

ADDRESS: The Nightingale Estate, Downs Road, London, E5 8QH	
WARD: Hackney Downs	REPORT AUTHOR: Tanveer Rahman
APPLICATION NUMBER: 2025/2708	VALID DATE: 08/01/2026
DRAWING NUMBERS:	
<u>Existing</u>	
<ul style="list-style-type: none"> • Site Location Plan - Existing Land Ownership - 252-A-001_00 	
<u>Proposed</u>	
<ul style="list-style-type: none"> • Block E Proposed Ground Floor Plan - N161 - LBA - E0 - 00 - DR - A - 800000 Rev. P04 • Block E Proposed First Floor Plan - N161 - LBA - E0 - 01 - DR - A - 800001 Rev. P04 • Block E Proposed Second Floor Plan - N161 - LBA - E0 - 02 - DR - A - 800002 Rev. P04 • Block E Proposed Third Floor Plan - N161 - LBA - E0 - 03 - DR - A - 800003 Rev. P04 • Block E Proposed Fourth Floor Plan - N161 - LBA - E0 - 04 - DR - A - 800004 Rev. P04 • Block E Proposed Roof Plan - N161 - LBA - E0 - 05 - DR - A - 800005 Rev. P03 • Block E Proposed Roof Access Plan - N161 - LBA - E0 - 05 - DR - A - 800006 Rev. P03 • Block E Proposed Site Elevations - N161 - LBA - E0 - XX - DR - A - 800020 Rev. P03 • Block E Proposed Site Sections - N161 - LBA - E0 - XX - DR - A - 800021 Rev. P04 • Proposed Site Sections CC and DD - N161 - LBA - XX - XX - DR - A - 800022 Rev. P03 • Site Layout Proposed Ground Floor Plan - N161 - LBA - E0 - 00 - DR - A - 800030 Rev. P05 • Site Layout Proposed First Floor Plan - N161 - LBA - E0 - 01 - DR - A - 800031 Rev. P04 • Site Layout Proposed Second Floor Plan - N161 - LBA - E0 - 02 - DR - A - 800032 Rev. P04 • Site Layout Proposed Third Floor Plan - N161 - LBA - E0 - 03 - DR - A - 800033 Rev. P04 • Site Layout Proposed Fourth Floor Plan - N161 - LBA - E0 - 04 - DR - A - 800034 Rev. P04 • Site Layout Proposed Fifth Floor Plan - N161 - LBA - E0 - 05 - DR - A - 800035 Rev. P03 • Site Layout Proposed Roof Plan - N161 - LBA - E0 - 05 - DR - A - 800036 Rev. P03 • Unit Type A - N161 - LBA - E0 - XX - DR - A - 800040 Rev. P04 • Unit Type B - N161 - LBA - E0 - XX - DR - A - 800041 Rev. P04 • Unit Type C - N161 - LBA - E0 - XX - DR - A - 800042 Rev. P04 • Unit Type D M4(3) - N161 - LBA - E0 - XX - DR - A - 800043 Rev. P04 • Unit Type E - N161 - LBA - E0 - XX - DR - A - 800044 Rev. P04 • Unit Type F - N161 - LBA - E0 - XX - DR - A - 800045 Rev. P04 • Unit Type G - N161 - LBA - E0 - XX - DR - A - 800046 Rev. P04 • Unit Type H - N161 - LBA - E0 - XX - DR - A - 800047 Rev. P04 • Unit Type I - N161 - LBA - E0 - XX - DR - A - 800048 Rev. P04 • Residents' Courtyard North - N161-MUF-ZZ-EX-DR-L-902150 Rev. P01 • Residents' Courtyard South - N161-MUF-ZZ-EX-DR-L-902151 Rev. P01 • Central Courtyard - N161-MUF-ZZ-EX-DR-L-902152 • Residents Courtyard North Section A - N161-MUF-E1-EX-DR-L-902200 Rev. P01 • Residents Courtyard South Section B - N161-MUF-E1-EX-DR-L-902210 Rev. P01 • Central Courtyard Section C - N161-MUF-E1-EX-DR-L-902220 Rev. P01 • Block E GIA Schedule - 161 - LBA - E0 - XX - DR - A - 200803 Rev. P01 • Public Realm Overview - N161-MUF-ZZ-EX-DR-L-902100 Rev. P02 • Finishes Plan - N161-MUF-ZZ-EX-DR-L-902110 Rev. P01 • Landscape Finishes Plan - N161-MUF-ZZ-EX-DR-L-902111 • Proposed Drainage Layout - N161-PTA-E0-XX-DR-C-010100 Rev P06 • Proposed Phasing Plan - N161 - LBA - E0 - 00 - DR - A - 800013 Rev. P01 • Public Realm - Drop Kerbs - N161-MUF-ZZ-EX-DR-L-902120 Rev. P00 • Parking and Cycle Strategy - N161 - LBA - E0 - 00 - DR - A - 300202 Rev. C01 	

Proposed Plots A - D

For clarity, the approved plans, sections and elevations approved under 2016/2841 for Blocks A - D are applicable to this application.

DOCUMENTS:

- Letter re. 'Do not scale' notes, Dated 09.04.2026
- Design and Access Statement, Rev. P02, Dated November 2025
- Child Friendly Impact Assessment Nightingale - Block E, Dated 13.11.25, Rev. P02
- Planning Statement, Dated April 2026
- Marketing evidence - retail change of use planning assessment
- Retail Viability Advice – Nightingale Estate, Block E
- Statement of Community Involvement for Nightingale Estate, E5, Block E 2025
- INTERNAL DAYLIGHT AND SUNLIGHT ASSESSMENT, Dated 04.11.2025
- Noise Impact Assessment Report, Ref: 27184.NIA.01, Rev D, Dated 13.11.2025
- Air Quality Assessment, Ref: 7608r5, Dated 12.11.2025
- Construction Environmental Management Plan (CEMP) DRAFT, Ref: 161_CEMP001_12-09-25, Rev. A
- CEMP-Appendix-15_9-Phase-2-Site-Investigation-Survey-Part 1
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 2
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 3
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 4
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 5
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 6
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 7
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 8
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 9
- Transport Assessment Addendum, Rev. C, Dated 13.11.2025
- Delivery and Servicing Plan, Dated November 2025, Rev. E
- Travel Plan, Rev. E, Dated 13.11.2025
- BS5837 Tree Survey & Arboricultural Impact Assessment, Dated 23.11.2025
- Ecological Impact Assessment, Ref: 1476_R02_REV A, Dated 25.11.2026
- Capital Asset Valuation for Amenity Trees (CAVAT), Version 2.0, Dated 25.11.2025
- N161 Tree Schedule, Ref: N161-MUF-CC-E1-DO-L-900820, Rev. P01
- Plant Schedule, Ref: N161-MUF-CC-E1-DO-L-900821
- Site Waste Management Plan, Rev. C, Dated 13.11.2025
- Energy & Sustainability Strategy, Rev. 01, Dated 11.11.2025
- Overheating Analysis Report, Rev. 1.0, Dated November 2025
- Whole Life Cycle Assessment Report, Ref: N161-MWL-WLCA0-XX-RP-Y-00200, Rev. P04, Dated November 2025
- GLA Be seen Spreadsheet
- London Plan Fire Statement and Planning Fire Safety Strategy For Nightingale Block E, Ref: S23050551, Issue no.06, Dated 14.04.2026
- SuDS-Proforma-LB-Hackney-Nightingale-Estate-Block-E
- Sustainable Drainage Strategy Technical Note for S73 Submission, Rev. P02, Dated 14.11.2025
- Emergency Response & Evacuation Plan [EREP], Dated 21.10.2025

<p>APPLICANT: Ruth Angel London Borough of Hackney Housing Regeneration & Delivery Team Hackney Service Centre, 1 Hillman Street, London, E8 1DY</p>	<p>AGENT: Neil McKenna Tibbalds Planning and Urban Design 30 King's Bench Street London SE1 0QX</p>
<p>PROPOSAL: Section 73 application to vary condition 2 (approved plans) of planning permission 2016/2841 dated 06.02.2018, as amended for ' Demolition of existing buildings and structures in and around Olympus Square and the construction of mixed tenure dwellings (use class C3); mixed retail/ cafe floorspace (use class E); community use (use class F2(b)); a management office (use class E); new pedestrian and vehicular access routes; car parking; landscape and public realm improvements; refurbishment works associated with the ground floor entrance lobby and podium of the existing Seaton Point tower and all associated infrastructure.' The effect of the variation would be to bring Block E into Phase 1 of the development and amend Block E's design, with the main design changes consisting of: alterations to internal arrangements to comply with new building safety requirements; alterations to the external appearance; a change to the use of two ground floor commercial units to two 1-bed flats; alterations to the landscaping and play space; amendments to the road layout; and an energy strategy update.</p>	
<p>POST SUBMISSION REVISIONS:</p> <p>Minor non-design changes were made to drawings and documents during the application stage. They related to: removal of proposed landscaping and tree planting to allow these details to be submitted via condition; confirmation that the proposed footway would be level with Monro Way to facilitate waste collection; and clarifications made to a number of documents. Given the limited scale and nature of these amendments, it was not considered necessary to undertake further consultation.</p>	
<p>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a Legal Agreement (Unilateral Undertaking).</p>	
<p>NOTE TO MEMBERS:</p> <p>None.</p>	

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

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
Controlled Parking Zone (CPZ)	S Mon - Sat: 8.30am - 6.30pm	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Office Area, Priority Industrial Area or Locally Strategic Industrial Site		X

LAND USE

	Use Class	Use description	Floorspace
Existing	F2(b)	Community Hall	633sqm
Proposed	C3	Residential	41,192sqm
	TBC	Non-residential	1,114.4sqm

PROPOSED HOUSING MIX

Tenure	Number of bedrooms			Total
	1	2	3	
Private	26 (36%)	24 (33%)	22 (31%)	72
Social rent	16 (30%)	18 (33%)	20 (37%)	54
Intermediate/ Shared Ownership	95 (34%)	85 (31%)	96 (35%)	276
Total:	137	127	138	402

PROPOSED HOUSING MIX (Block E only)

Tenure	Number of bedrooms			Total
	1	2	3	
Social rent	26 (36%)	24 (33%)	22 (31%)	72

PARKING DETAILS

	Car parking spaces	Blue Badge car parking spaces	Cycle parking spaces
Existing	102* (application site) 276* (wider estate)	3 -	- -
Proposed	60 (application site) 174* (wider estate)	8 -	TBC long-stay resident TBC long-stay visitor

* These figures are based on those reported in the 2016/2841 Committee report

1.0 SITE CONTEXT

- 1.1 The Nightingale Estate, in its entirety, is a large predominantly residential estate situated to the north of Hackney Downs, east of Rectory Road and west of Lower Clapton Road, It covers a total area of over 9ha and has a mix of low, medium and high-rise housing, predominantly built between 1960 and 2008.
- 1.2 In addition to varied housing stock, there was previously a parade of former shops (prior to their demolition) located on Olympus Square, which also includes a public park/play area

known as 'Olympus Green'. There are also a number of community buildings located at the centre of the estate, which were previously used by local community groups on a temporary basis.

- 1.3 The Nightingale Estate is principally in Council ownership. However, parts of the estate are understood to be owned and managed by Southern Housing Group and a small number of properties by Bangla Housing Association. The estate has been undergoing regeneration since the 1990s and several phases are now complete, with this scheme comprising the last phase of the Nightingale Estate's regeneration.
- 1.4 The submitted location plan's red line (delineating the actual application site) only includes a small number of the existing homes within the estate. The land within the red line consists of Olympus Green, vacant land (which previously contained 5 residential towers prior to their demolition from the late 1990s - early 2000s) and roads surrounding and within the estate (consisting of: part of Downs Road, Midhurst Way, Worsley Grove, Nolan Way, Monro Way, Gliddon Drive, Tiger Way, Downs Lane, Napoleon Road, Clapton Way, Monteagle Way, Muir Road, Brackenfield Close, Delia Path and part of Kenninghall Road).
- 1.5 Some sections of the estate are well served by public transport modes with Public Transport Accessibility Levels (PTAL) currently ranging from 2 (poor) to 4 (good). Rectory Road Overground station is located approximately 750m from the centre of the site to the north-west, providing connections to Liverpool Street Station in approximately 15 minutes. Clapton Road Overground train station is located on Upper Clapton Road, approximately 1.2km walking distance to the north east and provides connections to Stansted Airport and Hackney Downs overground station is located approximately 1km from the centre of the site to the south. In addition, numerous bus stops are located on the surrounding roads to the north, west and east.
- 1.6 Lower Clapton Road to the east supports a variety of local shops and amenities. Stoke Newington Road/High Street, located to the west and Hackney Central to the south comprise larger centres, which support a variety of higher order facilities.
- 1.7 The site is not within a designated Town Centre or Priority Office/ Industrial Area (PEA/PIA) but is in the Upper Lea Valley Opportunity Area.

2.0 CONSERVATION IMPLICATIONS

- 2.1 The site is not in or adjacent to a Conservation Area, and there are no statutory or locally listed buildings in or in close proximity of the site that may be affected by the proposal.

3.0 RELEVANT PLANNING HISTORY

- 3.1 **2025/2606:** Non-material amendments to planning permission 2016/2841 dated 06/02/2018 comprising the following changes to the description of development: clarify construction is phased; update use classes to reflect updates to the Use Class Order (2020); and remove reference to the number of homes and floorspace area and instead include a condition setting out consented quantum of development. Granted 15.03.2026
- 3.2 **2025/0600:** Submission of details pursuant to condition 12 (PV Panels to Temporary Community Centre) of planning permission 2024/1127 dated 8 September 2024. Granted 10.07.2025

- 3.3 **2025/0508:** Submission of details pursuant to partial discharge (eastern section of Olympus Green only) of condition 44 (public realm lighting strategy) attached to planning permission 2021/1075 dated 04/04/2022. Granted 23.06.2025
- 3.4 **2025/0494:** Non-material amendment to planning permission 2021/1075 dated 04/04/2022 to retain the existing path layout of the Green, enlarge the existing central area, relocate the play area to the west side of Olympus Green, rationalise 'play on the way' opportunities, relocate the adult gym, add new seating within the toddler play area and add new meadow planting and south-facing seating; and also amend the wording of conditions 2, 3, 9, 10, 33 and 53 to exclude 'enabling works' to Olympus Green and demolition of the existing community centre. Granted 03.06.2025
- 3.5 **2025/0407:** Submission of details pursuant to condition 5 (Air Source Heat Pumps) of planning permission 2024/1127 dated 8 September 2024. Granted 21.05.2025
- 3.6 **2024/2642:** Submission of details pursuant to condition 7 (SUDS) of planning permission 2024/1127 dated 8 September 2024. Granted 13.02.2025
- 3.7 **2024/1458:** Submission of details pursuant to condition 19 (Contaminated Land- prior to commencement above ground) of planning permission 2021/1075 dated 4 April 2022. Granted 04.02.2025
- 3.8 **2024/2027:** Submission of details pursuant to condition 13 (Details of waste store) of planning permission 2024/1127 dated 8 September 2024. Granted 11.12.2024
- 3.9 **2024/1466:** Submission of details pursuant to condition 20 (Contaminated Land- remediation scheme) of planning permission 2021/1075 dated 4 April 2022. Granted 04.02.2025
- 3.10 **2024/1127:** Erection of a temporary community centre (Use Class F2(b)), community garden, parking, and refuse storage, for use of a period of up to 10 years. Granted 08.09.2024
- 3.11 **2023/1409:** Submission of details pursuant to condition 38 (Peregrine Falcon Survey) of planning permission 2021/1075 dated 4 April 2022. Granted 05.07.2023
- 3.12 **2021/2948:** Erection of a temporary community centre (Use Class F2(b)), community garden, parking and refuse storage at the Nightingale Estate, for use of a period of up to 10 years. Granted 27.01.2022
- 3.13 **2021/1772:** Submission of partial details pursuant to condition 16 (Archaeology) attached to permission 2021/1075 dated 4 April 2022. Granted 25.04.2022
- 3.14 **2021/1075:** Variation of Condition 2 (Plans) of planning permission 2016/2841 dated 06/02/2018 for "Demolition of existing buildings and structures in and around Olympus Square and the construction of 400 mixed tenure dwellings (use class C3), 232sqm (GIA) of mixed retail/ cafe floorspace (use class A1/A3); 453sqm (GIA) of community use (use class D1); a 62.4sqm (GIA) management office (Class B1); new pedestrian and vehicular access routes; new and replacement car parking (60 replacement and 8 new disabled spaces); landscape and public realm improvements; refurbishment works associated with the ground floor entrance lobby and podium of the existing Seaton Point tower and all associated infrastructure, including an energy centre." The variation would allow for changes to the approved Block E, including: tenure change; commercial units (A1/Ae and B1) to be Use Class E; Community Centre to be Use Class F2(b); installation of Air Source Heat Pumps

(ASHP); alterations to the internal layout; elevational changes to include ground floor bin store doors; the inclusion of a temporary hammerhead turning; provision of visitor cycle parking. Granted 08.04.2022

- 3.15 **2019/0243:** Submission of details pursuant to condition 42 (Bat Roost Assessment) attached to permission 2016/2841 dated 06/02/18. Granted 15.03.2019
- 3.16 **2018/2773:** Submission of details pursuant to condition 6 (East West Permeability) attached to permission 2016/2841 dated 06/02/18. Granted 07.08.2018
- 3.17 **2018/2772:** Submission of details pursuant to condition 44 (Bird Nest Safeguarding) attached to permission 2016/2841 dated 06/02/18. Granted 05.09.2018
- 3.18 **2018/2159:** Submission of details pursuant to conditions 29 (Demolition Management Plan), 30 (Environmental Management Plan), 43 (Preliminary Ecological Appraisal) and 44 (Bat Roost Assessment) attached to permission 2016/2841 dated 06/02/18. Granted 06.08.2018
- 3.19 **2016/2841:** Demolition of existing buildings and structures in and around Olympus Square and the construction of 400 mixed tenure dwellings (use class C3), 232sqm (GIA) of mixed retail/ cafe floorspace (use class A1/A3); 453sqm (GIA) of community use (use class D1); a 62.4sqm (GIA) management office (Class B1); new pedestrian and vehicular access routes; car parking (Site: 60 replacement and 8 new disabled spaces / Wider Estate:174); landscape and public realm improvements; refurbishment works associated with the ground floor entrance lobby and podium of the existing Seaton Point tower and all associated infrastructure, including an energy centre. Granted 06.02.2018 (*Officers understand this permission is extant by virtue of demolition having taken place*)
- 3.20 **2015/2492:** Screening opinion request in relation to residential-led mixed use scheme comprising up to 425 mixed-tenure dwellings, community and retail facilities, provision of open space, landscaping, public realm and highway works. Environmental Statement not required 07.10.2015

4.0 CONSULTATION

- 4.1 2,257 neighbour letters were posted on 27.01.2026, 5 site notices were displayed on 05.02.2026 and a press advert was published in the Hackney Citizen on 06.02.2026.

Neighbours

- 4.2 1 neutral letter of representation was received. This made the following main point:
- Planners need to assess whether the proposal will block the resident's skyline, as this view is important for mental wellbeing.

Consultees

Internal

LBH Transport & Highways

Car parking

- 4.3 The scheme is proposed to be car-free for new residents, which is supported by the London Plan and Hackney Local Plan. These state that to reduce car usage and promote active travel, new developments in the borough must be car-free.
- 4.4 The exception to this are 12 proposed Block E parking bays for existing residents (10 bays) and Blue Badge (BB) bays (2 spaces). Resident parking will only be available for existing residents; no new residents will have a permit to park as it is a car-free development. The 12 bays form part of the consented wider estate parking which totals 60 regular and 8 BB for the masterplan site boundary, and 174 spaces in the wider estate area. This approach is consistent with the consented scheme and is therefore acceptable.

A CPZ exclusion to restrict parking permits for all future occupiers and visitors is recommended for all users of the proposed site (except those with a blue badge). This will be secured in the legal agreement.

Electric vehicle (EV) charging

- 4.5 There would be 25% active EV charging spaces (3 spaces) and 75% passive EV provision (9 spaces). This exceeds London Plan policy T6.1 part C requirements of at least 20% of the spaces to be for active charging and the remainder to be for passive charging and is therefore acceptable.

Blue Badge (BB) spaces

- 4.6 The two BB parking bays are provided at the north end of Monro Way at Della Path. They are provided perpendicular to the street. Officers note they are approximately 55 - 65m from the two communal entrances into the block which is above the general 50m maximum recommended maximum distance
- 4.7 During pre-application discussions, Council Transport & highways and Planning officers raised concerns about the orientation of the BB bays, and advised that these should ideally be parallel to the flow of traffic rather than perpendicular. Officers also expressed that their location is not ideal in terms of the distance from Block E. Officers therefore requested the applicant team review whether amendments could be made, and advised that if this was not possible then officers were open to exploring a re-orientation and re-allocation of the spaces during the next phase of development.
- 4.8 In response to these officer queries, the applicant team advised that there is insufficient width on Monro Way to provide the accessible parking spaces closer to Block E – this is the reason for the amendment compared to the consented scheme – and there is not sufficient space in the Phase 1 layout to provide the wheelchair spaces parallel to the carriageway. Therefore no change has been made to the layout since pre-application discussions and for the Phase 1 proposals. However, the applicant team added that they can take forward the officer recommendation that the layout is reviewed as part of Phase 2 of the development.
- 4.9 Officers recognise the spatial constraints cited by the applicant team that prevent the two BB spaces being parallel to the road and closer to Block E. Officers also note the applicant's stated intention to investigate a revised layout in Phase 2, although officers are mindful that there is no guarantee that this will be possible. For these reasons, the proposed layout and location of the two BB bays is acceptable, on balance.

- 4.10 A Parking Design and Management Plan (PDMP) is recommended as a pre-occupation condition.

Servicing

- 4.11 No designated servicing and delivery bays are proposed (as per the consented scheme). During the application stage officers queried with the applicant team as to why such a bay/s would not be possible. In response they stated that: development will be serviced through use of new car parking bays on Monro Way, existing car parking spaces on Gliddon Drive, or short-term parking such as in the turning head at Della Path, or the passing area at the central colonnade. They added that conflicts between servicing vehicle parking and active travel users should generally be handled in line with the provisions of the Highway Code, which requires drivers to be considerate of the other road users, and take into consideration the area they are driving through; they can include some provisions that delivery vehicles are made to give way to vulnerable road users, it is noted that the Delivery & Servicing Plan is unlikely to be shared with the majority of the drivers visiting the site, and as such, any such commitments would not add much in practice. They also added their recommendation is that these risks are designed out through the ingraining of low speeds (such as the 20mph and traffic-calming, already agreed), and other design additions, including restricting waiting for servicing in particular areas/ and time restrictions / booking is not recommended on these local roads, as there are no particular busy periods locally, and enforcing any time restrictions would be unviable.
- 4.12 Officers note that the proposal is likely to result in a number of deliveries on a constant basis, for the lifetime of the development. Therefore, a designated servicing bay would have been welcomed by officers, in order to alleviate any potential temporary blocking of the highway by delivery drivers/riders. However, officers are also mindful that the introduction of a servicing bay would likely result in the loss of a re-provided parking bay which could also create highway capacity issues, and the fact that the parent permission did not contain such a servicing bay either. For these reasons, the proposed servicing arrangements are acceptable on balance.

Cycle parking

- 4.13 144 long-stay resident spaces and 26 short-stay visitor spaces are proposed to serve Block E. The 146 long-stay spaces would consist of 112 spaces (90 two-tier and 22 single-tier Sheffield stands) in the two internal cycle stores and 32 spaces contained in 16 private cycle lockers (2 cycles/locker) in the courtyards to serve the duplex flats. The 26 short-stay would be on the footway to the north and west of Block E.
- 4.14 In terms of access, the private and communal stores have step-free access. It is noted that there is not any proposed provision for larger/ adapted cycles. However, given the constraints of this being a S73 application to amend an existing consent and there is not sufficient space within the cycle stores to accommodate for these types of cycle parking space.
- 4.15 Officers also note the high proportion of two-tier long stay spaces (90 out of 144) which equates to 62.5%. However, officers note that the communal element of the ground plane does need to provide other facilities such as the bin stores, entrances and plant rooms; and that the design consented scheme does limit options to amend this ground plane. For these reasons the proposed cycle parking arrangements are acceptable on balance, subject to a condition requiring more detailed drawings of the cycle parking.

- 4.16 A policy compliant cycle parking plan is recommended to be secured via condition. This would need to show details of the number, layout, foundation, stand type and spacing. The design of the cycle parking must prioritise the personal security of users, particularly given the standalone nature of the stores. To ensure safety, the proposal should incorporate robust security measures and deterrents, including controlled access, adequate lighting, CCTV, and clear visibility within the development. The approved details will need to be kept in good working condition in perpetuity.

Car Club membership

- 4.17 Local Plan LP45 Part D 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.
- 4.18 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 will be secured via legal agreement.

Travel Plan (TP)

- 4.19 A Framework TP Statement has been submitted as part of this application. A full TP will be required to establish a long-term management strategy that encourages sustainable and active travel.
- 4.20 The TP is required to include specific, measurable, achievable, realistic and time bound (SMART) targets. The TP should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to Hackney's Transport Strategy SPD and Local plan.
- 4.21 The full Travel Plan will be required to be produced and implemented on occupation of the development. Owing to the nature of the site, the TP should be secured through the legal agreement inclusive of a financial contribution towards the monitoring of the Travel Plan of £2,000. *(The parent permission UU secures this figure as £2,500. Therefore, this higher figure will be maintained.)*

Construction Management Plan (CMP)

- 4.22 A framework CMP has been submitted as part of the application. Given the nature and location of the proposed development a CMP is required to mitigate the negative impact on the surrounding highway network. This should be in line with TfL Construction Logistics Plan guidance.
- 4.23 The final CMP is recommended to 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 CMP should therefore include a comprehensive assessment of construction traffic impacts and management arrangements.

Urban realm and S278 works

- 1.1.1 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. Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users.
- 1.1.2 Highways works and transport mitigation measures are therefore required, as set out in the LBH Street Scene comments above. For reference, the works set out in the 2021/1075 UU include: reconstructing footways and carriageways, raised junction treatments, traffic calming measures and potential SUDS measures.

LBH Streetscene

- 4.24 Contract rates have increased by roughly 32% since they were last agreed upon in the 2021 Unilateral Undertaking (*for application 2021/1075*). The updated cost for "the Highway Contribution" will be £73,328.48. The updated cost for "the Internal Road Works Contribution" will be £956,812.64

LBH Waste & Recycling

Bin store capacity

- 4.25 The bin capacity planned for the E1 and E2 bin stores is in line with the current guidance. This is with the exception of there not being bulky waste storage, but would not object to this given that bulky waste provision was not provided in the S73 Consented Scheme.

Collection

- 4.26 Access for Hackney collection vehicles is also shown to be possible, further to the turning head in Monro Way being incorporated into the highways design, before a through route to Muir Road replaces this at a later date.
- 4.27 Requested confirmation that dropped kerbs will be installed outside the bin stores as part of the highways design. (*This comment is addressed in the 'Waste & recycling' section below.*)

Resident drag distances

- 4.28 In terms of access to the bin stores for residents, had previous discussions with the applicant team about the majority of the 72 properties needing to travel more than the guidance level of 25m to the bin store. In cases like this, would require developers to put in place arrangements to provide assisted collections in the event of this being needed for residents unable to travel this far.
- 4.29 In practice, Hackney's collection provides cleansing services to the estate and as such would do all they can to provide assisted collections without making additional charges for this. However, LBH Waste & Recycling requests a form of words to be put into the application that secures costs to be covered in the event that the Council's Environmental Operations team needs to provide weekly cleaning of the development and help to residents needing assistance.

LBH Environmental Protection (noise & vibration)

4.30 No objections.

LBH Land, Water & Air (contaminated land)

4.31 No objection, subject to a condition requiring a verification report to demonstrate that objectives and criteria in the submitted Remediation Method Statement have been met and an informative recommending that it is best practice to undertake an Unexploded Ordnance survey prior to any excavation works.

LBH Land, Water & Air (air quality)

4.32 No objection subject to conditions restricting emissions from Non-Road Mobile Machinery (NRMM) and submission of a Construction Management Plan and Construction dust monitoring scheme.

LBH Drainage & Flood Risk

4.33 *"no objection to the variation of Condition 2"*

4.34 *"However....note that for Block E, the surface water drainage strategy is secured under permission 2021/1075 (Condition 34) in accordance with the approved Peter Brett FRA (July 2016) and Infrastruct CS Technical Note 4158-NIGH-ICS-QU-C-03.004a (and drawings). If the updated drainage technical note is to be relied upon, Condition 34 (or its referenced approved drainage documents) would need to be formally updated. Otherwise, the previously approved strategy applies."*

LBH Building Control

4.35 The submitted Fire Statement and Planning Fire Safety Strategy appears satisfactory.

4.36 However, it is noted that there are dead-end situations, where the fire tender has to reverse more than 20m which exceeds the guidance. This would need agreement from the London Fire Brigade. *(This comment is addressed in the 'Fire safety' section below.)*

LBH Health Impact Assessment (HIA)

4.37 Did not raise any objections to the application.

External

Greater London Authority

4.38 The Mayor of London does not need to be consulted further on this application.

Hackney Society

4.39 No response received.

Historic England Greater London Archaeology Advisory Service (GLAAS)

4.40 *"The planning application is not in an Archaeological Priority Area."*

4.41 *"The archaeological borehole sampling and analysis that was recommended under the original application (2021/1772) has been completed and is awaiting publication. There is no need for additional archaeological conditions on this variation."*

4.42 *"No further assessment or conditions are therefore necessary."*

Active Travel England

4.43 Did not wish to comment.

TfL Spatial Planning

4.44 No response received.

Natural England

4.45 No response received.

Health & Safety Executive (HSE) Gateway 1

4.46 *"from the information you have provided for this planning application, it does not appear to fall under the remit of planning gateway one because the height condition of a relevant building is not met"*

London Fire Brigade

4.47 No response received.

Thames Water

4.48 No response received.

London Overground

4.49 No response received.

Network Rail

4.50 No response received.

5.0 RELEVANT PLANNING POLICIES, LEGISLATION & DOCUMENTS

5.1 *Hackney Local Plan 2033 (2020)*

- PP1 Public Realm
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP6 Archaeology

- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP31 Local Jobs, Skills and Training
- LP36 Shops Outside of Designated Centres
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks (DEN)
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.2 ***London Plan (2021)***

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD1 Opportunity Areas
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- H7 Monitoring of affordable housing
- H6 Affordable housing tenure
- H8 Loss of existing housing and estate redevelopment
- H10 Housing size mix
- S4 Play and informal recreation

- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G7 Trees and woodlands
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations

5.3 ***North London Waste Plan (2022)***

5.4 **Material planning consideration documents**

LB Hackney

- *GROWING UP in HACKNEY Child-Friendly Places SPD (2021)*
- *Refuse and recycling storage guidance (2020)*
- *Hackney Transport Strategy 2015 - 2025 SPD*
- *Sustainable Design and Construction SPD (2016)*
- *S106 Planning Contributions SPD (2020)*
- *Community Infrastructure Levy Charging Schedule (2015)*
- *Statement of Community Involvement (2014)*

Greater London Authority (GLA)

- *UPPER LEE VALLEY Opportunity Area Planning Framework (2015)*
- *Optimising Site Capacity: A Design-led Approach LPG (2023)*
- *Housing Design Standards LPG (2023)*
- *Public London Charter LPG (2023)*
- *Fire Safety LPG (2022)*
- *Draft Affordable Housing LPG (2023)*
- *SHAPING NEIGHBOURHOODS: PLAY AND INFORMAL RECREATION SPG (2012)*
- *Sustainable Transport, Walking and Cycling LPG (2022)*
- *Urban Greening Factor LPG (2023)*
- *Digital Connectivity Infrastructure LPG (2024)*
- *Air Quality Positive LPG (2024)*
- *Air Quality Neutral LPG (2023)*

- *'Be Seen' energy monitoring guidance* LPG (2021)
- *Energy Assessment Guidance* (2022)
- *THE CONTROL OF DUST AND EMISSIONS DURING CONSTRUCTION AND DEMOLITION* LPG (2014)
- *Sustainable Transport, Walking and Cycling* LPG (2022)
- *Support for Housebuilding* LPG (2026)
- *Mayor's Good Practice Guide to Estate Regeneration* (2018)

Other

- *BRE Site layout planning for daylight and sunlight: A guide to good practice* (2022)
- *TfL London Cycling Design Standards* (2016)

5.5 National planning policies/guidance

- *National Planning Policy Framework* (2024)
- *Planning Practice Guidance*
- *National Design Guide* (2019)

5.6 Legislation

- *Town and Country Planning Act 1990* (TCPA)
- *Planning and Compulsory Purchase Act 2004*
- *Equality Act 2010*

6.0 ASSESSMENT

6.1 Application background

6.1.1 This application (together with the parent permission) is part of Hackney's Estate Regeneration Programme. A programme wide overarching Unilateral Undertaking (UU) was signed on December 2nd 2015. This requires the applicant to deliver the programme in full and sets targets in terms of the delivery of affordable homes and a target mix of unit sizes. Each site also needs to have its own legal agreement associated with the grant of planning consent.

6.1.2 Within the overarching UU, the Nightingale Estate is identified as part of 'Future Sites C', which have been identified as future schemes forming part of the Estate Regeneration Programme yet to have planning permission. The Nightingale Estate had not been granted permission at the time of signing, so there was no specific tenure or housing mix secured for the estate, except for the anticipated delivery of 350 homes on the site in the future. All sites included within the overarching UU are collectively expected to meet a number of requirements, including: a minimum of 50% of the homes as Affordable Housing (across all sites); and provide the affordable housing in accordance with the Estate Regeneration Tenure and Housing Mix and the Sites C Housing Mix both as approved by the Council.

6.1.3 This current S73 application proposes to vary condition 2 (approved plans) of 2016/2841. This is to enable the following main changes to Block E within the approved scheme:

- Change the two ground floor commercial units to two 1-bed flats.
- Changes to internal arrangements to comply with Approved Document B (fire safety) which includes separating the lifts and stair cores.

- External elevations alterations.
- Amendments to the landscape and playspace, primarily associated with the residential courtyards.
- Amendments to the road layout to adjust the turning head and BB parking bays to accommodate the construction of Phase 1.
- Updating the energy strategy to an all-electric system.
- Moving Block E to Phase 1 of the overall development.

6.2 **Assessment**

6.2.1 Section 38 (6) of the *Planning and Compulsory Purchase Act 2004* requires applications 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 comprises the London Plan, the Local Plan and the North London Waste Plan.

6.2.2 The application has been assessed against national planning policy, Development Plan policies and other material planning considerations; and advice/feedback has been sought from internal Council and external consultees

6.2.3 The main planning considerations relevant to this application are:

- Land use
- Urban design & heritage
- Affordable housing & housing mix
- Quality of accommodation
- Neighbouring amenity
- Transport & highways
- Waste & recycling
- Biodiversity & trees
- Sustainability & climate change
- Flood risk & drainage
- Fire safety
- Safety & security
- Other
- Planning obligations & infrastructure

Land use

Loss of commercial units

6.2.4 Local Plan policy LP36 set out criteria that need to be met to justify the loss of individual shops or parades outside of designated town and local centres. It does not explicitly state whether this applies to units that have an extant consent but are not built. Notwithstanding this, officers note that the 2016/2841 Committee report highlighted the benefits of the 232sqm of proposed ground floor commercial space (spread between 1 Block A unit and 2 Block E units). This included active frontages at key public realm nodes, increased passive surveillance and the size of the units being suitable for small and independent retailers.

6.2.5 The submitted documents set out that the two Block E units are not viable. In justifying this they add that: the surrounding context of the Nightingale Estate has a number of shops and

amenities; due to the size of the units (approximately 55 sqm), they will appeal to start-up or independent occupiers (such as small grocery operators, or personal practitioners) which typically rely on passing footfall, clear visibility, low setup costs, and a clear relationship with the surrounding public - and the internal facing configuration of these units are lacking external visibility or passing traffic, severely limiting their marketability; and independent occupiers might show interest but will likely be highly sensitive to rent, lease flexibility, and upfront costs. They add that without natural footfall or street presence, units risk becoming 'inactive frontage' and, in some cases, even contribute to antisocial activity if left vacant. The documents add that from a commercial perspective, it would be more effective to consolidate viable commercial use along active frontages such as Downs Road, as this will allow the estate's retail offering to anchor itself visibly within the wider local economy while avoiding over-supply of internal units that will struggle to let and operate effectively.

- 6.2.6 Officers are of the view that the applicant's concerns about the two block E units being unviable and the proposal to consolidate commercial use in the remaining Block A unit are reasonably justified. For these reasons, the loss of these commercial units is acceptable.

Proposed housing

- 6.2.7 Local Plan policy LP12 part A states that the Council will deliver a minimum of 1,330 homes per year up to 2033. Local Plan policy LP13 part A adds that new development must maximise opportunities to supply genuinely affordable housing on-site.
- 6.2.8 The two additional proposed homes are acceptable in principle and are welcomed, particularly given that they are for social rent which is the lowest cost rental tenure.

Land use conclusion

- 6.2.9 The proposal is acceptable in land use terms

Urban design

Policy background

- 6.2.10 London Plan policy D3 part A states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Part B adds a number of criteria that development should achieve, which fall under the categories of 'Form and layout', 'Experience', and 'Quality and Character'.
- 6.2.11 Local Plan policy LP1 part A requires all new development to be of the highest architectural and urban design quality. It then sets out 16 design criteria that development must meet.

Assessment

Scale, bulk and mass

- 6.2.12 The design approach continues to provide a regular form and massing to the proposed scheme and masterplan, supported by a legible street network. The overall scheme continues to respond to buildings within the estate and the wider urban fabric of the area.
- 6.2.13 The proposal has a uniform height of 5 storeys, as the massing from the masterplan steps down towards the central open space. Furthermore, the orientation of east - west and

restricting the height ensures the provision of good quality of light to the communal courtyards between the blocks.

- 6.2.14 Overall, the proposed form and massing of a 5-storey urban block with a tight urban grain is considered to be a successful example of a medium rise high density scheme. The proposal equally seeks to provide high-quality public realm and communal spaces between the buildings with variations in form that respond well to the multiple settings around the site and is acceptable in design terms.
- 6.2.15 The proposed introduction of two new proposed Air Source Heat Pump (ASHP) enclosures results in additional massing which can be viewed from key approaches and aspects of the site, including south from Monro Way and north from Muir Road. Their location disrupts the otherwise attractive and sculpted bay parapets and roof forms which appear. During the application stage, officers asked if the applicant team could optimise the the two enclosures into a single enclosure that is centrally located, as this arrangement could allow for a reduction in visual presence, greater and better connected green roof elements, and a reduction in pipework. The applicant responded setting out that this would not be possible as this would have unacceptable noise impacts on flats within Block E. No details have been submitted to evidence this (such as noise modelling of the two options). However, on balance, officers are of the view that the absence of this evidence does not constitute grounds to resist the proposed enclosures.

Siting, urban design and public realm

- 6.2.16 The site is located between Monro Way and Olympus Green and forms the eastern extent of the proposed masterplan buildings. It meets Gliddon Drive to the south and the new east-west route through the estate to the north. The developed proposal presents a series of four 'wings' perpendicular to the spine of the block on Monro Way. This facilitates east-west movement through the block whilst turning to address Olympus Green to the east.
- 6.2.17 The footprint of the block is a series of three open-ended courtyards facing onto Olympus Green, framed by four gables. The building is organised around two cores, with each serving the flats above on a typical level, accessed from a colonnaded gallery/deck. Each core provides lift and stair access to each floor.
- 6.2.18 The stair and lift lobbies at ground floor are double height spaces. Large windows onto Monro Way allow natural light in. In addition, a glazed door between the stair and lift lobby provides a sense of spaciousness and provides sight-lines through the cores, aiding wayfinding.
- 6.2.19 The proposal includes new social play such as nets and frames for climbing, toddler play, creative play in the courtyards and central colonnade. These contribute positively to the public realm and landscape works to the wider estate to form a cohesive element, creating a more legible public realm.

Elevations & materiality

- 6.2.20 The site benefits from a uniformity in form and massing, regularity in street layout, and coherence of architectural expression which are key interlocking aspects of the overall design approach.

- 6.2.21 The new building employs a range of consistent elements, a common materials palette and consistent datums, whilst allowing for diversity in the detailing of elements and the composition of façades. The bay windows are used as one of the fenestration elements that help to achieve coherence in the architectural expression.
- 6.2.22 The design measures provide a robust but tactile materiality, including a mix of brick, precast concrete, Glass Fibre Reinforced Concrete (GRC) and metalwork which are supported. A variety in the form and treatment of balconies is also helps to further articulate the external facades of the building
- 6.2.23 An established hierarchy in the proportions of fenestration is shown along gable ends, facades facing the street and those facing the inner communal courts - which is supported.
- 6.2.24 A common materials palette for the scheme is supported in principle. For example, a uniform use of two brick types at upper levels with texture and lower levels with a smooth finish that ties in with the colour of power coated aluminium window frames and balustrades for each of the blocks. The bricks are a red-brown colour, in keeping with the materiality of the building blocks within the Nightingale Estate. Precast elements are used across the site for cills, lintels whilst GRC is proposed where appropriate, for example canopies or lightweight detailing. A powder coated finish is used for all windows and railings.
- 6.2.25 Proposed external materials are considered to be of high-quality and specification. The architectural expression and treatment of the facades comprises a contemporary interpretation of established features of Victorian properties in the site's vicinity. The successful design and implementation of which can only be achieved through refined detailing. Exact material specifications will be secured via condition.

Urban design conclusion

- 6.2.26 Overall, the scheme continues to set a good standards with regard to its key principles and the proposal is considered to be a good example of achieving optimum density through the setting of medium-rise tight knit urban blocks.
- 6.2.27 The areas between the urban blocks and the building heights are carefully designed to create well-proportioned communal and public spaces, without being adversely affected by overshadowing and contribute positively towards place making. The internal layouts and communal areas are designed to meet or exceed standards.
- 6.2.28 The proposed architectural treatment and materiality gives coherence, while the variety in detailing adds richness to the overall aesthetics of the scheme. The proposal is likely to enhance the character, permeability and setting of the Nightingale Estate and the wider area.
- 6.2.29 In conclusion, the proposal is acceptable in design terms and achieves the level of architectural and urban design quality necessary for a scheme of this scale and location, subject to a material details condition.

Affordable housing & housing mix

Policy background

- 6.2.30 Local Plan policy LP13 requires schemes of 10 or more dwellings to provide at least 50% affordable on-site housing, subject to viability and site context. It adds that Affordable

Housing Tenures should be 60% Social (Social Rent/London Affordable Rent) and 40% Intermediate (Hackney/London Living Rent or London Shared Ownership or other genuinely affordable products that the Council considers appropriate).

- 6.2.31 Local Plan policy LP14 part A states that development should provide the following preferred mix of dwelling sizes by tenure:

Tenure	1-bed	2-bed	3+-bed
Social/London Affordable rent	30 - 34%	30 - 34%	33 - 36%
Intermediate	Lower % than 2-bed	Higher % than 1-bed	15 - 25%
Market	Lower % than 2-bed	Higher % than 1-bed	33%

Figure 1: Local Plan policy LP14 housing mix requirements

- 6.2.32 London Plan policy H4 adds that all affordable housing providers with agreements with the Mayor should provide at least 50% affordable housing across their development programme, and 60% in the case of strategic partners. Policy H5 adds that H4 criteria needs to be met to follow the Fast Track Route i.e. without the requirement for viability testing to determine the maximum level of affordable housing. Supporting paragraph 4.5.4 adds that affordable housing for the purposes of the London Plan is measured by percentage of habitable rooms (or habitable floorspace if that is more appropriate).

Assessment

- 6.2.33 The housing mix consented under the parent permission 2016/2841 was as follows:

Tenure	1-bed	2-bed	3+-bed	Total
Social rent	16 (30.7%)	18 (34.6%)	18 (34.6%)	52
Intermediate	24 (33%)	24 (33%)	24 (33%)	72
Market	95 (34.4%)	85 (30.7%)	96 (34.7%)	276
Total	135	127	138	400

Figure 2: 2016/2841 approved housing mix

- 6.2.34 The housing mix consented under the parent permission 2016/2841 for Block E only was as follows:

Tenure	1-bed	2-bed	3+-bed	Total
Intermediate	24 (34%)	24 (34%)	22 (32%)	70

Figure 3: 2016/2841 approved housing mix (Block E only)

- 6.2.35 The proposed housing mix for this current scheme is as follows:

Tenure	1-bed	2-bed	3+-bed	Total
Social rent	26 (36%)	24 (33%)	22 (31%)	72
Intermediate	16 (30%)	18 (33%)	20 (37%)	54
Market	95 (34%)	85 (31%)	96 (35%)	276
Total	137	127	138	402

Figure 4: Proposed housing mix

- 6.2.36 The proposed housing mix for Block E only is as follows:

Tenure	1-bed	2-bed	3+-bed	Total
Social rent	26 (36%)	24 (33%)	22 (31%)	72

Figure 5: Proposed housing mix (Block E only)

- 6.2.37 126 of the proposed 402 proposed homes would be affordable. This is 31% which falls short of the 50% minimum required by LP14. The application is not accompanied by habitable rooms numbers to demonstrate whether H4 affordable housing requirements have been met. Officers recognise these shortfalls but are mindful that this S73 application results in more affordable homes overall, including a greater number of social rent homes which is of pressing need. Also, the GLA have raised no objection to the application. For these reasons the proportion of affordable homes raises no undue concern, and officers do not consider reasonable for the application to be viability tested, given that the Nightingale Estate scheme is subject to the overarching UU which sets a required affordable housing mix across Hackney's Estate Regeneration Programme.
- 6.2.38 All social rent homes are now proposed in Block E. The two additional Block E flats would result in the Social rent tenure having slight overprovision of 1-beds, a policy compliant level of 2-beds and a slight under provision of 3-beds when assessed against LP14. This deviation is recognised. However, the proposal does not result in the loss in the number of proposed Block E 2-bed and 3-bed homes approved under the parent permission. Furthermore, there would be 20 more social rent homes than the parent permission had. Officers also note that a completely policy compliant mix would likely require a major re-design of Block E, and it is not considered reasonable to seek this.
- 6.2.39 There would be 72 social rent and 54 intermediate homes. This represents an affordable housing split of 57% social rent and 33% intermediate which is a slight underprovision of social rent and overprovision of intermediate when assessed against LP13. This deviation is recognised. However, the proposal does not result in the loss of the number of proposed affordable homes and in fact results in additional social rent homes (up from 124 to 126). There would be fewer intermediate homes (down from 72 to 54) and whilst officers do not downplay this tenure's importance as part of the overall housing market, this is considered to be outweighed by the increased provision of social rent homes which are the most affordable tenure.
- 6.2.40 In the market tenure, there would be a slightly higher percentage of 1-bed homes than 2-bed homes and a slight overprovision of 3-bed homes. Officers recognise that this is deviation from the preferred LP14 housing mix. However, the deviations are relatively minor in percentage terms and not considered sufficient enough to require a re-design of the scheme to achieve a more policy compliant mix.
- 6.2.41 For these reasons the proposed affordable housing provision and overall housing mix is acceptable, on balance.

Quality of accommodation

- 6.2.42 Local Plan policy LP17 part A states that the Council will expect all homes to be of a high quality design. Part B adds that housing types must be designed to be flexible in use and adaptable over time to meet the changing housing needs in Hackney.

Unit sizes

Policy & guidance

- 6.2.43 London Plan policy D6 sets out the following minimum recommended gross internal areas (GIAs) for dwellings: 50sqm for 1-bed (2p) single-storey, 61sqm for 2-bed (3p) single-storey, 70sqm for 2-bed (4p) single-storey, 84sqm for 3-bed (4p) 2-storey and 86sqm for 3-bed (5p) single-storey.
- 6.2.44 The GLA's Housing Design Standards LPG Table A1.1 adds the following best practice minimum recommended GIAs: 55sqm for 1-bed (2p) single-storey, 67sqm for 2-bed (3p) single-storey, 77sqm for 2-bed (4p) single-storey, 94sqm for 3-bed (4p) 2-storey and 97sqm for 3-bed (5p) single-storey.
- 6.2.45 D6 states that a dwelling with 2 or more bedspaces must have a bedroom that is at least 11.5sqm and at least 2.75m wide, every additional double (or twin) bedroom must be at least 2.55m wide and a one bedspace single bedroom should be at least 7.5sqm and at least 2.15m wide. It states that the minimum floor to ceiling height must be 2.5m for at least 75% of a dwelling's GIA. It goes on to state that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 6.2.46 The Housing Design Standards LPG standard C2.5 recommends that combined living/kitchen/dining (LKD) spaces should have the following minimum recommended GIAs: 23sqm for 1-bed (2p), 25sqm for 2-bed (3p), 27sqm for 2-bed (4p) and 29sqm for 3-bed (5p). It does not contain recommendations for 3-bed (4p). Neither does it contain recommendations for separate kitchens or living/dining rooms.

Assessment

- 6.2.47 The proposal contains 9 flat types (Units A - I) which consist of 1-bed (2p) single-storey, 2-bed (3p) single-storey, 2-bed (4p) single-storey, 3-bed (4p) 2-storey and 3-bed (5p) single-storey.
- 6.2.48 The flats would have overall GIAs ranging from 55.2sqm - 93.6sqm. They would exceed the minimum D6 requirements and many of the unit types would exceed the LPG best practice minimum recommendations (the exceptions being the 4 x 3-bed (4p) Unit As, 12 x 2-bed (4p) Unit Cs and 6 x 3-bed (5p) Unit Hs)
- 6.2.49 Main bedrooms would have GIAs ranging from 12.5 - 15.5sqm, with widths ranging from 2.7 - 3.3m. Secondary bedrooms would have GIAs ranging from 7.9 - 11.5sqm, with widths ranging from 2.1 - 3.4m wide. These bedroom sizes meet or exceed minimum D6 requirements.
- 6.2.50 The duplex Units A - B would have a separate kitchen and a living/dining room. Units C - I would have LKDs ranging from 24.6 - 32.2sqm which would all exceed the LPG best practice minimum recommendations.
- 6.2.51 According to the proposed sections, all flats would have ceiling heights of 2.5m and the ground floor accommodation would have ceiling heights of 2.8m. This meets D6 requirements.

- 6.2.52 The 12 Unit D 2-bed (3p) flats would have 5.9sqm balconies which falls marginally short of the minimum 6sqm D6 requirement. Given the angled and curved balcony profile, some of this area would have widths below 1.5m. However, much of its area would still be above 1.5m. Therefore, it is considered to be acceptably sized, on balance. The other terraces and balconies range from 6.1 - 10.5sqm. The majority of their depths exceed 1.5m but it is noted that the 12 Unit C flats have pinch point depths of 1.3m where columns are located, the 8 Unit E flats and 2 Unit I balconies/terraces have some areas with 1.2m depths due to their circular shape. However, this does not raise any undue concern.
- 6.2.53 For these reasons all proposed homes would be adequately sized and with good layouts, with many instances of generously sized habitable internal spaces.

Wheelchair units

Policy

- 6.2.54 London Plan policy D7 states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that: 1) at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Assessment

- 6.2.55 The submitted drawings indicate that the 12 Unit D 2-bed 3(p) flats which are located on the 2nd, 3rd and 4th floors. would be M4(3). This is 16.7% of the 72 Block E flats which exceeds D7 requirements, and is welcomed in principle.
- 6.2.56 Turning to the detailed design, officers note that the units would have: wheelchair storage/charging areas close to their front doors, floor areas and room sizes beyond D6 minimum requirements, and grab rails in the bathrooms. Officer preference would generally be wheelchair units at ground level. However, it is noted that 6 of the flats would be directly opposite one of the two lifts, the other 6 flats would be further away but still accessible via lift. Officers also note that their balconies would have curved and angled which means that part of their areas may be inaccessible by wheelchair. However, much of the balcony area would still be usable. Therefore, the design of the wheelchair flats raise no issues in principle. However, exact details would need to be submitted at Building Regulations stage to demonstrate compliance with M4(3). The same would be the case for the M4(2) flats.
- 6.2.57 This S73 application does not propose any changes to proposed Blocks A - D so their wheelchair provision will not be assessed as part of this application

Outlook, privacy & noise

Policy & guidance

- 6.2.58 London Plan policy D3 states that development should deliver appropriate outlook, privacy and amenity. Policy D6 part D states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

- 6.2.59 The Housing Design Standards LPG standard C4.1 states that new homes should be dual aspect unless exceptional circumstances make this impractical or undesirable. C4.1 states that development should avoid placing bedrooms and bathrooms on street-facing facades at ground level or where they face onto a busy courtyard. C5.2 (Best practice) recommends to avoid locating bedrooms and living rooms adjacent to corridors; lifts; stairs; bin and cycle stores; wheelchair and mobility scooter stores; plant rooms; and other noise-generating ancillary spaces.

Assessment

- 6.2.60 All of the proposed flats would be dual aspect or triple aspect which is welcomed and considered to be a major positive of the scheme.
- 6.2.61 The upper floor windows and balconies would face: into the 3 proposed Block E courtyards; west towards proposed Block D; and north, south and east towards existing neighbours. This is a similar relationship to that already approved under the parent permission, and therefore all of these proposed upper floor Block E windows would have an acceptable level of privacy and outlook
- 6.2.62 The two 1-bed (2p) Unit I flats at ground level would have bedrooms facing onto the surrounding footway, as would part of their LKDs. This is not ideal in terms of privacy impacts from pedestrians on the footway or outlook (should future occupiers need to draw blinds or curtains to maintain privacy). However, there would be some buffer planting in front of the windows to provide some relief. Similarly, the other proposed ground floor flats (the 3-bed (4p) duplexes) would have their ground floor terraces facing onto the proposed north and south courtyards. However, they would also have some defensible planting and officers also note that this relationship is already approved under the parent permission. The Unit I flats would have their LKDs directly adjacent to the cycle stores. Two of the 3-bed (4p) 2-storey flats would have their ground floor LKDs adjacent to an intake room and cleaners store respectively. The six 3-bed (5p) Unit H flats would all have bedrooms adjacent to staircases and lifts. These relationships are contrary to the Housing Design Standards LPG best practice. However, it is noted that it is not always possible to avoid these relationships when trying to optimise the capacity of a site. Furthermore, the LBH Environmental Protection raise no objection on noise grounds. Therefore, these relationships would not therefore constitute grounds for refusal.
- 6.2.63 For these reasons, the proposed flats would have an acceptable level of outlook and privacy and would not experience unacceptable noise impacts.

Natural light

Guidance

- 6.2.64 The BRE's *Site layout planning for daylight and sunlight: A guide to good practice* contains methods for measuring natural light levels to new dwellings. They are based on BS EN 17037.
- 6.2.65 The first method is 'Illuminance' which is a measure of the amount of light falling on a surface, usually measured in lux. Target illuminance (E_T) is Illuminance from daylight that should be achieved for at least half of annual daylight hours across a specified fraction of the reference plane in a daylit space. Minimum Target illuminance (E_{TM}) is Illuminance from

daylight that should be achieved for at least half of annual daylight hours across 95% of the reference plane in spaces with vertical and/or inclined day- light apertures.

- 6.2.66 The second method is 'Daylight factor' (D) which is the ratio of total daylight illuminance at a reference point on the working plane within a space to outdoor illuminance on a horizontal plane due to an unobstructed CIE standard overcast sky. Thus a 1% D would mean that the indoor illuminance at that point in the space would be one hundredth the outdoor unobstructed horizontal illuminance. Target daylight factor is the Daylight factor value equivalent to the target illuminance to be exceeded for more than half of annual daylight hours over a specified fraction of the reference plane within a daylight space. Minimum target daylight factor is the Daylight factor value equivalent to the minimum target illuminance to be exceeded for more than half of annual daylight hours over 95% of the reference plane within spaces with vertical and/or inclined daylight apertures.
- 6.2.67 A third method is 'Sunlight exposure'. Its criterion is that the minimum duration of sunlight exposure in at least one habitable room of a dwelling should be 1.5 hours, between February 1st - March 21st, but suggested on March 21st. Although 1.5 hours is minimum it states the medium recommendation is 3 hours and a high level is 4 hours.
- 6.2.68 A development only needs to comply with one of these methods to comply with BS EN 17037 and BRE guidance.

Assessment

- 6.2.69 An 'INTERNAL DAYLIGHT AND SUNLIGHT ASSESSMENT' was submitted with the application.
- 6.2.70 It only assessed illuminance levels to the two Unit I flats and the six Unit H flats. Officers note that these are only new flat layout types compared to the parent permission. The report states that all habitable rooms (bedrooms and LKDs) would meet Sunlight Exposure guidelines, apart from the northernmost Unit I bedroom. It adds that all habitable rooms would exceed Daylight Factor guidelines. As one of the tests has been met, Units I and H meet BRE guidance.
- 6.2.71 BRE guidance in regard to assessing natural light to proposed dwellings has changed since the parent permission was assessed and granted. However, officers do not consider it reasonable to request assessment of the previously approved Units A - G, under current BRE guidance.
- 6.2.72 For these reasons, all proposed flats would receive acceptable levels of natural light.

Access and communal circulation

Guidance

- 6.2.73 The Housing Design Standards LPG standard B1.1 recommends that ground-floor apartments and maisonettes should have 'own door' access from the street where possible. B2.1 recommends that communal circulation spaces such as corridors should be at least 1500mm wide. B2.5 recommends that no more than 8 homes per floor should be accessed by a core. C4.5 recommends that the primary window of a habitable room should not be located on an access deck.

Assessment

- 6.2.74 There would be two main communal entrances into the building, with a reasonable level/layout of accessibility throughout the proposed development. All proposed ground floor flats would have their own front door.
- 6.2.75 The parent permission had combined stair and lift cores which were generously sized, and with good access to natural light. The stair and lift cores have now been separated and their amended layout means they now have less generosity and access to natural light. However, officers note that these amendments have been made for fire safety reasons and therefore officers do not object to these changes.
- 6.2.76 The duplex flats would be accessed at ground level. Therefore, there would be 3 dwellings/core at 1st floor level. There would be 8 dwellings/core on the floors above. This is in line with the Housing Design Standards LPG recommendations.
- 6.2.77 None of the deck access flats would have the primary window of a habitable room located on the access deck.
- 6.2.78 The internal cycle and bin stores would be within close proximity and fairly easy to access from the proposed flats.
- 6.2.79 For these reasons the proposal would have acceptable access and communal circulation arrangements, on balance.

Communal amenity space and child playspace*Policy*

- 6.2.80 Local Plan policy LP48 part A requires all development proposals for 10 or more residential units to maximise on-site provision of open space and where feasible provide 14 sqm/person of communal open space and an Urban Greening Factor score of at least 0.4.
- 6.2.81 Local Plan policy LP50 part A states that new major residential developments likely to generate a child yield of 10 or more are required to provide 10sqm of dedicated play space per child on-site. Supporting paragraph 11.19 adds that "*Child yield should be established using the play space calculator in the Mayor of London's Play and Informal Recreation SPG and provision should be 10sqm per child*".

Assessment

- 6.2.82 The proposal would have a similar provision of communal amenity and child playspace as the parent permission. The additional 2 x 1-bed flats proposed as part of this application would likely only have a very limited increase on the use of these spaces. Therefore, the proposal would still have acceptable communal amenity space and child playspace provision.

Quality of accommodation conclusion

- 6.2.83 Overall, the proposal would have an acceptable quality of accommodation.

Neighbouring amenity

Policy

- 6.2.84 Local Plan policy LP2 part A states that *“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 and neighbours. The individual and cumulative impacts of development proposals on amenity will be considered in assessing their acceptability. Consideration of the merits of development proposals will be balanced against the impact on amenity”*.
- 6.2.85 Part B adds that amenity considerations include impacts on: i. visual privacy and overlooking; ii. overshadowing and outlook; iii. sunlight and daylight, and artificial light levels; iv. vibration, noise, fumes and odour, and other forms of pollution; v. microclimate conditions; and vi. safety of highway users.

Assessment

- 6.2.86 The proposal would not result in any upper floor windows or balconies being closer to existing and proposed neighbouring dwellings, compared to the parent permission. The proposed ASHP enclosures add some additional mass to Block E. However, they are set well away from existing and proposed neighbouring dwellings. Also LBH Environmental Protection raised no objection on noise impact grounds.
- 6.2.87 For these reasons the proposal would create no unacceptable overlooking, daylight/sunlight/overshadowing, overbearing/sense of enclosure or noise impacts towards neighbours. Neither would it create any air pollution or land contamination impacts to neighbours during construction or occupation of the proposed development - subject to the conditions recommended LBH Land, Water & Air.

Transport & highways

Existing site background

- 6.2.88 The site is located within a predominantly residential area in Lower Clapton. It is in a sustainable urban location with access to local facilities and public transport. It has a Public Transport Accessibility Level (PTAL) ranging between 2 and 4 (on a scale of 1 - 6b where 6b is the most accessible), indicating moderate to good public transport accessibility depending on the exact point within the estate
- 6.2.89 Residents would have access to nearby bus routes on surrounding roads, including Clapton Road / Lower Clapton Road and surrounding corridors, connecting the site to wider Hackney, Central London and neighbouring centres. Rail and Overground connections are also available within the wider area, including stations at Hackney Central, Hackney Downs and Clapton (all accessible by walking/cycling or short bus trip), offering connections to London Liverpool Street and the wider London Overground network.
- 6.2.90 The surrounding highway network comprises local residential streets which operate within a 20mph environment and include traffic calming measures. The site lies within a Controlled Parking Zone (CPZ) S, with controls operating Monday to Saturday 8.30am-6.30pm.
- 6.2.91 The area is well served by active travel infrastructure, with continuous footways, crossing facilities and good pedestrian permeability. The Nightingale Estate in Hackney benefits from

access to several cycle routes and quieter streets. Nearby options include local low-traffic routes through Hackney, the Regent's Canal towpath (which provides a largely traffic-free route towards Broadway Market and central/east London destinations), and Cycleway 23 along Lea Bridge Road linking Clapton, Lea Bridge and Dalston. Wider connections are also available via routes towards the Lea Valley and Hackney Central.

Car parking

- 6.2.92 The scheme is proposed to be car-free for new residents, which is supported by the London Plan and Hackney Local Plan. These state that to reduce car usage and promote active travel, new developments in the borough must be car-free.
- 6.2.93 The exception to this are 12 proposed Block E parking bays for existing residents (10 bays) and Blue Badge (BB) bays (2 spaces). Resident parking will only be available for existing residents; no new residents will have a permit to park as it is a car-free development. The 12 bays form part of the consented wider estate parking which totals 60 regular and 8 BB for the masterplan site boundary, and 174 spaces in the wider estate area. This approach is consistent with the consented scheme and is therefore acceptable.
- 6.2.94 A CPZ exclusion to restrict parking permits for all future occupiers and visitors is recommended for all users of the proposed site (except those with a blue badge). This will be secured in the legal agreement.

Electric Vehicle (EV) charging

- 6.2.95 There would be 25% active EV charging spaces (3 spaces) and 75% passive EV provision (9 spaces). This exceeds London Plan policy T6.1 part C requirements of at least 20% of the spaces to be for active charging and the remainder to be for passive charging and is therefore acceptable.

Blue Badge (BB) bays

- 6.2.96 The two BB parking bays are provided at the north end of Monro Way at Della Path. They are provided perpendicular to the street. Officers note they are approximately 55 - 65m from the two communal entrances into the block which is above the general 50m maximum recommended maximum distance
- 6.2.97 During pre-application discussions, Council Transport & highways and Planning officers raised concerns about the orientation of the BB bays, and advised that these should ideally be parallel to the flow of traffic rather than perpendicular. Officers also expressed that their location is not ideal in terms of the distance from Block E. Officers therefore requested the applicant team review whether amendments could be made, and advised that if this was not possible then officers were open to exploring a re-orientation and re-allocation of the spaces during the next phase of development.
- 6.2.98 In response to these officer queries, the applicant team advised that there is insufficient width on Monro Way to provide the accessible parking spaces closer to Block E – this is the reason for the amendment compared to the consented scheme – and there is not sufficient space in the Phase 1 layout to provide the wheelchair spaces parallel to the carriageway. Therefore no change has been made to the layout since pre-application discussions and for the Phase 1 proposals. However, the applicant team added that they can take forward the officer recommendation that the layout is reviewed as part of Phase 2 of the development.

- 6.2.99 Officers recognise the spatial constraints cited by the applicant team that prevent the two BB spaces being parallel to the road and closer to Block E. Officers also note the applicant's stated intention to investigate a revised layout in Phase 2, although officers are mindful that there is no guarantee that this will be possible. For these reasons, the proposed layout and location of the two BB bays is acceptable, on balance.
- 6.2.100 A Parking Design and Management Plan (PDMP) is recommended as a pre-occupation condition. The PDMP must show that the site will be car free with the exception of the accessible BB bays. It should show how the parking will be designed and managed, with reference to TfL guidance on parking management and parking design.

Servicing

- 6.2.101 No designated servicing and delivery bays are proposed (as per the consented scheme). During the application stage officers queried with the applicant team as to why such a bay/s would not be possible. In response they stated that: development will be serviced through use of new car parking bays on Monro Way, existing car parking spaces on Gliddon Drive, or short-term parking such as in the turning head at Della Path, or the passing area at the central colonnade. They added that conflicts between servicing vehicle parking and active travel users should generally be handled in line with the provisions of the Highway Code, which requires drivers to be considerate of the other road users, and take into consideration the area they are driving through; they can include some provisions that delivery vehicles are made to give way to vulnerable road users, it is noted that the Delivery & Servicing Plan is unlikely to be shared with the majority of the drivers visiting the site, and as such, any such commitments would not add much in practice. They also added their recommendation is that these risks are designed out through the ingraining of low speeds (such as the 20mph and traffic-calming, already agreed), and other design additions, including restricting waiting for servicing in particular areas/ and time restrictions / booking is not recommended on these local roads, as there are no particular busy periods locally, and enforcing any time restrictions would be unviable.
- 6.2.102 Officers note that the proposal is likely to result in a number of deliveries on a constant basis, for the lifetime of the development. Therefore, a designated servicing bay would have been welcomed by officers, in order to alleviate any potential temporary blocking of the highway by delivery drivers/riders. However, officers are also mindful that the introduction of a servicing bay would likely result in the loss of a re-provided parking bay which could also create highway capacity issues, and the fact that the parent permission did not contain such a servicing bay either. For these reasons, the proposed servicing arrangements are acceptable on balance.

Cycle parking

- 6.2.103 In order to comply with London Plan policy T5 requirements the 26 x 1-bed, 24 x 2-bed and 22 x 3+-bed proposal would need to provide a minimum of 131 long-stay spaces and 3 short-stay spaces.
- 6.2.104 In order to comply with Local Plan Appendix 2 requirements the proposal would need to provide a minimum of 144 long-stay spaces and 4 short-stay spaces.
- 6.2.105 144 long-stay resident spaces and 26 short-stay visitor spaces are proposed to serve Block E. The 146 long-stay spaces would consist of 112 spaces (90 two-tier and 22 single-tier

Sheffield stands) in the two internal cycle stores and 32 spaces contained in 16 private cycle lockers (2 cycles/locker) in the courtyards to serve the duplex flats. The 26 short-stay would be on the footway to the north and west of Block E

- 6.2.106 The Local Plan LP33 highlights the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Local Plan policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible cycles, tricycles and cargo bikes. Two-tier cycle parking is generally not supported.
- 6.2.107 Cycle parking must be provided in line with Hackney's Sustainable Transport SPD The design of cycle parking should be consistent with TfL's London Cycling Design Standards, specifically chapter 8.
- 6.2.108 In terms of access, the private and communal stores have step-free access. It is noted that there is not any proposed provision for larger/ adapted cycles. However, given the constraints of this being a S73 application to amend an existing consent and there is not sufficient space within the cycle stores to accommodate for these types of cycle parking space.
- 6.2.109 Officers also note the high proportion of two-tier long stay spaces (90 out of 144) which equates to 62.5%. However, officers note that the communal element of the ground plane does need to provide other facilities such as the bin stores, entrances and plant rooms; and that the design consented scheme does limit options to amend this ground plane. For these reasons the proposed cycle parking arrangements are acceptable on balance, subject to a condition requiring more detailed drawings of the cycle parking.
- 6.2.110 A policy compliant cycle parking plan is recommended to be secured via condition. This would need to show details of the number, layout, foundation, stand type and spacing. The design of the cycle parking must prioritise the personal security of users, particularly given the standalone nature of the stores. To ensure safety, the proposal should incorporate robust security measures and deterrents, including controlled access, adequate lighting, CCTV, and clear visibility within the development. The approved details will need to be kept in good working condition in perpetuity.

Car Club membership

- 6.2.111 Local Plan LP45 Part D 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.
- 6.2.112 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 will be secured via legal agreement.

Travel Plan (TP)

- 6.2.113 A Framework TP Statement has been submitted as part of this application. A full TP will be required to establish a long-term management strategy that encourages sustainable and active travel.

- 6.2.114 The TP is required to include specific, measurable, achievable, realistic and time bound (SMART) targets. The TP should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to Hackney's Transport Strategy SPD and Local plan.
- 6.2.115 The full Travel Plan will be required to be produced and implemented on occupation of the development. Owing to the nature of the site, the TP should be secured through the legal agreement inclusive of a financial contribution towards the monitoring of the Travel Plan of £2,000
- 6.2.116 Construction Management Plan (CMP)
- 6.2.117 A framework CMP has been submitted as part of the application. Given the nature and location of the proposed development a CMP is required to mitigate the negative impact on the surrounding highway network. This should be in line with TfL Construction Logistics Plan guidance.
- 6.2.118 The final CMP is recommended to 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 CMP should therefore include a comprehensive assessment of construction traffic impacts and management arrangements.
- 6.2.119 In particular, the CMP 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 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.
- 6.2.120 The final CMP should be developed in consultation with the Council's Highways and Streetscene teams to ensure that construction impacts are appropriately managed and minimised.
- 6.2.121 To effectively monitor the final CMP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.

Urban realm and S278 works

- 6.2.122 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. Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users.

6.2.123 Highways works and transport mitigation measures are therefore required, as set out in the LBH Street Scene comments above. For reference, the works set out in the 2021/1075 UU include: reconstructing footways and carriageways, raised junction treatments, traffic calming measures and potential SUDS measures.

6.2.124 The updated cost for "the Highway Contribution" is £73,328.48 and the updated cost for "the Internal Road Works Contribution" is £956,812.64. These will be secured in the legal agreement

Transport & highways

6.2.125 On balance, the proposal would have acceptable transport and highways impacts, subject to conditions and legal agreements.

Waste & recycling

Policy & Guidance

6.2.126 Local Plan policy LP57 part A states that developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling.

6.2.127 The LBH *Refuse and recycling storage guidance* document states that: 1-bed dwellings should have capacity for 50L waste and 100L mixed dry recycling; 2-bed dwellings should have capacity for 75L waste and 125L mixed dry recycling; 3-bed dwellings should have capacity for 100L waste and 150L mixed dry recycling; and developments of 21 - 50 dwellings should have 1 x 240L communal food waste bin and a minimum 5sqm bulky waste store (which must be marked up on plans). It states that the Council uses 1,100L and 660L Eurobins for waste and mixed dry recycling and that bin stores should have adequate lighting, ventilation, fire safety and anti-crime measures.

6.2.128 In regard to enabling residents to store separate waste streams within their homes, the document recommends that fitted kitchens should feature: 2 compartments for waste and dry recyclables of equal measure (but at least 20L), space for at least a 7L food caddy, and for the minimum total capacity of all compartments to be 47L.

6.2.129 The document adds that collection crews will not move Eurobins more than 10m from bin store to collection points and residents should not have to transport their waste further than 25m.

Assessment

6.2.130 LBH Waste reviewed the proposal and commented that: both proposed bin stores have capacity in line with the current guidance with the exception of there not being bulky waste storage but they would not object to this given that bulky waste provision; dropped kerbs are required for collection crews to service the stores; and that costs should be secured in the event that weekly cleaning of the development and help to residents needing assistance is required of the Council's Environmental Operations team.

- 6.2.131 Planning officers agree with this assessment, and during the application stage the applicant team provided a further drawing showing that the footway adjacent to the bin stores would be level with Monro Way and that there would be two areas outside the bin stores (between parking bays) for collection crews to access
- 6.2.132 Any further cost incurred by the Environmental Operations team will be secured in the legal agreement for this application..
- 6.2.133 As such, the proposal has acceptable waste and recycling arrangements, subject to a legal agreement.

Biodiversity & trees

Planting palette

- 6.2.134 The proposal includes a good diversity of plants including grasses, flowering perennials, shrubs and trees, with a diverse range of flowering times. Many of the plants selected will have benefits to pollinators.
- 6.2.135 Red Japanese Rose (*Rosa rugosa* 'Rubra') is listed on schedule 9 of the UK Wildlife and Countryside Act as an Invasive Non native species. It is an offense to plant or cause these to grow in the wild in England and Wales. 50 of these are proposed. During the application stage, officers requested that the applicant replace this species with a non-invasive alternative species that is beneficial to local wildlife. At the time of writing this had not been replaced. However, the agent submitted a revised Design & Access statement stating that they are seeking to submit a revised landscaping plan via condition. On balance, officers agree with this approach.
- 6.2.136 There are other proposed species that require the following careful consideration: Wintercreeper and Lady's mantle can become invasive if not managed properly, so this needs to be taken into consideration in the management plan; *Crocsmia* 'Emily McKenzie' is a genus should be approached cautiously if used - the common garden Montbretia (*Crocsmia x crocosmiiflora*) is listed under Schedule 9 of the Wildlife and Countryside Act 1981, and the entire *Crocsmia* genus is often treated with the same caution - this is because all varieties spread easily via underground corms, which can be moved by soil disturbance or water, leading to accidental establishment in the wild; Black bamboo is considered one of the less invasive types of bamboo but it is important to take precautions to restrict its spread, such as planting in a large container; Chinese rhubarb can become a very large plant, though it is not invasive, its size and spread should be taken into account; the proposal includes planting English bluebells, however it should be noted aware that the Spanish Bluebell (*Hyacinthoides hispanica*) is an invasive threat because it hybridises with the native species and is listed on Schedule 9, so to prevent the introduction of this invasive type, it is important to ensure that all purchased bulbs are guaranteed to be *H. non-scripta* (the native species). Again, at the time of writing they had not been replaced. However, the revised Design & Access statement states that they are seeking to submit a revised landscaping plan via condition. On balance, officers agree with this approach.
- 6.2.137 Regardless of the final planning palette, a landscape/habitat management plan is necessary for the newly planted areas, including trees and other soft landscaping, to ensure their long term maintenance.

Changes to the approved landscape scheme

6.2.138 The main changes include: incorporating rain gardens and expanding play provision, including new equipment and additional amenity space to the Central Colonnade; integrating rain gardens using native plant species; featuring toddler doorstep play areas with natural play elements; and greater focus on play and Sustainable Urban Drainage Systems (SUDS) to the Block E courtyard; design changes approved under a separate Section 96a application (2025/0494) to deliver early works elements of the play provision to Olympus Green; and maintaining the neighbourhood street and defensible space strategy of the parent permission.

6.2.139 These changes are all considered acceptable.

Urban Greening Factor (UGF)

6.2.140 The UGF has fluctuated significantly across different planning stages, primarily driven by changes in green roof coverage: approved S73 2021/1075 0.51 UGF (1,735sqm green roof); approved S96a (2025/0494) 0.51 UGF (1,105sqm green roof); and the current S73 application 0.43 UGF (267sqm green roof).

6.2.141 The main justifications within the submitted documentation for the reduction from 0.51 to 0.43 are: refinements in technical drawings to allow for more precise measurements, now excluding non-greenable areas such as lift overruns; while the total number of trees remains unchanged, a shift in the UGF calculator's methodology has resulted in a lower recorded area for the canopy cover; to protect the root systems of mature trees in Olympus Green, some rain gardens were relocated, however, the remaining rain gardens and flower-rich perennial planting have seen a slight increase in coverage, partially compensating for losses elsewhere.

6.2.142 The proposal achieves a UGF score of 0.43. While this is a reduction from the 0.51 achieved in the previous S73 approval for 2021/1075, it continues to exceed the minimum 0.4 policy target set out in the London Plan and the Local Plan.

Epping Forest Special Area of Conservation (SAC)

6.2.143 The submitted Ecological Impact Assessment identifies the site as being within the 6.2km zone of influence for Epping Forest SAC, and states that "*Mitigation is likely to comprise a financial contribution to the Epping Forest Strategic Access Management and Monitoring (SAMM) Strategy*".

6.2.144 The Epping Forest SAAM Strategy is a partnership initiative designed to mitigate the impact of increased recreational pressure from new residential developments on the SAC. However, officers note that Hackney Council is not one of its Local Authority signatories. Furthermore, given the distance between the application site and SAC, officers consider that the scheme would have little to no impact on the SAC. Therefore, the scheme does not need to provide a financial contribution to mitigate impacts on the SAC.

Bird nesting /Bat roosting season

6.2.145 To avoid disturbing sensitive seasons, particularly bird nesting and bat roosting, it is recommended that all works, including canopy reduction or tree removal, be scheduled outside these periods. If avoidance is not possible, immediate ecological checks for birds and

bats must be carried out directly before the planned works. A condition is recommended to secure this.

Lighting

- 6.2.146 To reduce negative impacts on foraging and commuting bats, and to mitigate impact of artificial lighting, lighting should be designed in line with the Bat Conservation Trust (ILP 2023). Advice is provided in the submitted Ecological Impact Assessment. An external lighting condition is recommended below to secure these measures.

Hedgehogs

- 6.2.147 A condition is recommended to secure these measures set out in the submitted Ecological Impact Assessment to protect hedgehogs during the following phases: site clearance and vegetation Removal; construction works; and post-development.

Foxes and mammals

- 6.2.148 The development proposals are anticipated to affect likely fox dens within the Site. An informative is recommended to advise the applicant that animal burrows discovered within the construction area must be carefully excavated under the supervision of an ecologist before work begins.

Bird and bat boxes

- 6.2.149 The proposal will require the following Bird & Swift Bricks: 9 non-combustible integrated bricks (e.g. Bird Brick Houses or equivalent); 4 integrated terrace boxes (e.g. Sparrow Terrace by Bird Brick Houses); 2 integrated brick houses (e.g. Blue/Great Tit Brick House); 2 integrated brick houses (e.g. Starling Brick House); and 4 woodstone nest boxes (e.g. Vivara Pro Seville 32mm) onto retained trees within the Olympus Green area.

Bat & Bee Enhancements

- 6.2.150 The proposal will need to incorporate the following into the building design: 8 non-combustible integrated bat bricks (e.g. Bird Brick Houses or equivalent); and 8 solitary bee bricks (e.g. Bee Brick: Red by Bird Brick houses Ltd) to support species such as Red Mason and Leaf-cutting bees.

Compliance

- 6.2.151 The Biodiversity Enhancement Plan detailed in Appendix 4 of the submitted Environmental Impact Assessment is comprehensive. To ensure these ecological benefits are implemented, a compliance condition is recommended. This condition will mandate that the installation of all swift bricks, bird boxes, batboxes and bee bricks strictly adheres to the specifications and locations outlined above.

Trees

Capital Asset Value for Amenity Trees (CAVAT)

- 6.2.152 London Plan policy G7 and Local Plan policy LP51 require the removal of trees to be compensated for based on the existing value of the benefits of the trees removed.

6.2.153 14 Trees are proposed to be felled to facilitate the proposal. 11 are category B trees of 'moderate quality' and 3 are category C 'poor quality' trees.

6.2.154 The submitted full method CAVAT report values the 14 trees at £570,328 This figure represents the cost to immediately replace the benefits the trees provide. The difference between the CAVAT value of the trees to be removed and the value of the replacement trees planted will be secured in the legal agreement. *(At the time of writing, the proposed CAVAT value had not been received from the applicant team. The Committee will be updated with any progress on this point.)*

Replacement tree planting

6.2.155 42 new trees are proposed to mitigate the loss of the 14 mature trees. This consists of 7 in Olympus Green, 16 on the street, 12 in the internal courtyards and 7 in the central colonnade area. These will be a combination of semi-mature nursery stock and multistem trees. Although this will lead to a numerical increase in trees, it equates to a significant 'day 1' loss of canopy coverage. This is set out in more detail in the table below:

Canopy coverage	Estimated area
Lost mature canopy (14 trees)	circa. 738sqm
New nursery stock canopy (42 trees)	circa. 117sqm
Day 1 canopy deficit	circa. 621sqm

Figure 6: Canopy coverage areas

6.2.156 It is estimated that the new trees will take between 15 - 25 years to grow to the point where the lost canopy coverage is replaced.

6.2.157 The new tree planting scheme is carefully considered and incorporates species choices based on native species providing benefits to wildlife and ornamental species providing year-round interest.

6.2.158 During the application stage, officers suggested to the applicant team that some of the choices could be revisited in the light of important new studies and future London climate modelling - particularly the 'Future Climate Suitability of London's Public Realm Trees' study, by Andrew Hiron and Kevin Martin which was released in November 2025. One of the key findings from that study is that *"If no changes are made, in total, 73% of London's public trees may struggle to thrive or survive as the climate changes."*

6.2.159 Several of the species proposed in the planting schedule are known to be struggling when newly planted in Hackney, with heat and drought leading to high failure rates. This is the case with betula and prunus species in particular, and these are also highlighted in the future climate modelling.

6.2.160 Again, at the time of writing these proposed species had not been replaced with alternatives. However, the revised Design & Access statement states that they are seeking to submit a revised landscaping plan via condition. On balance, officers agree with this approach to secure a revised tree planting scheme

6.2.161 Officers note that the proposed Semi-mature nursery stock is relatively large for new tree planting. It is understood that the intention is for these new trees to make an immediate impact, but trees planted at this size require significantly more aftercare - particularly large

quantities of water during the growing season, and they take longer to establish; up to 5 years. This should be reflected in the maintenance plan, which will be required by condition. Semi-mature nursery stock requires at least 100 litres per week in summer months during the establishment period.

- 6.2.162 Informatives are also recommended in regard to: nesting birds and roosting bats; use of herbicides; and benefits of standing deadwood for biodiversity.

Biodiversity Net Gain (BNG)

- 6.2.163 The parent permission was granted before BNG legislation became mandatory for Major planning applications on February 12th 2024. As such, BNG legislation does not apply to this current S73 application.

Biodiversity & trees conclusion

- 6.2.164 The proposal would have acceptable biodiversity & trees impacts - subject to conditions requiring: a revised planting/landscaping plan; a Habitat Management Plan; avoiding works in nesting Seasons; external lighting details; works that incorporate Hedgehog protection; ecological enhancements; arboricultural monitoring; existing trees to be retained; a detailed Arboricultural Method Statement; and restrictions on service runs within root protection areas; as well as agreement on CAVAT to be secured in the legal agreement.

Sustainability & climate change

Policy

- 6.2.165 London Plan policy SI 2 part A states that Major development should be net zero-carbon which means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy: 1) be lean: use less energy and manage demand during operation; 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly; 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site; 4) be seen: monitor, verify and report on energy performance. Part B states that *“Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy”*. Part C adds that a minimum on-site reduction of at least 35% beyond 2013 Building Regulations is required for Major Development, and for residential development at least 10% should be through energy efficiency measures.
- 6.2.166 Local Plan policy LP54 states that all new development must regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, mitigate the Urban Heat Island (UHI) effect and have regard to maximising the use of the cooling hierarchy. Measures which deliver biodiversity benefits will be strongly supported.
- 6.2.167 Local Plan policy LP55 part A states that all new developments must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.
- 6.2.168 Local Plan policy LP56 part B states that *“New major development should connect to an existing network; unless it is clearly demonstrated that it is not technically feasible or*

economically viable” and part D states that “Where there is a planned DEN within feasible and viable range of future connection, proposed major developments should be designed to connect to that network”.

- 6.2.169 Local Plan policy LP57 part A states that developments should seek to minimise waste during both construction and operation of the development.

Assessment

- 6.2.170 The application was accompanied by an Energy & Sustainability Strategy, Whole Life Cycle Assessment Report, Net Zero Form, Be Seen Spreadsheet and an Overheating Analysis Report.
- 6.2.171 The main change proposed to the approved energy strategy is the provision of a building specific stand-alone energy solution comprising ASHPs which will be situated on the roof of Block E. The approved gas boiler back up has been removed and replaced with an all-electric system relying solely on ASHPs. This involves an increase in proposed ASHPs (from 2 to 12) and a reduction in PV panels (from 108 to 81).
- 6.2.172 These documents were reviewed by the Council’s Sustainability & Climate Change Officer who raised no objections subject to the following conditions requiring: a revised Energy Statement; full details of PV panels; ASHP communal heat details; MVHR details; future DHN connection details; a dynamic overheating risk assessment; Resident guide for excess heat management; water efficiency statement; and site waste management targets; and obligations relating to carbon offset payment, renewable energy monitoring and Be Seen monitoring. Planning officers agree with this assessment.
- 6.2.173 As such, the proposal would have acceptable sustainability & climate change impacts, subject to conditions and obligations.

Flood risk & drainage

Policy

- 6.2.174 London Plan policy SI 13 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible, and there should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation); 2) rainwater infiltration to ground at or close to source; 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens); 4) rainwater discharge direct to a watercourse (unless not appropriate); 5) controlled rainwater discharge to a surface water sewer or drain; 6) controlled rainwater discharge to a combined sewer.
- 6.2.175 Local Plan policy LP53 part F states that *“All developments should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy. Where this is shown, through appropriate evidence, to be unfeasible, planning obligations will be expected to reduce the overall flood risk within the site and in the vicinity”.*

Assessment

- 6.2.176 The application was accompanied by a SUDS pro-forma and a Sustainable Drainage Strategy Technical.
- 6.2.177 These were reviewed by the Council's Flood Risk & Drainage officer. The officer noted a surface water strategy was secured under the previous S73 approval 2021/1075 at the site under condition 34 in accordance with the approved Peter Brett FRA (July 2016) and Infrastruct CS Technical Note 4158-NIGH-ICS-QU-C-03.004a (and drawings); and that if the updated drainage technical note is to be relied upon, condition 34 (or its referenced approved drainage documents) would need to be formally updated. Planning officers recommend that this can be achieved by recommending the drainage conditions from the original permission.
- 6.2.178 For these reasons, the proposal would have acceptable flood risk and drainage impacts, subject to condition.

Fire safety

Policy

- 6.2.179 London Plan policy D12 part B requires all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. It adds that the statement should detail how the development proposal will function in terms of: 1) the building's construction: methods, products and materials used, including manufacturers' details; 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach; 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans; 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these; 5) how provision will be made within the curtilage of the site to enable fire; appliances to gain access to the building; 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

Assessment

- 6.2.180 The application was accompanied by a Fire Statement and Planning Fire Safety Strategy. This was reviewed by LBH Building Control, and they deemed it to be satisfactory
- 6.2.181 However, they noted there are dead-end situations, where the fire tender has to reverse more than 20m which exceeds the guidance but is stated as being agreed by the London Fire Brigade (LFB). Building Control therefore requested that the applicant provide written confirmation from the LFB (*Confirmation on this agreement had not been received at the time of writing. Committee will be updated with any progress on this point. In the event that this is not received prior to Committee, a Grampian condition is proposed requiring this to be submitted prior to any above ground works*).

Safety & security

- 6.2.182 London Plan policy D11 part C states that development should include measures to design out crime that are in proportion to the risk.
- 6.2.183 The Met Police Designing Out Crime Officer (DOCO) team was not consulted on this application. Officers note that a Secured by Design (SBD) condition was not attached to the parent permission (2016/2841) decision notice. However, the 2016/2841 states that the DOCO was consulted and recommended an SBD condition. For these reasons, officers consider that it is necessary and reasonable to recommend an SBD condition, and that the proposal would be acceptable in terms of safety and security - subject to this condition.

Other

- 6.2.184 Planning officers note that ground floor doors in the west elevation of Block E open directly onto the adjacent footway which could cause conflicts with pedestrians. Therefore, at application stage officers queried whether the applicant team could amend the door swings to open inwards. In response, they stated that this was to maintain the direction of escape from the rooms these doors serve. This is accepted by officers but officers still maintain some concern in regard to pedestrian conflicts.

Planning obligations & infrastructure

Obligations

- 6.2.185 This S73 application will require a Deed of Variation (DOV) to the parent permission's UU. Obligations secured under the UU will remain in force, unless removed or amended by the DOV. The following table set out the original UU and proposed DOV obligations:

UU obligations	DOV updated and new obligations
124 Affordable Housing units (Social rent: 16 x 1-bed, 18 x 2-bed, 18 x 3-bed) (Intermediate: 24 x 1-bed, 24 x 2-bed, 24 x 3-bed)	126 Affordable Housing units (Social rent: 26 x 1-bed, 24 x 2-bed, 22 x 3-bed) (Intermediate: 16 x 1-bed, 18 x 2-bed, 20 x 3-bed)
Employment and Skills Plan	No
Local labour percentage	No
Local labour return	
Considerate Constructors Scheme	No
Car free	No
£719,408 Internal Road Works contribution	£956,812.64 Internal Road Works contribution
£53,918 Highway contribution	£73,328.48 Highway contribution
£4,000 Highway Adoption Monitoring contribution	No
Highway Works	No
Highway Works Commuted Maintenance Contribution	No
Travel Plan	No
£2,500 Travel Plan monitoring contribution	No
Car Club (2 bays)	No

£270,000 Bus capacity contribution	No
MCIL and LBH CIL	No
£270,000 Street lighting contribution	No
£201,850 SUDS contribution	No
£4,000 Monitoring contribution	
	£8,750 Construction Management Plan monitoring
	£60 Car Club membership/dwelling
	Carbon offset - figure <i>TBC</i>
	Renewable energy monitoring
	Be Seen monitoring.
	Any future costs incurred Council's Environmental Operations team
	CAVAT - figure <i>TBC</i>

Community Infrastructure Levy (CIL)

- 6.2.186 Under the Mayor of London’s CIL 2 charging schedule, developments within the London Borough of Hackney are subject to a CIL rate of £60/sqm of development, with the exception of medical/health/education uses. The site is located within Zone B of the Hackney CIL Charging Zone which adopts a rate of £25/sqm of residential floorspace. However CIL relief can be claimed for all new floorspace used for affordable housing.
- 6.2.187 The submitted CIL form sets out that the entire proposal contains 28,198sqm of market housing. The development is as such liable for both Local CIL and Mayoral CIL. The form indicates the existing 633sqm Nightingale Community Hall on site that has been in use for 6 continuous months of the 36 previous months. Mayoral CIL is estimated to be £1,653,900 ((28,198 - 633) x £60) and LBH CIL is estimated to be £689,125 ((28,198 - 633) x £25)
- 6.2.188 The submitted CIL form sets out that the entire proposal contains 12,994sqm of affordable housing. As such, this floorspace would not be liable for Mayoral or Hackney CIL.

7.0 OTHER MATTERS

7.1 Local Financial Considerations

- 7.1.1 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 dwellings 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

- 7.1.2 Under section 149 (Public sector equality duty) of the The Equality Act 2010 a public authority must, in the exercise of its functions, have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons

who share a relevant protected characteristic and persons who do not share it. Protected characteristics set out in section 4 of the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

- 7.1.3 Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise any equality issues.

8.0 CONCLUSION

- 8.1.1 The proposed changes relate solely to Block E and its surrounding roads and Olympus Green. These works are now intended to form the first phase of the development. The principle of residential use at the site was agreed at the time of the parent permission, and the current application has sufficiently justified the loss of two approved commercial units to be replaced with two additional flats. The amended scheme is still considered to be of high architectural quality and well integrated within its context. This first phase would provide 100% social rent homes which is welcomed.
- 8.1.2 The proposal is considered to be in line with the parent permission and acceptable in planning terms in all other respects, including: quality of accommodation, neighbouring amenity, transport & highways, waste & recycling, biodiversity & trees, sustainability & climate change, flood risk & drainage, fire safety and safety & security impacts.
- 8.1.3 The proposal is, on balance, therefore deemed to comply with pertinent policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021), and the granting of permission is recommended subject to conditions and completion of a Deed of Variation to the Unilateral Undertaking.

9.0 RECOMMENDATIONS

Recommendation A

- 9.1.1 The application seeks to vary condition 2 of 2016/2841. However, circumstances and policies have changed since this parent permission was granted. Therefore, the changes are also required to the following condition: 1) removed as the parent permission appears to have commenced; 18) no longer required as Historic England GLAAS do not require further investigation; 21), 22), 23) and 24) amalgamated into a single contamination condition; 28) removed reference to previous London plan policy; 29) updated wording to current CMP standards; 31) updated wording to acknowledge submission of a DSP with this application; 37) updated wording to clarify that the FRA referenced was approved under the parent permission; updated to include more detail, including Bat and Bee enhancements; 41), 42), 43) and 44) updated wording to clarify that Ecology Report referenced was approved under the parent permission; 49) 'minimising ecological impact' added to reason to ensure that any future submission addresses this consideration; 50), 51) trigger added; 53) removed reference to previous London plan policy; 55) wording updated to acknowledge playspace details have been submitted with this application.
- 9.1.2 GRANT planning permission, subject to a completion of a Deed of Variation to the 2016/2841 Unilateral Undertaking and the following conditions
- 9.1.3 **Approved drawings & documents**

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. The approved drawings and documents are:

Existing

- Site Location Plan - Existing Land Ownership - 252-A-001_00

Proposed

- Block E Proposed Ground Floor Plan - N161 - LBA - E0 - 00 - DR - A - 800000 Rev. P04
- Block E Proposed First Floor Plan - N161 - LBA - E0 - 01 - DR - A - 800001 Rev. P04
- Block E Proposed Second Floor Plan - N161 - LBA - E0 - 02 - DR - A - 800002 Rev. P04
- Block E Proposed Third Floor Plan - N161 - LBA - E0 - 03 - DR - A - 800003 Rev. P04
- Block E Proposed Fourth Floor Plan - N161 - LBA - E0 - 04 - DR - A - 800004 Rev. P04
- Block E Proposed Roof Plan - N161 - LBA - E0 - 05 - DR - A - 800005 Rev. P03
- Block E Proposed Roof Access Plan - N161 - LBA - E0 - 05 - DR - A - 800006 Rev. P03
- Block E Proposed Site Elevations - N161 - LBA - E0 - XX - DR - A - 800020 Rev. P03
- Block E Proposed Site Sections - N161 - LBA - E0 - XX - DR - A - 800021 Rev. P04
- Proposed Site Sections CC and DD - N161 - LBA - XX - XX - DR - A - 800022 Rev. P03
- Site Layout Proposed Ground Floor Plan - N161 - LBA - E0 - 00 - DR - A - 800030 Rev. P05
- Site Layout Proposed First Floor Plan - N161 - LBA - E0 - 01 - DR - A - 800031 Rev. P04
- Site Layout Proposed Second Floor Plan - N161 - LBA - E0 - 02 - DR - A - 800032 Rev. P04
- Site Layout Proposed Third Floor Plan - N161 - LBA - E0 - 03 - DR - A - 800033 Rev. P04
- Site Layout Proposed Fourth Floor Plan - N161 - LBA - E0 - 04 - DR - A - 800034 Rev. P04
- Site Layout Proposed Fifth Floor Plan - N161 - LBA - E0 - 05 - DR - A - 800035 Rev. P03
- Site Layout Proposed Roof Plan - N161 - LBA - E0 - 05 - DR - A - 800036 Rev. P03
- Unit Type A - N161 - LBA - E0 - XX - DR - A - 800040 Rev. P04
- Unit Type B - N161 - LBA - E0 - XX - DR - A - 800041 Rev. P04
- Unit Type C - N161 - LBA - E0 - XX - DR - A - 800042 Rev. P04
- Unit Type D M4(3) - N161 - LBA - E0 - XX - DR - A - 800043 Rev. P04
- Unit Type E - N161 - LBA - E0 - XX - DR - A - 800044 Rev. P04
- Unit Type F - N161 - LBA - E0 - XX - DR - A - 800045 Rev. P04
- Unit Type G - N161 - LBA - E0 - XX - DR - A - 800046 Rev. P04
- Unit Type H - N161 - LBA - E0 - XX - DR - A - 800047 Rev. P04
- Unit Type I - N161 - LBA - E0 - XX - DR - A - 800048 Rev. P04
- Residents' Courtyard North - N161-MUF-ZZ-EX-DR-L-902150 Rev. P01
- Residents' Courtyard South - N161-MUF-ZZ-EX-DR-L-902151 Rev. P01
- Central Courtyard - N161-MUF-ZZ-EX-DR-L-902152
- Residents Courtyard North Section A - N161-MUF-E1-EX-DR-L-902200 Rev. P01
- Residents Courtyard South Section B - N161-MUF-E1-EX-DR-L-902210 Rev. P01
- Central Courtyard Section C - N161-MUF-E1-EX-DR-L-902220 Rev. P01
- Block E GIA Schedule - 161 - LBA - E0 - XX - DR - A - 200803 Rev. P01
- Public Realm Overview - N161-MUF-ZZ-EX-DR-L-902100 Rev. P02
- Finishes Plan - N161-MUF-ZZ-EX-DR-L-902110 Rev. P01
- Landscape Finishes Plan - N161-MUF-ZZ-EX-DR-L-902111
- Proposed Drainage Layout - N161-PTA-E0-XX-DR-C-010100 Rev P06
- Proposed Phasing Plan - N161 - LBA - E0 - 00 - DR - A - 800013 Rev. P01
- Public Realm - Drop Kerbs - N161-MUF-ZZ-EX-DR-L-902120 Rev. P00

- Parking and Cycle Strategy - N161 - LBA - E0 - 00 - DR - A - 300202 Rev. C01

Proposed Plots A - D

For clarity, the approved plans, sections and elevations approved under 2016/2841 for Blocks A - D are applicable to this application.

Documents

- Letter re. 'Do not scale' notes, Dated 09.04.2026
- Design and Access Statement, Rev. P02, Dated November 2025
- Child Friendly Impact Assessment Nightingale - Block E, Dated 13.11.25, Rev. P02
- Planning Statement, Dated April 2026
- Marketing evidence - retail change of use planning assessment
- Retail Viability Advice – Nightingale Estate, Block E
- Statement of Community Involvement for Nightingale Estate, E5, Block E 2025
- INTERNAL DAYLIGHT AND SUNLIGHT ASSESSMENT, Dated 04.11.2025
- Noise Impact Assessment Report, Ref: 27184.NIA.01, Rev D, Dated 13.11.2025
- Air Quality Assessment, Ref: 7608r5, Dated 12.11.2025
- Construction Environmental Management Plan (CEMP) DRAFT, Ref: 161_CEMP001_12-09-25, Rev. A
- CEMP-Appendix-15_9-Phase-2-Site-Investigation-Survey-Part 1
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 2
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 3
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 4
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 5
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 6
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 7
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 8
- CEMP-Appendix-15_10-J23299B-Remediation-Method-Statement-Part 9
- Transport Assessment Addendum, Rev. C, Dated 13.11.2025
- Delivery and Servicing Plan, Dated November 2025, Rev. E
- Travel Plan, Rev. E, Dated 13.11.2025
- BS5837 Tree Survey & Arboricultural Impact Assessment, Dated 23.11.2025
- Ecological Impact Assessment, Ref: 1476_R02_REV A, Dated 25.11.2026
- Capital Asset Valuation for Amenity Trees (CAVAT), Version 2.0, Dated 25.11.2025
- N161 Tree Schedule, Ref: N161-MUF-CC-E1-DO-L-900820, Rev. P01
- Plant Schedule, Ref: N161-MUF-CC-E1-DO-L-900821
- Site Waste Management Plan, Rev. C, Dated 13.11.2025
- Energy & Sustainability Strategy, Rev. 01, Dated 11.11.2025
- Overheating Analysis Report, Rev. 1.0, Dated November 2025
- Whole Life Cycle Assessment Report, Ref: N161-MWL-WLCA0-XX-RP-Y-00200, Rev. P04, Dated November 2025
- GLA Be seen Spreadsheet
- London Plan Fire Statement and Planning Fire Safety Strategy For Nightingale Block E, Ref: S23050551, Issue no.06, Dated 14.04.2026
- SuDS-Proforma-LB-Hackney-Nightingale-Estate-Block-E
- Sustainable Drainage Strategy Technical Note for S73 Submission, Rev. P02, Dated 14.11.2025
- Emergency Response & Evacuation Plan [EREP], Dated 21.10.2025

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

9.1.4 **Construction details**

Prior to commencement of above ground works on each relevant phase of the development hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority.

- Details of the form of the ground floor arches (Plot D);
- Details of a robust materiality and provision of adequate drainage for exposed stairwells on the roof top;
- Details of proposed signage on residential and community buildings;
- Details of the junctions, fixing and balustrades of the curved balconies (Plot E);
- Details of cill levels for inward facing ground floor residential units.

REASON: To ensure a high standard of design.

9.1.5 **External materials**

Prior to commencement of above ground works on each relevant phase of the development hereby approved, mock up samples for each plot typology including the different brick work and mortars, glazed ceramic tiling system, metal window sections, mullion, pre cast concrete cladding panels, cill and lintel as well as balcony railing shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a high standard of design.

9.1.6 **No brick slip/cladding systems**

No brick slip/cladding systems shall be used on the development hereby approved with the exception of glazed ceramic cladding systems as proposed.

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.

9.1.7 **Plot B public pedestrian access**

Prior to the commencement of above ground works, details of public pedestrian access through the central cores of Plot B, shall be submitted to and approved in writing by the Local Planning Authority. The approved public access arrangements shall be maintained in perpetuity.

REASON: To ensure satisfactory pedestrian access and permeability for the wider Nightingale Estate.

9.1.8 **Community use (F2 (former D1))**

Prior to occupation of any prospective F2 community use on the development hereby approved, a management plan shall be submitted to and approved by the Local Planning Authority detailing measures to reduce noise, disturbance and antisocial behaviour to surrounding occupiers. The measures to be agreed shall be strictly adhered to in perpetuity.

REASON: To safeguard the amenity of adjoining occupiers and reduce prospective anti-social behaviour.

9.1.9 **Landscape and wider public realm phasing and delivery plan**

Prior to the substantial completion of any buildings within phase 1 of the development hereby approved, a landscape and wider public realm phasing and delivery plan, which will confirm when each part of the works will be commenced and completed, shall be submitted to and approved in writing by the Local Planning Authority

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide a reasonable environmental standard in the interests of the appearance of the site and wider area.

9.1.10 **Privacy screening**

Prior to occupation of the residential units, details of screening to the north facing balconies of Plot D (facing Seaton Point) located at first to fourth floor level shall be submitted to and approved in writing by the local planning authority.

REASON: To safeguard against potential overlooking of residential accommodation within Seaton Point

9.1.11 **Proposed Combined Heat & Power (CHP) system/strategy**

Prior to the commencement of works on the relevant phase of the development hereby approved, full details of the proposed CHP system/strategy that will be installed in the estate energy centre, to include: full specification, plant room layout, flu location and termination point, provision of thermal stores, monthly demand profiles, expected reductions in carbon emissions and details on how the system will be managed, shall be submitted to and approved in writing, by the Local Planning Authority.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

9.1.12 **District Heat Network connection details**

Prior to the commencement of works on the relevant phase of development hereby approved, full details which demonstrate how the development CHP and development heat network have been designed to consider and be compatible with connection to a wider area District Heat Network, including detailed schematics, coordinated CHP specification and allowance for compatible connection points at the site boundary, shall be submitted to and approved in writing, by the Local Planning Authority.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

9.1.13 **Biodiverse roofs**

Biodiverse, substrate-based extensive green/brown roofs should be established on the roofs of the proposal, as shown on the approved plans. Full details thereof shall be submitted and

approved in writing by the local planning authority, prior to occupation of the relevant phase of development. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

9.1.14 **Rainwater harvesting**

Prior to commencement of above ground works on the relevant phase of development hereby approved, details of rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the relevant phase of the development and shall be retained and maintained thereafter.

REASON: To ensure that the proposals demonstrate adequate response to climate change and efficient use of resources.

9.1.15 **District Heat Network prior to occupation update**

Prior to occupation of the 402nd residential unit, and where a wider District Heat Network has been or is in the process of being developed, details showing the coordination, compatibility, boundary connection points, and where appropriate, installation and commissioning of the connections to the District Heat Network, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

9.1.16 **Solar Photovoltaic (PV) commissioning certificates**

Prior to occupation of the 402nd residential unit, full commissioning certificates carried out by an MCS registered installer, confirming the installation of a 41kWp solar pv array to the roof of the development, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a suitable amount of renewable energy is generated by the development.

9.1.17 **Heating & cooling**

Prior to the occupation of the relevant phase of development hereby approved, confirmation the heating and cooling plant to be installed within the development is registered in the government's Energy Technology List, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

9.1.18 Air Quality Impact Assessment

Prior to the commencement of above ground works for the relevant phase of development hereby approved, a full Air Quality Impact Assessment including calculations of emissions from the energy centre compared to the Air Quality Neutral benchmarks for NO_x and Particulates shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include modelling of the expected emissions and details of the stack location, height in comparison to neighbouring buildings and proposed discharge velocities. Where Air Quality Neutral benchmarks cannot be met the applicant must detail and install adequate mitigation measures.

REASON: To safeguard against air pollution.

9.1.19 Cafe (E(b) (former A3))

PNo primary cooking of food will be carried out within any prospective E(b) café unit hereby approved as part of the development.

REASON: To safeguard living conditions of adjoining residents in terms of exposure to cooking odour and fumes and preventing adverse design features such as the attachment of external flues to buildings.

9.1.20 External goods

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.

9.1.21 Contaminated land

Prior to any above ground works, a verification report must be submitted to and approved by the Local Planning Authority, demonstrating that remediation objectives and criteria identified in the Remediation Method Statement for The Nightingale Estate, Block E, Community Centre and Olympus Park, Gliddon Drive, Hackney, London, E5 8PL produced by Geotechnical & Environmental Associates Limited (GEA) on behalf of Mulalley and Co. Ltd, report reference: J23299B Rev 0 and dated: 4 July 2024 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).

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.

9.1.22 Waste & recycling strategy

Prior to occupation of the relevant phase of the development hereby approved, a refuse strategy for the bin stores which adjoin the green streets within the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority.

Refuse collection shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is satisfactorily served in terms of refuse collection and safeguard against the build-up of pollution.

9.1.23 **Cycle parking**

Notwithstanding what is shown on the approved plans, secure parking for (*numbers TBC*) cycles serving the development site and (*numbers TBC*) additional cycles serving the wider Nightingale Estate of the development hereby approved, shall be made available, prior the first occupation of the relevant phase of the sections of the development hereby approved.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

9.1.24 **Disabled parking**

Prior to occupation of the residential use hereby approved, at least 8 car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

9.1.25 **Electric vehicle parking** (*exact percentages TBC*)

Prior to occupation of the relevant phase of residential use hereby approved, 20% of the total parking space provision within the development site will provide electric vehicle charging points and maintained permanently for use. A further 20% will be designed for future provision.

REASON: To promote sustainable modes of transport and reduce pollution, in line with the London Plan.

9.1.26 **Demolition and 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:

i) Demolition and construction method statement, covering all phases of the development, having regard to the construction dust risk assessment

ii) 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

iii) 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.

iv) 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.

v) Details of how the site will comply with the relevant Non-Road Mobile Machinery (NRMM) regulations

vi) 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.

9.1.27 **Environmental Management Plan**

No development shall take place for the relevant phase of development until a site specific Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.

- Arrangements for liaison with the Council's Community Safety Team.

- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

- Mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 Annex F, Noise and Vibration Control on Construction and Open Sites shall be used to estimate LAeq levels and minimise noise disturbance from construction works.

- Procedures for emergency deviation of the agreed working hours.
- Hackney City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.

REASON: In the interests of the amenities of surrounding occupiers.

9.1.28 **Delivery & Servicing Plan**

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

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

9.1.29 **Raised junctions & carriageway works**

Notwithstanding the details on the submitted plans hereby approved, details pursuant to the materiality of the proposed raised junctions and carriageway works, shall be submitted to and approved by the Local Planning Authority.

REASON: To ensure satisfactory visual appearance and robustness of public realm.

9.1.30 **Noise insulation**

All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

- Good resting conditions: Living rooms 35 dB (day: T =16 hours 07:00 - 23:00)
- Good sleeping conditions: Bedrooms 35 dB (night: T = 8 hours 23:00 - 07:00)
- LAmax 45 dB (night 23:00 - 07:00)

A test shall be carried out prior to occupation of the residential units within the relevant phase of the development to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

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

9.1.31 **Noise protection from commercial use**

Dwelling houses, flats and rooms for residential purposes sharing a party element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The minimum airborne sound insulation of the party element shall be DnT'w of 60 dB. The approved scheme is to be completed prior to occupation of the residential units within the relevant phase of the development hereby permitted and shall be

permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises.

9.1.32 **Plant noise**

The rating level of any noise generated by plant and equipment as part of the development shall be at least 5 dB below the pre-existing background level as determined by BS4142 "Method of rating industrial noise affecting mixed residential and industrial areas".

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

9.1.33 **Surface water exceedance flow**

Prior to the commencement of above ground works on the relevant phase of development, full details of surface water exceedance flow routes in the event of a major storm in excess of the design capacity or the drainage system, shall submitted to and approved in writing by the Local Planning Authority, in consultation with the Council's SuDS Officer.

REASON: To safeguard against flooding and pollution.

9.1.34 **Drainage strategy**

The drainage strategy at the detailed design stage should be developed based on the Nightingale Estate Flood Risk Assessment (Ref. 32193 Rev.02 dated July 2016) by Peter Brett, as part of planning permission 2016/2841. The proposed discharge rate for each catchment is to limit to the greenfield runoff rate or 5 l/s (where the greenfield runoff rate is less than 5 l/s) incorporating living roofs, rainwater harvesting, permeable block paving systems, attenuation tank, concrete box culvert, soft landscaping and rain gardens as shown in the surface water drainage strategy drawing by Peterbrett (drawing ref. 32193-CSK- 03 P1).

REASON: To safeguard against flooding and pollution.

9.1.35 **SuDS maintenance**

Prior to occupation of the relevant phase of development hereby approved a strategy which demonstrates how any SuDS and/or attenuation features will be suitably maintained for the lifetime of the development has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To safeguard against flooding and pollution

9.1.36 Piling method statement

No piling shall take place on the relevant phase of development until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) 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.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

9.1.37 Bird & Bat boxes and Bat & Bee Enhancements

Details of bird boxes, bat boxes and bat and bee enhancements to be implemented as part of the development (in line with Appendix 4 of the submitted Ecological Impact Assessment), shall be submitted to and approved in writing by the local planning authority, prior to occupation of the relevant phase of the development hereby approved.

These details must include the following:

Bird & Swift Bricks

- Installation of 9 non-combustible integrated bricks (e.g., Bird Brick Houses or equivalent).
 - Group in clusters of three on North and East elevations to avoid direct sunlight.
 - Minimum height of 4.5 - 10m, at least 5m of unobstructed flight path (front and below), and positioned away from windows, doors, or artificial lighting. Bricks must be set flush with the external facade.
- Installation of 4 integrated terrace boxes (e.g., Sparrow Terrace by Bird Brick Houses).
- Installation of 2 integrated brick houses (e.g., Blue/Great Tit Brick House).
- Installation of 2 integrated brick houses (e.g., Starling Brick House).
- Installation of 4 woodstone nest boxes (e.g., Vivara Pro Seville 32mm) onto retained trees within the Olympus Green area

Bat & Bee Enhancements

- Incorporate 8 non-combustible integrated bat bricks (e.g., Bird Brick Houses or equivalent) into the building design.
- Incorporate 8 solitary bee bricks (e.g., Bee Brick: Red by Bird Brick houses Ltd) into the building design to support species such as Red Mason and Leaf-cutting bees.

The approved measures shall be implemented prior to first occupation of the relevant phase of the development hereby approved, and maintained thereafter for the lifetime of the development.

REASON: To provide potential habitat for local wildlife, in line with the recommendations of the submitted habitat survey.

9.1.38 **Peregrine falcon nesting**

Prior to the commencement of works, excluding demolition on the relevant phase of the development, an assessment to determine whether peregrine falcons are nesting on Seaton Tower (Area 3 shown in the Ecology report, submitted as part of planning permission 2016/2841) shall be submitted to and approved in writing by the Local Planning Authority. The assessment should comprise at least one survey to be undertaken at dawn to determine potential presence between the months of February and August.

REASON: To ensure the potential protection of Peregrine Falcon nests in line with the recommendations of the submitted Ecology report.

9.1.39 **Bat roost assessment**

Prior to the commencement of works on the relevant phase of development, an assessment to determine whether bats are roosting within buildings contained within Areas 2 and 3 (as set out by the Ecology report, submitted as part of planning permission 2016/2841), shall be submitted to and approved in writing by the Local Planning Authority. The assessment should be undertaken between May and September.

REASON: To ensure the potential protection of bat nests in line with the recommendations of the submitted Ecology report.

9.1.40 **Preliminary Bat roost assessment**

A preliminary bat roost assessment shall be required if any semi-mature trees located within Areas 2 and 4 (as set out by the Ecology report, submitted as part of planning permission 2016/2841) are to be pruned or removed. If any features are found a climbed inspection must be carried out by licensed bat ecologists, who are also suitably qualified tree climbers, to confirm the presence / likely absence of roosting bats. If bats are confirmed present, further surveys and a European Protected Species Mitigation (EPSM) licence may be required to facilitate the lawful removal of those trees and/or any tree works.

REASON: To ensure the potential protection of bat nests in line with the recommendations of the submitted Ecology report.

9.1.41 **Bird nesting season**

Any works that entail the removal of dense scrub, tall and derelict buildings should be undertaken outside of the main nesting season between March and late August.

REASON: To ensure the potential protection of bird nests in line with the recommendations of the submitted Ecology report, submitted as part of planning permission 2016/2841.

9.1.42 **Wind assessment & mitigation**

Prior to the commencement of above ground works on Seaton Point, a boundary layer wind tunnel assessment with appropriate mitigation measures shall be submitted to and approved

in writing by the Local Planning Authority, to ensure the recommended measures (screens, canopies, baffles, soft landscaping, etc) identified within the submitted wind assessment, provide satisfactory mitigation. The approved mitigation measures shall be implemented as part of the approved landscape works.

REASON: To ensure satisfactory wind conditions and design/landscape features within the proposed development.

9.1.43 **Car-free development**

Prospective future residents of the proposed accommodation hereby approved, shall be restricted from applying for car parking permits within current and future adopted Controlled Parking Zones adjoining the site.

REASON: To promote more sustainable modes of transport and reduce dependency on private car travel.

9.1.44 **Car Club**

The proposed development hereby approved, shall provide 2 parking spaces for use by car club and maintained in perpetuity.

REASON: To promote more sustainable modes of transport.

9.1.45 **Travel Plan**

Prior to the first occupation of the development, an estate wide Travel Plan is to be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

REASON: In order to respond to the proposed changes in visitors and residents within the estate and promote the use of sustainable transport modes.

9.1.46 **Public realm lighting strategy**

Prior to the commencement of above ground works in the relevant phase of development hereby approved, a public realm lighting strategy is to be submitted and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To ensure safe and satisfactory living conditions for residents and visitors to the estate, and to minimise ecological impacts

9.1.47 **No service runs within Root Protection Areas (RPAs)**

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.

9.1.48 **Construction Method Statement**

The relevant phase of development shall not commence until a construction method statement shall be submitted to and approved in writing by the Local Planning Authority giving exact specification of depth of excavation, subbase construction and surface type for proposed pedestrian surfaces within Root Protection Areas in 'Restricted Activity Zone A'.

REASON: To safeguard and protect retained trees.

9.1.49 **Parking Design Management Plan**

Prior to the occupation of the relevant phase of the development, a parking management plan for the allocation of blue badge parking spaces to meet the needs of disabled residents, including the conversion of standard parking spaces where the need arises, shall be submitted to and approved by the Local Planning Authority. The car parking spaces in the development shall be managed in accordance with the approved details.

REASON: To ensure the provision of adequate parking for disabled people in accordance with the London Plan.

9.1.50 **Wheelchair user dwellings**

At least 10% of all dwellings across all tenure types within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) and shall be retained as such thereafter. All other dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

REASON: To ensure that the development is adequately accessible for future occupiers.

9.1.51 **Playspace**

Prior to occupation of the relevant phase of development hereby approved, details of playspace provision shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To ensure satisfactory child play space delivery.

9.1.52 Non-Road Mobile Machinery (NRMM)

All 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.

9.1.53 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:

- i) 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.
- ii) The PM10 high emission alert (trigger) level(s) to be employed in the event of excessive emissions of dust and PM10
- iii) 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
- iv) The agreed procedure for responding to a trigger alert, such as increased dust mitigation or 'stop works' instructions
- v) 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.

9.1.54 Habitat Management and Maintenance Plan (HMMP)

Prior to commencement of each phase of development a HMMP shall be submitted to and approved, in writing, by the Local Planning Authority.

The HMMP must include as a minimum:

- A) a non-technical summary;

B) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];

C) the planned habitat creation and enhancement works to create or improve habitat;

D) all landscaping in accordance with the scheme;

E) the management measures to maintain habitat shall be carried out for a period of 10 years from the completion of development;

F) such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

The development shall not be undertaken otherwise than in full accordance with the details approved, which shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and maintained thereafter for the lifetime of the development.

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

G) HMMP has been implemented within; and

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

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

9.1.55 Hedgehog protection

Clearance phase

The following mitigation must be implemented for hedgehog protection during the clearance of any vegetation or piles of materials (including the brush pile) within the Site in order to avoid harm to individual animals:

- A toolbox talk to contractors prior to the start of works will be undertaken to inform site workers of the potential presence of hedgehog within the Site.
- Care will be taken when undertaken site clearance works to avoid harming hedgehog that may be sheltering within the site.
- If a hedgehog is found (without young) within the site between April and October inclusive then it will be carefully relocated to an area outside the development site that offers immediate shelter.
- If a nesting hedgehog with young is found between May and October inclusive (breeding season) then an ecologist will be contacted immediately for advice.
- If a hibernating hedgehog is found between November and March inclusive (hibernation season) then an ecologist will be contacted immediately for advice

Construction phase

The following mitigation will be implemented for hedgehog protection during the construction phase:

- All holes and excavations will be covered over each night to prevent animals from being trapped or injured.
- If this is not possible, a structure/plank will be placed into the hole to enable animals to escape.
- Any removal of building materials or other debris, will be undertaken with care to prevent harm to hedgehog.
- If any hedgehogs are found during the construction phase they will be carefully relocated to an area outside the development site that offers immediate shelter.

Post-development

The following mitigation will be implemented for hedgehog protection during the construction phase:

- Any close board fencing to be used will be fitted with small openings within gravel boards to allow hedgehogs access throughout the site. At least one entrance hole will be fitted into each boundary.

REASON: In the interests of protecting local wildlife, in accordance with London Plan policy G6.

9.1.56 **Facilitation pruning**

Prior to the commencement of any development works (including site clearance or demolition), a detailed Schedule of Facilitation Pruning Works shall be submitted to and approved in writing by the Local Planning Authority. This schedule must specifically detail any pruning required for retained trees. All approved tree works must be carried out in strict accordance with British Standard BS 3998:2010 'Tree Work – Recommendations'. No pruning works shall be undertaken until the schedule has been approved in writing.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and in the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020).

9.1.57 **Tree Protection**

No development, including site clearance, demolition, or the storage of materials, shall take place until photographic evidence has been submitted to and approved in writing by the Local Planning Authority. This evidence must demonstrate that the protective fencing and ground protection measures have been installed in accordance with the approved Tree Protection Plan.

The approved physical protection measures shall remain in place and be maintained for the entire duration of the construction period.

Prior to the discharge of this condition, a final suite of photographic evidence must be submitted to and approved in writing by the Local Planning Authority showing that the protective measures have been removed and the ground within the protected zones has been left in a condition that adheres to the approved Tree Protection Plan.

The condition shall not be discharged until both the pre-commencement and post-completion photographic evidence has been approved in writing by the Local Planning Authority.

REASON: To ensure the adequate protection of existing trees and to provide a verifiable audit trail of compliance in the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020) and pursuant to Section 197 of the Town and Country Planning Act 1990.

9.1.58 **Arboricultural Monitoring**

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

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

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

9.1.59 **Existing trees to be retained**

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

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

9.1.60 **Detailed Arboricultural Method Statement (AMS)**

No works shall commence on site (including demolition and site clearance) unless a detailed AMS to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Local Planning Authority. The AMS will be based on the BS5837 Tree Survey & Arboricultural Impact Assessment by Chartwell Tree Consultants Ltd, dated 23 November 2025, and shall include but not be limited to the following:

- Methods for demolition and construction within or adjacent to RPAs, including details of specialized techniques (e.g., hand-digging, trenchless methods for services).
- Location and installation of all services, utilities, and drainage, demonstrating adherence to RPA protection principles.
- Details of any changes in ground levels and the design of retaining structures within or near RPAs.
- Full specification for the construction of any new surfaces, including details of 'no-dig' specifications and relevant cross-sections where within RPAs.
- Details of site access, temporary parking, on-site welfare facilities, loading, unloading, storage of equipment, materials, fuels, and waste, as well as concrete mixing and use of fires, ensuring no adverse impact on retained trees.
- Methodology and detailed assessment of root pruning, if necessary, to be carried out strictly in accordance with BS 3998:2010.
- Methods to improve the rooting environment for retained and proposed trees and landscaping.

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

REASON: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policy LP51 in the Local Plan 2033 (adopted 2020) and pursuant to Section 197 of the Town and Country Planning Act 1990. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

9.1.61 Landscaping

Prior to first occupation of the development hereby approved, 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 (LPA). 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 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;
- A planting plan for all plants including a varied plant structure, incorporating flowering plants, evergreen species, and shrubs to enhance habitat diversity;
- Soil volumes for proposed tree planting;
- Projected mature height and crown spread of proposed new trees;
- Tree pit specifications and planter specifications for above ground tree planting;
- Methods of tree support - e.g. staking or underground guying and protection - e.g. tree guards, grilles etc;
- A diverse distribution of plant species to avoid block planting;
- Areas to be grass seeded or turfed;

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of 12 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 LPA for a period of 30 years, such maintenance to include the replacement of any trees or plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To ensure that the site protects and enhances biodiversity, in accordance with Local Plan policies LP47 and LP51 and NPPF section 15.

9.1.62 **Energy statement**

Prior to the above ground works of the development hereby approved, a revised Energy Statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards and key metrics have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 1.0 by MWL dated 11/11/2025):

- a) Minimum carbon savings of 40.14% against Part L 2021 through fabric efficiency (Be Lean)
- b) Minimum overall carbon savings of 61.54 % against Part L 2021
- c) Maximum U-values (W/m²K): walls 0.16; floors 0.11; roof 0.11; windows 1.2; and doors 1.4 unless otherwise agreed in writing with the Local Planning Authority
- d) G-values for windows and door of 0.4 unless otherwise agreed in writing with the Local Planning Authority
- e) Maximum Air permeability of 3m³/h/m²@50pa unless otherwise agreed in writing with the Local Planning Authority
- f) A third party review report of the as-design predictive modelling calculations
- g) Updated GLA Carbon Emission Reporting Spreadsheet

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

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

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

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54, LP55 and LP56 of the Hackney Local Plan, SI2, SI3, SI4 and SI7 of the London Plan, and Section 14 of the National Planning Policy Framework

9.1.63 **Solar Photovoltaic (PV) array details**

Prior to installation of the photovoltaic panel array, full details including PV panels system (and any other related fixed plant adopted) specification, operation and maintenance plan, fire safety risk assessment and supporting drawings must be submitted to and approved by the Local authority to demonstrate that the consented standards have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 1.0 by MWL dated 11/11/2025):

- a) Solar PV panels minimum annual electricity peak generation of 36.45 kWp, with refinement towards an aspirational target of 41 kWp encouraged
- b) Horizontally mounted rooftop PV panel array of 162sqm
- c) Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plant 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.

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

9.1.64 **Air Source Heat Pump communal heat**

Prior to above ground works full details of the communal heat pump based heating system specification and supporting drawings shall be submitted to and approved by the Local Authority. This shall demonstrate at least the following standards been achieved or further optimised as set out in the hereby approved Energy Statement (Revision 1.0 by MWL dated 11/11/2025) and relevant supporting documents:

1. Minimum Heat pump Coefficient of Performance of 2.5 and Seasonal Coefficient of Performance of Y for the domestic hot water supply / heating supply to provide 100% of the heating and hot water demand.
2. Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
3. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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

9.1.65 **Mechanical Ventilation with Heat Recovery (MVHR)**

Prior to above ground works full details of

Prior to the above grade works of the development hereby approved, full details including ventilation system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 1.0 by MWL dated 11/11/2025):

a) Minimum MVRH efficiency of (Seasonal Coefficient of Performance (SCOP) of the ASHPs is 3.24 and the he efficiency of MVHR is 90%) for residential units unless otherwise agreed in writing with the Local Planning Authority

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

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

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

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

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

9.1.66 **Future District Heat Network connection**

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

- a) Updated evidence of 2 ways correspondence between the applicant, the relevant local authority and network provider confirming the identified DHN has the capacity to serve the development, as well as supporting estimates of the CO2 emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- b) Layout of energy centre/plant room showing space for future heat exchanger
- c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- d) Details of any on-site connection with pre-installed and capped with flange
- 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:

1. 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
2. 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

9.1.67 **Overheating risk**

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

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

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

Step 2: Minimise internal heat generation through energy efficient design

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

Step 4: Passive ventilation

Step 5: Mechanical ventilation

Step 6: Active cooling systems

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

at least one unit for each identified flat type/area type, and

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

9.1.68 Resident guide for excess heat management

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

This should explain: Key concepts underlying overheating and cooling in buildings and urban places. 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. 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. 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. 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.

9.1.69 Water efficiency

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

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

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

9.1.70 Sustainable Waste Management Plan (SWMP)

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

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

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

9.1.71 Secured by Design

Prior to occupation of each relevant phase of development, the proposal must achieve a Certificate of Compliance to the relevant Secure by Design Guide(s) with the Metropolitan Police. The approved details submitted to the Metropolitan Police and the awarded Certificate must then be submitted to and approved in writing by the Local Planning Authority prior to occupation.

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: To ensure that the building functions securely, in a manner consistent with the principles of 'Secured by Design', in accordance with London Plan policy D11 and Local Plan policy LP1.

9.1.72 Fire Safety

No above grounds works shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority, setting out that London Fire Brigade has confirmed (in writing) that it is acceptable for a fire tender has to reverse more than 20m stated in the approved submitted document 'London Plan Fire Statement and Planning Fire Safety Strategy For Nightingale Block E' , Ref: S23050551, Issue no.06, Dated 14.04.2026

REASON: In the interest of fire safety, in accordance with London Plan policy D12.

Recommendation B

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

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

- The provision of 126 units of affordable housing on site in perpetuity, 72 of which are to be Social Rented units and 54 of which are to be Shared Ownership or an alternative Intermediate Housing model.
- £956,812.64 Internal Road Works contribution
- £73,328.48 Highway contribution
- £8,750 Construction Management Plan monitoring
- £60 Car Club membership/dwelling
- Carbon offset payment - figure TBC
- Renewable energy monitoring
- Be Seen monitoring.
- Any future costs incurred Council's Environmental Operations team - figure TBC
- CAVAT payment - figure TBC
- Renewable energy monitoring
- Be Seen monitoring

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

- £4,000 Monitoring fee
- £270,000 Bus capacity contribution
- £4,000 Highway Adoption Monitoring contribution
- £270,000 Street lighting contribution
- £201,850 SUDS contribution
- £2,500 Travel Plan monitoring fee - figure TBC
- Employment and Skills Plan
- Local labour percentage
- Local labour return
- Considerate Constructors Scheme
- Car free
- Car Club (2 bays)

Recommendation C

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

10.0 INFORMATIVES

Recommendation A

- 10.1.1 The following informatives are recommended added:

Conditions triggers

The applicant is reminded that some conditions relate to all proposed Blocks (A - E) and others relate to Block E only.

It appears as though demolition related to the parent permission has already taken place. Therefore, for the avoidance of doubt, any 'Pre-commencement' condition listed on this decision notice will need to be discharged before any further development occurs.

Building Control

Your attention is drawn to the provisions of the Building Act 1984 and other Building Control legislation, which must be complied with to the satisfaction of The Building Control Service, Hackney Service Centre, 1 Hillman Street, LONDON, E8 1DY. Telephone No: 020 8356 5000. Before any building work (including improvements to means of escape and changes of use) is commenced on site, detailed plans, together with the appropriate application form must be submitted for approval and early consultation is advised.

The Building Regulations Approved Document B1/2, Fire Safety, require new schemes to be provided with smoke alarms that are mains-operated. If you require further clarification regarding whether your scheme requires mains wired smoke alarms please contact Building Control, Hackney Service Centre, 1 Hillman Street, London E8 1DY Tel. 0208 356 8124

Sanitary, Ventilation and Drainage Arrangements

Before any drainage works are commenced on site, detailed plans, giving notice of intention to build/permission to drain/construct/reconstruct or alter pipes and drains must be submitted for approval under the Building Regulations 1991 to Building Control Service, Hackney Service Centre 1 Hillman Street, LONDON, E8 1DY, Telephone No: 020 8356 5000.

Please note that it will be necessary to consult the Thames Water Utilities Ltd., Waste Water Connections, Kew Business Centre, Brentford, Middlesex, TW8 0EE. Telephone No: 020 7713 3865, Fax No: 020 7713 3875.

- 1) All information appertaining to the existing public sewerage system.
- 2) Requests for sewer connections. All works will be carried out by the London Borough of Hackney at the applicant expense. All new developments will be required to have new sewer connections.
- 3) Building over sewers.
- 4) System of drainage to be provided on site.
- 5) Adoption of sewers.

It should be noted that most sewers throughout the Borough flow full or surcharge during periods of heavy storm and conditions may be imposed restricting discharge to the system. The prime condition is that any large development shall not cause an increase in the rate of flow to the public sewerage system. This requirement is normally met in the case of new developments by separation on site and storage of surface water flows in tanks or oversized pipes on sites. Where sites adjoin a suitable watercourse or storm relief sewer into which surface water can be discharged by gravity then the policy is for sites to be separated and have their surface water discharged to the watercourse or storm relief sewer. In the case of developments/ rehabilitation/ conversions etc., involving the use of basements these are likely to be particularly vulnerable to the effects of surcharge and applicants must therefore demonstrate that adequate drainage arrangements exist at all times.

Hours Of Building Works

(Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays)

Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented including the hours during which the work may be carried out. This Act is administered by the Councils The Pollution Control Service, 28-33 Independent Place, Shackwell Lane, E8 2HE, Telephone No: 0208 356 4455 and you are advised to consult that Division at an early stage. Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we send out update letters to applicants / agents post submission, highlighting any planning issues that may have arisen and providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

Unexploded Ordnance

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

Disabled Persons' Provision

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

The Regulatory Reform (Fire Safety) Order 2005

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

Refuse Storage And Disposal Arrangements

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

Landscaping

"Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or

protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features.

The Construction (Design & Management) Regulations 1994

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

Soundproofing - Building Regulation 2000

The discharge of soundproofing conditions is not an endorsement of the details submitted. You will need to meet the Building Regulation 2000 (Approved Document E-1 July 2003) requirement by applying separately to The Building Control Service, Directorate of Safer Neighbourhoods, 2 Hillman Street, E8 1FB. Tel 0208 356 8022

Thames Water

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

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

Developers should ensure that any proposed piling methods do not pose a pollution risk to controlled waters. Piling to facilitate building foundations or the installation of ground source heat pumps has the potential to create a pathway between contaminated shallow soils and deeper geological formations and aquifers. Deep piling can also result in physical disturbance of aquifers. If piling is proposed, a Piling Risk Assessment will be required to demonstrate that the chosen piling method does not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers. A Hydrogeological Risk Assessment of physical disturbance to the aquifer should also be undertaken and if unacceptable risks are identified, appropriate mitigation measures must be provided.

A Trade Effluent Consent will be required for any Effluent discharge other than 'Domestic Discharge'. Applications for this consent should be made to Thames Water.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments.

Construction noise

The best practical means available in accordance with British Standard Code of Practice BS5228 shall be employed at all times to minimise the emission of noise from the site.

Construction activities audible at the facade of the nearest noise sensitive premises shall only be carried out between the specified hours: Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays unless otherwise agreed in prior consent to the Local Authority under the provisions of Section 61 of the Control of Pollution Act 1974.

London Fire Brigade

The Fire Brigade recommends the use of sprinklers within the development. The applicant should contact the Brigade (032085551200) for further advice.

Microhabitats

The provision of deadwood and/or rubble piles to enhance wildlife value is strongly supported. These features will provide additional microhabitats to support a broader range of plants and invertebrates, and will benefit Hackney BAP target bird and moth species.

Nesting birds and roosting bats

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.

Use of herbicides

The applicant is advised that Hackney Council has adopted a policy of "managed retreat" from the use of glyphosate and other chemical herbicides 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 Plan and the Green Infrastructure Strategy, which seek to create resilient ecological corridors for birds, bees, and other vital urban wildlife.

Benefits of Standing Deadwood for Biodiversity

Applicants proposing tree felling or maintenance works are encouraged to retain standing deadwood (dead trees remaining upright) and / or high stumps, and / or 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 lifecycle.

Birds and Bats: Standing deadwood is a primary feeding ground for insectivorous birds that extract invertebrates. Woodpeckers prefer it for excavating nest holes, which are then often used by bats and other cavity-nesting birds for roosting, hibernating, and breeding.

Met Police Secured by Design (SBD)

In aiming to satisfy the secure by design condition, the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813.

Foxes & mammals

The applicant is reminded that all demolition and construction works should be in line with the fox and mammal protection measures set out in the submitted Ecological Impact Assessment, and not doing so may constitute an offence.

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

Natalie Broughton - Assistant Director of Planning & Building Control

No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact
------------	--------------------------	---	-------------------------

1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Tanveer Rahman X 4432	1 Hillman Street London E8 1DY
----	--	--------------------------	--------------------------------------