

# LONDON BOROUGH OF HACKNEY

**PLANNING SUB-COMMITTEE**  
**29/04/2026**

**ADDENDUM SHEET**

## **ITEM 5: 2025/2591: Orwell Court, Pownall Road, Hackney, London, E8 4PP**

### **Post Submission Revisions**

NHP1-HTL-OW-00-DR-A-P-01001 P02 - Existing Site Location Plan  
NHP1-HTL-OW-00-DR-A-P-00001 P02 - Proposed Site Location Plan  
NHP1-HTL-OW-00-DR-A-P-01900 P04 - Existing Site Plan  
NHP1-HTL-OW-00-DR-A-P-00900 P02 - Proposed Site Plan  
NHP1-ML-ZZ-00-DR-L-00010 K - Public Realm Layout Proposed  
NHP1-ML-ZZ-00-DR-L-00110 F - Welshpool Green Proposed Plan  
NHP1-ML-ZZ-00-DR-L-00113 F - Welshpool Street Edge Proposed Plan  
425.065246.10002 - PD07 B - Proposed Junction Trederwen Road  
425.065246.10002 - PD07\_AT01 B - Emergency Fire Vehicle and Refuse Vehicle Swept Path  
425.065246.10002\_SK02\_AT01 I - Refuse Vehicles Swept Path  
Urban Greening Factor (15.04.26, Studio Mark Lemanski)

### **Objections**

Two additional objections have been received following the publication of the report. The issues raised can be summarised as follows:

- Noise from sports court
- Loss of parking capacity
- Loss of privacy due from additional footfall
- Loss of green space
- Unclear where existing resident bins will be located
- Loss of existing garages

Officer Response:

- Noise from the sports court has been addressed in the report. The proposed sports court is smaller than the existing one and located roughly in the same location. Officers do not anticipate the reallocated sports court to result in any additional new noise to residents.
- The highways team have been consulted and there is sufficient evidence to suggest the existing road network can support the loss of off street parking.
- Additional footfall is not expected to cause unreasonable privacy issues for neighbours
- The proposal is providing significant amounts of new communal green space

- It has been confirmed that the residents bin storage for Welshpool Tower will be located within the front courtyard.
- The loss of existing garages is dealt with in the Officer Report.

Officers also note that loss of privacy was an issue raised by Orwell Court residents which was not picked as an objection in the original report by error. Nonetheless, the matter is dealt with in the Officer Report where it is noted that the development would lead to some loss of privacy, however it is not considered that this is sufficient enough to justify withholding planning permission. Moreover, a condition has been attached requiring details of balcony balustrades to ensure that these are sufficiently obscured.

**Para: 8.262**

Amendment:

That notwithstanding, the proposed UGF score is ~~0.28~~ 0.30. This is below the required target score of 0.4 for residential developments, though it is recognised that the site has multiple constraints, and the space is limited. Moreover, it should be noted that excluding roads, the site has a UGF score of 0.39, which is just shy of the minimum target. It should also be noted that London Fields is located less than 100m away from the site, providing ample open green space for residents.

**Para 8.266**

Amendment:

The proposal includes the planting of ~~25 new trees (and a further 4 no. dwarf trees)~~ of 51 new trees, including 15 new trees across the new gardens within the new townhouses. These include silver birch, lime and oak trees.

**Para 8.270**

Replace:

*“Two bird boxes, four swift bricks/boxes, and four bat boxes/bricks should be provided to ensure local wildlife is not harmed. Accordingly, a condition will need to be attached to ensure bird and bat nesting. This has been included. As such the proposal complies with Hackney Local Plan Policy LP47.”*

Insert:

“Two swift bricks/boxes and four bat boxes/bricks should be provided at the proposed townhouses and two general bird boxes in trees, four swift bricks and four bat boxes should be provided at Orwell Court to ensure local wildlife is not harmed. Accordingly, a condition will need to be attached to ensure bird and bat nesting. This has been included. As such the proposal complies with Hackney Local Plan Policy LP47.”

Reason:

Additional information provided by the Sustainability Officer on necessary wildlife mitigation measures.

## **Financial Planning Obligations**

- Payments towards health care is £105,639
- Payment towards BNG monitoring is £11,340.60
- No payment is required towards UGF

## **Non-Financial Planning Obligations**

- The following highways work to be implemented:
  - Tredewen Road: Reconstruct the vehicle crossover with asphalt, and remove the traffic island, using block paving as surrounding.
  - Welshpool Street: Reconstruction works, including realignment of the "dead end" section leading to Welshpool House with FR ASP, new granite kerbs, and 14mm asphalt. Remove the existing vehicular junction with Broadway Market and create a new raised link road and junction with Benjamin Close.
  - Broadway Market: Reconstruct redundant junction and footway with Yorkstone to match existing materials.
  - Benjamin Close: Reconstruction works with FR ASP, new granite kerb, and 14mm asphalt, and widen the southern footway.
  - Benjamin Close Footpath: Reconstruct the footpath and construct planted areas on adopted land.
  - Regents Row: Reconstruct two small areas of footway.
  - Public Space adjacent to Broadway Market includes surface material, and associated street lighting and furniture.
  - General Infrastructure: provision of street trees, soft landscaping, drainage systems, street lighting, street furniture and cycle storage as required.

## **Condition 12: Bird and Bat Boxes**

Replace:

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

*A. A minimum of 4 swift bricks (same requirements for swift box) incorporated into the design of the development. They should be installed in groups of at least 2, and placed at or close to eaves level of the development hereby approved. They should be placed at least 5m above the ground with a 5m unobstructed flight path, both below and in front of the swift brick. The swift brick should be located facing north, east, or north east (direct sunlight should be avoided) and should not be placed immediately above doors or windows. Where possible, swift bricks should be set flush into the external wall to match adjacent brickwork.*

*B. A minimum of 2 bird boxes incorporated into the design of the development, with a variety of box types (including different sized entrance holes) to provide habitat for diverse bird species. The boxes should be installed at or close to the eaves level of the development hereby approved. The boxes should be between 3 and 5 metres from the ground, and there should be a clear flight path without any obstructions below and directly in front of the box. The boxes should be facing north,*

east or north east (direct sunlight should be avoided), and should not be placed immediately above doors or windows. Boxes located in the same area should not be placed too close together.

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

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

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

Insert:

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

A. A minimum of two swift bricks (same requirements for swift box) incorporated into the design of the development at the townhouses and four swift bricks incorporated into the design at Orwell Court. They should be installed in groups of at least 2, and placed at or close to eaves level of the development hereby approved. They should be placed at least 5m above the ground with a 5m unobstructed flight path, both below and in front of the swift brick. The swift brick should be located facing north, east, or north east (direct sunlight should be avoided) and should not be placed immediately above doors or windows. Where possible, swift bricks should be set flush into the external wall to match adjacent brickwork.

B. A minimum of two bird boxes will be incorporated into the design of the development at Orwell Court, with a variety of box types (including different sized entrance holes) to provide habitat for diverse bird species. The boxes should be installed at or close to the eaves level of the development hereby approved. The boxes should be between 3 and 5 metres from the ground, and there should be a clear flight path without any obstructions below and directly in front of the box. The boxes should be facing north, east or north east (direct sunlight should be avoided), and should not be placed immediately above doors or windows. Boxes located in the same area should not be placed too close together.

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

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

REASON: To support bird and bat populations, including swifts, in Hackney and preserve endangered urban biodiversity, by providing nesting opportunities, in accordance with Hackney's

*Local Plan LP33 policy LP47 which states that all development schemes involving buildings with an eaves height or roof commencement height of 5 metres and above are required to provide nesting boxes for swifts, sparrows, starlings, and/or bats as appropriate”*

Reason:

In association with para 8.270, additional information provided by the Sustainability Officer on necessary wildlife mitigation measures.

**New Condition: UGF**

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence until a detailed Urban Greening Factor (UGF) Master Plan shall be submitted to and approved in writing by the Local Planning Authority, demonstrating how the development will achieve a minimum UGF target score of 0.3.

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

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

**New Condition: Sports Pitch Floodlighting**

Prior to the commencement of the development of the reprovided sports pitch, an External Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. Moreover, the floodlighting for the sports pitch must only be operated between the hours of 15:30 - 21:00 Monday-Sunday.

REASON: To protect neighbour amenity from light pollution.

**New Condition: Sports Pitch Operating Hours**

The new sports pitch may only be accessible for use between the hours of 09:00 and 21:00 Monday-Sunday.

REASON: To protect neighbour amenity from noise pollution

**ITEM 6: 2025/2751: Phases 3 & 4, Kings Crescent Estate, Queens Drive, N4 2SY**

**1) Two additional conditions in relation to sustainability have been recommended and should be added to the recommendation:**

**Air Source Heat Pumps**

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

- a) Minimum heat pump Seasonal Coefficient of Performance of 4.35(heat)/2.85 (hot water) for the community center and 3 for the retail area - all heat pumps to provide 100% of the heating and hot water demand.
- b) Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- c) Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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

For completeness, a summary statement highlighting changes supported by detailed justification and assessing their impact between the approved and the revised strategies where applicable should be provided.

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.

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 LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework

**Mechanical Ventilation With Heat Recovery**

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:

- a) Minimum MVRH efficiency of 85.5% for residential units , 80% for the retail area and 76.5% for the community center unless otherwise agreed in writing with the Local Planning Authority
- b) Details of summer by pass where applicable including provision and location across the development
- c) A summary statement highlighting changes supported by detailed justification and assessing their impact between the approved and the revised figures where applicable

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 MCS registered 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

For completeness, a summary statement highlighting changes supported by detailed justification and assessing their impact between the approved and the revised figures where applicable should be provided.

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 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

**2) An additional objection has been received. While the objector has requested that this be read out at committee (since they are unable to attend), in line with a recent example and usual protocol for objections received after publication, we are instead presenting it in full within this addendum:**

*“I am Kypros Kyprianou, litigant in person in High Court claim KB-2024-003678, which challenges the validity of the 1969 compulsory purchase process affecting land within this application site.*

*This s.73 application seeks variations to an existing permission on land where ownership remains disputed. Despite repeated formal requests, Hackney Council has produced no Notice to Treat, Notice of Entry, General Vesting Declaration, or any conveyance/vesting instrument proving that title validly passed.*

*The 1968 Housing Committee minutes record that “possession [had] not yet been taken” at that date. The chain of title was never completed.*

*A Unilateral Notice was lodged at HM Land Registry and a Judicial Review claim (N461) was filed on 8 April 2026 challenging the lawfulness of the s.203 appropriation decision itself.*

*Granting variations to a permission on land where the Council cannot demonstrate clear title exposes the public purse to serious risk of abortive expenditure, judicial review, and potential compensation or demolition costs.*

*I respectfully ask the Committee to defer determination of this application until either:*

- *the Council produces the missing vesting documents, or*
- *the High Court has determined the ongoing title proceedings.*

*Proceeding in these circumstances is premature and not in the public interest.”*

**These matters are in relation to land ownership issues that do not relate to the planning matters to be considered by the sub-Committee.**

**In addition, the Council’s Legal team have confirmed that there are no pending applications against the title numbers mentioned by Mr Kyprianou and, in addition, that they consider Mr Kyprianou’s claims to have no merit.**

**For these reasons, the LPA considers that there are no grounds, planning or otherwise, on which to defer the application.**

**ITEM 7: 2025/2708: The Nightingale Estate, Downs Road, London, E5 8QH**

Committee report

Paragraph 1.6 should read ‘*Stoke Newington Road / **Stoke Newington High Street***’

Paragraph 4.323 (1.1.2) should read ‘*LBH Street Scene comments ~~above~~ below*’.

Paragraph 4.45 states that no response was received from Natural England. Since publication of the Committee report, Natural England provided the following comments:

*“Thanks for querying the point below regarding Hackney not being able to accept Epping Forest SAC mitigation payments and apologies for the delay in responding.*

*I can confirm that as Hackney are not signatories to the Strategic Partnership Agreement, as you linked to, that you would not be able to collect the SANG or SAMM contribution as proposed in the EclA submitted with the application.*

*In lieu of this we would suggest that Hackney adopts a similar approach to that taken in other LPAs around Epping Forest where uplift to open spaces and parks is accepted from applicants.*

*The development could also ensure that it is maximising the possible green infrastructure on site as well to make the area as green as possible to make people want to go for walks locally.*

*This would allow for the developer to agree to make contributions to uplift of, for instance, Hackney Downs Park which is just to the south of the proposed development.*

*This would mean that the local area is improved and more recreational visits are carried out locally rather than any potential trips to Epping Forest SAC.”*

These comments are noted. However, as set out in the Committee report the proposal is deemed to have sufficient on-site communal space, child playspace and landscaping. Therefore officers do

not consider it necessary or reasonable to seek an additional contribution to Hackney Downs or other public spaces.

Paragraph 6.2.15 states that no evidence has been submitted to demonstrate that a single consolidated ASHP enclosure would create unacceptable noise levels. Since publication of the Committee report, the applicant team provided a TECHNICAL MEMORANDUM, Ref: 27184.TM.01.Rev A, Dated 23.4.2026. This sets out detail on the proposed noise output. Planning officers have reviewed this and consider that the evidence in it makes reasonable justification for why the single enclosure is unlikely to be practical. This document is recommended to be listed on the decision notice.

Paragraph 6.2.154 sets that a Capital Asset Value for Amenity Trees (CAVAT) figure to address the additional loss of existing trees (4 trees) had yet to be agreed at the time of writing. Since publication of the Committee report, the applicant team provided a CAVAT Report and Response, Ref: N161-MUF-CC-EX-SP-L-900810 P02, Dated 23.04.2026. This sets out that no additional trees are proposed (beyond those approved by the parent permission) and as such the £35,263 CAVAT value of the 4 existing trees needs to be secured. This report has been reviewed by the Council's Tree Protection Officer who deems the figure and approach as acceptable. As such, the £35,263 CAVAT payment will be secured as an obligation in the legal agreement.

Paragraph 6.2.185 refers to a 'Deed of Variation'. For clarity, this would likely be a Supplementary Unilateral Undertaking. This paragraph also states that the Carbon Offset contribution is 'TBC'. This has been checked with the Council's Sustainability & Climate Change Officer and would be £75,525. This payment will be secured as an obligation in the legal agreement.

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

**NATALIE BROUGHTON  
Assistant Director Planning & Building Control**