

## Planning Sub-Committee – 29/04/2026

|  |                                      |
|--|--------------------------------------|
| <b>ADDRESS:</b><br>Orwell Court, Pownall Road, Hackney, London, E8 4PP   |                                      |
| <b>WARD:</b> Haggerston Ward   | <b>CASE OFFICER:</b> Oliver Enticott |
| <b>APPLICATION NUMBER:</b> 2025/2591   | <b>VALID DATE:</b> 04.12.25          |
| <b>DRAWING NUMBERS:</b>  |                                      |
| <u>Orwell and Welshpool Site General Arrangement</u>   |                                      |
| <p>NHP1-HTL-OW-00-DR-A-P-01001 Existing Site Location Plan<br/> NHP1-HTL-OW-00-DR-A-P-00001 Proposed Site Location Plan<br/> NHP1-HTL-OW-00-DR-A-P-01900 Existing Site Plan - Orwell and Welshpool<br/> NHP1-HTL-OW-00-DR-A-P-00900 Proposed Site Plan - Orwell and Welshpool</p>  |                                      |
| <u>Orwell Court General Arrangement</u>  |                                      |
| <p>NHP1-HTL-OC-00-DR-A-P-01900 Existing Site Plan<br/> NHP1-HTL-OC-00-DR-A-P-02100 Demolition Plan<br/> NHP1-HTL-OC-ZZ-DR-A-P-01200 Existing Sections AA and BB<br/> NHP1-HTL-OC-ZZ-DR-A-P-01201 Existing Sections CC and DD<br/> NHP1-HTL-OC-ZZ-DR-A-P-01300 Existing North and South Elevations<br/> NHP1-HTL-OC-ZZ-DR-A-P-01301 Existing East and West Elevations<br/> NHP1-HTL-OC-00-DR-A-P-00100 Proposed G+0 Plan<br/> NHP1-HTL-OC-01-DR-A-P-00101 Proposed G+1 Plan<br/> NHP1-HTL-OC-02-DR-A-P-00102 Proposed G+2 Plan<br/> NHP1-HTL-OC-03-DR-A-P-00103 Proposed G+3 Plan<br/> NHP1-HTL-OC-04-DR-A-P-00104 Proposed G+4 Plan<br/> NHP1-HTL-OC-05-DR-A-P-00105 Proposed G+5 Plan<br/> NHP1-HTL-OC-RF-DR-A-P-00106 Proposed Roof Plan<br/> NHP1-HTL-OC-ZZ-DR-A-P-00200 Proposed Sections AA and BB<br/> NHP1-HTL-OC-ZZ-DR-A-P-00201 Proposed Sections CC and DD<br/> NHP1-HTL-OC-ZZ-DR-A-P-00300 Proposed North and South Elevations<br/> NHP1-HTL-OC-ZZ-DR-A-P-00301 Proposed East and West Elevations</p> |                                      |
| <u>Orwell Court – Building O1</u>  |                                      |
| <p>NHP1-HTL-O1-00-DR-A-P-00130 Proposed G+0 Plan - O1<br/> NHP1-HTL-O1-01-DR-A-P-00131 Proposed G+1 Plan - O1<br/> NHP1-HTL-O1-02-DR-A-P-00132 Proposed G+2 Plan - O1<br/> NHP1-HTL-O1-03-DR-A-P-00133 Proposed G+3 Plan - O1<br/> NHP1-HTL-O1-04-DR-A-P-00134 Proposed G+4 Plan - O1<br/> NHP1-HTL-O1-05-DR-A-P-00135 Proposed G+5 Plan - O1<br/> NHP1-HTL-O1-RF-DR-A-P-00136 Proposed Roof Plan - O1<br/> NHP1-HTL-O1-ZZ-DR-A-P-00230 Proposed Sections - O1<br/> NHP1-HTL-O1-ZZ-DR-A-P-00330 Proposed Elevations - O1<br/> NHP1-HTL-O1-ZZ-DR-A-P-00430 Proposed Bay Studies - O1 East Entrance<br/> NHP1-HTL-O1-ZZ-DR-A-P-00431 Proposed Bay Studies - O1 South Balcony</p>   |                                      |
| <u>Orwell Court – Building O2</u>  |                                      |

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NHP1-HTL-O2-00-DR-A-P-00160 Proposed G+0 Plan - O2  
NHP1-HTL-O2-01-DR-A-P-00161 Proposed G+1 Plan - O2  
NHP1-HTL-O2-02-DR-A-P-00162 Proposed G+2 Plan - O2  
NHP1-HTL-O2-03-DR-A-P-00163 Proposed G+3 Plan - O2  
NHP1-HTL-O2-04-DR-A-P-00164 Proposed G+4 Plan - O2  
NHP1-HTL-O2-05-DR-A-P-00165 Proposed G+5 Plan - O2  
NHP1-HTL-O2-RF-DR-A-P-00166 Proposed Roof Plan - O2  
NHP1-HTL-O2-ZZ-DR-A-P-00260 Proposed Sections - O2  
NHP1-HTL-O2-ZZ-DR-A-P-00360 Proposed Elevations - O2  
NHP1-HTL-O2-ZZ-DR-A-P-00460 Proposed Bay Studies - O2 North Entrance  
NHP1-HTL-O2-ZZ-DR-A-P-00461 Proposed Bay Studies - O2 South Balcony

### External Walls - Façade Bays

NHP1-HTL-O1-00-DR-A-P-21430 Ground Floor O1 Primary Entrance  
NHP1-HTL-O2-00-DR-A-P-21460 Ground Floor O2 Primary Entrance  
NHP1-HTL-OC-ZZ-DR-A-P-21401 Typical Condition, Windows  
NHP1-HTL-OC-ZZ-DR-A-P-21402 Typical Condition, Balcony  
NHP1-HTL-OC-ZZ-DR-A-P-21403 Typical Condition, G+5 Balcony

### External Walls - Façade Details

NHP1-HTL-OC-XX-DR-A-P-21500 Façade Detail - Balcony  
NHP1-HTL-OC-XX-DR-A-P-21501 Façade Detail - Typical Window

### External Works

NHP1-HTL-OC-XX-DR-A-P-91200 Substation Drawings

### Welshpool Street Site General Arrangement

NHP1-HTL-WS-00-DR-A-P-01900 Existing Site Plan  
NHP1-HTL-WS-00-DR-A-P-02100 Demolition Plan  
NHP1-HTL-WS-ZZ-DR-A-P-01200 Existing Horizontal Sections  
NHP1-HTL-WS-ZZ-DR-A-P-01201 Existing Longitudinal Sections  
NHP1-HTL-WS-ZZ-DR-A-P-01300 Existing North and South Elevations  
NHP1-HTL-WS-ZZ-DR-A-P-01301 Existing East and West Elevations  
NHP1-HTL-WS-00-DR-A-P-00100 Proposed G+0 Plan  
NHP1-HTL-WS-01-DR-A-P-00101 Proposed G+1 Plan  
NHP1-HTL-WS-02-DR-A-P-00102 Proposed G+2 Plan  
NHP1-HTL-WS-RF-DR-A-P-00103 Proposed Roof Plan  
NHP1-HTL-WS-ZZ-DR-A-P-00200 Proposed Site Sections AA and BB  
NHP1-HTL-WS-ZZ-DR-A-P-00201 Proposed Site Sections CC, DD and EE  
NHP1-HTL-WS-ZZ-DR-A-P-00300 Proposed North and South Elevations  
NHP1-HTL-WS-ZZ-DR-A-P-00301 Proposed East and West Elevations

### Welshpool Street W1 - Building General Arrangement

NHP1-HTL-W1-ZZ-DR-A-P-00120 Proposed Floor Plans - W1  
NHP1-HTL-W1-ZZ-DR-A-P-00220 Proposed Sections - W1  
NHP1-HTL-W1-ZZ-DR-A-P-00320 Proposed Elevations - W1

### Welshpool Street W2 - Building General Arrangement

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NHP1-HTL-W2-ZZ-DR-A-P-00140 Proposed Floor Plans – W2  
NHP1-HTL-W2-ZZ-DR-A-P-00240 Proposed Sections – W2  
NHP1-HTL-W2-ZZ-DR-A-P-00340 Proposed Elevations – W2  
Welshpool Street W3 - Building General Arrangement  
NHP1-HTL-W3-ZZ-DR-A-P-00160 Proposed Floor Plans – W3  
NHP1-HTL-W3-ZZ-DR-A-P-00260 Proposed Sections – W3  
NHP1-HTL-W3-ZZ-DR-A-P-00360 Proposed Elevations – W3

### External Walls - Façade Bays

NHP1-HTL-W1-ZZ-DR-A-P-21420 W1 - Croston Street Façade  
NHP1-HTL-W1-ZZ-DR-A-P-21421 W1 - Rear Façade  
NHP1-HTL-W2-ZZ-DR-A-P-21440 W2 - Welshpool Green Façade  
NHP1-HTL-W2-ZZ-DR-A-P-21441 W2 - Rear Façade  
NHP1-HTL-W3-ZZ-DR-A-P-21460 W3 Corner House - Welshpool Street Façade  
NHP1-HTL-W3-ZZ-DR-A-P-21461 W3 Corner House - Rear Façade  
NHP1-HTL-W1-XX-DR-A-P-21521 Façade Detail - W1 - Typical Window with Railing

### Landscape Drawings

NHP1-ML-00-DR-L-10 Public Realm Layout Proposed  
NHP1-ML-00-DR-L-11 Public Realm Layout Proposed, Planting Mixes  
NHP1-ML-00-DR-L-12 Public Realm Layout Proposed, Tree Planting  
NHP1-ML-00-DR-L-110 Welshpool Green, Proposed  
NHP1-ML-00-DR-L-113 Welshpool Street Edge  
NHP1-ML-00-DR-L-120 Share Square, Proposed Plan  
NHP1-ML-00-DR-L-130 Games Court, Proposed Plan  
NHP1-ML-00-DR-L-140 Orwell Court Garden, Proposed Plan  
NHP1-ML-00-DR-L-150 East West Route & Building B Entrance, Proposed Plan  
NHP1-ML-00-DR-L-160 North South Route & Building A Entrance, Proposed Plan  
NHP1-ML-00-DR-L-170 Sub Station, Proposed Plan, Section and Elevations  
NHP1-ML-00-DR-L-210 Welshpool Green, Section AA  
NHP1-ML-00-DR-L-220 Share Square, Section BB  
NHP1-ML-00-DR-L-230 Games Court, Section CC  
NHP1-ML-00-DR-L-231 Games Court, Elevation West  
NHP1-ML-00-DR-L-232 Games Court, Elevation North  
NHP1-ML-00-DR-L-233 Games Court, Elevation South  
NHP1-ML-00-DR-L-240 Orwell Court Garden, Section DD  
NHP1-ML-00-DR-L-250 East West Route & Building B Entrance, Section EE  
NHP1-ML-00-DR-L-260 North South Route & Building A Entrance, Section FF  
NHP1-ML-00-DR-L-300 Boulders, Standard Detail Sections  
NHP1-ML-00-DR-L-301 Walls and Railings, Detail Sections  
NHP1-ML-00-DR-L-320 Share Square, Detail Section  
NHP1-ML-00-DR-L-344 Orwell Court, Detail Section A&B Planter  
NHP1-ML-00-DR-L-350 Social Circle, Detail Section

### Documents

Planning Application Form (HTA Design)  
Ownership Certificate (HTA Design/Applicant)  
CIL Form 1: Additional Information (HTA Design)  
Application Covering Letter (HTA Design)  
Air Quality Assessment (XCO2)

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|--|--|
| <p>Planning Statement (HTA Design)<br/>         Arboriculture Impact Assessment (TMA)<br/>         Bat Survey and Report (TMA)<br/>         Biodiversity Net Gain Assessment (TMA)<br/>         Child Friendly Impact Assessment (Mark Lemanski)<br/>         Draft Construction Management Plan (SLR)<br/>         Daylight, Sunlight &amp; Overshadowing Assessment (XCO2)<br/>         Design and Access Statement (Haworth Tompkins)<br/>         Drainage Strategy Report (HTS)<br/>         Drawings Package (Haworth Tompkins)<br/>         Energy Statement (XCO2)<br/>         Fire Statement (Trigon)<br/>         Flood Risk Assessment (SLR)<br/>         Ground Investigation Report (SLR)<br/>         Habitat Regulation Assessment (TMA)<br/>         Health Impact Assessment (HTA Design)<br/>         Heritage Statement (Portico Heritage)<br/>         Noise Impact Assessment (Noise Solutions Ltd)<br/>         Preliminary Ecological Appraisal (Temple)<br/>         Planning Statement (incl. Draft Heads of Terms) (HTA Design)<br/>         Site Waste Management Plan (SLR)<br/>         Statement of Community Involvement (Christina Norton)<br/>         Sustainability Statement (XCO2)<br/>         Transport Assessment (SLR)<br/>         Travel Plan (SLR)<br/>         Wind and Microclimate Assessment (XCO2)</p> |  |
| <p><b>APPLICANT:</b><br/>         London Borough of Hackney</p>  | <p><b>AGENT:</b><br/>         HTA Planning</p> |
| <p><b>PROPOSAL:</b><br/>         Demolition of existing garages and office buildings, construction of 86 new residential dwellings (Class C3) with associated amenity space, cycle parking, refuse stores, hard and soft landscaping, play space, improvements to public realm and other associated works.</p>   |  |
| <p><b>POST SUBMISSION REVISIONS:</b></p> <p>NHP1-ML-ZZ-DR-L-00010 Public Realm Layout Proposed<br/>         NHP1-ML-ZZ-DR-L-00011 Public Realm Layout proposed Planting Mixes<br/>         NHP1-ML-ZZ-DR-L-00012 Public Realm Layout Proposed Tree Planting<br/>         NHP1-ML-ZZ-DR-L-00013 Public Realm Lighting Proposed<br/>         NHP1-ML-ZZ-DR-L-00014 Public Realm Levels Proposed<br/>         NHP1-ML-ZZ-DR-L-00015 Public Realm Hardscape Surfaces and Edges<br/>         NHP1-ML-ZZ-DR-L-00016 Public Realm Co-design Elements<br/>         NHP1-ML-ZZ-DR-L-00017 Public Realm Boulders<br/>         NHP1-ML-ZZ-DR-L-00018 Public Realm Root Protection Areas and Felled Trees<br/>         NHP1-ML-ZZ-DR-L-00019 Public Realm Metalwork Colours</p>  |  |
| <p><b>RECOMMENDATION SUMMARY:</b></p>  |  |

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|---|
| Grant conditional planning permission subject to completion of a legal agreement. |
| <b>NOTE TO MEMBERS:</b>   |
| N/A   |

### ANALYSIS INFORMATION

#### ZONING DESIGNATION

| ZONING DESIGNATION                    | YES  | NO |
|---------------------------------------|--|----|
| <b>CPZ</b>                            | Queensbridge (Mon to Fri 8:30am to 6:30pm)   |    |
| <b>Conservation Area</b>              | Adjacent to Regent's Canal and Broadway Market   |    |
| <b>Statutory Listed Building</b>      | Adjacent to: <ul style="list-style-type: none"> <li>• F Cooke's Eel, Pie and Mash Shop, Broadway Market (Grade II)</li> <li>• 6-15 Croston Street (Grade II)</li> <li>• 5-23, Dericote Street (Grade II)</li> <li>• Forecourt Railings to St Paul's CoE Primary School (Grade II)</li> </ul> |    |
| <b>Locally Listed Building</b>        | Adjacent to: <ul style="list-style-type: none"> <li>• 36 Broadway Market</li> <li>• Gunpost on corner of north turning behind 35 Broadway Market</li> </ul>  |    |
| <b>Priority Employment Area (PEA)</b> |  | X  |
| <b>City Fringe Opportunity Area</b>   |  | X  |
| <b>Central Activities Zone</b>        |  | X  |

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### EXISTING LAND USE DETAILS

| USE CLASS    | DESCRIPTION                 | GIA (SQM) |
|--------------|-----------------------------|-----------|
| B8           | Garages / storage           | 2,500     |
| F2           | Council / community offices | 850       |
| <b>TOTAL</b> |                             |           |

### PROPOSED LAND USE DETAILS

| USE CLASS    | USE DESCRIPTION             | GIA (SQM) |
|--------------|-----------------------------|-----------|
| C3           | Residential                 | 9,300     |
| F2           | Council / community offices | 100       |
| B8           | Garage / storage            | 38        |
| <b>TOTAL</b> |                             |           |

### EXISTING RESIDENTIAL MIX

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

### PROPOSED RESIDENTIAL MIX

| PROPOSED RESIDENTIAL MIX BY TENURE    | NO OF UNITS | TENURE SPLIT | RESIDENTIAL MIX WITHIN TENURE GROUP (%) |
|---------------------------------------|-------------|--------------|---|
| <b>Private</b>                        |             | 65%          |   |
| 1                                     | 19          |              | 34%                                     |
| 2                                     | 22          |              | 39%                                     |
| 3                                     | 15          |              | 27%                                     |
| <b>Total:</b>                         | <b>56</b>   |              |   |
| <b>Social Rented</b>                  |             | 35%          |   |
| 1                                     | 9           |              | 30%                                     |
| 2                                     | 10          |              | 33%                                     |
| 3                                     | 11          |              | 37%                                     |
| <b>Total:</b>                         | <b>30</b>   |              |   |
| <b>Intermediate/ Shared Ownership</b> |             |              |   |
| 1                                     | 0           |              | -                                       |
| 2                                     | 0           |              | -                                       |
| 3                                     | 0           |              | -                                       |
| <b>Total:</b>                         | <b>0</b>    |              | -                                       |
| <b>Overall Total:</b>                 | <b>86</b>   |              |   |

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### PARKING DETAILS:

|                 | Parking Spaces<br>(off street) | Parking Spaces<br>(on street) | Parking Spaces<br>(Disabled) | Bicycle<br>Storage |
|-----------------|--------------------------------|-------------------------------|------------------------------|--------------------|
| <b>Existing</b> | 0                              | 44                            | 1                            | 0                  |

|                 | Parking Spaces<br>(off street) | Parking Spaces<br>(on street) | Parking Spaces<br>(Disabled) | Bicycle<br>Storage |
|-----------------|--------------------------------|-------------------------------|------------------------------|--------------------|
| <b>Proposed</b> | 0                              | 8<br>(reprovided)             | 5<br>(incl. 1<br>reprovided) | 194                |

### 1. SITE CONTEXT

- 1.1 The application 'site' essentially consists of two different sites measuring a combined 0.9 hectares of brownfield land, which sit adjacent to one another.
- 1.2 To the south is Orwell Court, the site is situated to the rear of Broadway Market and accessed via Broadway Market Mews. Mostly occupied by garages, the site also includes a five-a-side football pitch, popular with local youths. All of the garages are currently in use, with some used for storage by local residents, whilst others are used by the market traders and local businesses. To the south and west of the site are four storey apartment blocks belonging to the Orwell Court, on the edge of the Suffolk Estate. Meanwhile directly to the north is a small row of terraced houses at the end of Benjamin Close, and beyond them Welshpool House.
- 1.3 Directly to the north of garages is Welshpool Street, a road which includes the 18 storey tower block Welshpool House, along with its community gardens and residents car parking. Also along the street is a single storey building used as the Suffolk Estate Management offices, and at the far end a part two/part one storey former depot building, the car park of which is fenced off from the street with the main access via Trederwen Road to the north-west. Enclosing the site to the north are Dricote and Croston Street, which consist of two storey, grade II listed terraced houses. Also to the north, located on Broughton Road, are Grace Montessori School and the Suffolk Estate Community Centre. To the east is the rear of the properties which face Broadway Market and lastly to west are a number of two/three storey houses on Benjamin Close and Brougham Road.
- 1.4 The application site is not located within a conservation area, although it does adjoin the Broadway Market CA to the east and is adjacent to Regents Row CA to the south. There are also a number of grade II listed buildings within the immediate neighbourhood including 9 Broadway Market (F Cooke's Eel, Pie and Mash Shop), 5-23 Dericote Street a row of terraced houses which adjoin the site to the east, and the row of houses at 6-15 Croston Street to the northeast.
- 1.5 Broadway Market is a designated local shopping centre and also the site of a protected street market.

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- 1.6 Broadway Market also forms one of Hackney's nine Green Chains, linking Regents Canal to London Fields.
- 1.7 The site has a PTAL score of 3-4, meaning it has good access to public transport. London Fields and Cambridge Heath Overland stations are both circa 700m away (roughly 10 minutes). The nearest bus routes are located along Westgate Street, Trederwen Road and Sheep Lane providing links across Hackney and north London.
- 1.8 Finally, the site is located within a Flood Zone 1, meaning it is at low risk of river flooding, though it is at a medium risk of surface water flooding (i.e. flash flooding).

## 2. CONSERVATION IMPLICATIONS

### Asset: Broadway Market Conservation Area

- 2.1 Broadway Market Conservation Area lies to the west of Mare Street at the Triangle junction. Bounded to the north by London Fields, and to the south by the Regent's Canal, it is a compact area and comprises one main street, Broadway Market, with shop premises with residential accommodation above and two smaller residential roads, Dericote and Croston Street. The Conservation Area consists of two main elements: Broadway Market itself and the adjacent streets of nineteenth century houses.

### Asset: Regent's Canal Conservation Area

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

### Asset: F Cooke's Eel, Pie and Mash Shop, Broadway Market (Grade II)

- 2.3 Opened in 1900 and refitted in the 1930s the shop forms part of a mid-C19 terrace with residential accommodation above. The shop is a well preserved and attractive example of a highly distinctive London building type, with an exceptionally complete 1930s interior. It remains an example of a type of establishment and type of cuisine that remains distinctive and increasingly rare.

### Asset: 6 - 15 Croston Street (Grade II)

- 2.4 This row of terraced houses were built in the early-to-mid 19th century. Each house forms two storeys and a basement with street facing brick gabled roofs.

### Asset: 5 - 23 Dericote Street (Grade II)

- 2.5 This row of terraced houses were built in the early-to-mid 19th century. Each house forms two storeys and a basement with street facing brick gabled roofs.

### Asset: St Paul's Church of England Infant School (Grade II)

- 2.6 Located on Brougham Road, this is a mid-to-late 19th century, single storey building of gothic design.

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### 3. RELEVANT HISTORY

3.1 The site contains one relevant previous planning application:

2026/0271: Prior approval for the demolition to ground floor slab level of the Welshpool Depot, 2 Trederwen Road, London, E8 4NB, as identified on the accompanying plans submitted with the application. Granted 09.03.26.

### 4. CONSULTATION AND PUBLICITY PROCEDURE

- Neighbour notification letters were issued to 506 properties on 9 December 2025
- A site notice was posted on 17 December 2025
- A press notice was printed on 12 December 2025

### 5. NEIGHBOURS AND INTERESTED GROUPS

#### Neighbours

5.1 At the time of writing the report 15 objections have been received. The issues raised can be summarised as follows:

#### Welshpool Street townhouses

- Design
  - Height, massing and design
  - Flat roof design is incongruous
  - Out of character with and harmful to setting of conservation area and listed buildings
- Neighbour Amenity
  - Overlooking / loss of privacy from roof terraces
  - Overshadowing of gardens

#### Orwell Court apartment blocks

- Design
  - Overdevelopment
  - Layout at ground floor levels
  - Balconies oddly shaped and not practical
  - No natural light for internal stairwells and hallways
  - High number of single aspect flats
  - Social rented block is of poorer quality than private block
  - Proposal does not meet 'tall building' principles
- Neighbour Amenity
  - Loss of light / rights to light

#### General Concerns

- Poor access and layout for emergency services

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- Unclear where market bins are to be stored
- Loss of business storage space at garages / concerns over compensation
- Reduction in proposed social housing provision
- New residents will complain about sports pitch
- Reduction in size of sports pitch
- Harmful impact on air quality
- Harmful impact on sewage network
- Harmful impact on local services

### Consultation Concerns

- Neighbours should be given more time to object
- Site notices were removed
- Local youth groups were not consulted
- Local resident groups were not consulted
- Local business groups / garage owners were not consulted
- Local residents were encouraged to attend with shopping vouchers (and thus feedback is biased)
- Online plans are excessive and unreadable

### **Officers Response**

In response to amenity concerns:

- 5.2 The design, massing and scale of both the town houses and the apartment blocks are considered appropriate. See design and heritage sections in the report below for more detail.
- 5.3 It is acknowledged that the development will have some impact on loss of light, outlook and privacy upon a handful of neighbouring residents. This is dealt with in the neighbour amenity section below.
- 5.4 The standard of accommodation being provided is deemed to be of a good standard for new residents. See quality of accommodation section below for further details. Moreover, the private apartment block at Orwell Court is not considered to be of a better quality than the social rented units. They are both of equal standard.
- 5.5 The proposal is not deemed to be a tall building as per Local Plan Policy LP1 standards.

In response to the more general concerns:

- 5.6 Both the local police constabulary and London fire brigade have been consulted and raised no objections to the proposal.
- 5.7 In regards to market bins, during the design development phase, residents at Welshpool House identified that the commercial waste team was incorrectly storing bins on housing land. This matter has been investigated and resolved. Collection schedules and storage protocols have been permanently altered to ensure that no commercial or market-related waste storage is required on housing land moving forward. The proposed scheme maintains this separation of uses.
- 5.8 As for the existing garages, these are rented to residents and businesses at the discretion of the Council, who retain the right to end the rental agreement. Re-provision of storage for

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market users is also provided within the Orwell Court development. Meanwhile, any financial compensation to local businesses is not a material planning matter.

- 5.9 There is no reduction in proposed social housing for the scheme.
- 5.10 As for new residents complaining about potential noise pollution from the sports pitch, the London Plan's 'agents of change' principle ensures the protection of existing noise producing uses in regards to new residential development, and there are already existing residents located quite close to the existing pitch.
- 5.11 The reduction in the size of the existing sports pitch is disappointing, however a new 500sqm sports pitch is being reprovided, this is considered appropriate.
- 5.12 The proposal is not considered to have undue harm on air quality or the local sewer network (Thames Water have been consulted and raise no objections subject to condition).
- 5.13 In terms of impact on local services and infrastructure, the proposal is required to make a financial contribution to education services and highways.

In response to consultation concerns:

- 5.14 Neighbours have until the day of determination to object and the application was submitted prior to Christmas 2025, giving residents (at the time of writing) almost four months to raise objections.
- 5.15 The Council has no control over the vandalism or removal of site notices. Notwithstanding this, statutory publicity requirements have been met. In addition, local youth groups and resident groups were consulted by the applicant as is demonstrated in the applicant's Statement of Community Involvement.
- 5.16 Regarding the use of vouchers during the consultation process. The Council wishes to clarify its approach to inclusive engagement. No incentives or vouchers were offered during the broad public engagement sessions held at the conclusion of RIBA Stages 1, 2, and 3. To ensure a representative demographic, specific resident focus groups were established to provide early-stage non-statutory feedback. Given the extensive nature of this engagement, participants were compensated for their time with vouchers. This practice is a standard Council initiative designed to remove barriers to participation. It specifically supports involvement from under-represented groups, such as those with lower incomes, who might otherwise be unable to dedicate time to the design development process. This ensures the project is shaped by a diverse range of local voices, rather than only those with significant free time.
- 5.17 A proposal of this size requires a large amount of supporting plans and documentation, all of these were made available online.

### **Interest / Community Groups**

- 5.18 Feedback from the Hackney Society has been received and can be summarised as follows:
- Should have been submitted as two separate applications
  - Awkward massing and design of Orwell Court blocks
  - Oppressive colouring and choice of materials for Orwell Court
  - Excessive amount of documents

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### Officers Response

- 5.19 The Council has no control over the scale of a submitted planning application. The massing of Orwell Court blocks is considered acceptable, as is the colour palette. As mentioned above, a proposal of this size requires a substantial number of supporting documents.
- 5.20 Feedback from The Regents Canal Conservation Area Advisory Committee has been received and can be summarised as follows:
- No objection. This is generally a well-considered scheme subject to small design suggestions.

## 6. CONSULTATION RESPONSES - STATUTORY, LOCAL AND OTHER

### Consultations (Internal)

#### Contamination

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

#### Environmental Protection

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

#### Flooding

No objection subject to full details of sustainable drainage systems being submitted. This has been conditioned.

#### Noise

No objection subject to conditions. These have been attached.

#### Traffic and Transportation

No objection subject to conditions.

#### Waste

No objections raised.

### Consultations (External)

#### Canal and River Trust

No objections subject to a contribution.

#### Environment Agency

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No response

### GLAAS

No objections raised.

### Health & Safety Executive (HSE)

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

### Historic England

No response received.

### London Fire Brigade

No objection.

### Metropolitan Police

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

### River and Canal Trust

No objections subject to lighting and landscaping conditions. These have been attached.

### Sport England

No objection raised.

### Thames Water

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

## 7. POLICIES

### **London Plan (2021)**

D3 - Optimising Site Capacity Through Design Led Approach

D4 - Delivering Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D8 - Public Realm

D11 - Safety, Security and Resilience to Emergency

D12 - Fire Safety

D13 - Agents of change

D14 - Noise

H1 - Increasing Housing Supply

H5 - Threshold Approach to Applications

H6 - Affordable Housing Tenure

H10 - Housing Size Mix

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HC1 - Heritage, Conservation and Growth  
S5 - Sports and Recreation Facilities  
G1 - Green Infrastructure  
G5 - Urban Greening  
G6 - Biodiversity and Access to nature  
G7 - Trees and Woodland  
SI 1 - Improving Air Quality  
SI 2 - Minimising Greenhouse Gas Emissions  
SI 3 - Energy infrastructure  
SI 4 - Managing Heat Risk  
SI 5 - Water Infrastructure  
SI 7 - Reducing Waste and Supporting the Circular Economy  
SI 12 - Flood Risk Management  
SI 13 - Sustainable Drainage  
T4 - Assessing and Mitigating Transport Impacts  
T5 - Cycling  
T6 - Car Parking

### **LBH Local Plan 2033 (2020)**

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

### **Other**

Mayor of London Housing Design Standards (2023)

### **National Planning Policies**

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

### 8. ASSESSMENT

#### Introduction

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

#### Principle of Development

- 8.5 Chapter 2 of the NPPF identifies sustainable development as the key objective of the planning system and clearly sets out the presumption in favour of sustainable development, in alignment with the need to determine planning applications in accordance with the Development Plan.
- 8.6 In specific regard to proposals for estate regeneration, such as this, paragraph 98 of the NPPF states *“that planning policies and decisions should consider the social, economic and*

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*environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”*

- 8.7 The principle of development is thus considered acceptable, subject to all other matters discussed below.

### **Loss of Garages**

- 8.8 Hackney Local Plan Policy LP45 states that where sites are redeveloped, existing parking provision must be significantly reduced to make the new development car free unless there is site-specific justification to re-provide an element of the existing parking. It also states that for developments relating to housing estates, parking may be re-provided only for returning residents with existing permits, supported by Controlled Parking Zone (CPZ) capacity and improvements to public spaces. Development for new occupiers must be car-free.
- 8.9 The proposal includes the demolition of 86 garages associated with the Suffolk Estate next to Orwell Court. These garages date back to the 1960s. The garages are largely utilised for storage, as their dimensions and condition render them unsuitable for modern vehicles.
- 8.10 A recent Council-led survey of garage holders returned only one confirmed response indicating use of a garage for market-related storage. However, the corresponding survey of market vendors identified 20 respondents who reported utilising garages, often on a shared basis. Accordingly, it is considered probable that the actual level of use is higher than indicated by the garage user survey alone. Taking account of shared occupation, the Council estimates that approximately four garages are currently being used for Broadway Market storage.
- 8.11 The Council retains the right to end rental arrangements for the garages at their discretion. As mentioned, people do not primarily rent garages for the purpose of parking vehicles, with many of the garages used for storage purposes. Owing to this, the loss of the spaces will not necessarily result in a noticeable displacement of vehicles. Moreover, Block 01 (or Building A) of the new development includes 38sqm of storage space at ground floor specifically for market users.
- 8.12 The non-reprovision of existing garages enables the proposed infill development and supports the delivery of new high-quality housing, including a significant proportion of social rented housing. It also facilitates significant improvements to the public realm, shifting the focus of the site from vehicle access to people-friendly, inclusive space, whilst retaining necessary storage for the nearby market operators.
- 8.13 Given this, its loss is considered acceptable, especially given the social benefit of providing new residential housing and improvements to the public realm.

### **Relocation of Sports Pitch**

- 8.14 London Plan Policy S5 (supported by Local Plan LP8) states that existing sports and recreational land and facilities for sports and recreation should be retained unless:
- i) an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements at the local and sub-regional level, or
  - ii) the loss resulting from the proposed development would be replaced by equivalent or

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better provision in terms of quantity and quality in a suitable location; or

iii) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 8.15 The application site includes a fully enclosed sports pitch at the Suffolk Estate, adjacent to the garages. Measuring 700sqm in size, it is surrounded by walls and high fencing with a single access point, limiting visibility in and out of the space. The pitch is open daily from 9am to 9pm.
- 8.16 The existing football pitch will be re-provisioned as part of the proposal though it will be reduced to a footprint of 555sqm. The reduction in size is necessary to accommodate new housing at Orwell Court. However, the proposed pitch has been co-designed with local young people to provide improved functionality, including the addition of a 'Social Corner' to enhance inclusivity. The design has been developed through close collaboration with stakeholders, including local young people, Arsenal FC, and other community partners.
- 8.17 The court is sunken by 1m, with retaining walls along the long edges, creating an internal wall height of 2.2m. This enhances privacy, noise containment, and passive surveillance, while preserving the potential for graffiti, which is a valued feature of the existing space.
- 8.18 It is noted that the existing pitch does not conform to standard Multi-Use Games Area (MUGA) dimensions, nonetheless, the reduction in size is considered disappointing even though Officers acknowledge that the change is necessary to facilitate the new housing. Officers are encouraged, though, with the applicant's collaboration with local young people and other stakeholders, and the inclusion of a social area is welcome. Moreover, the retention of over 550sqm is still a sufficient play space for ball games.
- 8.19 In consideration of the above, Officers deem the reprovision of the sports pitch to be acceptable in this instance.

### **Reallocation of Tenant Management Building**

- 8.20 Currently on Welshpool Street sits a single storey building which is in use as the tenant management office for the Suffolk Estate to the south. This building is proposed to be demolished as part of the proposal to construct the new townhouses.
- 8.21 The existing building is of little value to the streetscene and has no impact on the neighbouring conservation areas. Its loss is therefore acceptable in principle.
- 8.22 A new TMO for the Suffolk Estate is to be reprovided within the ground floor of apartment block 02 within the Orwell Court development. Measuring 100sqm in size, the new TMO will be closer to the estate it serves and provide a new, more modern facility. Officers consider this arrangement to be acceptable.

### **Demolition of Works Depot**

- 8.23 At the bottom end of Welshpool Street sits the former two storey works depot building. The site comprises a former council works depot, previously referred to as Broadway Market Depot. Until recently the building was occupied as office accommodation by various Council departments, and some offices occupied by council approved premises maintenance contractors. The building became vacant in 2024 and suffered from squatting until recently.

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- 8.24 As part of the proposal the building is to be demolished to facilitate the creation of new town houses on Crofton Street and Welshpool Street.
- 8.25 Prior approval for the demolition of the building via 2026/0271 was granted in March 2026. Its loss is therefore considered acceptable.

### Housing Provision

#### New Housing

- 8.26 London Plan Policy H1 and Table 4.1 set an annual target of 13,280 net new houses for Hackney over a ten-year period up until 2028/29. This is supported by Local Plan Policy LP12 which stipulates that the Council will aim to deliver a minimum of 1,330 new homes per year up to 2033.
- 8.27 The proposal would provide a total of 86 net new dwellings, including 71 units across two apartment blocks at Orwell Court, and 15 new townhouses along Welshpool Street. The scheme thus contributes to local and national targets. The proposal accords with London Plan Policy H1 and Hackney Local Plan Policy LP12.

#### Affordable Housing

- 8.28 London Plan Policy H5 and H6 set out affordable housing provision and states that the threshold level of affordable housing on gross residential development is set at a minimum of 35%, with a minimum of 30% social rent, a minimum of 30% intermediate rent, and the remaining 40% set by the borough.
- 8.29 Hackney Local Plan Policy LP13 requires an affordable housing contribution for all schemes, subject to viability. Development will be required to provide 50% affordable housing on site at a ratio of 60:40 social housing and intermediate types. However, the policy makes clear that other affordable housing tenures to those outlined above will be permitted where it can be demonstrated to be genuinely affordable relative to local ward level incomes.
- 8.30 Of the 86 homes being proposed, 30 are intended to be social housing (35%). Whilst this mix does not entirely correspond with the preferred affordable housing tenure split as set out in Local Plan Policy LP13 it should be noted that this site is just one in the broader New Homes Programme (NHP) which comprises a total 13 sites. Nine of these are currently submitted, and some of those sites are being submitted for Committee decision within the next couple of months. The NHP is intended to deliver over 400 new homes of which circa 73% are intended to be for social rent, depending on various constraints such as financial viability. However, some are still being developed and therefore the Council is unable to confirm the final unit mix. The Council's Regeneration team have agreed via an overarching Unilateral Undertaking that the NHP as a whole will deliver a minimum of 50% affordable housing of which a minimum of 60% will be social housing, and so the policy requirement would be met.
- 8.31 Given the scale of the NHP and the amount of affordable units - and in particular - social rented units being provided across the programme, the tenure mix in this instance is considered acceptable. It should also be noted that the Orwell and Welshpool development is crucial to the funding of the wider programme, as the income generated from the private market units will contribute to subsidising the affordable housing being provided on other sites.

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### Housing Mix

- 8.32 London Plan Policy H10, together with the Mayor of London Housing SPG, seek to promote housing choice and a balanced mix of unit sizes in new developments.
- 8.33 Hackney Local Plan Policy LP14 sets out the preferred unit mix for different tenure types. For affordable housing tenure, a 33% split between one-bed, two-bed and three-bed units is generally expected. For market housing, at least 33% of units should be three-bed, with a greater proportion of two beds than one beds.
- 8.34 Of the 30 social rented units, 9 are one-bed (30%), 10 are two-bed (33%) and 11 are three-bed (37%). This is broadly in line with the recommended 33% split between tenures, although it provides a greater proportion of family units which is generally welcomed.
- 8.35 Of the 56 market units. 19 are one-bed (34%), 22 are two-bed (39%) and 15 are three-bed (27%). Again, this is broadly compliant, despite a small shortfall in family sized dwellings.
- 8.36 In consideration of the above, the proposed housing mix is considered to be acceptable overall.

### **Conservation and Heritage**

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

### Broadway Market Conservation Area

#### *Orwell Court*

- 8.40 The sites at present do not contribute positively to the setting of the conservation area as they are generally paved open spaces which create no visual impact on views from inside the conservation area. The current relationship is neutral.
- 8.41 In views south along Broadway Market from London Fields and the junction with Lansdowne Drive, the Welshpool Tower is a prominent visual intrusion above traditional two storey foreground buildings, as are some tall buildings in Shoreditch and The City, so to some extent the character of the Conservation Area is already experienced as a cohesive, domestically scaled townscape with taller buildings in the visual background (although the city towers are more recessive because of their distance).
- 8.42 The top floors of new blocks on the Orwell garages site would be visible above the rooftops

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of the terraces along Broadway Market, and will backdrop rooftops and chimneys in long views south along Broadway Market. This would provide some harmful visual backdropping to the Conservation Area, especially as these new blocks are much closer than some of the other tall buildings in the background. This has been mitigated to some extent by the choice of brick colour, which is intended to soften the appearance of the blocks to reduce their visual prominence.

- 8.43 Overall, however, the development is considered to cause some harm at the low end of the scale to the character and appearance of the Broadway Market Conservation Area through the visual impact in longer views of the new development within its setting.

### *Welshpool Street and Croston Street*

- 8.44 The Croston Street terrace sits outside the conservation area boundary and has a front elevation that sits on the conservation area boundary and faces listed houses opposite. This terrace has pitched gables to the street with angles that echo those of the historic houses opposite, curved fanlights above front doors, dark garden railings and a brick bond which reflects the historic neighbours. Historically, a terrace of houses was located on the site of the proposed terraces, with similar depth gardens and the proposals reinstate this relationship and enclosure of the conservation area.

- 8.45 The Welshpool Street terrace is sited outside the conservation area but would be visible from vantage points from inside. Where visible, it is designed in response to the scale, grain and character of the conservation area and will create a new defined edge to the area. Two and three storey buildings are characteristic of the conservation area, with three storeys above ground at the opposite end of Croston Street. Three storey proposals are broken up by two storey, or reduced height elements echoing characteristic heights. The proposals are considered to be a contemporary interpretation of Georgian and Victorian buildings which define the conservation area.

- 8.46 Overall, the new terraces are considered to be in keeping with their context and are considered to preserve the setting of the Broadway Market Conservation Area.

### Regent's Canal Conservation Area

- 8.47 The Regent's Canal Conservation Area runs east to west close to the southern site boundary. New buildings will be separated from the Regents Row and the canalside by existing Orwell Court Buildings (Little Orwell). From Cat and Mutton Bridge the upper floors of the proposal would be visible above low foreground trees and above Little Orwell. This view is characterised by modern buildings backdropped by the Welshpool Tower. At the junction of Broadway Market and Regents Row/Andrews Road the proposal will be somewhat visible in the backdrop of number 1 Broadway Market but the proposal would appear distant and the impact would be minimal.

- 8.48 The opening up of a new route parallel to Broadway Market Mews would create a useful alternative walking connection between the estate and the canal. The proposals are not considered to have a harmful impact on the Regent's Canal Conservation Area.

### F Cooke's Eel, Pie and Mash Shop, Broadway Market (Grade II)

- 8.49 The Orwell Court blocks would be constructed to the rear of the listed building. The buildings will not be visible in views from directly in front of the listed building. In very long distance views the two buildings may be visible together but these views would be so

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distant that any impact would be difficult to appreciate. The rear elevation of the listed building is not visible from Broadway Market Mews where a modern extension to the building faces the development site. No harm identified.

### 6 - 15 Croston Street (Grade II)

- 8.50 As described in the conservation area section above, the proposal directly faces the row of grade II listed houses on Croston Street. The height of the proposal is broadly 1m taller than the listed houses with the peak and valley of the gable being a metre taller than the corresponding listed building gable opposite.
- 8.51 The design of the new development on Croston Street responds sympathetically to the heights, materiality, proportions and detailing of the listed buildings in a contemporary way, so sits comfortably within its context.
- 8.52 The proposal height, while being taller than the existing building on site, is seen as being compatible with the scale and character of buildings which are in the setting of the listed houses. The development is not considered to detract from visual appreciation of the listed buildings and would preserve their setting.

### 5 - 23 Dericote Street (Grade II)

- 8.53 The Welshpool Street terrace is proposed to be located to the rear of the western boundaries of the gardens of the Dericote Street houses with rear elevations being separated by a c25m distance. The terrace is not visually prominent in views of the fronts of the listed terrace. It will be visible from the junction of Dericote Street and Croston Street where it will appear as modest in scale, visually separated by a meaningful distance and with a massing that is broken up by regular recesses at the top floor, breaking down the grain and scale. The proposal is not considered to have a harmful impact on the setting of the listed houses.

### St Paul's Church of England Infant School (Grade II)

- 8.54 The gable of the listed school is visible at the end of Croston Street looking West. In this view the proposal will frame the view from the left. All buildings in the view would be related by a similar scale, materials and by gabled frontages. The relationship would not be harmful to the setting of the listed building.
- 8.55 A new public street would run along the rear of the listed building connecting Welshpool Street and Traderwen Road. The new route would open up a new opportunity to appreciate the back of the school.
- 8.56 Overall it is considered that the proposals do not have a harmful impact on the listed building or its setting.

### Public realm

- 8.57 The scheme includes significant public realm improvements to create a consolidated public open space on Broadway Market. General upgrades to the public realm are proposed across the development site improving the arrival experience to the market and the quality of the landscape around it.
- 8.58 The landscaping work will enhance the conservation area by creating a new focal point

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from which to appreciate the area, and by improving the quality of landscaping in the setting of the area.

### Heritage Conclusions

- 8.59 Given the slight variation in existing heights along Croston Street where buildings range from two to three storeys, the height of the lower scale proposals on Croston Street and Welshpool Street is considered to be appropriate in terms of character and relationship to the conservation area.
- 8.60 However, the taller elements of the Orwell Court proposal creates visibility in backdrops of long views along Broadway Market would cause some less than substantial harm to the significance of the conservation area at the lower end of the scale through development within its setting. The design of the new development responds sympathetically to the heights, materiality, proportions and detailing of the neighbouring listed buildings, so would preserve their setting.
- 8.61 The Welshpool Street terraces have a similar height to historic buildings on Croston Street and Dericote Street, and are set well away from the rear elevations of homes on Dericote Street. Subject to restrictions on rear lighting and resolution of privacy screening, the proposal is not considered harmful to the conservation area setting or to the setting of the listed buildings on Dericote Street.
- 8.62 The proposed development would have a neutral impact on the Regent's Canal Conservation Area.
- 8.63 Regarding the harm identified to the Broadway Market Conservation Area through visual backdropping of the historic townscape. This should be weighed against the overall public benefits of the scheme, in line with NPPF para 215, which include some townscape benefits such as improved landscaping and public realm.

### **Design**

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

### Context

- 8.66 The site of the proposal includes the garages and Keith Miller Sports Pitch at the Broadway Market end of the Suffolk Estate. On the other side of Welshpool House (the tower), to the north on Welshpool Street, is a smaller site, currently occupied by a council depot and surrounding associated and residents parking on Welshpool Street. In between the two development locations the project boundary covers the open spaces and streets surrounding Welshpool House, including the important public space at the junction of Broadway Market, Benjamin Close and Welshpool Street.

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- 8.67 The Suffolk Estate garages site faces the private Broadway Market Mews, which is separated from the site by a wall and set at a lower level and is excluded from the project. This garage site also includes a community training pitch which is an important space for young people and needs to be retained on site.
- 8.68 The Welshpool Street site has a frontage to Croston Street which is part of the Broadway Market Conservation Area and which is defined by Victorian villas.

### Layout

#### *Welshpool Street and Croston Street*

- 8.69 The group of terraces which comprise this part of the proposal are on the site of a depot which has no public access. The proposal seeks to introduce a new public street through the site linking Welshpool Street to Trederwen Road, but maintaining the cul-de-sac at the end of Croston Street.
- 8.70 The terraces are aligned to the layout of the Conservation Area buildings to the east and north with one terrace aligned with Croston Street and the building lines on it. Another terrace faces east towards the new street where a new public garden square is proposed. The terrace to the south defines a corner of Welshpool Street. The layout brings urban design and movement benefits including enclosure to public spaces and streets as well as the introduction of an active frontage, and the introduction of enhanced public realm and green space.
- 8.71 Consideration was given to locating the main open space to the rear of the terrace rather than on the street to create a more typical, urban layout. However, putting the space at the front was seen as beneficial in that it reduces proximity between the terrace and the adjacent tower. The green space also adds to the total area of new public open space. The layout is well suited to its context

#### *Orwell Court*

- 8.72 Various layouts have been considered over the pre-application process but the proposal responds to a number of important constraints on the site. First, the football pitch needs to remain in its current location on the edge of the site. Second, a sewer runs diagonally below the site which restricts development above. Third, relationships to the surrounding context of existing homes needs to be carefully managed.
- 8.73 The layout of blocks creates parallel frontages to the east–west route to the north of the site and to a new north–south route running parallel to Broadway Market Mews and connecting to the canalside from Broadway Market. The two pavilion blocks together with frontages of existing estate blocks form an enclosure to a new quieter community garden and play space, on what is currently land covered by garages. The blocks also enclose and give frontage to the football pitch. Across the wider site key areas of the public realm will be enhanced with a new public space created on Broadway Market.
- 8.74 The layout is well related to its surrounding context providing numerous benefits to the public realm which will benefit new and existing residents.

### Height, Form and Massing

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### *Welshpool Street and Croston Street*

- 8.75 15 townhouses are proposed across three separate but adjoining locations: five houses are proposed on Croston Street to the north, seven townhouses are located opposite Welshpool House on Welshpool Street and back onto the rear gardens of the houses on Dericote Street, and three final houses are located on the southern corner of Welshpool Street.
- 8.76 Facing Croston Street, a terrace of 3 storey/c10m tall houses is proposed. The proposal is 9.675m to the apex of gables. The angle of the pitch of the gables reflects those of historic houses opposite. The height of the terrace is slightly taller (by around 1m) than the historic houses on Croston Street and has a taller frontage than the existing building on site which has a c5.5m high elevation with pitched roof above. The historic buildings opposite are 8.675m to gable apex. Within the proposed frontage, the valley of the gables dips by approximately 1m to around 8.5m.
- 8.77 The other two terraces are similar in overall height but as their frontages are at a lower level their full height from Welshpool Street and from their rear is 11.25m. The frontage will be set back an additional circa 1m from the back of pavement and the elevation position of the existing depot frontage increasing front to front separation from circa 10.5m to c11.5m.
- 8.78 The townhouses backing onto Dericote Street include upper level external amenity spaces / roof terraces facing towards the gardens of homes which sit 28m away. The setbacks help to minimise and break up the massing of the proposal when seen from existing gardens.
- 8.79 Overall, the height and massing of the proposed buildings is suitable in character and conservation terms for this dense urban context where buildings of three storeys height are part of the defining character of Broadway Market and surrounding streets.

### *Orwell Court*

- 8.80 Both blocks are six storeys (ground floor plus five storeys above), and circa 20m in height. They have central cores with flats radiating off. The massing of the block means that most flats are on corners so would enjoy a dual aspect outlook. Long balconies wrap the full frontage of each flat.
- 8.81 The blocks are positioned to create beneficial relationships with surrounding buildings to frame and enclose new communal spaces and overlook the football pitch, while maintaining reasonable separation distances of 14m and 20m at closest points, from existing homes and avoiding direct overlooking between each other. Upper floors at G+5 level are set back to reduce the height difference between the proposal and adjacent buildings. The blocks provide new frontage to Broadway Market Mews and also to the path linking Pownell Road and Benjamin Close, two routes which currently suffer from a lack of natural surveillance and enclosure.
- 8.82 The blocks at six storeys/20m are taller than most buildings in the immediate vicinity with the exception of the eighteen storey 51m Welshpool Tower. Immediately to the west, the Suffolk Estate is four storeys/13m, rising to six storeys/18m a little further west. To the south a block of the Suffolk Estate is four storeys/13m. To the east, Broadway Market buildings are mostly three storeys with setback mansards above/13m. In the wider context several 20th century blocks of flats, for example on Jackman Street, rise to six storeys/18m, while terraces and older houses are either two or three storeys.

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- 8.83 Height and massing has been developed to maximise the number of homes that can be provided on the site while limiting negative impacts to adjacent neighbours and visibility in key views. The creation of new communal open spaces enclosed by the new frontages will create attractive new places for existing and new residents to enjoy, and overlooking and overshadowing has been reduced through placement of blocks.
- 8.84 Overall, while taller than immediately adjacent neighbouring buildings, the proposed height and massing adds to the occasional punctuation of the low rise area by buildings of five and six storeys. The location would reflect the pattern of distribution of buildings of this approximate height in the area. Closer to the proposals blocks are positioned considerably with massings refined and adjusted to minimise impacts to neighbours. At the closest adjacencies, frontages have been angled and massings reduced to limit the extent of impact.

### Architecture and Materials

#### *Welshpool Street and Croston Street*

- 8.85 The proposal includes three terraces. The longer terrace of seven, three-storey townhouses faces towards Welshpool Tower and follows a traditional approach of repetitive frontages combined in a simple rectilinear massing with a flat parapet facing the street. Front doors and groups of windows create a rhythm of frontages, very similar to Victorian or Georgian terraces, and wider brick areas separate each house. A shorter terrace of five, large townhouses faces towards Croston Street. A third smaller terrace defines the corner of Welshpool Street to the south and has a chamfered corner emphasising the corner of the street.
- 8.86 The Croston Street terrace has pitched roofs with gables facing the street at an angle and orientation which matches those of the listed houses opposite creating a respectful character relationship. Frontages include repetitive groups of windows, with proportions to match historic windows opposite, and with separation between each house created by larger areas of brick. Side windows ensure no areas of inactive frontage are created.
- 8.87 The Welshpool Street terrace follows a more rectilinear approach with a continuous flat parapet which reflects typical historic terraces, seen nearby on Broadway Market. The corner terrace is angled to enclose the street and a small new area of green space, and follow the frontage line defined by an existing adjacent building. The architecture and materials are very similar to the adjacent long terrace. A gap between them allows glimpses through to gardens.
- 8.88 The terraces would be faced with two tones of brick, a light buff brick for the majority of the facade and a lighter brick and mortar to emphasise the ground floor and primary window surrounds responding to white ground floors nearby. A Flemish bond is proposed which echoes the bond used in historic houses. The ingredients which make up the design, such as roof and parapet forms, repetition of window groups, window shapes, and larger primary windows as part of a window hierarchy, emphasised ground floors and garden railings, reflect the component parts of traditional London terraces and nearby historic houses but the result is distinctly contemporary and of high architectural quality. Detailed materiality can be dealt with by condition and samples should be provided on site to test compatibility with the conservation area and listed building context.
- 8.89 Hard landscaping features ensure that homes are set firmly in their surrounding landscaping, which would soften the appearance of the buildings, and provide valuable

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additional green space for residents and non-residents.

- 8.90 The ground-floor garden façade, where wall-mounted light fittings are proposed, has been designed in accordance with relevant Hackney design guidance, and is not considered to give rise to amenity concerns.

### *Orwell Court*

- 8.91 The siting of the blocks creates a corner and presence on Pownall and Brougham Roads and a frontage to the public realm when seen from the open space at Broadway Market. The blocks respond to their context on all sides, resulting in chamfered forms with no significant blank elevations and ensuring that all sides act as frontages to the adjacent publicly accessible space. As a result the buildings have no 'back' at ground level meaning some ground floor flats have their private space facing the public realm. This issue is dealt with using hard landscaping and boundaries which maximise privacy.
- 8.92 The six storey massing is taller than the predominantly four storey neighbouring buildings. The proposal softens the impact of the upper floor with angling and setbacks to reduce the impact on neighbours of a jump in scale. This impact is further mitigated through materiality and elevational treatments. The buildings respond to their neighbours through brick and colour. Orwell Court and Little Orwell both have a warm red brick and heavily emphasised horizontal banding, reflected by the proposal.
- 8.93 The horizontal character of the adjacent modern estate is reflected in the new buildings through brick detailing and robust horizontal balconies with brick enclosures.
- 8.94 The two buildings will contrast, with Block 01 (or Building A as it is sometimes referred to) using a red brick and Block 02 (or Building B) a warm grey brick. The overall effect will allow the two buildings to 'talk to each other' while subtle variations in tone break up the mass of the overall development and create a distinction between the two.
- 8.95 The proposed brickwork patterns and detailing will add depth and quality when viewed close up. This detailing includes a stacked header bond with integrated building signage on the ground floor. Horizontal bands in soldier bond define linear balconies and a string course forms the cill to the windows. Windows feature an overhead panel to meet the underside of the horizontal bands. Brick piers in stretcher bond sit between windows and are slightly recessed from the horizontal bands, creating a shadow line between the different brick elements.
- 8.96 Overall the architectural quality is high with good internal layouts, good amenity spaces with privacy embedded, a clear relationship with the character of the context and a significant improvement of open spaces which will benefit existing and new residents, and integrate new with older buildings.

### Internal Layout

#### *Welshpool Street and Croston Street*

- 8.97 The houses are proposed to be market sale, helping to cross-fund social housing on the larger blocks. The internal layouts are exceptional as a result with all homes having dual or triple aspect, good levels of external amenity space, internal spaces which meet or exceed national space standards ([link](#)) for room sizes, storage and layout. 2.92m floor to floor heights allow for acceptable floor to ceiling dimensions.

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### *Orwell Court*

- 8.98 Upper floors: Most flats are located on the corners of the blocks so benefit from a dual aspect allowing improved ventilation and outlook. The buildings do have smaller single aspect flats on every floor. Most larger windows in single aspect flats types are shaded by balconies above reducing the chance of overheating while maximising light. Mainly north-facing flats also have a secondary outlook facing directly east or west to allow direct sunlight from the east or west. Top floor flats include solar shades above the doors and windows which might otherwise contribute to overheating. Floor to floor heights are 3.15 allowing ample space for good floor to ceiling dimensions.
- 8.99 The flats have balconies with wide projecting balconies with brick balustrades and soffits below. This will create robust, private balconies and conceal any stored items. Inset balconies also have brick balustrades creating amenity spaces with a robust and enclosed character. The solid balconies do not obstruct light to windows but do reduce views from the ground into homes. Windows are from waist height to ceilings maximising privacy for the lower half of rooms.
- 8.100 Ground floors: There are some areas of inactive frontage associated with plant, bike and bin storage, and market storage. Inactive frontage is concentrated along Broadway Market Mews where storage is located. However the main entrance to the eastern block is also located here as a source of activity, while market storage will create a lively location on market days. The southern side of this block faces onto a community open space and a ground of flats open up onto it. The western block has active residential frontage onto the main open space to the south, while the northern frontage next to the football pitch includes new TRA accommodation and meeting rooms. Key corners are activated by homes and stretches of blank frontage associated with storage and plant are minimised and broken up with active points.
- 8.101 The ground floor flats have gardens with robust boundary treatments and also have areas of additional inaccessible landscaping to maximise privacy.

### Landscape

- 8.102 See separate landscape and biodiversity comments. The scheme provides a complete and extensive new landscape and public realm associated with both development sites as well as landscape adjacent to and in between the sites including up to the edge of Broadway Market. The scheme transforms the site from a car-dominated service area into a welcoming, accessible, biodiverse and child-friendly environment, which also caters for people of all ages. An assessment of the scheme has been included which addresses the Growing Up in Hackney SPD. It shows a proposal which has been detailed to support good health and family life, and provide an excellent environment for children to grow up in.

### *Welshpool Street and Croston Street*

- 8.103 A new public garden and pedestrian landscape is proposed on Welshpool Street faced by the new terraces. Quality paving, mixed biodiverse planting and lighting is proposed as well as hard landscaping associated with private spaces directly in front of homes. Playable landscape specifically designed for children has been included within the garden.

### *Orwell Court*

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- 8.104 The new buildings frame two significant open spaces and a network of new pedestrian and cycle-accessible routes. The southern garden includes open grass, play equipment, play-on-the way routes, a diagonal path following a likely desire-line and species rich planting. Surrounding it and in the place of existing hardstanding, will be quality paving, new private spaces for existing and new residents and hard landscaping in the form of boundary walls and railings around private amenity spaces.
- 8.105 A new paved route will link Regents Row to the new public space on Broadway Market. A wall separating Broadway Market Mews will be lowered and replaced with attractive new railings to improve visual relationships between the mews frontages and the new north south route. 'Social circles' are located on this route and in other wider areas of paving providing concentrated landscape areas incorporating seating, bike parking and play on the way for young children.
- 8.106 The sunken football pitch will be re-provided with a new perimeter wall and fence. A new breakout seating area is provided at a higher level to encourage socialising in a prominent corner which can benefit from natural surveillance from adjacent walking routes. A second exit is provided here. Attention has been given to encouraging equal gender access with local girls influencing designs. Young people have been involved in the wider design which is considered to successfully meet the requirements of the Growing Up in Hackney SPD.

### *Wider Landscaping*

- 8.107 A new public 'share square' is proposed on the junction of Benjamin Close, Welshpool Street and Broadway Market. This natural meeting place attracts activity on market days with tarmac surfaces given over to temporary seating and stalls. However, the fenced grass area is not accessible and has low biodiversity and amenity value. It is proposed to consolidate the various surfaces to create a more singular open space providing seating, bike storage, focal planting and quality paving. The space will provide a valuable breakout space with much needed seating and bike parking on market days. The space is separated from a larger area intended to be for residents' use by a narrow street, a row of bike parking spaces, and an area of defined resident-only green space including retained trees.
- 8.108 Paving materials will be from a standard Hackney palette ensuring that the area feels integrated and can be easily maintained.
- 8.109 Street furniture comes from Hackney's New Build Design specification to ensure they are pre-approved.
- 8.110 Two trees and five saplings will need to be removed and 29 new trees will be planted which are predominantly species indigenous to the UK. Tree diversity is built in to provide climate resilience as well as shade and colour throughout the year and to reinforce legibility and comfort. The low-level species mix responds to local microclimates, for example shade-loving species are located in shady spots. Plants have been chosen to be colourful, tactile, seasonal and insect-friendly.
- 8.111 Details of the landscaping design including materials, planting including the new tree (which should be chosen with input from local residents to create a sense of ownership), furniture designs will be conditioned as part of any planning permission.

### Design Conclusions

- 8.112 Overall, the proposal is a carefully designed response to this sensitive location. It will

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deliver numerous benefits including active frontage to streets and paths, and new gardens and play areas replacing hardstanding- dominated areas. Buildings and materials are proposed which positively relate to their surroundings remediating unattractive voids in the urban fabric. The proposed homes and facilities of high architectural quality, and will support existing and new residents of all ages, including children and families. Furthermore, the public realm of the wider area will be upgraded, encompassing a new square on Broadway Market and a dedicated pedestrian street to bypass the market on busy days.

- 8.113 The proposed density and scale of the development will be most apparent in two six-storey buildings which will appear in the backdrop of some views within the conservation area. This is considered to cause some less than substantial harm to the character and appearance of the Broadway Market Conservation Area at the lower end of the scale.
- 8.114 Separately, new three-storey terraces along Croston Street and to the rear of Dericote Street properties will impact on the sense of openness in gardens and will alter the setting of listed houses, affecting outlook from those homes. However, the design is carefully related to the historic development patterns of this part of the conservation area, and back-to-back distances will preserve privacy. These three storey buildings are not considered to cause harm to heritage assets.
- 8.115 These heritage concerns are weighed against substantial public benefits of much critically-needed social rent housing in a development which enhances the area with high-quality and well-arranged new buildings, expanded biodiverse and playable landscape, and improved public spaces for both the immediate and wider area. The identified harm will be considered within the overall planning balance.

### **Quality of Accommodation**

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

### Cores

- 8.117 Standard B2 of the Housing Design Standards relates to access to units, including incorporation of access control measures, core layouts and lift provision and that each core should be accessible to generally no more than eight units per core.
- 8.118 At Orwell Court, Block 01 has a maximum of six units per core, which is acceptable. At Block 02 there is a maximum of eight units per core, which is also acceptable. The properties at Welshpool are all townhouses and do not contain cores.
- 8.119 This aspect of the proposal is considered acceptable.

### Internal Space Standards

- 8.120 London Plan Policy D6 and Table 3.1 require new housing to meet specific internal space sizes, including the provision of built-in storage. Policy D6 also states that a minimum ceiling height must be 2.3m for at least 75% of the gross internal area. This is supported by Hackney Local Plan Policy LP17.

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- 8.121 Overall, the units would provide a good standard of accommodation in regards to internal space standards, with all of them exceeding the minimum requirements. All of the units would offer an acceptable amount of storage and have minimum head heights of at least 2.3m. The proposal complies with London Plan Policy D6 and Table 3.1.

### Outlook and Privacy

- 8.122 London Plan Policy D6 states that developments should minimise the number of single aspect dwellings, particularly if they are north facing. London Plan Policy D6 also requires new housing to provide sufficient outlook and privacy.
- 8.123 Block 01 at Orwell Court is the south eastern of the two developments and consists of 30 units within its six storeys. All of the units have dual aspect and are provided with acceptable levels of outlook and privacy, being positioned at least 10m away from adjacent buildings, though the units which possess eastern or western facing balconies are as close as 8m in some instances (though this would be at the pinch point between the two new builds and not with existing homes). This is tight but not considered unacceptable or uncommon in urban environments. There is one ground floor unit which is located at the south of the building and faces onto the communal lawn/yard. Ground floor units are often more vulnerable to privacy concerns by virtue of their location. In this instance, the ground floor unit will be protected by defensive planting which will help mitigate privacy concerns from passers by. This is considered acceptable.
- 8.124 Block 02 at Orwell Court is the north western of the two developments and consists of 41 units across six storeys. Of these 19 are essentially single aspect units (though none are single aspect north facing). All 19 single aspect units are one bedroom apartments. The majority of the units are orientated either so that the main living areas are facing either south or east, and are provided with a good amount of outlook and privacy. The western facing units are positioned approximately 15m away from the properties at Orwell Court, which is acceptable and a common distance in urban environments. The north facing units are over 20m away from the front elevations of the houses on Brougham Road to the north. There is a slightly tight relationship between the nearest units facing each other between Block 01 and 02, where the distance remains circa 10m away (or 8m with the balcony included). Two units are located at ground floor level and both are oriented so that their main elevation faces south. As per Block 02, the privacy of these units will be maintained by defensive planting.
- 8.125 The 15 townhouses at Welshpool Street are dual aspect and would provide an appropriate level of outlook and privacy for houses located within an urban area.
- 8.126 Overall the quality of outlook and privacy is deemed acceptable and compliant with London Plan Policy D6.

### Accessibility

- 8.127 London Plan Policy D7 requires that 10% of new housing must meet Building Regulations requirement M4 (3) 'wheelchair user dwellings, whilst the remaining 90% of units meet Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' and.
- 8.128 Of the proposed 86 dwellings, nine will be wheelchair accessible and built to Building Regulations Category M4(3) (10.5%). All of these are located within the Orwell Court 01 building. All of the remaining are designed to M4(2) standard with the exception of five M4(1) homes at Welshpool Street.

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8.129 Although it is disappointing that not all of the units are at least wheelchair accessible, the townhouses at Welshpool Street are split level due to an existing level change in the road and there is insufficient space to include a disabled toilet at ground floor level.

### 8.130 Daylight and Sunlight

8.131 London Plan Policy D4 states new development should provide sufficient daylight and sunlight to new housing and is appropriate for its context.

8.132 The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment which has been assessed as part of this application.

### *Daylight/Illuminance*

8.133 The UK National Annex recommends that median illuminances be exceeded in more than half the assessment points in a room for more than half of the daylight hours for a typical year. The median illuminance for rooms are as follows:

- A. 100 lux in bedrooms
- B. 150 lux in living rooms
- C. 200 lux in kitchens/living/diners (KLDs)

8.134 At Welshpool Street, the 15 dwellings consist of 85 habitable rooms. Of these, nine did not meet the minimum BRE standards, including three kitchen/living room/diners, four studies and two bedrooms. Given that the majority of rooms meet the minimum requirements this is considered acceptable.

8.135 At Orwell Court of the 206 rooms assessed there were 10 that did not meet the minimum BRE standards. This included one kitchen/living/diner, three kitchens and six bedrooms. Given the scale of the development this is considered acceptable.

### *Sunlight*

8.136 The BS EN 17037 standard recommends that a space receive a minimum of 1.5 hours of direct sunlight in cloudless conditions between the 1st February and 21st of March. Although the BS EN 17037 applies to all rooms, if a room faces north of due east or west, it is unlikely to demonstrate enough sunlight. Within homes, at least one living space should meet the minimum criteria. The BS EN 17037 criteria apply to a minimum (1.5 hours), medium (3 hours), and high level (4 hours) of sunlight in various situations.

8.137 At Welshpool Street all 15 living rooms met the BRE recommendations for sunlight.

8.138 At Orwell Court, of the 71 living spaces assessed the results showed that 58 of them meet the BRE recommendations. This includes 53 spaces that met the minimum BRE recommendations and five spaces that belonged to a dwelling where at least one other habitable room met the minimum BRE recommendations and thus meeting the criteria. Moreover, of the remaining 13 spaces falling short of the BRE recommendations, eight rooms are north facing units.

8.139 Thus approximately 82% of the assessed spaces meet the BRE recommendations.

### Noise and Vibration

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- 8.140 London Plan Policies D13 and D14 and in particular paragraph 3.13.7 discuss how uses proposed near to an existing noise-generating use should include necessary acoustic design measures, for example, site layout, building orientation, uses and materials. Meanwhile, Hackney Local Plan Policy LP58 also states that noise-sensitive development should be located in areas where occupiers will not be exposed to significantly adverse noise levels.
- 8.141 Providing that all of the units and neighbouring properties are occupied in a neighbourly manner it is unlikely that the new dwellings would suffer from undue noise disturbances from other residents.
- 8.142 The applicant has submitted a Planning Noise and Vibration Report. The report states that, in general, the site falls into the “low” range of risk values in current Professional Practice Guidance.
- 8.143 Based on the findings of the noise survey and using typical glazing and building constructions, internal sound levels within habitable rooms would comply with recognised Standards and Guidance. The site can therefore be considered acoustically suitable for the proposed development. No significant adverse noise impacts on the amenity of occupiers and neighbours are anticipated.
- 8.144 Measured vibration levels are significantly below guidance values in the relevant Standards and vibration and ground borne noise is not likely to result in any adverse effects on the proposed dwellings or their occupants.
- 8.145 The Council’s Environmental Health Officer has reviewed the submitted Noise and Vibration Report, and is satisfied with its findings. No objections have been raised subject to a variety of conditions including a Noise, Vibration and Dust monitoring system, and a number of post installation tests on noise and sound installation. These conditions have been attached. The proposal is considered acceptable in regards to London Plan Policies D13 and D14.

### Private Outdoor Amenity

- 8.146 London Plan Policy D6 requires a minimum of 5sqm of private outdoor space be provided for 1-2 person dwellings with an extra 1sqm should be provided for each additional occupant. Terraces/balconies must also achieve a minimum depth and width of 1.5m. This is supported by Hackney Local Plan Policy LP48.
- 8.147 All of the apartments at Orwell Court would provide private balconies of a minimum 1.5m in depth that would meet or exceed the minimum size standards for their relevant unit.
- 8.148 The gardens for the townhouses at Welsphool are between 5-6min depth and 25-30sqm in size. This is considered to be acceptable for family sized dwellings.
- 8.149 This aspect of the proposal is compliant with London Plan Policy D6 and Local Plan Policy LP48.

### Communal Open Space

- 8.150 Hackney Local Plan Policy LP48 states that all developments for 10 or more residential units must maximise on-site provision of open space and where feasible provide 14sqm per

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person of communal open space. Where this is not possible, the development must make physical improvements to the public realm to improve access to existing public open spaces, and make financial and/or physical contributions towards the provision of new open space, the enhancement of existing public open space or the enhancement of other green infrastructure and biodiversity in the locality.

- 8.151 Using the GLA Population Yield Calculator, the development would yield up to circa 197 residents (150 adults and 47 children). The proposal therefore requires roughly 2,758sqm of open space.
- 8.152 The proposed development will incorporate a total of 3,181sqm of open space. Accordingly, the proposal is deemed to comply with Local Plan Policy LP48.

### Play Space / Child Friendly Design

- 8.153 London Plan Policy S4 states that development proposals for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation, incorporating good-quality, accessible play provision for all ages. At least 10sqm of playspace should be provided per child. This is supported by Local Plan Policy LP50.
- 8.154 Using the GLA Population Yield Calculator, the development could yield up to 47 children living on site. The scheme therefore would need to provide circa 470sqm of play space. The scheme proposes 468sqm of play space (excluding the football pitch) spread across both the Orwell and Welshpool sites (though circa 400sqm is located adjacent to the Orwell Court blocks, which is understandable given these two buildings provide the majority of new units). The proposed amount is just shy of the required standard and overall considered acceptable.
- 8.155 Lastly, a Child Friendly Impact Assessment has been submitted as part of the application which includes the completed child friendly design checklist. In accordance with the RAG the proposal achieves a score of 16 for the 'doorstep' category and 17 for the 'street' category, both of which equate to a 'good to excellent' rating.

### Overshadowing

- 8.156 BRE Guidance recommends at least half of the communal amenity space (50%) should receive at least two hours of direct sunlight on 21st March (spring equinox).
- 8.157 The applicant has submitted an overshadowing assessment as part of their Daylight and Sunlight document. The assessment covers three separate public spaces - the land immediately to the north of the site, and those to the east and west.
- 8.158 At Orwell Court, 57% of the large communal open space to the south of the site would receive at least two hours of sunlight on the spring equinox. This meets BRE guidance.
- 8.159 At Welshpool Street, 100% of the central communal space would receive daylight on the sleeping equinox.
- 8.160 In terms of the proposed gardens at Welshpool Street, it is accepted that many of the new gardens would fail to meet the recommended daylight provision in March. However, 12 of the 16 would comply when assessed against the summer equinox in June, which is when residents would more likely be using the space. Three of the four gardens that fail belong to the three terraced houses at the south of the development.

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- 8.161 Overall, while it is disappointing that not all of the proposed houses would receive good amounts of direct daylight, the majority of the new homes would provide acceptable outdoor space in terms of light and overshadowing. Meanwhile, both communal spaces at Orwell Court and Welshpool Street comply with guidance. Accordingly, and on balance, the proposal is considered acceptable in terms of overshadowing proposed outdoor spaces.

### Neighbour Amenity

- 8.162 Local Plan Policy LP2 states all new development must be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers. Amenity considerations include the impact of development on visual privacy and overlooking, and outlook; sunlight, daylight, artificial light and overshadowing, noise, fumes and odour; and microclimate conditions.
- 8.163 Additionally, London Plan Policy D4 states new development should provide sufficient daylight and sunlight to new housing and is appropriate for its context. The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received from adjoining properties. BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind and *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.

#### *1-19 Dericote Street*

- 8.164 This row of two-storied terraced dwellings are located to the northeast of the Welshpool Street site. The houses here possess incredibly deep rear gardens measuring circa 20m in length. At this distance, the proposed town houses are unlikely to cause any significant loss of outlook or increased sense of enclosure.
- 8.165 The proposed terraces at second floor level could cause some overlooking into the gardens, however the terraces are small, secondary outdoor amenity spaces accessed via the master bedroom. The main outdoor amenity space is the proposed garden, which is where Officers expect new residents would spend most of their time outdoors. As such, Officers do not anticipate the proposed terraces to result in any unreasonable loss of privacy for the residents at Dericote Street.
- 8.166 The results show that all of the windows assessed complied with BRE guidance in terms of daylight and sunlight.

#### *8-15 Croston Street*

- 8.167 This row of two-storied terraced dwellings are located to the northwest of the proposed Welshpool Street site.
- 8.168 The houses would remain on the opposite side of the road to five new townhouses. This relationship is extremely common and Officers do not anticipate any undue loss of outlook, privacy or increased sense of enclosure. Additionally, the results show that all of the windows complied with daylight and sunlight guidance.

#### *1 Welshpool Street*

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- 8.169 This two storey new build house is located on the corner of Welshpool Street. Due to its design and arrangement, none of its windows would be impacted by the proposed townhouses on Welshpool Street. Given the orientation of the house and the location of the windows, it is unlikely that the proposed townhouses along Welshpool Street will impact daylight and sunlight to this property.

### *Welshpool House*

- 8.170 This 18 storey tall tower block is located to the south of the proposed Welshpool Street site and north of the proposed Orwell Court site.

- 8.171 The tower block would remain on the opposite side of the road from the proposed townhouses, and the existing residents are not expected to experience any unreasonable loss of amenity from the proposal. In terms of daylight and sunlight, the results show that all 374 windows assessed from the tower meet the BRE recommendations.

### *35-61 Broadway Market*

- 8.172 This row of dwellings are located to the southeast of the proposed Welshpool Street site.

- 8.173 The proposed town houses would remain on the opposite side of the road from the residents within these units. As such, the proposal is not expected to result in any uncommon or harmful impact in terms of outlook, privacy and sense of enclosure. In terms of daylight and sunlight, the results show that all 44 windows assessed from these developments meet the BRE recommendations.

### *34-44, 46-50 and 54-58 Brougham Road*

- 8.174 These apartment blocks and three storey row of houses are located to the west / southwest of the proposed Welshpool Street site.

- 8.175 These homes at 58-58 Brougham Road would be located closest to the townhouses at Welshpool Street. However, they would still remain on the opposite side of the road to the development and would not suffer undue harm. Nos. 34-50 are all located sufficiently far enough away from the proposed developments at both Welshpool Street and Orwell Court to not suffer any noticeable harm. Additionally, all of the windows complied with the BRE guidance on daylight and sunlight.

### *26-32 Brougham Road and 6-16 Benjamin Close*

- 8.176 This row of terraced housing and small adjoining apartment block is located to the southwest of the proposed Welshpool Street site and to the north of the Orwell Court site.

- 8.177 The front elevation of the houses would remain approximately 20m away from Orwell Court Block 02. At this distance Officers do not anticipate any unreasonable harm to the residents' existing amenity. Meanwhile the apartment block is orientated west-east with no south facing windows. No harm is expected.

- 8.178 In terms of daylight and sunlight, from the 66 windows assessed, all comply with the BRE recommendations, except 21. Of these, 11 windows achieve a VSC of at least 20% which is considered good in an urban environment and there are seven windows achieving a VSC of at least 15% which is considered acceptable in an urban environment. The three windows

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which fail all serve the same room (likely a living room) and are already tightly enclosed by the building they sit within, limiting natural light.

- 8.179 In terms of sunlight, a number of the south-facing windows would fall short of BRE recommendations, meaning that the Orwell Court apartment blocks would have a noticeable impact on the sunlight experienced by these residents. Whilst this is regrettable, on balance Officers do not believe the potential harm outweighs the benefits of the proposed scheme.

### *Orwell Court*

- 8.180 This four storey apartment block is located to the west of the proposed Orwell Court site.
- 8.181 The majority of properties within Orwell Court would not be significantly affected by the proposed development, and would retain good levels of outlook of circa 30m to proposed Block 01.
- 8.182 However, Block 02 is located quite tight up against some of the northernmost units. At its nearest, Block 02 would be roughly 5m away from the rear garden boundary of three properties and 15m away from the rear elevations.
- 8.183 Whilst a distance of 15m away from existing residential windows is not an uncommon relationship in urban environments, it is acknowledged that 5m from neighbouring gardens is tight, and could lead to a loss of privacy, as well as increased sense of enclosure. This loss of amenity needs to be taken into the planning balance when considering the benefits of the scheme against potential harm. On balance, Officers take the position that the positives of the scheme, including 86 new dwellings (including 30 social rented units) and new high quality landscaping and public spaces, outweigh the loss of amenity to these handful of units.
- 8.184 In terms of daylight, the results show that from the 112 windows assessed 44 meet the BRE standards and a further 17 have a VSC score of at least 15% or above, which is considered acceptable. It should be noted that a large number of windows at second floor level already have extremely low light levels, due to the overhang above. Moreover, these windows usually serve kitchens and toilets, rather than living spaces.

### *91-104 Regents Row*

- 8.185 This is a four storey apartment block consisting of 14 properties to the south of the Orwell Court site.
- 8.186 At its nearest, Block 01 would be located 10m from the closest residential windows at Regents Row. However the block angles away northwards, and 10 of the 14 properties at Regents Row would retain uninterrupted views for circa 30m (until Block 02). Moreover, Regents Row is arranged with the living rooms (and gardens and balconies) facing south away from the proposed development, with only kitchens and bedrooms facing northwards. As such, the main living spaces would not be affected by the development.
- 8.187 In terms of daylight and sunlight, the results show that from the 76 windows assessed, 21 windows meet the BRE recommendations. From the remaining 55 windows, 18 windows achieve a VSC of at least 20% which is considered good in an urban environment and there are seven windows achieving a VSC of at least 15% which is considered acceptable in an urban environment. Another 13 remaining windows are located on the ground floor

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where daylight access is limited. These windows generally have VSCs in the range of 0-16% in the existing context. It should also be noted that these windows do not belong to living rooms (which have greatest sensitivity to daylight). The remaining 17 windows are located on the second floor where the building is setback to allow for deck access. The overhang above these windows allows for very low existing VSCs, therefore, the introduction of any development makes it unrealistic to achieve VSC levels of at least 0.8 of their former value even when the absolute loss in VSC is low.

- 8.188 In consideration, whilst it is acknowledged that the development would have some impact on the outlook to residents of four units and, more generally, have some impact on light, overall the proposal is not anticipated to have an unreasonable impact on the residents of Regents Row in terms of outlook, privacy or sense of enclosure.

### *1-33 Broadway Market and Broadway Market Mews*

- 8.189 This row of dwellings are located above the commercial units on Broadway Market, to the southeast of the proposed Orwell Court site. To their rear are a variety of two storey units which together form Broadway Market Mews and are a mixture of commercial and residential units.
- 8.190 Parts of Block 01 will sit quite tight adjacent to the rear of some of the units along the Mews to the rear of Broadway Market. However, these units are already located behind a high brick wall and are mostly in commercial use at ground floor level - especially those which are closest to the proposed development. At first floor level, the nearest unit is a cafe, and there is also a hair salon and personal trainer studio adjacent too. The nearest residential units are the upper floor units along Broadway Market. These are set further back, behind the Mews, and remain roughly 15m away from the development. Some of the Mews units further north and south do appear to be in use as residential, but these are not directly impacted by Block 01.
- 8.191 In terms of daylight/sunlight the results show that from the 173 windows assessed, 148 windows meet the BRE recommendations. From the remaining 25 windows, 17 windows achieve a VSC of at least 15% which is considered acceptable in an urban environment. Only six windows do not meet the standards set in the BRE guidance. These are located at second and third floor level and belong to a cafe at the rear of the Mews.

### Overshadowing

- 8.192 BRE guidelines recommend that at least half of the garden or open space (50%) can receive at least two hours of sunlight on 21 March.

### *Welshpool Street*

- 8.193 A review of the site plan showed that there are 37 gardens or balconies in close proximity to the proposed development at the Welshpool Street site.
- 8.194 36 of the 37 spaces assessed retain at least 50% of garden space receiving more than two hours of sunlight on 21 March following the proposal, meeting the BRE requirements for overshadowing. Only the garden belonging to 3 Dericote Street falls marginally short (from 52% to 39%) but even in this instance it would still retain 75% of its previous light coverage. Overall, the potential of the proposed townhouses overshadowing neighbouring gardens is minimal.

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### *Orwell Court*

- 8.195 The results show that for 24 of the 31 gardens/balconies assessed, at least 50% of the spaces will receive more than 2 hours of sunlight on 21 March under proposed conditions, meeting the BRE requirements.
- 8.196 While the remaining seven spaces fell short of the BRE recommendations, it is worth noting that these spaces still receive at least two hours of sunlight on 21 June when residents are more likely to use their outdoor space.
- 8.197 Of these seven, two belong to 63 and 65 Orwell Court immediately to the west of Block 02. Four of the remaining five belong to the front gardens of 26-32 Brougham Road to the north. These houses also have rear gardens which are not impacted by the development.

### Neighbour Amenity Conclusions

- 8.198 The 15 townhouses at the north of the site have relatively minor impact on existing neighbour amenity. Whilst some overlooking into neighbouring gardens could occur from the use of the upstairs terrace, it is unlikely that this space will be heavily used. Moreover, the gardens impacted are extremely deep, minimising impact further.
- 8.199 It is acknowledged that the two apartment blocks will impact outlook and result in some loss of privacy and light to the most immediate neighbours at Orwell Court to the west and Broadway Market to the east. However, given the size and scale of the development, relatively few residents/homes will be significantly harmed, and on balance, the impact to these handful of dwellings is not sufficient enough to justify withholding planning permission.

### **Highways & Transport**

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

### Site Conditions and Accessibility

- 8.201 The site is located within a predominantly residential area to the west of Broadway Market and is currently occupied by garages, a car park and associated hardstanding. The surrounding highway network comprises local residential streets, including Pownall Road, Trederwen Road and Regents Row, which operate within a 20mph environment and include traffic calming measures. The site lies within a Controlled Parking Zone (CPZ), with controls operating Monday to Friday and extended to Saturdays in areas influenced by Broadway Market, which functions as a street market on Saturdays. The site is also located within a Low Traffic Neighbourhood (LTN), where traffic filters are used to restrict through movements and prioritise local access.
- 8.202 The wider highway network connects to the A10 corridor to the west, providing links towards Central London and the M25. The site benefits from a Public Transport Accessibility Level (PTAL) of 4, indicating a good level of accessibility. Bus stops are located within a short walking distance along Broadway Market and surrounding streets, providing access to a range of services. Rail accessibility is also strong, with London Fields station within approximately 10 minutes' walk, and Haggerston, Hoxton and Cambridge

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Heath stations within around 15 minutes, offering connections to London Liverpool Street and the wider London Overground network.

- 8.203 The area is well served by active travel infrastructure, with continuous footways, crossing facilities and good pedestrian permeability. Cycle infrastructure includes nearby routes along Queensbridge Road and the Regent's Canal towpath (Cycleway 16), providing connections across the local area.
- 8.204 Pedestrian and cycle access to the development is proposed from multiple points across both the Orwell Court and Welshpool Street sites, supporting permeability through the site and connections to the surrounding highway network. Key access points are provided via Welshpool Street, Benjamin Close and Pownall Road, with routes linking towards Broadway Market and the wider estate. The site also benefits from proximity to the Regent's Canal towpath, which forms part of the local cycle network.
- 8.205 Vehicular access is provided via a number of existing routes, including Broadway Market, Trederwen Road, Pownall Road and Benjamin Close. The development is proposed to be car-free, with vehicle movements limited to servicing, refuse, emergency vehicles and access to four on-site Blue Badge parking bays.
- 8.206 Refuse and servicing access is primarily taken from Broadway Market, with vehicles routing along Welshpool Street and turning within the site. On market days, when Broadway Market is closed to vehicles, access is instead taken from Trederwen Road. The internal layout includes passing places and manoeuvring areas to enable vehicles to enter, turn and exit safely, as demonstrated through swept path analysis.

### Trip Generation / Delivery and Servicing

- 8.207 Trip generation has been assessed using the Trip Rate Information Computer System (TRICS), based on comparable residential sites in Inner London. The proposed development of 86 residential units is forecast to generate a total of 459 two-way person trips over a typical day (07:00–21:00). During the AM peak hour (08:00–09:00), the development is expected to generate 52 two-way person trips, while the PM peak hour (17:00–18:00) is forecast to generate 30 two-way person trips.
- 8.208 The assessment applies census-derived mode shares, adjusted to reflect the car-free nature of the development. The resulting modal split indicates that the majority of trips would be undertaken by sustainable modes, comprising approximately 30% by bus, 24% by Underground/metro/light rail/tram, 20% by bicycle, 15% on foot, and 7% by National Rail. Trips by private car drivers are limited to approximately 3%, with a further 1% by motorcycle and 1% by car passenger/taxi combined, with negligible trips by other modes.
- 8.209 Overall, the assessment indicates that the development would generate a relatively low number of trips by private car, with the majority of movements accommodated by public transport and active travel modes.

### Car Parking

- 8.210 Local Plan Policy LP45 states that in order to reduce car usage and promote active travel, all new developments in the Borough must be car-free, with the exception of parking for disabled users.
- 8.211 Currently there are approximately 47 parking bays located across the two sites. This

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includes 40 regular parking bays, one blue badge bay, and six other private permit bays. The submitted Transport Assessment notes that only eight of the regular parking bays and the existing blue badge bay will be retained, leading to a notable reduction in parking provision as a result of the development, with a net loss of approximately 38 on-street spaces within the study area (though four new blue badge bays are being provided).

- 8.212 Existing parking surveys indicate relatively moderate baseline stress, with weekday occupancy of 60–63% and weekend peak occupancy of 76–78% within 200m of the site. Following the proposed removals, predicted occupancy rises to around 75% on weekdays and 90–99% at weekend peak periods. This indicates that, while weekday conditions remain below typical stress thresholds, weekend parking demand would approach or reach full capacity in parts of the area, materially increasing local parking stress and reducing resilience to additional demand.
- 8.213 In order to mitigate future demand for parking spaces in the surrounding streets, a Controlled Parking Zone (CPZ) exclusion to restrict parking permits being issued is recommended for future residents, except those with a blue badge. This would be controlled by the recommended clause in the legal agreement.
- 8.214 The application has undergone a robust assessment regarding the impact of the proposed scheme on local parking provision, using two methodologies. The Lambeth Parking Survey Methodology, which monitors physical parking patterns at specific hours, concluded that sufficient capacity remains within a 250m radius of each property following the removal of the specified spaces. However, it is understood that while this methodology is the required standard for planning assessments, it offers only a snapshot in time. Consequently, a secondary audit of registered resident parking permits and their associated addresses was undertaken. This second assessment indicated that the proposal will have a material impact on the ability of some residents to park in their current preferred locations, necessitating careful management and mitigation throughout the design and construction phases. The Parking Services team is currently reviewing how this can be mitigated through on-street parking, as the estate parking zone will not be reinstated after construction
- 8.215 It should be noted that data confirms Parking Zone J will maintain approximately 29% capacity even after these measures are introduced, although it is acknowledged that the geographical area of this zone is significantly large. Also, resident Blue Badge holders are unlikely to be adversely affected by the change.
- 8.216 To accommodate the mandatory minimum three-month lead time required to organise the decommissioning process for existing estate parking, a condition requiring a Parking Design and Management Plan is recommended.

### Blue Badge Car Parking

- 8.217 London Plan Policy T6 states that where car parking is included with a proposal the London Plan requires plans to show that initially 3% disabled parking is provided and demonstrate a further 7% could be provided in the future if required.
- 8.218 An existing blue badge bay within the Welshpool Street car park is to be retained as part of the proposal. In addition, the scheme introduces four on-site blue badge parking bays (one at Welshpool Street and three at Orwell Court) to serve the car-free development. This equates to approximately 5% provision across the 86 residential units. Although future provision for an additional four to five blue badge bays is not included, it should be noted

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that blue badge holders can park in any car parking bay within Hackney, reducing demand.

- 8.219 London Plan Policy T6.1 also requires 20% of on-site provision to include electric vehicle (EV) charging points. The proposal is for one of the four bays to include an EV charging point with the remaining three bays fitted with passive infrastructure to enable future connection. This is considered acceptable and can be secured by condition. All of the proposed accommodation will be within 50m of blue badge bays.
- 8.220 Overall, the proposals maintain existing off-site provision while introducing a limited number of new on-site accessible bays. It is considered acceptable in this regard, subject to the recommended condition in relation to a Parking Design Management Plan to ensure the delivery of the Blue Badge parking and the management of onsite vehicle provisions. This has been attached.

### Car Club Membership

- 8.221 Local Plan Policy LP44 states on-Street car club development will be supported when delivered in conjunction with an overall reduction in car parking or other effective demand management measures.
- 8.222 Although a car-free development is supported, it is recognised there may be some need for occasional vehicle use. The Council's Local Plan states that all major residential developments will be required to contribute towards the expansion of the local car club network including those using low-emission vehicles.
- 8.223 Car club membership and driving credit should be offered to all residents of the development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided. All future residents should be provided with the equivalent of £60 free membership and / or driving credit to a registered car club provider. This would be secured within the s106 agreement.

### Travel Plan

- 8.224 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.
- 8.225 The Travel Plan should be reviewed and monitored annually for at least five years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to the Transport Strategy and Local Plan Policy LP33.
- 8.226 The submitted Framework Travel Plan has been reviewed. While the document provides a useful starting point, further detail is required to ensure it is robust and effective. A final Travel Plan should be secured by condition and agreed with the Council prior to occupation of the development.
- 8.227 The final Travel Plan should include the following:
- The provision of quantitative, mode-specific targets to promote sustainable travel, including separate targets for walking and cycling. These should be SMART

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(specific, measurable, achievable, realistic and time-bound), set over a minimum five-year period, and include interim targets at years one and three. Targets should demonstrate an improvement over the baseline modal split identified in the Transport Assessment

- A comprehensive monitoring strategy, including details of travel surveys to measure progress against targets. Surveys should typically be undertaken within six months of first occupation (baseline) and at years one, three and five, with clear responsibilities identified and reporting mechanisms set out
- Updated trip data, including both modal split and estimated number of trips by mode, covering all journey purposes (not solely commuting). Where Census data is considered unsuitable, alternative sources such as TRICS or comparable sites should be used
- A detailed Travel Plan action plan, including the estimated cost of measures over the lifetime of the plan and a clear programme for implementation
- Consideration of inclusive travel, including measures to support disabled users, beyond the provision of Blue Badge parking
- Details of Travel Plan governance, including a named individual and contact details responsible for preparing the Travel Plan prior to the appointment of a Travel Plan Coordinator
- Updates to reflect current transport context and services, including any changes to car club provision.

8.228 The final Travel Plan should be developed in consultation with the Council to ensure it aligns with local policy requirements and effectively supports a shift towards sustainable travel modes.

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

### Demolition and Construction Management Plan (DCMP)

8.230 A framework CMP has been submitted as part of the application. Given the nature and location of the proposed development a Demolition and Construction Management Plan (DCMP) is required to mitigate the negative impact on the surrounding highway network. This should be in line with TfL CLP guidance:

<http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>

8.231 The final Construction Logistics Plan (CLP) should be secured by condition and agreed with the Council prior to the commencement of works. The submitted information does not currently provide sufficient detail, and the final CLP should therefore include a comprehensive assessment of construction traffic impacts and management arrangements. In particular, the CLP should include:

- A robust estimate of construction traffic trip generation, including the number and type of vehicle movements, and an assessment of the impact on the surrounding

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highway network;

- Details of construction traffic management, including how vehicle movements will be controlled, arrangements for deliveries, and measures to ensure safe access for pedestrians and cyclists;
- A construction programme, including indicative timescales, site operation hours and proposed delivery times, aligned with any required traffic management measures;
- Clearly defined construction vehicle routing, including primary and secondary routes for vehicles accessing and egressing the site;
- Details of loading and unloading arrangements, including a plan identifying suitable locations and any associated requirements for parking bay suspensions, footway closures or road closures;
- Details of storage of plant and materials, including a plan showing appropriate on-site or off-site locations.

8.232 The final CLP should be developed in consultation with the Council's Highways and Streetscene teams to ensure that construction impacts are appropriately managed and minimised. To effectively monitor the final CMP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.

### 8.233 Highways and Public Realm Works

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

8.235 The final scope and cost of works will be attached as part of the addendum prior to the planning committee.

### **Cycle Parking**

8.236 London Plan Policy T5 and Table 10.2 set cycle provision standards. Hackney Local Plan Policies LP41, LP42 and LP43 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. In particular, Local Plan LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes.

8.237 The Transport Assessment confirms that the scheme delivers a total of 173 long-stay and 21 short-stay cycle parking spaces, which is in line with Local Plan standards.

8.238 In terms of type and split, long-stay provision comprises: 114 two-tier spaces (66%), 50 Sheffield stands (29%) and 9 enlarged Sheffield stands (5%). This results in 34% single-tier provision overall, including the required 5% larger spaces. Whilst this is below the target of over 50% single-tier cycle parking, it does exceed London Cycle Design Standards (LCDS) expectations for at least 20% single-tier provision.

8.239 The provision varies by location:

- Orwell Court: predominantly two-tier (80%) with 20% Sheffield-type provision (15% standard + 5% larger) due to space constraints within internal cycle stores.
- Welshpool Street: 100% single-tier Sheffield stands, including provision within private gardens and communal stores.

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- 8.240 Short-stay parking is provided entirely as Sheffield stands in the public realm (21 spaces total), ensuring accessible visitor parking,
- 8.241 Overall, it is considered that the scheme delivers a policy-compliant quantum with an acceptable proportion of single-tier and accessible cycle parking.
- 8.242 In order to ensure the final design of the cycle parking prioritises the personal security of users, particularly given the standalone nature of the stores, a policy compliant cycle parking plan is recommended by condition. This would provide details of the number, layout, foundation, stand type and spacing, and would ensure timely provision and ongoing maintenance.
- 8.243 Accordingly, the proposal is deemed to comply with London Plan Policy T5 and Table 10.2 and Hackney Local Plan Policy LP42.

### Delivery and Servicing

- 8.244 The Transport Assessment indicates that the development will generate a relatively low level of delivery and servicing activity, typical of a residential scheme, primarily comprising light goods vehicles (LGVs) such as vans, with occasional larger service vehicles. Servicing demand has been estimated using TRICS data; however, the results are not presented as a single headline figure. Instead, the assessment indicates that servicing trips are modest in scale and distributed across the day, with negligible or no trips expected during peak highway periods.
- 8.245 Servicing access is provided via multiple routes, including Broadway Market, Trederwen Road, Pownall Road and Benjamin Close, allowing flexibility in vehicle routing. On days when Broadway Market is operational and closed to traffic, deliveries are expected to be re-routed via alternative access points such as Trederwen Road. Servicing is generally undertaken within the site or from the adjacent carriageway, supported by the internal layout which includes shared surfaces and passing areas to facilitate vehicle manoeuvring.
- 8.246 A new on-street delivery/loading bay is proposed at Regents Row, adjacent to reconfigured Blue Badge bays, to support servicing activity.
- 8.247 The final Delivery and Servicing Plan (DSP) must specifically address the management of courier and takeaway delivery movements, which are forecast to account for approximately 41% of all servicing activity (circa 10 trips daily), to ensure that waiting delivery riders / motorcycles do not obstruct narrow footway sections and pinchpoint identified in the TA - or impede established vehicle passing places.
- 8.248 A final delivery and servicing plan (DSP) should be conditioned to be approved by Streetscene and the Local Authority prior to occupation of the proposed site. This has been conditioned.

### **Waste & Recycling**

- 8.249 London Plan Table 3.2 states recycling and waste disposal, storage and any on site management facilities should be convenient in their operation and location, appropriately integrated, and designed to work effectively for residents, management and collection services.

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- 8.250 Hackney Local Plan Policy LP57 states that developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling. The Council's Refuse and Recycling Storage Guidance (2020) provides guidance on the amount of refuse and recycling storage that should be provided per unit and the design of the bin stores.
- 8.251 For one bedroom units, guidance requires 50l of space for refuse and 100l for recycling, whilst for two bedroom units the requirements are 75l of waste and 125l of recycling.
- 8.252 The Council's Waste Officer has been consulted and confirmed that the provision planned for the bin storage is in line with Council guidance, and is consistent with discussions with the developer during the planning process.
- 8.253 As such, this aspect of the proposal is deemed acceptable in regards to London Plan Table 3.2 and Hackney Local Plan Policy LP57.

### **Green Infrastructure & Biodiversity**

- 8.254 London Plan Policy G1 demands that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced, and that proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. This position is supported by Local Plan Policy LP46 and LP47 which requires all major development to include a biodiversity survey of the site.

#### Biodiversity Net Gain (BNG)

- 8.255 BNG has become mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of at least 10%. This means a development will result in more or better quality natural habitat than there was before development. This is supported by London Plan Policy G6 and Local Plan Policy LP47. A biodiversity study of the site is required for all major developments.
- 8.256 The development is proposed to achieve a significant net gain of 124%. Which far exceeds the minimum 10% requirement.
- 8.257 Habitat losses include the removal of 13 trees (though most of these are of low value) as well as removal of existing grassland and shrub at the north of the site.
- 8.258 Biodiversity improvements include the inclusion of 29 new trees that would be planted across the site, ground level planters, rain gardens, new grasslands, extensive green roofing and permeable paving.
- 8.259 Accordingly, the proposal is deemed to comply with London Plan Policy G6 and Local Plan Policy LP47

#### Urban Greening Factor (UGF)

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

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- 8.261 The proposal includes permeable paving, flower and tree planting, new grassland areas and green roofs. Overall this is a positive scheme, providing important new housing, and care has been taken to improve the landscape, retain trees where possible and increase urban greening within a site with many constraints.
- 8.262 That notwithstanding, the proposed UGF score is 0.28. This is below the required target score of 0.4 for residential developments, though it is recognised that the site has multiple constraints, and the space is limited. It should also be noted that London Fields is located less than 100m away from the site, providing ample open green space for residents.
- 8.263 Given the limited opportunities to increase UGF to the recommended 0.4 score, the Council is minded to ask the applicant to explore off-site improvements / contributions. Off-site improvements or contributions could include supporting the delivery of green space enhancements in the neighboring or wider Hackney housing estate (blue line boundary) to compensate for its low UGF score. This could be included as part of the s106 agreement.

### Trees / Planting

- 8.264 London Plan Policy G7 states that proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by CAVAT or another appropriate valuation system. This is supported by Local Plan Policy LP51.
- 8.265 The existing wider site has a total of 44 trees. These consist of 18 category B trees (i.e., moderate-quality), 25 category C (i.e., low-quality), and one category U (i.e., poor-quality) tree, along with a number of shrubs and bushes. None of the trees are protected via a TPO. The surveyed trees are distributed throughout the site though they are mainly clustered around the central area that surrounds Welshpool House. By contrast, the southern and northern ends generally lack trees due to the existence of the garages and works yard. 13 of these trees are proposed to be removed, including 2 category B trees. Five additional trees will require pruning.
- 8.266 The proposal includes the planting of 25 new trees (and a further 4no. dwarf trees) including silver birch, lime and oak trees. In general, the proposed trees are acceptable, although arboricultural officers raise some concern over the mature and semi-mature nature of many of them, as these are more difficult to establish and have a higher failure rate.
- 8.267 Given the above, the standard tree replacement condition for the new trees (which require them to be replaced if any fail within the first five years post development), should be increased to 10 years, in order to protect the relocated trees. This has been attached. Subject to this and conditions relating to pruning, root protection areas and arboricultural supervision, the proposal is considered acceptable in regards to tree planting.
- 8.268 In regards to CAVAT payments for the loss of trees, in this instance there is adequate replacement planting. Using stem diameter as a proxy for canopy coverage, the proposed trees to be removed have a combined stem diameter of 131cm (exc. category U trees and shrubs). The proposed 25 standard trees (excluding the dwarf trees) will have a combined stem diameter of circa 145cm to 174cm. Therefore there will be no net loss of stem girth / diameter, and so no CAVAT payment is due.

### Bird and Bat Nesting

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

### **Sustainability**

- 8.271 Hackney declared a Climate Emergency in 2019 and has pledged to become net zero carbon by 2040. In the context of the built environment, this means that all new developments must be net zero carbon and that demonstrate that their climate change, energy and carbon considerations have been embedded in their design.
- 8.272 London Plan Policies SI 2, SI 3, SI 4, SI 5C and SI 7 are relevant. Moreover, under the Local Plan developments must support health and wellbeing (LP9), reduce risks of climate change (LP54), be net zero carbon (LP55), and reduce waste (LP57).

### Energy and Net Zero

- 8.273 London Plan Policy SI 2 requires major development to be net zero-carbon. This means a minimum on-site reduction of at least 35% beyond Building Regulations is required for major development. This requires reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy (be lean, be clean, be green and be seen). This is supported by Hackney Local Plan Policy LP 55.
- 8.274 The application includes an Energy Statement and Sustainability Statement.
- 8.275 The scheme results in Be Lean savings of 22.7% for domestic areas, which is an improvement over the savings of 10% required by the GLA for residential aspects, and non-domestic savings of 15.4% - this slightly exceeds the GLA recommendation to attain 15% Be Lean savings for non-residential areas.
- 8.276 The scheme results in Be Green savings of 50.7% for domestic areas, and 21.4% for non-domestic areas. This is achieved through incorporation of PVs (26.73 kWp 129.6m<sup>2</sup>) and ASHPs.
- 8.277 There is some concern as to whether rooftop PVs have been sufficiently maximised on site. A biosolar roof is proposed for Orwell Court Building 02 which is welcome and supported
- 8.278 However the limitations on Welshpool Townhouse dwellings have not been satisfactorily evidenced from a policy requirement perspective.
- 8.279 While the site wide carbon savings far exceed our minimum policy threshold (76.7%), there is no policy provision for PV readiness. The absence of PV panels does not meet the GLA Energy Assessment guidance requirements (ie. 10.2. The GLA expects all major development proposals to maximise on-site renewable energy generation. This is regardless of whether the 35per cent on-site target has already been reached through

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earlier stages of the energy hierarchy. In particular, solar PV should be maximised on roof spaces)

- 8.280 In addition the recent update of approved Document Part L now requires new dwellings to be equipped with a PV array equivalent of 40% of the ground floor area - while the present development may be built during the transitional arrangement, not providing PV as a part of the base built will not support the future proofing of Hackney housing placing the burden of decarbonisation on future residents.
- 8.281 It is therefore recommended that PV panels provision on Welshpool Townhouses is secured through a pre-commencement condition
- 8.282 Overall the applicant's energy strategy results in a combined carbon saving of 76.7% site-wide, 76.9% for residential areas and 36.8% for non-residential areas. This is acceptable overall, with the caveat that carbon savings should be fully maximised and the above concerns mean that it is not currently apparent whether carbon savings have in fact been fully maximised for this scheme.
- 8.283 Carbon offsets are proposed to address the shortfalls in carbon savings, for £59,281 for residential areas and £748 for non-residential areas.
- 8.284 The applicant proposes to exempt the Tenancy Management Office from meeting the minimum policy requirement of BREEAM Excellent - this is acceptable, subject to current use being maintained over the lifetime of the development - would a change of use be considered in the future, a BREEAM rating of Excellent will be required.
- 8.285 The applicant proposes to adopt a communal heating system that has been specified and is designed to connect to a district heating network when one becomes available. This is acceptable in principle, and the details of this should be secured by condition.
- 8.286 There are a number of aspects that are recommended to be secured by planning conditions, including on net zero supporting technologies.
- 8.287 Overall the scheme complies with local policy on net zero operational carbon which is welcomed, although the lack of attainment of Passivhaus/AECB Carbonlite is disappointing as compared to other NHP sites and given that Passivhaus was referenced in the pre-application stage for this particular scheme. No justification is given for this.

### Climate Change and Overheating

- 8.288 London Plan Policy SI 4 requires all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change. This is supported by Local Plan Policy 54.
- 8.289 The applicant has outlined that the modelled habitable residential rooms and communal corridors are all found to meet the minimum required Part O overheating risk criteria. There are concerns about opening windows in relation to both safety (falling) and with regards to external noise, with noise of concern particularly at nighttime. Child restrictors have been proposed to all windows where there is a risk of falling.
- 8.290 Trim cooling is proposed to be incorporated into MVHR units for most top floor flats. However, not all dwellings have been modelled and it is unclear whether passive cooling

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strategies have been fully maximised, particularly noting the large areas of glazing being proposed with floor to ceiling glazing formats being proposed in many areas.

- 8.291 A condition to secure further information on the role of the Trim cooling in the Cooling hierarchy is therefore recommended.

### Whole Life Cycle Carbon Assessment

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

### Reducing Waste and Circular Economy

- 8.295 London Plan Policy SI 7 states that all GLA referable applications should promote circular economy outcomes and aim to be net zero-waste. This is supported by Local Plan Policy LP57.
- 8.296 As with WLC, the scale of development does not necessitate provision of a pre-demolition audit. There is some deconstruction proposed on the site; it comprises existing residential buildings, secure garages, an outdoor sports facility, and areas of hardstanding. The applicant states that a pre-demolition survey was conducted by Clearway Environmental with the primary purpose of identifying the presence of asbestos and other suspect materials - so not ostensibly towards supporting circular economy considerations.
- 8.297 A pre-demolition survey is therefore referenced but not provided and so cannot be reviewed as part of the consideration for planning decision, or failing that, be provided as a planning condition pre-commencement of above ground works.
- 8.298 A Site Waste Management Plan (SWMP) will be prepared but has not yet been submitted, this is requested.
- 8.299 A detailed SWMP should be secured through planning conditions so that this aspect can be considered through planning to exceed requirements in policy and demonstrate good practice, including for 95% diversion from landfill to be attained.

### Water

- 8.300 London Plan Policy SI 5 and Local Plan Policy LP53 states that all residential development must not exceed a maximum water use of 105 litres per head per day (excluding the allowance of up to 5 litres for external water consumption).
- 8.301 The scheme is targeting policy compliance for water efficiency for residential areas and has shared proposed specifications for sanitary fittings towards this. This is recommended to be secured by condition

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8.302

8.303 Overall, the proposal is considered to be compliant with London Plan Policy SI 5 and Local Plan Policy LP53.

### **Pollution**

#### Air Pollution

8.304 London Plan SI 1 and Hackney Local Plan Policy LP58 states that all development must as a minimum not exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the lifetime of the development.

8.305 An Air Quality Assessment was submitted with the application which assessed potential pollutants during both construction and operational phases of the project.

8.306 Environmental Health Officers have been consulted and raise no major concerns with the development.

8.307 The proposed development is acceptable in principle. It is car-free and with a significant reduction in car parking spaces compared to the existing arrangement, which will reduce any impacts on local air quality. In addition, energy demand will be met through non-combustion, electrical means. Backup power will be met via an uninterruptible power supply (UPS), which also does not have emissions to air. Therefore, the impact on local air quality will not be significant, and the proposals meet the 'air quality neutral' standards. In addition, air quality for future occupiers in the area is acceptable without mitigation.

8.308 As such, the development complies with Local Plan Policy LP58 and London Plan Policy SI 1. The proposed development is of medium risk of dust and PM10 impacts during the construction phase, and suitable mitigation measures will need to be secured to ensure the impacts on surrounding neighbours are not significant. The appropriate mitigation measures are outlined in the submitted air quality assessment. It is noted that the applicant has submitted a Construction Management Plan, which includes some information relevant to dust management. It is recommended that a condition is applied to require a final version of the CMP with all of the relevant information included to ensure this mitigation is secured for the duration of the construction works.

8.309 Given the size and scale of the works, and proximity to existing residents, it is recommended that dust monitoring is secured by a separate condition for the duration of dust generating works. This will ensure that any unexpected emissions of dust are dealt with as soon as possible, to minimise impacts on neighbouring residents.

8.310 Given the above, it is recommended that a construction management plan, NRMM condition and a construction dust monitoring are included as part of any approval. These have been attached.

8.311 In consideration of the above, the development broadly complies with Local Plan Policy LP58 and London Plan Policy SI 1.

#### Contamination

8.312 Local Plan Policy LP58 also states that for development proposed on contaminated or potentially contaminated land, a desk study and site investigation in line with the most up-to-date guidance will be required and remediation proposals agreed to deal with any

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identified contamination.

- 8.313 The applicant has submitted a Phase 1 Geotechnical and Environmental Desk Study. In summary, based on the current and historical uses of the site and its surroundings, it is considered that there are low to moderate risks to future residents and construction workers etc from contact with contaminated soils via ingestion and dermal contact. a low risk to construction workers and residents during construction works from contaminated airborne dust via inhalation, and a low risk to buried structures and services in direct contact with contaminated soils.
- 8.314 Contamination Officers have been consulted and they recommend a preliminary risk assessment along with remediation. This is considered an acceptable approach and a condition has been attached.
- 8.315 Additionally, whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance br211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. It is therefore recommended that this risk is adequately assessed.
- 8.316 Lastly, before any excavation works start, it is best practice to carry out a UXO survey. It is therefore recommended that a preliminary UXO assessment is undertaken and results are provided to the main contractor responsible for Health & Safety matters on and off site under the CDM Regs 2015.

### **Flood Risk and Drainage**

- 8.317 Both London Plan Policy SI12 and Local Plan Policy LP53 state proposals must have regard to reducing flood risk, both to and from the site, over its expected lifetime, ensuring that flood risk is minimised and mitigated, and that residual risk is addressed.
- 8.318 Meanwhile, London Plan Policy SI13 relates to sustainable drainage and indicates that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Hackney Local Plan Policy LP53 which requires all major developments to submit a Sustainable Drainage Strategy taking into account climate change allowances and supported by a site-specific management and maintenance plan of the drainage proposal.
- 8.319 The proposal includes a SUDS Strategy and Flood Risk Assessment. Features for mitigating flood risk include rainwater gardens, blue/green roofs and permeable paving. Flood risk Officers have assessed the documentation, and following consultation with the applicant, raise no objections subject to a condition requiring full details of the sustainable drainage system being submitted. This has been attached.
- 8.320 Thames Water were also consulted and noted that the proposed development is located within 15 metres of a strategic sewer. As such a condition requiring a piling methods statement has been requested and attached.
- 8.321 Accordingly, the proposal is deemed compliant with London Plan Policy SI12 and SI13, and Local Plan Policy LP53 and LP55.

### **Crime and Fire Safety**

- 8.322 London Plan Policy D11 states boroughs should work with their local Metropolitan Police

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Service in order to 'Design Out Crime' and maintain a safe and secure environment. Furthermore, Local Plan Policy LP1 notes that new development must be secure and designed to minimise crime and antisocial behaviour.

- 8.323 The local police constabulary have been consulted and raise no objection subject to conditions requiring that a 'Secured by Design' accreditation be obtained for the building and permanently retained. This has been included as a condition.
- 8.324 Meanwhile, London Plan Policy D12 states all development proposals must achieve the highest standards of fire safety and that a fire safety assessment must be included with any future full application
- 8.325 The applicant has submitted a Fire Safety Strategy Report and Fire Statement was submitted. The London Fire Brigade were consulted and raised no objections. The Health and Safety Executive (HSE) were also consulted but did not consider it large enough to warrant a response.
- 8.326 Additionally, the proposed development will not impact the current fire service access to neighbouring buildings.

### Planning Obligations

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

### Financial Contributions

- £42,435 towards employment training
- £302,323 towards educational costs
- Payments towards health care to be agreed prior to committee
- £5,160 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- Payment towards the cost of highway works associated with the development to be agreed prior to committee.
- Payment towards BNG monitoring costs to be agreed prior to committee.
- Payment towards off-site UGF costs to be agreed prior to committee.
- £59,281 towards Carbon Offset fund for the residential units
- £748 towards Carbon Offset fund for the non domestic development
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

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### Non-financial contributions:

- 25% Local Labour Apprenticeships
- 30 affordable homes (30 x social rented - 9 x one-bed, 10 x two-bed, 11 x three bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development
- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Securing Connection to the Energy Network
- Travel Plan

### **Other Matters**

#### Local Finance Considerations

- 8.328 In respect of local finance considerations other than CIL and financial obligations secured by way of Legal Agreement to mitigate the impact of the proposed development, whilst the proposed development would be rateable for Council Tax purposes, and the benefit of the additional units is not negligible in the context of the overall totals, this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies and any other material considerations.

#### Equalities Considerations

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

## **9. CONCLUSION**

- 9.1 The application has been assessed in accordance with the provisions of the National Planning Policy Framework, London Plan and the adopted Development Plan.
- 9.2 The scheme provides 86 new dwellings including 30 social rented homes. The new units provide good standards of accommodation, as well as much needed family-sized homes and wheelchair accessible homes, and will contribute to a mixed and balanced community as well as towards local housing targets. The proposal also makes effective use of underutilised brownfield and public sector land to optimise housing delivery in an accessible and well-serviced location. The new dwellings are also designed to be sustainable, highly efficient, and low carbon.

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- 9.3 Both the town houses and apartment blocks are considered to be well designed and appropriate for their location in terms of size and scale. Moreover, in general the proposal retains the character and setting of the nearby heritage assets.
- 9.4 The proposal retains the important local sports pitch, whilst also providing new communal green space and play space. The scheme also includes the re-provision of the existing Suffolk Estate TMO office and provision of a formal market storage for the use of Broadway Market's street vendors.
- 9.5 Whilst the 35% provision of affordable housing is below Council standards it is understood that the broader new Homes Programme delivers roughly 75% affordable housing. Moreover, the delivery of private housing at this site is crucial for the funding of the wider scheme.
- 9.6 It is acknowledged that the two apartment blocks will cause less than substantial harm to the setting of Broadway Market Conservation Area, and that the scheme will impact a small number of existing residents in regards to their amenity, most notably privacy and outlook. Also, the reduction in the size of the existing sports pitch is disappointing, if necessary.
- 9.7 Despite the concerns noted above, the high number of good quality homes, including social rented homes, the standard of design, biodiversity offer and high levels of sustainability of the scheme mean that on balance, the proposal is considered acceptable.
- 9.8 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above, subject to the recommended conditions and Legal Agreement provisions.

## 10 RECOMMENDATIONS

### **Recommendation A**

- 10.1 That planning permission be GRANTED, subject the following conditions

#### **1. Commencement Within Three Years**

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

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

#### **2. Development in Accordance with Plans**

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

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

#### **3. Detailed Drawings**

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before

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the relevant work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

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

### 4. External Elements

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

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

### 5. Balcony

Samples of balustrade material must be submitted to and approved by the Local Planning Authority, in writing, before the relevant work is commenced above ground floor level. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To protect neighbouring amenity from overlooking and loss of privacy.

### 6. Materials

Samples of all external materials including bricks, mortar and window frames must be submitted to and approved by the Local Planning Authority, in writing, before the relevant work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not harm the setting and appearance of the adjacent historic assets.

### 7. Mock Up Panel

A 1:1 facade mock-up panel of Building 01 and 02 at Orwell Court, and of the terraces, showing bricks and mortar, brick bonds, window frames, lintels, cills must be submitted to and approved by the Local Planning Authority, in writing, before the relevant work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory and does not harm the setting and appearance of the adjacent historic assets.

### 8. Part M4(3) Dwellings

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

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Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation, with the exception of five proposed townhouse dwellings on Welshpool Street.

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

### 9. Secured By Design

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

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

### 10. Planting Plan

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

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

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

### 11. Bee Bricks

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

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

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

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

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### 12. Survey for Birds and Bats

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

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

### 12. Bird and Bat Boxes

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

- A. A minimum of 4 swift bricks (same requirements for swift box) incorporated into the design of the development. They should be installed in groups of at least 2, and placed at or close to eaves level of the development hereby approved. They should be placed at least 5m above the ground with a 5m unobstructed flight path, both below and in front of the swift brick. The swift brick should be located facing north, east, or north east (direct sunlight should be avoided) and should not be placed immediately above doors or windows. Where possible, swift bricks should be set flush into the external wall to match adjacent brickwork.
- B. A minimum of 2 bird boxes incorporated into the design of the development, with a variety of box types (including different sized entrance holes) to provide habitat for diverse bird species. The boxes should be installed at or close to the eaves level of the development hereby approved. The boxes should be between 3 and 5 metres from the ground, and there should be a clear flight path without any obstructions below and directly in front of the box. The boxes should be facing north, east or north east (direct sunlight should be avoided), and should not be placed

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immediately above doors or windows. Boxes located in the same area should not be placed too close together.

- C. A minimum of 4 bat boxes/bricks incorporated into the design of the development. Boxes should be placed at or close to the eaves level of the development and at least 4m above the ground. The boxes should be placed away from artificial light sources and ideally located near dark tree lines or hedgerows where possible. The boxes should be located facing south, southeast or southwest, and exposed to sun for part of the day.

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

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

### 13. Biodiversity Net Gain (BNG)

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

The biodiversity gain plan must include as a minimum:

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

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

The HMMP must include as a minimum:

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

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- G. Specific measurable targets linked to target habitat condition; and
- H. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The development shall not be undertaken otherwise than in full accordance with the details approved which shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development. Notice shall be given, in writing to the Local Planning Authority when the:

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

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

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.

### 14. Biosolar Roof

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

- A. Detailed drawings of a roof plan identifying where the green roofs will be located and the measurement of their coverage; this should include other structures on the roof including location of PV panels, roof lights and access points where applicable, and their relationship with the green roof;
- B. The design of the biosolar roof should be in line with GRO's code of best practice;
- C. Section drawings demonstrating a minimum substrate depth of no less than 80mm for a sedum roof, 100mm for extensive living roofs (100mm - 150mm for wildflower species); and no less than 250mm for intensive living roof, 400mm for medium shrubs;
- D. Details of the proposed type of invertebrate habitat with a minimum of one feature per 30m<sup>2</sup>; which could include areas of bare, unplanted substrates, log piles, boulder or stone piles, sand piles;
- E. Details of the drainage system for the roof;
- F. Details of the planting mix;
- G. Including a minimum of 16+ species;
- H. Management and maintenance plan, including access arrangements, irrigation, and general maintenance actions of biosolar roof;
- I. For biosolar roofs, details of how the roof's design meets fire and building safety requirements.

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

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

### 15. External Lighting Condition

Prior to the commencement of development, an External Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed and implemented in accordance with the Bat Conservation Trust guidelines and must be sensitive to wildlife. The lighting design should ensure that:

- a) Harsh lighting is minimised to avoid making habitats (including the green roofs) unfavourable to local species, particularly bats and other nocturnal wildlife.
- b) The use of low-intensity lighting is prioritised, ensuring that any light sources do not directly illuminate bat roosts, foraging areas, or flight paths.
- c) All lighting fixtures are shielded or directed to limit light pollution and to maintain dark corridors that are critical for bat and wildlife movement.

The approved lighting scheme shall be implemented prior to the occupation of the development and maintained thereafter in accordance with the approved details.

REASON: To protect local wildlife, particularly bats, from the negative impacts of artificial lighting, and to ensure compliance with the Bat Conservation Trust guidelines in accordance with Hackney Local Plan policy LP47 and National Planning Policy Framework (NPPF) Chapter 15, and in the interest of ecology, security and the waterway setting.

### 16. Soft Landscaping

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

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

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

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

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

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

### **17. Hard Landscaping**

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

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

### **18. Arboricultural Method Statement & Tree Protection Plan**

Prior to the commencement of the development hereby approved (including demolition and all preparatory site works), a detailed Arboricultural Method Statement (AMS) and an updated Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority. These documents must be prepared by a suitably qualified arboriculturist in accordance with BS 5837:2012.

The AMS and TPP must specifically incorporate the recommendations and findings of the approved Arboricultural Impact Assessment (ref: 240322-TMA-XX-RP-AP-2700-P01), including, but not limited to:

- A. Access Road Alignment: A detailed methodology for the re-alignment of the access road connecting Benjamin Close to Welshpool House, addressing the required excavations and potential root severance for trees T14, T15, T16, and T25.
- B. No-Dig Footpaths: Full engineering specifications and cross-sections for the manually installed no-dig footpath along the western side of the re-aligned access road to safeguard the Root Protection Areas (RPAs) of T14, T15, T16, and T25.
- C. Manual Excavation: A requirement that all excavations within the upper soil horizons where the majority of roots are found (typically 600mm to 1000mm) be carried out carefully using hand tools only.

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- D. Soil amelioration methods for trees affected by RPA incursion - airspade decompaction and vertical mulching.

### Tree Protection Specifications

- A. Physical Barriers: Precise locations and specifications for protective fencing (minimum 2.4m high) to create a Construction Exclusion Zone (CEZ) around all retained trees, conforming to BS 5837:2012.
- B. Ground Protection: Extent and technical specifications for temporary ground protection in areas where construction access is essential within an RPA.
- C. Signage: All-weather notices must be attached to barriers stating "TREE PROTECTION AREA - KEEP OUT!".

REASON: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction. This is essential to safeguard the visual amenity of the area in accordance with Policy LP51 of the Hackney Local Plan 2033.

### 19. Facilitation Pruning

Prior to the commencement of the development hereby approved (including demolition and all preparatory site works), a detailed schedule of all tree works required to facilitate the development—incorporating pruning, crown reduction, and thinning—shall be submitted to and approved in writing by the Local Planning Authority. All tree works shall be carried out in strict accordance with BS3998:2010 (Recommendations for Tree Work) and shall specifically adhere to the following project-specific requirements identified in the Arboricultural Impact Assessment:

- A. Pruning for trees T14, T15, T16, and T25 must be limited to the eastern aspects of their crowns to facilitate the construction of the re-aligned access road.
- B. Pruning for T55 must be limited to the single overhanging lateral branch overgrowing the site to establish required clearance for the proposed roof elements.
- C. Timing of Assessment: Final pruning requirements for T14, T15, T16, and T25 shall only be confirmed following the physical marking-out of the re-aligned road to ensure the low impact predicted in the AIA is maintained.

REASON: To ensure the long-term health and amenity value of retained trees in accordance with Policy LP51 of the Hackney Local Plan 2033 and pursuant to section 197 of the Town and Country Planning Act 1990.

### 20. 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.

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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.

### **21. Root Protection Areas**

All new underground utility apparatus, including drainage, shall be routed and installed outside the Root Protection Area(s) (RPAs) shown on the approved drawings. Should it not be feasible to route new underground utility apparatus outside the RPAs of retained trees, trenchless insertion methods (as detailed in BS 5837:2012, Table 3) shall be employed for their installation within the RPAs, with entry and retrieval pits sited outside the RPAs. No other new underground utilities shall be installed within the RPAs of retained trees without prior written consent from the Local Planning Authority (LPA). Any such works, if permitted, shall be carried out in strict accordance with the principles of BS 5837:2012 "Trees in relation to design, demolition and construction – Recommendations" and the National Joint Utilities Group Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees, Volume 4, Issue 2 (2007) (or any standard that reproduces or replaces this standard).

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

### **22. Contamination**

Prior to commencing the works, for each section of the development or stage in the development - as may be agreed in writing by the Local Planning Authority (LPA) - a scheme including the following components to address the risks associated with site contamination shall be submitted to, and approved in writing by, the LPA.

- A. A generic and detailed quantitative risk assessment that identifies the risk to all receptors potentially affected, including those off site;
- B. In the event that remediation measures are deemed necessary following the results of (a), an options appraisal identifying feasible remediation options, detailing evaluation of options, and selecting the most appropriate remediation option(s);
- C. A remediation strategy focused on the remediation option(s) selected in (b) setting site specific monitoring objectives and criteria, providing details of monitoring and maintenance, and containing full details of the remediation measures required, and how they are to be undertaken.
- D. A verification plan explaining how the effectiveness of the remediation works set out in (c) will be measured, and how data will be collected and assessed to demonstrate that the remediation objectives and criteria will be met.
- E. A verification report demonstrating that remediation objectives and criteria identified in (d) have been met, assessing the remediation performance, and creating a final record of the land quality whilst providing a plan for long term monitoring and maintenance (if required).

Any investigation and risk assessment must be undertaken in strict accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM).

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If additional significant contamination is found at any time when carrying out the approved development, it must immediately be reported in writing to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

REASON: To protect human health and the environment by ensuring no harm is caused by land contamination, in line with paragraphs H, I and J, LP 58 of the Hackney Local Plan 2033 and the Hackney contaminated land strategy 2022/2030.

### **23. Construction Management Plan**

Prior to commencement of the development hereby approved, a Demolition and Construction Management Plan shall be submitted to, and approved in writing by, the local planning authority. The Plan shall be in accordance with Hackney Council's Code of Construction Practice and the Mayor of London's Control of Dust and Emissions during Construction and Demolition SPG, and other relevant guidance relating to dust and air quality. The development shall be implemented in accordance with details and measures approved in the Plan, covering the matters set out below, and shall be maintained throughout the entire construction period:

- A. Demolition and construction method statement, covering all phases of the development, having regard to the construction dust risk assessment
- B. A plan setting out how resources will be managed and waste controlled at all stages of the project, including details of dust mitigation measures to deal with construction waste during site clearance, demolition and construction works (including any breaking or crushing of concrete or activities requiring an environmental permit), and details of measures to be employed to mitigate noise and vibration demonstrating best practical means
- C. An air quality and dust management plan, to include details of measures to control and mitigate emissions of dust from site clearance, demolition and construction activity, following best practice guidance. This should outline a scheme of monitoring of particulate matter (PM10) at the application site boundary, in line with the Mayor of London's SPG and other relevant guidance.
- D. Details of locations where deliveries will be undertaken, the size and number of vehicles expected to access the site per day, access arrangement (including turning arrangements if necessary), details of parking suspensions (if required) and the duration of works.
- E. Details of how the site will comply with the relevant Non-Road Mobile Machinery (NRMM) regulations
- F. The operation of site equipment generating noise and other nuisance causing activities, audible beyond the site boundary, shall only be carried out between the hours of 08:00-18:00 Mondays to Fridays, 08:00-13:00 Saturdays, and at no time on Sundays or bank holidays unless otherwise agreed in writing by the local planning authority. The best practical means available, in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise emission of noise and vibration.

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

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### 24. Construction Dust Monitoring

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

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

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

### 25. NRMM

All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at:

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

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

### 26. SUDS

- A. No development shall commence, other than works of demolition, until full details of the sustainable drainage system serving the private development parcels have been submitted to and approved in writing by the LPA, in consultation with the LLFA. The submitted details shall be supported by appropriate hydraulic calculations, construction details, drainage layout drawings, exceedance flow routing, and a site-specific management and maintenance plan. Details shall include, but not be limited to, the proposed green/blue roofs, permeable surfacing, bioretention

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features, rainwater harvesting, below-ground attenuation, flow control systems, and the final discharge arrangements for each parcel. Surface water from the development parcels shall be managed so as to restrict the peak discharge rate to a maximum of 6.0 l/s in total, comprising no more than 4.0 l/s from the Orwell development parcel via two outfalls each restricted to 2.0 l/s, and 2.0 l/s from the Welshpool development parcel, for all return periods up to and including the 1 in 100 year storm event plus 40% climate change allowance. For the avoidance of doubt, this condition relates only to drainage infrastructure serving the private development parcels and excludes drainage infrastructure within the adopted highway.

The approved drainage scheme shall thereafter be implemented in accordance with the approved details and retained for the lifetime of the development.

- B. Evidence (including as-built drawings, photographs, post-construction surveys) and a final completion statement signed off by a qualified drainage engineer should be submitted and approved by the LPA showing that the sustainable drainage system has been constructed as per the approved detailed designs and in accordance with best practice.

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

### **27. Demolition Noise and Dust**

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

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

### **28. Notice Board**

Prior to the commencement of development, a Notice Board shall be erected externally to provide contact details for the Site and Regional Office of the relevant construction firm. The contact details shall be sufficient for Planning Enforcement and Environmental Protection to be able to contact an appropriate person in event of complaints during the construction period. Due to the proximity of commercial properties and other residential premises, these occupiers shall be informed well in advance as to when any extreme noisy activity would take place.

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

### **29. Sound Insulation - Inside and Outside**

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

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

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### 30. Sound Insulation Between Units

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

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

### 31. Planting Equipment

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

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

### 32. Plant Room

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

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

### 33. Residential Cycle Parking

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site until full details of secure, accessible, on site bicycle storage for 173 bicycles including location, layout, stand type and spacing shall be submitted to and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

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

### 34. Visitor Cycle Parking

Prior to the first occupation of the development hereby approved, details of 21 cycle parking spaces including location, layout, stand type and spacing shall be submitted to and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

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

### 35. Delivery and Servicing Plan

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

- A. Frequency of deliveries per day/week
- B. Size of vehicles
- C. How vehicles would be accommodated on the public highway
- D. Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

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

### 36. Parking, Design and Management Plan (PDMP)

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

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

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

### 37. Overheating Assessment

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

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

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

Step 2: Minimise internal heat generation through energy efficient design

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

Step 4: Passive ventilation

Step 5: Mechanical ventilation

Step 6: Active cooling systems

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

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

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

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

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

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

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

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

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

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

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### 38. Excess Heat Management

Prior to first occupation of each phase of development, 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. 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.
- C. 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.
- D. 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.
- E. 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.

### 39. Future DHN connection

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

- A. Updated evidence of 2 ways correspondence between the applicant, the relevant local authority and network provider confirming the identified DHN has the capacity to serve the development, as well as supporting estimates of the CO2 emission

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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 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 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:

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

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

### 40. PVs Orwell Court

Prior to installation of the photovoltaic panel array for each phase of the development, full details including PV panels system (and any other related fixed plant adopted) specification, operation and maintenance plan, fire safety risk assessment and supporting drawings must be submitted to and approved by the Local authority to demonstrate that the consented standards have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision P02 by XCO2 dated November 2025):

- A. Solar PV panels annual electricity peak generation of 26.73 kWp
- B. Horizontally mounted rooftop PV panel array of 129.6 m<sup>2</sup>
- C. Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- D. Detailed Operation & Maintenance manual including fire risk assessment where applicable

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

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

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

### 41. PVs Townhouses

Prior to above ground works for Welshpool Townhouses, full details including PV panels system (and any other related fixed plant adopted) specification, operation and maintenance plan, fire safety risk assessment and supporting drawings must be submitted to and approved by the Local authority and include the following data:

- A. Solar PV panels annual electricity peak generation (kWp)
- B. Horizontally mounted rooftop PV panel array (m<sup>2</sup>)
- C. Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- D. Detailed Operation & Maintenance manual including fire risk assessment where applicable

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

Prior to the occupation of the development hereby approved, full details and installation certificates by a MCS registered contractor must be submitted to and approved by the Local Authority to demonstrate at least the consented standards have been met, as set out in the hereby approved Energy Statement

- E. Solar PV panels annual electricity peak generation
- F. Solar PV panels array
- G. Installation certificate by MCS register installer
- H. As built roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- I. Final Operation & Maintenance manual including fire risk assessment where applicable

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

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

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

### 42. ASHPs

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

- A. Minimum Heat pump Coefficient of Performance of 3.70 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 pump thereby approved shall be installed prior to occupation of the development hereby approved.

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

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

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

### **43. MVHR**

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

- A. Minimum MVRH efficiency of 90% for residential units unless otherwise agreed in writing with the Local Planning Authority
- B. Details of summer bypass and integrated cooling coils where applicable including provision and location across the development

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

Prior to the occupation of the development hereby approved, full details including as built ventilation system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by a suitable contractor must be submitted to and

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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

### **44. Water Efficiency**

Prior to above ground construction works for each phase of the development, 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.

### **45. Site Waste Management Plan**

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

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

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

### **46. Piling Methods Statement**

No piling shall take place until a piling methods statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface

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sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

### **Recommendation B**

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

#### Financial contributions

- £42,435 towards employment training
- £302,323 towards educational costs
- Payment towards health care costs to be agreed prior to committee.
- £5,160 towards car club credits
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- Payment towards the cost of highway works associated with the development to be agreed prior to committee.
- Payment towards BNG monitoring costs to be agreed prior to committee.
- Payment towards off-site UGF payment to be agreed prior to committee.
- £59,281 towards Carbon Offset fund for the residential units
- £748 towards Carbon Offset fund for the non domestic development
- Monitoring costs payable prior to completion of the Legal Agreement
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

#### Non-financial contributions:

- 25% Local Labour Apprenticeships
- 30 affordable homes (30 x social rented - 9 x one-bed, 10 x two-bed, 11 x three bed)
- Be Seen Monitoring
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Securing a car free development
- Participation in the LBH Hackney Works Scheme
- Participation in the Considerate Constructors Scheme
- Securing Connection to the Energy Network
- Travel Plan

### **Recommendation C**

- 10.3 That the Sub-Committee grants delegated authority to the Director, Environment and

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

### 11. **INFORMATIVES**

11.1 The following informatives should be added:

#### **1. Radon**

Whilst the site is located in an area with a Radon potential of less than 1% (According to UK Radon), guidance br211 mentions that all basements are at increased risk of elevated levels of radon regardless of geographic location. It is therefore advised that this risk is adequately assessed.

#### **2. Unexploded Ordnance**

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

#### **3. Thames Water 1**

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

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

Should you require further information please contact Thames Water.

Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

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

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

#### **4. Thames Water 2**

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

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

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

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### 5. Thames Water 3

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk).

Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk).

Please refer to the Wholesale; Business customers; Groundwater discharges section.

### 6. Thames Water 4

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

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

### 7. Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations

Care must be taken to avoid disturbing nesting birds by felling, pruning, and hedge cutting during the nesting season (generally February to August). Tree work should be avoided during these months if possible. Furthermore, prior to the commencement of any works, a thorough survey of the trees must be conducted by a competent person to check for the presence of protected wildlife, including nesting birds and roosting bats. Nesting birds, their eggs, and bat roosts are protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations. The disturbance of protected species or the destruction of their habitats can lead to criminal prosecution. If any protected species are found during the survey, works must be postponed until professional ecological advice has been sought and any necessary licenses obtained.

### 8. Use of Pesticides

Applicants are advised that Hackney Council has adopted a policy of "managed retreat" from the use of glyphosate and other chemical pesticides across the borough to protect human health and enhance local biodiversity. In line with the Council's commitment to becoming a "pesticide-free" borough, the applicant is strongly encouraged to implement chemical-free maintenance regimes for all landscaped areas, including private gardens and communal green spaces. Appropriate alternative management techniques include:

**Manual and Mechanical Weeding:** Utilizing hand-weeding or mechanical tools to manage unwanted plant growth.

**Organic Mulching:** Applying tree mulch or leaf litter to suppress weed growth naturally and improve soil health.

**Biodiversity-Focused Planting:** Selecting native, pollinator-friendly species and creating wildflower meadows that thrive without chemical intervention.

Adopting these practices supports the objectives of the Hackney Local Nature Recovery

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Plan and the

Green Infrastructure Strategy, which seek to create resilient ecological corridors for birds, bees, and other vital urban wildlife.

### 9. Benefits of Deadwood for Biodiversity

Applicants proposing tree felling or maintenance works are encouraged to retain deadwood and log piles. Deadwood retention provides significant ecological value and is a crucial element for local biodiversity. Retaining dead and decaying wood is an essential recycling process that supports an exceptionally high diversity of species. It creates a myriad of microhabitats vital for numerous organisms:

**Fungi:** The principal agents of decay, fungi break down the wood and are hosted in spectacular collections. They are essential for recycling nutrients back into the soil.

**Invertebrates:** Deadwood provides a ‘nursery’ for beetle larvae and is a key habitat for an estimated 650 UK beetle species (saproxylic invertebrates) that rely on decaying wood at some stage of their life cycle.

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

**Assistant Director - Planning and Building Control**

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

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|  | All documents that are material to the preparation of this report are referenced in the report |  |  |
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