is less pronounced to ensure that lux levels are sufficient.

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.

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

#### **8.1.51- Overheating risk assessment for full site (Pre Occupation)**

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

#### **8.1.52- Resident guide for excess heat management**

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

#### **8.1.53- Sustainable Waste Management Plan (SWMP)**

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:

- 1) Municipal waste recycling rate of 65%
- 2) Business waste recycling rate of 75%
- 3) Minimum of 95% demolition or site waste diverted from landfill for reuse, recycling or recovery
- 4) Minimum of 95% of excavation waste diverted from landfill for beneficial use
- 5) Minimum of 20% of the new building material elements are comprised of recycled or reused content

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

#### **8.1.54- 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.

#### **8.1.55- Healthy materials**

The applicant will ensure that materials selected for internal finishes and fit out are low-emitting for Volatile Organic Compounds VOC or no-VOC. This includes for surface finishes including paints, floorings and for kitchen surfacing.

The applicant shall ensure that materials do not contain hazardous chemicals known to be damaging to human health (including toxic heavy metals such as Cadmium and other

chemicals/materials including creosote, arsenic, CFCs/HCFs, HFRs, PVC, chlorobenzynes, formaldehyde, lead, mercury and phthalates).

REASON: Passivhaus buildings are very airtight, and so the impact of internal finishes on human health is of increased relevance to ensure LP9 Health and Wellbeing is met alongside securing sustainable construction.

### **8.1.56- Passivhaus and low energy buildings**

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 operate the building's systems and technologies to maximise sustainable outcomes.

This should explain:

- A. An explanation of what a Passivhaus building (or in the event that Passivhaus is not attained, a 'low energy' building) is as compared to typical buildings and how it is designed to work to provide more sustainable outcomes.
- B. An explanation of renewable energy systems and low carbon technologies in place and how these should be operated.
- C. Troubleshooting and guidance on where any technical issues are encountered and provision for feedback on the performance of the building systems in place to ensure the building is performing as expected..

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

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

REASON: to support carbon savings reductions in line with LP55 and ensure that renewable energy technologies are adopted for optimal outcomes for residents Health and Wellbeing in line with LP9. To support climate resilience for Hackney residents in a changing climate, to support Hackney Policy LP54.

## **8.2 Recommendation B**

That the above recommendation is subject to completion of a Unilateral Undertaking which secures the following matters to the satisfaction of the Head of Planning and the Director of Legal and Governance Services.

*The following are the amended and new clauses to be captured by the Deed of Variation:*

- Affordable Housing: The provision of 59 units of affordable housing on site in perpetuity, 21 of which are to be Social Rented units and 38 of which are to be Shared Ownership or an alternative Intermediate Housing model.
- £95,425.68 towards Highways Works.
- A Ways into Work contribution of £29,830.50 payable prior to the implementation of the development.
- Passivhaus certification is achieved and a contribution of £41,075 towards the Council's Carbon Offsetting Fund.
- If Passivhaus certification is not achieved, the Carbon Offsetting Fund contribution is to be recalculated accordingly.
- Construction Management Plan monitoring of £8,750.
- Travel Plan £2,000

*All the other Heads of terms are to remain as previously approved. For reference, these are as follows:*

- Community Hall Contribution: A contribution of £250,000 should be secured in order to fund the renovation and extension of Elsdale Hall or an alternative form of community hall re-provision at Elsdale Hall to be agreed in writing by the local planning authority.
- Car Free development
- A car club contribution equalling a minimum monetary value of £60 per new residential unit
- A Construction Management Plan (CLOCS) monitoring fee of £8,750 is also sought.
- Employment and Skills Plan to be submitted and approved prior to implementation;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council;
- Commitment to the Council's local labour and construction initiatives (30% on site employment) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period

- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Considerate Constructor Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.
- 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 deed, payable prior to completion of the deed.
- S106 Monitoring costs payable prior to completion of the legal deed.

### 8.3 Recommendation C

That the Sub-Committee grants delegated authority to the Director of Housing, Climate and Economy and the Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manager) to make any minor alterations and/or additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report, provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

### 9.0 INFORMATIVES

#### 1-Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of The Building Control Service, 2 Hillman Street, LONDON, E8 1FB. Telephone No: 020 8356 8124. Before any building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

#### 2-Works Affecting Public Highway

The Highways and Engineering Team, Environment Services Division, 300 Mare Street , London, E8 3HT, Telephone 0208 356 5000, should be consulted regarding any works to, on or under the public highway, including vaults and thresholds, vehicle crossing, access, parking and sight lines. Any vehicle crossing works are to be carried out by the London Borough of Hackney. The developer/landowner will be responsible for all costs relating to the closure of existing vehicular and pedestrian accesses to the site, the construction of new accesses and the reinstatement and repair of public footways where they adjoin the site boundaries.

### 3-Sanitary, Ventilation and Drainage Arrangements

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to Building Control Service, Hackney Service Centre 1 Hillman Street, LONDON, E8 1DY, Telephone No: 020 8356 5000. Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875. 1) All information appertaining to the existing public sewerage system. 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections. 3) Building over sewers. 4) System of drainage to be provided on site. 5) Adoption of sewers. Advisory Note: It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/ rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

### 4-Control Of Pollution (Clean Air, Noise, Etc)

The Pollution Control Service, 28-33 Independent Place, Shackwell Lane, E8 2HE, Telephone No: 0208 356 4455, should be consulted regarding the Environmental Protection Act 1990.

### 5-Hours Of Building Works (Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays)

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils The Pollution Control Service, 1, Hillman Street, Hackney, E8 1DY Telephone No: 020 8356 3000. You are advised to consult that Division at an early stage.

### 6-Soundproofing Between Dwellings/Flats

As your proposals contain a flat and/or a dwelling in the building where it previously did not, the requirements in the Building Regulations 1991, with regard to resistance to the passage of sound, may have major implications on your proposals. You are therefore advised to undertake an early consultation with The Building Control Service, Directorate of Safer Neighbourhoods, 2 Hillman Street, E8 1FB, Tel: 0208 356 5000.

### 7-Naming And Numbering

Your attention is drawn to Section 5, and the Regulations made under Section 12 of the London Building Acts (Amendments) Act 1939. Section 5 requires that any proposed name for a street, way, place, row of houses or block of buildings should be submitted to the Council for approval, allowing sufficient time for the statutory consultation process. Section 12 relates to the marking of numbers and names of buildings and to the necessity for you to display such number(s) or name(s). Information may be obtained from, and application

under Section 5 should be made to, The Naming and Numbering Officer, The Building Control Service, Directorate of Safer Neighbourhoods, 2 Hillman Street, E8 1FB, Telephone No: 020 8356 5000.

#### 8-Disabled Persons' Provision

Your attention is drawn to Section 4(1) of the Chronically Sick and Disabled Persons' Act 1981, which states that any person undertaking the provision of any building or premises to the public are to be admitted, whether on payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary conveniences to be available (if any) make provision, insofar as it is in the circumstances both practicable and reasonable, for the need of members of the public visiting the building or premises who are disabled.

#### 9-The Regulatory Reform (Fire Safety) Order 2005

Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS

#### 10-Refuse Storage And Disposal Arrangements

The Borough Services Waste Management Client Group, at Mill Fill Depot, Mill Fill Road, London, E5 0AR Tel: 0208356 6688 should be consulted regarding storage, collection and disposal arrangements for all types of refuse.

#### 11-Landscaping

"Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features.

#### 12-The Construction (Design & Management) Regulations 1994

The development proposed may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive infoline (Tel: 0541 545500).

13-Your attention is drawn to the fact that there is a Section 106 (Legal Agreement) associated with this consent. This consent shall be in full accordance with the requirements of the S106 Agreement.

14-The Building Regulations Approved Document B1/2, Fire Safety, require new schemes to be provided with smoke alarms that are mains-operated. If you require further clarification regarding whether your scheme requires mains wired smoke alarms please

contact Building Control, Hackney Service Centre, 1 Hillman Street, London E8 1DY Tel. 0208 356 8124

15-Please note that if this development is liable for payment of the London Mayor's Community Infrastructure Levy (Mayoral CIL 2) and/or the London Borough of Hackney's Community Infrastructure Levy (Hackney CIL), you must submit all necessary forms to CIL.S106@Hackney.gov.uk within the specified time frames as set out in the CIL Regulations 2010 (as amended). Failure to do so may result in surcharges being applied and/or invalidate any relief claim approved or otherwise. Further details on the CIL regulations 2010 (as amended) as well the associated CIL forms can be found at [https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy) You can also contact the Council' s Planning Service at CIL.S106@Hackney.gov.uk if you have any queries regarding whether your development is CIL liable, the process for making CIL payments or applying for relief. Please note that if your application has been refused and an appeal to the Planning Inspectorate overturns this decision, the approved development would still be liable for payment under the CIL regulations 2010 (as amended).

16-Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

17-A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200..

18-With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

19-We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically

result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: “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 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).”

20-It is therefore recommended that flood resilience and/or resistance constructions are used for the basement to reduce the risk of groundwater ingress. Refer to the guidance document ‘Improving the Flood Performance of New Buildings Flood Resilient Construction, 2007’ by Department for Communities and Local Government for further guidance

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

22- The applicant is reminded that a pre-works inspection must be undertaken immediately prior to construction (usually within 48 hours) to ensure no active fox dens have been established. If an active den is found, it must be monitored and, if necessary, sensitively deconstructed by soft-digging under the supervision of a qualified ecologist to avoid contravening the Wild Mammals (Protection) Act 1996.

23- One Tree of Heaven (*Ailanthus altissima*) was identified on-site. This is a Schedule 9 invasive species known for aggressive spreading. In order to manage this issue, hand-pull the sapling and remove the entire root system. Do not use machinery, as fragmented roots can regrow. Remove all plant matter from the site immediately and do not mix with general organic waste.

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

**RICKARDO HYATT**  
Group Director, Housing, Climate and Economy

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF	LOCATION CONTACT OFFICER
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		ORIGINAL COPY	
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Nick Bovaird x8291	Hackney Service Centre, Hillman Street, London E8 1FB

**APPENDIX – Site photos**



**Site of Atrium building, looking south with 49-131 Well Street and Fairchild House in the background:**



**Panorama of site of Atrium building:**



**Mixed use terrace at 133-151 Well Street:**



Front elevations of 49-131 Well street and 133-151 Well Street:



Rear Elevation of 133-151 Well Street:



**1-94 Woolridge Way, to north of site:**



**Pettiver Close, looking south, with Fairchild House on the right:**



Looking east towards the rear of 133-151 Well Street (terrace) and 49-131 Well Street:



Looking north towards site and 1-94 Woolridge Way:



**Site viewed from south (flanked by 49-131 Well Street (right) and Fairchild House):**



**View west on Woolridge Way past Tullis House (on left), towards Phase 2:**



**Tradescant House (second phase):**



**One of six site notices erected around the site perimeter:**