

ADDRESS: 16-24 Orsman Road, London, N1 5QJ**WARD:** Hoxton East and Shoreditch**REPORT AUTHOR:** Alix Hauser**APPLICATION NUMBER:** 2025/2317**VALID DATE:** 19/11/2025**DRAWING NUMBERS:**

294_0000 Rev 08 - Site Location Plan - 23/09/2025;
294_1010 Rev 08 - Proposed Site Plan - 23/09/2025;
294_1000 Rev 10 - Proposed Lower Ground Floor Plan - 11/05/2026;
294_1001 Rev 08 - Proposed Ground and Upper Ground Floor Plan - 23/09/2025;
294_1002 Rev 08 - Proposed First and Second Floor Plan - 23/09/2025;
294_1003 Rev 08 - Proposed Third and Fourth Floor Plan - 23/09/2025;
294_1004 Rev 08 - Proposed Fifth and Roof Floor Plan - 23/09/2025;
294_1100 Rev 08 - Proposed North and South Street Elevations - 26/09/2025;
294_1101 Rev 08 - Proposed South Orsman Road Elevation - 23/09/2025;
294_1102 Rev 08 - Proposed North Regent's Canal Elevation - 23/09/2025;
294_1103 Rev 08 - Proposed Courtyard Elevations - 23/09/2025;
294_1104 Rev 08 - Proposed Link Elevation - 23/09/2025;
294_1200 Rev 08 - Proposed Section A - 23/09/2025;
294_1201 Rev 05 - Proposed Section C - 23/09/2025.

642.PL.101 - Existing Site Plan - 01/10/2025;
642.PL.301 - Proposed Site Plan Ground Floor - 01/10/2025;
642.PL.302 - Proposed Site Plan Roof - 01/10/2025;

REPORTS:

Affordable Workspace Marketing Strategy, Groupwork, 29/09/2025;
Air Quality Assessment Rev 1, Syntegra, 13/10/2025;
Daylight & Sunlight Report, Consil, 22/10/2025;
Design and Access Statement Rev 5, Groupwork, 10/03/2026;
Financial Viability Assessment, James R Brown and Co Ltd, 16/02/2026;
Fire Statement Rev 00 (incl. Strategy Comment Drawings) Marshall Fire, 08/10/2025;
Flood Risk Assessment & SuDS Strategy for Planning Rev 2v2, Syntegra, May 2026
Heritage Statement, Built Heritage Consultancy, September 2025;
Noise Impact Assessment Rev B, Syntegra, 22/09/2025;
Planning Statement, Maddox, October 2025;
Preliminary Risk Assessment Report, Syntegra, 17/07/2025;

Arboricultural Report Rev 1, Syntegra, 08/10/2025;
Bat Emergence Survey, Green Shoots Ecology, 04/09/2025;
High Level Notes on Ecology, Green Shoots Ecology, 30/09/2025;
Landscape Design and Access Statement, Jinny Blom, October 2025;
Landscape Maintenance Plan Rev A, Jinny Blom, 11/03/2026;
Lighting Impact Assessment and External Lighting Design, Syntegra, 03/10/2025;
Plant Schedule Rev A, Jinny Blom, 24/03/2026;
Preliminary Ecological Assessment Report Rev 1, Green Shoots Ecology, August 2025;
Urban Greening Factor Assessment Rev 2, Green Shoots Ecology, 30/09/2025;

<p>BREEAM Pre-Assessment Rev A, Syntegra, 08/10/2025; Circular Economy Statement Rev 03, Groupwork, 29/09/2025; Energy Statement Rev 03, Webb Yates Engineers Ltd, 24/09/2025; Sustainability Impact Statement Rev 02, Groupwork, 29/09/2025; Whole Life-Cycle Carbon Assessment Statement Rev 3, Passive Mechanical Ltd, 16/02/2026; Whole Life-Cycle Carbon Assessment, Passive Mechanical Limited, 17/09/2025;</p> <p>Construction Logistics Plan Issue 02, Talina, 30/09/2025; Construction/Demolition Management Plan Rev 01, Talina, 12/09/2025; Framework Delivery & Servicing Plan Rev 01, Transport Planning Associates, September 2025; Framework Travel Plan Rev 02, Groupwork, 18/09/2025; Transport Statement Rev A, Transport Planning Associates, June 2026</p>	
<p>APPLICANT: SCALE Foundation c/o Agent</p>	<p>AGENT: Maddox Planning 33 Broadwick Street London W1F 0DQ</p>
<p>PROPOSAL: Demolition of existing buildings and erection of a new part 5, part 6 storey building comprising flexible commercial floorspace (Class E) and 9 residential units (Use Class C3) together with roof gardens, landscaping, access and associated works.</p>	
<p>POST SUBMISSION REVISIONS: The following changes were made to the plans:</p> <ul style="list-style-type: none"> ● The lower ground floor plan with revised to increase the cycle parking quantum; ● The Design & Access Statement was revised to clarify heights of nearby buildings; ● The Whole Life Carbon report was updated; ● The planting schedule & maintenance plan were updated; ● The Flood Risk Assessment and SuDS Strategy were updated; ● The Transport Statement was updated; ● The FVA was updated to include an alternative scheme. <p>Given the minor scale of amendments made it was not considered necessary to carry out a new round of consultation.</p>	
<p>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and legal agreement.</p>	
<p>NOTE TO MEMBERS: None.</p>	

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

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Other (in accordance with the Planning Sub-Committee Terms of Reference)	

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	F	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area	Kingsland POA	

PARKING DETAILS

	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle Storage
Existing	0	0	0
Proposed	0	1 funded, on-street	52 Long Stay 10 Short Stay

LAND USE

	Use Class	Use Description	Floorspace Sqm
Existing	Class E (g)	Office / Light Industrial	1,348
Proposed	Class E (g)	Office	1,488
	Class C3	Residential	1,483

PROPOSED RESIDENTIAL UNITS

	Number of Bedrooms				Total
	1	2	3	4	
Market	0	4 (45%)	0	5 (55%)	9

CASE OFFICER'S REPORT**1.0 SITE CONTEXT**

- 1.1 The application site comprises a parcel of land located on the northern side of Orsman Road. The northern boundary of the site borders Regents Canal.
- 1.2 The site is approximately 902 square metres and contains existing twentieth century industrial buildings of between one and three storeys in use for light industrial / office purposes (Use Class E).
- 1.3 The site is largely bounded by residential blocks including to its immediate east and west. Residential buildings are located on the northern side of Regents Canal and on the southern side of Orsman Road to the south of the site.
- 1.4 Orsman Road has a unique light industrial character in the borough related to the history of commercial uses adjacent to the canal. The street features a number of high-quality, architecturally distinct commercial buildings of various ages.
- 1.5 The site is located within an area with good accessibility to public transport. It has a PTAL rating of 3. The site is located within 190 metres of Kingsland Road which is well served by bus routes and within 550 metres of Haggerston Overground station. The site is covered by a Controlled Parking Zone (CPZ) and there are cycle docking stations located within close proximity to the site on Hertford Road, Dunston Road and Pitfield Street.
- 1.6 The site is located within Kingsland Priority Office Area. It is not subject to any other employment or town centre designations. Regents Canal to the north is a metropolitan grade Site of Importance for Nature Conservation.

2.0 CONSERVATION IMPLICATIONS

- 2.1 There are no statutory listed or locally listed buildings or structures within the site.
- 2.2 The site is adjacent to Regents Canal Conservation Area to the north along the canal and Kingsland Conservation Area to the east.
- 2.3 The closest statutory listed building is The Stag's Head Public House at 55 Orsman Road, about 50 metres to the west of the site (Grade II listed).

3.0 RELEVANT HISTORY

- 3.1 2020/3839 – Demolition of existing buildings on site and erection of a part 5, part 6 storey building comprising office floorspace (Use Class E); a flexible unit at ground floor level (Use Class E); and provision of associated waste storage, cycle parking, balconies, roof and rear terraces and plant. Resolved to be granted at planning sub-committee 07/07/2021 however the Section 106 was never completed. **Withdrawn.**

4.0 CONSULTATIONS

- 4.1 Date First Statutory Consultation Period Started: 26/11/2025

4.2 Date First Statutory Consultation Period Ended: 05/01/2026

4.3 Site Notice: Yes, dated 17/12/2025

4.4 Press Advert: Yes, dated 12/12/2025

Neighbours

4.5 Letters of consultation were sent to 294 adjoining owners/occupiers.

4.6 Objections were received from 11 individuals. These representations are summarised below:

- Overbearing scale and massing would appear dominant and oppressive when viewed from neighbouring residential properties.
- The cumulative height and bulk represent an overdevelopment of the site and fail to respect the prevailing scale and rhythm of surrounding buildings.
- The proposed height, continuous massing, and roof-level activity would not preserve or enhance the conservation area.
- The development introduces a level of density and verticality that is inappropriate for a canal-side setting.
- The brutality of the design only works due to the softening effect of the copious, mature trees and plants on the roof terrace. How will this planting be guaranteed?
- Loss of daylight/sunlight.
- Loss of privacy.
- Loss of sky views resulting in an increased sense of enclosure.
- Loss of natural environment and biodiversity.
- Ownership of the trees on the banks of the canal needs to be clarified.
- Previous biodiversity conditions should be included as part of any decision.
- Noise nuisance from intensification of use of the site and the proposed cafe, both on adjoining residents and ecology of the canal.
- Environmental impact of a heat pump system on the canal.
- Impacts on highway safety and congestion during the period of construction.
- No provision of affordable housing.
- Security concerns as a result of opening up the canal to the public.
- Heights of surrounding buildings in the Design & Access Statement are open to misinterpretation.
- The level of engagement with the local community was low and the community's responses were misrepresented.
- Dust and noise pollution during the period of construction.

4.7 The matter of disruption during the period of construction is covered by separate legislation and cannot be afforded significant weight as material planning considerations.

4.8 One letter of support was received highlighting the canalside access, green courtyard planting, ground floor commercial space, high quality design and the sustainability credentials of the proposal.

4.9 The remaining above comments are addressed within the assessment section of this report.

Statutory Consultees

- 4.10 Canal & River Trust: No objection subject to conditions regarding the waterway wall, landscaping, lighting and waterborne transport feasibility. Standard informatives are also recommended.
- 4.11 Metropolitan Police (Secure by Design Officer): No objection in principle, subject to a standard condition and informative, requiring secure by design accreditation.
- 4.12 Thames Water: No objection subject to a build over agreement for building works within 3m public sewers, a piling condition and standard informatives are recommended.

Council Departments

- 4.13 Contaminated Land: No objection subject to conditions requesting submission of a quantitative risk assessment.
- 4.14 Drainage: No objection subject to conditions requesting details of a sustainable drainage system, flood resilient and resistant construction details and a report demonstrating that the development will not increase the potential for groundwater flooding.
- 4.15 Environmental Protection (Noise): No objection subject to conditions in regard to construction noise, vibration and dust, insulation between and within dwellings and plant noise.
- 4.16 Pollution (Air): No objection subject to conditions in regard to construction, dust monitoring and non-road mobile machinery.
- 4.17 Transportation: No objection subject to conditions requesting cycle parking details, a parking design and management plan, a delivery and servicing plan and a legal agreement to secure car free development, funded conversion of an on-street parking space to a blue badge space, a travel plan, car club membership credit, s278 highways works and monitoring fees.
- 4.18 Waste: No objection, subject to a condition requiring a waste management plan and increased refuse capacity.

Local Groups

- 4.19 Hackney Society Planning Group: The Hackney Society Planning Group supports the proposals but with some recommendations and requests set out below.

The site layout, with public access to a courtyard, with the offering of a cafe and bookshop, as well as access to the canal edge is exciting and ground breaking for a canal side development in the neighbourhood. It provides the otherwise very large and dominant building with some breathing space, and demonstrates a consideration and generosity to the wider environment that is rare at a time when viability takes priority over such things. We would like to see the element of public access locked into the proposals through planning conditions or a S106 agreement.

The use of stone bricks in construction is also interesting and may pave the way for the sustainable technology to be taken up more widely; again a generous approach to taking risk.

But a consideration of the impact of the building, both during construction and in use, on local ecology has not been well documented nor mitigation or enhancement identified, despite these matters being flagged up in the applicant's own Preliminary Ecological Assessment and Bat Emergence Report, and by The Canal and Rivers Trust at pre-app. For instance the External Lighting Design and Impact Assessment considers the impact of the proposed artificial lighting design on residential back gardens in Merton - clearly an error in editing, but the absence of any reference to the ecology of the canal - both above and below water - and foraging bats in this report is a significant omission. The only reference to the impact on adjacent ecology, including bats, is a very general statement that 'the proposed lighting strategy has been developed to minimize impacts on biodiversity and wildlife through a sensitive design approach', when the ecologist explicitly required that the designer refer to the Institution of Lighting Professionals' Bats and Artificial Lighting in the UK Guidance Note 08/18 (2018) in the design of the artificial lighting.

The Daylight and Sunlight Report similarly only considers the impact of the changes in light for human experience. The fact that the canal still receives sunlight considered sufficient for 'amenity space' fails to understand the unique ecology of the canal and its possible reliance on sunlight.

Furthermore biodiversity enhancement features recommended within the Preliminary Ecological Assessment do not appear to have been taken up in the proposed designs.

In terms of tenure we understand that the inclusion of 10% affordable workspace is within policy and that an off site contribution to affordable housing will be made via a S106 agreement.

4.20 Kingsland CAAC: No objection to this application.

5.0 RELEVANT PLANNING POLICIES

5.1 Hackney Local Plan 2033 2020 (LP33)

- PP1 Public Realm
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP26 Employment Land and Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP29 Affordable Workspace and Low Cost Employment Floorspace
- LP31 Local Jobs, Skills and Training
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation

- LP48 New Open Space
- LP49 Green Chains and Green Corridors
- LP51 Tree Management and Landscaping
- LP52 Water spaces, Canals and Residential Moorings
- 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
- D1 London's Form, Character and Capacity for Growth
- D2 Infrastructure Requirements for Sustainable Densities
- D3 Optimising Site Capacity through the Design-led Approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Qualities and Standards
- D7 Accessible Housing
- D8 Public Realm
- D11 Safety, Security and Resilience to Emergency
- D12 Fire Safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small Sites
- H4 Delivering Affordable Housing
- H6 Affordable Housing Tenure
- H7 Monitoring of Affordable Housing
- H10 Housing Size Mix
- S4 Play and Informal Recreation
- E1 Offices
- E2 Providing Suitable Business Space
- E3 Affordable Workspace
- E11 Skills and Opportunities for All
- HC1 Heritage Conservation and Growth
- G1 Green Infrastructure
- G4 Open Space
- G5 Urban Greening
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodlands
- SI 1 Improving Air Quality
- SI 2 Minimising Greenhouse Gas Emissions
- SI 3 Energy Infrastructure
- SI 4 Managing Heat Risk

- SI 5 Water Infrastructure
- 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
- T6.2 Office Parking
- T6.5 Non-Residential Disabled Persons Parking
- T7 Deliveries, Servicing and Construction
- T9 Funding Transport Infrastructure through Planning
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

5.3 SPD / SPG / Other

Mayor of London

- Accessible London - Achieving an Inclusive Environment SPG (2014)
- Affordable Housing LPG (draft)
- Affordable Housing and Viability SPG (2017)
- Air Quality Neutral LPG (2023)
- Air Quality Positive LPG (2023)
- 'Be Seen' Energy Monitoring Guidance LPG (2021)
- Control of Dust and Emissions During Construction and Demolition SPG (2014)
- Energy Assessment Guidance (2022)
- Fire Safety LPG (draft)
- Housing SPG (2016)
- Housing Design Standards LPG (2023)
- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Play and Informal Recreation SPG (2012)
- Sustainable Transport, Walking and Cycling LPG (2022)
- Urban Greening Factor LPG (2023)

London Borough of Hackney

- Child Friendly Places SPD (2021)
- Decentralised Energy Masterplan
- Hackney's Transport Strategy 2015-2025
- Public Realm Strategy SPD (2012)
- Sustainable Design & Construction SPD (2016)
- S106 Planning Contributions SPD (2020)

5.4 National Planning Policies/Guidance

- National Planning Policy Framework (2025)
- Planning Practice Guidance

5.5 Legislation

Equality Act 2010
Planning Compulsory Purchase Act 2004
Town and Country Planning Act 1990

6.0 ASSESSMENT

6.1 Introduction

6.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the London Plan (2021) Hackney Local Plan 2020 known as 'LP33', and the North London Waste Plan.

6.1.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration. The development must be evaluated against the relevant policy framework, specifically the Borough's industrial heritage and the prevailing character of the Mare Street conservation area. The Planning Inspector's previous findings regarding the Lamb Lane townscape and the necessity of an employment-led scheme remain central to this assessment. and the following policy topics are considered to be particularly relevant to this application.

6.2 Overview

6.2.1 The original 2020 scheme received a resolution to grant at planning sub-committee but the legal agreement was not completed. The application included the demolition of the existing buildings on site and erection of a part 5, part 6 storey building comprising office floorspace (Use Class E); a flexible unit at ground floor level (Use Class E); and provision of associated waste storage, cycle parking, balconies, roof and rear terraces and plant.

6.2.2 The submission is for the demolition of the existing buildings and erection of a new part 5, part 6 storey building comprising flexible commercial floorspace (Class E) and 9 residential units (Use Class C3) together with roof gardens, landscaping, access and associated works.

6.2.3 The main considerations relevant to this application are:

- Principle of Development (Land Use)
- Housing Matters
- Urban Design, Conservation and Heritage Impacts
- Quality of Accommodation
- Amenity Impacts
- Highway Safety and Transportation
- Sustainability, Climate Change and Energy
- Waste Storage Management
- Air Quality
- Biodiversity and Green Infrastructure

- Contaminated Land
- Crime
- Drainage & Flood Risk
- Fire Strategy
- Infrastructure Impact / Planning Obligations

Each of these considerations is discussed in turn below.

6.3 Principle of Development (Land Use)

6.3.1 Chapter 2 of the NPPF identifies sustainable development as the key objective of the planning system and clearly sets out the presumption in favour of sustainable development, in alignment with the need to determine planning applications in accordance with the Development Plan.

6.3.2 In specific regard to proposals for estate regeneration, such as this, paragraph 98 of the NPPF states “that planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”

Proposed Commercial Use

6.3.3 The site is currently in an office use and is considered to fall within Use Class E. The site is located within Kingsland Priority Office Area.

6.3.4 Policy E1 of the London Plan 2021 supports the development and redevelopment of offices including improvements to the quality, flexibility, and adaptability of office space of different sizes to improve London’s competitiveness and address wider objectives of the London Plan 2021.

6.3.5 Policy LP26 of the Hackney Local Plan 2033 sets a target for delivery of 118,000sqm of new office floorspace by 2033 and states that office-led development in Locally Significant Industrial Sites (LSIS), Priority Office Areas (POA), Priority Industrial Areas (PIA), Central Activities Zone (CAZ) and designated town centres is supported.

6.3.6 Policy LP27 of the Hackney Local Plan 2033 requires development involving the provision of new office floorspace be well designed, high quality and should provide floorspace that is flexible / adaptable to accommodate a range of unit sizes and types. Any floorspace must be provided with good natural light, be suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises.

6.3.7 Policy LP27 also states at part C that new development in POAs should be employment-led with at least 50% of the overall new floorspace on site being B1 use class (now Use Class E), subject to viability.

6.3.8 The development proposes approximately 1,500 square metres of new commercial floorspace. The proposals reprovide the existing commercial space on site in the form of high quality units of different scales and sizes with the opportunity to be used flexibly by more than one occupier. Spaces are designed to suit varying sized tenants and able to be amalgamated or split to form smaller commercial spaces.

- 6.3.9 Policy LP29 of the Hackney Local Plan 2033 sets out that affordable workspace should be sought on major schemes located in designated employment areas, Central Activities Zone and town centres. The proposal includes 148 square metres of affordable workspace at basement level which equates to 10%, meeting the policy level. This will be secured via S106.

Proposed Residential Use

- 6.3.10 Policy H1 and Table 4.1 of the London Plan 2021 set an annual target of 13,280 net new houses for Hackney over a ten-year period up until 2028/29. Policy LP12 states that the Council will plan to deliver a minimum of 1,330 homes per year up to 2033 by encouraging development on small sites and will support the development of small sites to meet the housing need. Self-contained residential units are the priority residential land use in the Borough and type of land use for which there is the greatest need. The site is considered to be a small site as it is less than 0.25 hectares. The principle of providing self-contained units is therefore acceptable, subject to compliance with relevant policies.

6.4 Housing Matters

Affordable Housing

- 6.4.1 Policy H4 of the London Plan 2021 sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable and specifies that affordable housing should be provided on site, with off-site affordable housing or cash in lieu contributions being acceptable only in exceptional circumstances. The plan further sets out that comprehensive review mechanisms should be applied to schemes which do not meet the required affordable housing threshold.
- 6.4.2 Policy LP13 of Hackney Local Plan 2033 requires major schemes to provide a minimum of 50% of housing delivered to be on-site affordable, subject to viability and site context. Schemes that propose less than 50% on-site affordable housing will be required to submit a detailed viability assessment and will be subject to early and late review mechanisms.
- 6.4.3 A Financial Viability Assessment prepared by James R Brown was provided as part of the application which concluded that the scheme cannot sustain onsite affordable housing or a financial contribution. This has been independently reviewed by JJV. It is agreed that the scheme cannot sustain on-site affordable housing or a financial contribution towards affordable housing as the scheme generates a significant deficit.
- 6.4.4 In order to determine whether the site is providing the maximum viable amount of affordable housing and making optimal use of the site, an alternative scheme of 10 x 1-bed, 8 x 2-bed and 6 x 3-bed units was tested. This scheme was also found to generate a significant deficit and is unviable.
- 6.4.5 As such, in order to comply with local and national policy, an early and late stage review mechanism also recommended to be secured via S106. This may result in a financial contribution towards affordable housing provision in the borough in the event that viability has improved since the application stage.
- 6.4.6 The relevant inputs that should be factored into the S106 include a Gross Development Value of £23,853,343, total build costs of £16,555,370 (inclusive of contingency and

commercial fit out costs), and a profit margin of 20% for the residential units and 15% for the commercial.

- 6.4.7 Subject to early and late stage review mechanisms being included within the S106, the development is considered acceptable in regard to affordable housing.

Housing Mix

- 6.4.8 Policy H10 of the London Plan 2021 indicates that to determine the appropriate mix of unit sizes in relation to the number of bedrooms for a scheme, applicants and decision-makers should have regard to, amongst other things, the nature and location of the site and the aim to optimise housing potential on sites.
- 6.4.9 This policy is amplified by policy LP14 of the Hackney Local Plan 2033 which sets out that the preferred dwelling mix for a market housing development is at least 33% of 3 or more bed units and a higher proportion of 2-bed units than 1-bed units.
- 6.4.10 Policy LP14 of the Hackney Local Plan outlines that variations to the dwelling size mix will be supported due to site location, area's characteristics, design constraints and scheme viability.
- 6.4.11 The application proposes a market mix of 45% 2-bed units and 55% 4-bed units. Whilst it is acknowledged that the proposed development does not strictly accord with the desired housing mix as detailed under LP14, it will deliver 5 large family sized units, in line with local need and therefore contribute towards mixed and balanced communities, as advocated by policy H10 of the London Plan 2021.
- 6.4.12 As outlined above, an alternative scheme was tested in viability terms in order to determine whether the proposed unit mix of 9 units, including 5 large family units, was making optimal use of the site. The optimisation of housing delivery on the site must be considered within the wider planning policy framework that applies to this location. The application site lies within the Kingsland Priority Office Area, where Hackney Local Plan Policy LP27 seeks to ensure that employment floorspace remains the dominant land use and requires development to deliver at least 50% of the total floorspace as office use. In this policy context, residential use is necessarily secondary to the delivery of employment space.
- 6.4.13 Within this framework, the proposal has been developed in accordance with the design-led approach to optimising site capacity set out in policy D3 of the London Plan 2021, which emphasises that optimisation should respond to site context, design quality, residential standards and environmental considerations, rather than simply maximising the number of units. The scheme therefore seeks to optimise the residential component of the development while ensuring that the employment-led policy requirements for the site are satisfied.
- 6.4.14 The proposed residential accommodation is of a high quality, with all homes designed as dual-aspect units with generous internal layouts and private external amenity space, ensuring compliance with London Plan residential quality standards. The provision of larger homes also aligns with policy H10 of the London Plan 2021 and policy LP14 of the Hackney Local Plan 2033, which support the delivery of family housing. The scheme delivers 55% family-sized homes (four-bedroom units), significantly exceeding the proportion of larger homes typically delivered in new developments.

6.4.15 As such, on balance, the housing mix as proposed meets the requirements of policy LP14 of the Hackney Local Plan 2033 and is considered to successfully optimise the site.

6.5 Conservation and Heritage Impacts

6.5.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority when considering development which affects a listed building or its setting to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay “special attention... to the desirability of preserving or enhancing the character or appearance of that area”. Applying the statutory duty, any harm found to arise in relation to the character or appearance of a conservation area should be given “considerable importance and weight”.

6.5.2 Chapter 16 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It also encourages LPAs to take account of a non-designated heritage asset in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.5.3 The NPPF provides a range of policies relating to heritage protection at paragraphs 189 to 208. The Council has considered the proposed development in relation to these policies and particularly paragraphs 199 to 208.

6.5.4 Policy HC1 of the London Plan 2021 requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. Policy LP3 of the Hackney Local Plan 2033 requires the Council to conserve designated and non-designated heritage assets.

6.5.5 The development will be part of the setting of the Regent’s Canal Conservation Area and Kingsland Road Conservation Area.

6.5.6 Adjacent buildings including 1-71 Kleine Wharf, 8-14 Orsman Road and 11-31 Orsman Road are within the Conservation Area.

6.5.7 To the south 11-29 (15) Orsman Road is locally listed. Nearby the bridge over the Kingsland Basin is locally listed. Whitmore bridge nearby is locally listed

6.5.8 The Stags Head public house on the corner of Halcomb Street is Grade II listed.

6.5.9 The proposed material and architectural quality reflects the higher material and architectural quality of the Kingsland Road Conservation Area. The form and layout reflects the urban character of the Kingsland Road Conservation Area including its strong building lines, rhythms and grain. The height and mass are also compatible with the scale and mass of buildings in the surrounding area, with slight additional height drawing attention to a scheme which has public relevance. The development would preserve and enhance the character and appearance of the conservation area.

- 6.5.10 The proposal will form part of the southern setting of the Regent's Canal Conservation Area. It will sit comfortably among a varied group of modern buildings which respond to the canal with lively frontages, balconies, and strong building lines. The proposal will reintroduce natural materials, and add planting, warm colours, and a publicly accessible space adjacent to the waterside. A visual link through the site will allow appreciation of the canal's sense of openness from Orsman Road. As such, the development would preserve and enhance the character and appearance of the conservation area.
- 6.5.11 The Stags Head public house has a much changed urban setting including a variety of materials and scales. The significance of the public house is partially derived from its interior which will not be affected by the proposal.
- 6.5.12 Overall the scheme will enhance the surrounding conservation areas and will cause no harm to any nearby listed or locally listed buildings.

6.6 Urban Design

- 6.6.1 Policies D1-D4 of the London Plan 2021 require architecture to make a positive contribution to a coherent public realm, streetscape and wider cityscape, incorporating the highest quality materials and design appropriate to the surrounding context.
- 6.6.2 Policy LP1 of the Hackney Local Plan 2033 seeks to adopt a rigorous design approach and ensure that all new development be of the highest architectural and urban design quality and includes specific criteria for tall building proposals. Development must respond in a positive manner to the existing context and local character, having regard to the boroughwide Characterisation Study, and be compatible with the existing townscape and local views.

Context

- 6.6.3 Along Orsman Road, entrances and primary frontages face onto the street. Equally important frontages face north onto Regent's Canal where they can be appreciated from the tow path on the north side of the canal. Buildings on either side of the site are varied in character but unified by a broadly common height, grain, robust urban character and consistent good quality. To the north buildings range from 5 to 7 floors. To the east and west, buildings are 5 floors.

Layout

- 6.6.4 The proposal is laid out around a central, publicly accessible courtyard open to the canal on the north side and accessed by an undercroft route from Orsman Road. Frontages are aligned to the north and south site boundaries and adjacent building lines. The Orsman Road frontage has some setbacks from the street to create an arrival space softened with some landscaping. The ground floor of the canalside frontage is inset behind a colonnade allowing access to the waterside. Publicly relevant uses including a library and cafe face onto the courtyard and would be visible to people passing on Orsman Road. The ground floor layout is positive, introducing a new visual link from the canal to Orsman Road and also creating a new destination on a street which otherwise has little activity or public interest.
- 6.6.5 The basement is linked to the courtyard by open lightwells and stairs allowing light to filter into the spaces below. The result would be an attractive basement for workspaces.

6.6.6 Upper floors across the two blocks on the north and south sides of the courtyard have two flats per floor. All flats are dual aspect and accessed from a landing which either has or has the potential to be naturally lit and ventilated. Flats have unusually generous and innovative layouts with inset, south facing amenity spaces. Flats at the top of the development are larger and have expansive amenity space. Internal layouts exceed national space standards and Hackney and London guidance on layouts.

6.6.7 Rooftops include green and blue roofs and PV arrays which are positive in principle in terms of design.

Form & Massing

6.6.8 The development is divided into a north and a south block, and each is equally divided into a 6 (ground plus 5) and 7 (ground plus 6) floor element, giving blocks some vertical division and emphasis and a finer visual grain responding to the rhythms of the context. Elevations are canted with recessed and projecting elements on the north and south building line, which will create a vertical division and reduce the visual bulk, and create spaces for planting.

6.6.9 The proposal is similar in height to the existing planning permission on the site and is not considered to be uncharacteristically tall for the area. Any additional height above neighbours draws due attention to a building of very high architectural and material quality and also to the public courtyard and the link to the canalside that the proposal offers.

Architecture & Materials

6.6.10 The proposal has a load-bearing stone frame and exterior of load-bearing stone large and medium blocks and smaller bricks. The architectural approach is both traditional, utilising tried-and-tested load-bearing masonry, and highly innovative for a contemporary building.

6.6.11 The external appearance and structure relate directly to the borough's load-bearing masonry history, resulting in a highly legible building. The location and setting is robust enough to tolerate a number of textures, colours and finishes but the choice of stone acknowledges the natural colours and materials of Orsman Road and the surrounding Conservation Areas.

6.6.12 The materials will be sustainable in their sourcing and low embodied carbon, long life-span and quality which should ensure the building is cared for and protected well into the future. The texture and visual variations in the stone will be one of the interesting and enjoyable features of the building. The application documents have set out the range of variation, colours and textures which will be seen in the stone and this is well suited to the location and setting.

6.6.13 There will be an element of intentional and welcome unpredictability to the finished appearance as would always be the case when building with a raw natural material.

6.6.14 Secondary materials include weathered brass for solar PV panels/ brise soleil which will change in colour as it oxidises, and timber window frames and spandrel panels. Internal materials include cross-laminated timber floors, internal walls and roofs, avoiding the use of concrete. All proposed materials are positive and suitable for the site.

- 6.6.15 The proposed building includes a ground floor colonnade facing Orsman Road creating a paved arrival zone and a space for planting. A tall undercroft route to the courtyard and main entrances will open onto Orsman Road opening up a view through the semi-public space to the canal. Lightweight timber and glass architecture will define the overshadowed low-rise courtyard structures and allow high levels of natural light to permeate the basement. The external structure generally becomes lighter-weight towards the top as part of its load-bearing character, with larger windows higher up. Some circular windows give privacy to bathrooms while also adding interest to the frontages. South facing windows will all include projecting weathered brass canopies above with integrated solar PVs. This is practical to reduce overheating, but is also an attractive and integral part of the architectural design.
- 6.6.16 The architecture and materiality is exceptional in concept and proposed quality, meeting and exceeding the requirements of policy LP1 of the Hackney Local Plan 2033.

Internal Layout

- 6.6.17 The ground and basement are proposed to be commercial while upper floors are residential.
- 6.6.18 The ground floor commercial space is enclosed by floor to ceiling glass, set back behind a deep colonnade to maximise light without overheating. The commercial frontage addresses the canalside and shared courtyard space. The basement space will receive natural light from large south-facing voids to the ground floor, and stairs to the basement have open light wells connected to the ground level. The canalside upper ground floor and 1st floor commercial is set back from the north elevation creating a double height space, maximising light to the interior.
- 6.6.19 Upper floor residential layouts greatly exceed minimums set out in national space standards. The homes have innovative and unusual layouts offering many benefits to occupants. For example, main living spaces are dual or triple aspect and have fully glazed walls onto terraces inset into south facing elevations. This maximises light and outlook while avoiding risks of overheating. All flats are dual aspect at least allowing for good outlook and ventilation. Upper level flats span one and a half floors, have double height living/kitchen areas and have extensive areas of planted rooftop amenity space in addition to large, lower-level terraces. The unusual unit mix is partly explained by the development being designed to meet the specific needs of its future inhabitants.
- 6.6.20 Circulation between ground and basement commercial spaces is via two stairs and lifts shared with the residential accommodation.
- 6.6.21 Two residential cores give access to the north and south buildings. Both stair and lobby are naturally lit and ventilated with external solar shades to prevent overheating. Internal corridors are very short and receive natural light, meeting the recommendations of the London Housing LPG for circulation spaces.

Landscape

- 6.6.22 An area of existing trees on the canalside will be retained. The open visual link through the site will allow views towards these retained trees from Orsman Road. Additional trees are proposed in gaps created by inseting the north and south building frontages. Large planters are proposed in the courtyard containing a mix of trees and low-level plants.

Climbing plants are proposed which will benefit from the bioreceptive qualities of the stone contrition. Planting is also included at roof level.

- 6.6.23 A child-friendly impact assessment is included which shows that the site will be a good place for children to connect with nature and play informally but without equipment. Shoreditch Park is a short and safe walk away along a less-trafficked route, providing ample play opportunities.
- 6.6.24 From an urban design perspective, the proposal will maintain and give access to the existing greenery on site and will also add high levels of planting on frontages, within the courtyard and across the upper levels of the building. It has the potential to be a landmark development both for its architecture and landscaping.

Conclusion

- 6.6.25 The proposed development will be genuinely exceptional in every aspect of its design. It will enhance the setting of the two adjacent conservation areas because of the high quality design and the use of load bearing stone, bringing a landscaping and architectural landmark to this section of the Regents Canal and Orsman Road. The approach to construction and materials will be beautiful and long-lasting and will demonstrate a leading edge approach to low-carbon, sustainable mixed-use development.
- 6.6.26 The commercial spaces, including those at basement level would be bright and attractive, while the residential layouts will be among Hackney's most exceptional in terms of spatial quality, access to amenity spaces, and internal comfort.
- 6.6.27 Subject to conditions, the scheme is acceptable in urban design terms.

6.7 Quality of Accommodation

Residential Accommodation

- 6.7.1 Policy LP17 of the Hackney Local Plan 2033 and policy D6 of the London Plan 2021 require all homes to be of high quality design and meet the internal and external space and accessibility standards set out in the London Plan, GLA Housing SPG and Hackney's Housing SPD.
- 6.7.2 All units and bedrooms meet or exceed national space standards. All floors have acceptable floor to ceiling heights, and the units have adequate area to comply with the built-in storage requirements.
- 6.7.3 All units are dual aspect with windows orientated north and south for cross ventilation and sunlight throughout the day.
- 6.7.4 The units would receive appropriate levels of privacy due to the orientation of the proposed windows and adequate separation distances between the host building and neighbouring buildings
- 6.7.5 Standards 26 and 27 of the Housing SPG require private outdoor space to be provided for occupants. All units are provided with balconies that meet or exceed these requirements.

6.7.6 In terms of accessibility, step-free access is provided to all levels. A condition of any approval would be that 10% of the units be wheelchair accessible, with all of the remaining units built to M4(2) standards.

6.7.7 For these reasons the proposed residential element of the development is deemed to provide a high standard of accommodation for future occupiers.

Commercial Accommodation

6.7.8 Policy LP27 of the Hackney Local Plan 2033 requires the provision of well designed, high quality buildings and floorspace that is flexible / adaptable to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises.

6.7.9 Overall, the design and layout of the proposed floorspace is of a high quality, is flexible and meets the needs of likely end users.

6.7.10 The floor plates and internal layout of the proposed office accommodation will ensure that all levels are well lit and would provide high quality accommodation.

6.7.11 The entrance and layout of the space is considered acceptable. The location of bike stores and end-of-trip facilities is appropriate to the function and usability of the accommodation, subject to further details of a policy compliant cycle parking plan.

6.7.12 Step free access is provided to all levels via an internal lift.

6.7.13 Policy LP48 of the Hackney Local Plan 2033 requires 4 sqm of communal open space per employee. A central semi-public courtyard, totalling 275 sqm, is provided on site to separate north and south blocks. This area is a shared space, providing access to residential and commercial units. The commercial yield of the development is 138, resulting in a communal open space requirement of 551 sqm. Given the provision of policy compliant levels of private open space, and the location of the site within proximity to a large area of open space in Shoreditch Park, the lack of provision of communal open space is considered acceptable. However, the shortfall should be mitigated by a payment in lieu to be secured via S106 to put towards the provision of new or improved space in the immediate surroundings, as is recommended in the proposed Heads of Terms.

6.7.14 As such, subject to the recommended condition and financial contribution, the proposed office space is considered to provide a high quality office environment that would provide appropriate accommodation for this POA location and is likely to be attractive to future tenants.

6.8 Impact to Amenity

6.8.1 Policy D3 of the London Plan 2021 states that development should have regard to the form, character and function of an area and the scale, mass and orientation of surrounding buildings. Policy LP2 of the Hackney Local Plan 2033 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.

Daylight / Sunlight

- 6.8.2 With regards to daylight, the Vertical Sky Component (VSC) method has been used to measure the amount of skylight reaching windows of neighbouring properties. BRE guidelines in their “Site Layout Planning for Daylight and Sunlight” document of 2022 state that impacts upon daylight of an existing building will be noticeable if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. % reductions in VSC of 30% or more can be considered to result in significant noticeable impacts, whereas reductions in daylight marginally above the 20% threshold will be more minor.
- 6.8.3 VSC is the most suitable method of assessment to understand the degree of change to windows of neighbouring properties resulting from the development. The daylight sunlight assessment also refers to a further method of assessment. The No Sky Line (NSL) method involves determining the area within a room where the sky is not visible from a given point on the working plane, typically set at 850mm above the floor. A room passes the test if a significant portion (usually at least 50%) of the working plane has a clear view of the sky (i.e., lies outside the NSL). However, BRE standards also state that a noticeable reduction in the area of a room receiving direct sunlight (e.g. less than 0.8/20% its former value) can impact occupants' perception of light.
- 6.8.4 With regards to sunlight, the Annual Probable Sunlight Hours (APSH) method has been used to assess the amount of sunlight available within a room. BRE guidelines are for rooms to receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter.
- 6.8.5 It should be noted that BRE guidance is applied with regard to the site context. Factors such as the layout and orientation of adjacent buildings, and the amount of existing development upon an application site can all have significant impacts upon the daylight sunlight assessment. As such in dense inner urban locations, it may not be possible to achieve BRE target criteria if development is to take place at a similar scale as others in the surrounding area.
- 6.8.6 The submitted Daylight & Sunlight Report has assessed the closest neighbouring residential properties with windows overlooking the proposed development. The impacts to each building are assessed below.

43 Orsman Road

- 6.8.7 43 Orsman Road is a four-storey block of flats with a single storey element to the eastern wing located to the south of the site on the southern side of Orsman Road.
- 6.8.8 20 windows were assessed. The results of the VSC study for this property show that 8 windows assessed meet the BRE guidance. Of the remaining 12 windows, 9 retain a level of between 12.4 and 23. The remaining 3 windows are all beneath overhangs at third floor level. With these removed the windows would retain a VSC in the mid 20s, well in excess of levels considered acceptable in an urban environment.
- 6.8.9 While it is accepted that there may be some noticeable change in the amount of daylight received to this property, this is in part due to the relatively open outlook the residents have across the development site. This is unusual for the area, given the height of the neighbouring buildings and therefore any development on this site is likely to have some impact on light levels to this property. It is also noted that a previous scheme on the site

had a resolution to grant, with the results of the VSC analysis of that scheme demonstrating similar retained VSC levels.

- 6.8.10 All relevant windows within 90 degrees of due south in all buildings tested meet the tests in regard to Annual Probable Sunlight Hours (APSH).

Regal Wharf – 58 De Beauvoir Crescent

- 6.8.11 Regal Wharf is a six-storey mixed-use building (with basement) located on the northern side of Regent's Canal immediately to the north of the application site. The development contains commercial uses at ground floor and residential units from first to fifth floors.
- 6.8.12 Approximately 17% of the windows that face the site fail to meet the VSC guidance. However, interrogating this data further it has found that the majority of these rooms have existing light levels of below 7.3 meaning that rooms are likely to already require artificial lighting and therefore a proportional reduction in light will be less noticeable. This is in part due to the external balconies which are used as amenity spaces for the flats and overhang the windows. The results of the VSC assessments with the balconies omitted, show that all windows are fully compliant with the BRE guidelines. 85% of rooms would retain at least 80% of their existing NSL values, indicating that the majority of internal areas would continue to receive adequate daylight.
- 6.8.13 90% of windows within 90 degrees of due south in all buildings tested meet the tests in regard to Annual Probable Sunlight Hours (APSH).

Mandarin Wharf – 70-76 De Beauvoir Crescent

- 6.8.14 Mandarin Wharf is a mixed-use, five-storey building located on the northern side of Regent's Canal. It is located approximately 27 metres to the north-east of the development site.
- 6.8.15 42 of 45 windows tested retain a VSC of at least 0.8 of their former value. The 3 windows that depart from the guidelines are beneath inset balconies. The existing VSC levels range from 1-4% for these windows meaning that rooms are likely to already require artificial lighting and therefore a proportional reduction in light will be less noticeable. All rooms with windows that do not meet benchmark standards will retain 80% of their existing NSL values.
- 6.8.16 All relevant windows within 90 degrees of due south in all buildings tested meet the tests in regard to Annual Probable Sunlight Hours (APSH).

Kleine Wharf – 14 Orsman Road

- 6.8.17 Kleine Wharf is a five-storey mixed use building to the immediate east of the development site.
- 6.8.18 Of the windows tested on site, none of those facing the site would meet the BRE benchmark values for VSC. These windows are to two residential units on the top floor which are west facing and will therefore have a direct outlook to the development. However, these windows, apart from being bad neighbour windows by facing directly on to the site, serve rooms which are dual aspect with primary windows facing north or south, that will be unaffected by the proposals. Therefore the overall daylight levels to

these spaces will remain acceptable. This is confirmed by the NSL assessment which demonstrates that changes in daylight penetration to all rooms remain fully compliant with the BRE criteria.

- 6.8.19 All relevant windows within 90 degrees of due south in all buildings tested meet the tests in regard to Annual Probable Sunlight Hours (APSH).

28 Orsman Road

- 6.8.20 28 Orsman Road is a five-storey block of apartments to the far west of the development site adjacent to the neighbouring 26 Orsman Road.

- 6.8.21 The results of the VSC and NSL assessments for this property demonstrate little impact as a result of the proposed scheme. All levels remain at or within 0.8 times their former value and are therefore fully compliant with the BRE guidelines.

- 6.8.22 All relevant windows within 90 degrees of due south in all buildings tested meet the tests in regard to Annual Probable Sunlight Hours (APSH).

Overshadowing

- 6.8.23 BRE guidance also considers the overshadowing impacts of a development on surrounding gardens, parks, public squares and playgrounds. In order to prevent these spaces becoming damp, cold and uninviting, BRE guidance specifies that at least 50% of the space should receive more than 2 hours of sunlight on 21 March equinox, with the proposed impact being no more than 0.8 times its former value.

- 6.8.24 The overshadowing assessment has tested the impacts of the development on adjoining amenity spaces at the top floor of Kleine Wharf to the east. These balconies of Kleine Wharf fall slightly below the 50% recommendation. This is due to the orientation of these balconies, facing west towards the development site, coupled with the unusual current low level massing on site meaning any proposed increase in height would affect the overshadowing. Both balconies would receive high levels of direct sunlight during the summer months, when they are likely to be used more frequently. Accordingly, the results demonstrate that the neighbouring occupiers will have access to acceptable levels of sunlight amenity year-round.

Impacts on Neighbouring Solar Panels

- 6.8.25 The latest edition of the BRE guidance (2022) requires that the impact of a proposed development on neighbouring photovoltaic (PV) panels is taken into consideration. Whilst an assessment was not undertaken as part of the submitted Daylight & Sunlight Analysis, the previous development which had a resolution to grant, was of a larger massing and demonstrated that all of the solar panels assessed at 26 Orsman Road to the west would experience no additional shading when compared with the existing position. As the solar panels are oriented to the south, they will be well-sunlit throughout the year and unaffected by the development.

Daylight / Sunlight Conclusions

- 6.8.26 Overall, the proposed development has some impacts on the daylight and sunlight provision to surrounding residents. However, given the dense urban location, mitigating

factors outlined above and the encouragement in policy to optimise the use of land and provision of housing, on balance the daylight and sunlight impacts are acceptable in accordance with the requirements of policy D6 of the London Plan 2021 and policy LP2 of the Hackney Local Plan 2033.

Outlook/ Sense of Enclosure

- 6.8.27 The Council has no specific policy guidance on acceptable separation distances for outlook. This is due to the differing established grain and density of the borough, the potential to limit the variety of urban space and unnecessarily restrict density.
- 6.8.28 The impact of the development on the outlook and sense of enclosure experienced by neighbouring residents is considered to be acceptable.

Privacy / Overlooking

- 6.8.29 The buildings to the north of the canal are approximately 27 metres from the windows of the proposed building. This is sufficient to ensure there will be no undue overlooking for residents of these properties. The distance of approximately 14 metres from the building to the residential units to the south is also sufficient given this dense urban setting and the established separation distance along this street.
- 6.8.30 An objector has raised issues relating to the loss of privacy to the top floor flat of Kleine Wharf (14 Orsman Road). The development has been designed to step back the northern block and has been oriented at a slight angle to reduce opportunities for overlooking. Side facing windows are secondary for both the existing and proposed units but it is acknowledged that there may be a degree of overlooking from the west facing windows of the proposed building. However, any development on this site would likely have the same result due to the design of the neighbouring unit with west facing windows close to the shared boundary. The unit benefits from north facing windows too and these will remain unaffected. A condition recommending obscure glazing and balcony screening will be included to reduce privacy impacts.
- 6.8.31 As such, the proposed development is deemed acceptable in regard to privacy and overlooking of neighbouring properties.

Noise

- 6.8.32 A Noise Impact Assessment was submitted and reviewed by the Council's Environmental Protection team who raised no concerns in principle but recommended a condition in relation to soundproofing and noise and vibration attenuation.
- 6.8.33 It is considered that the rooftop amenity spaces that are accessible to tenants are sufficiently distant from neighbouring residential premises to ensure that they would cause no significant impact in relation to noise.
- 6.8.34 In all other respects, the impact of the proposal in terms of noise is considered to be acceptable.

6.9 Highways Safety and Transportation

- 6.9.1 Policy LP41 of the Hackney Local Plan 2033 requires new development to contribute towards transforming Hackney's places and streets into an attractive and liveable

neighbourhood. Policies LP41-45 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means, contributing to a safe road environment with less congestive and decreased parking stress and making improvements to the public realm. The resultant outcome would improve air quality and contribute towards creating healthier environments.

- 6.9.2 The applicant has submitted a Transport Statement (TS), which outlines that the site is situated in a highly urbanised area with a Public Transport Accessibility Level (PTAL) score of 3, denoting a moderate accessibility level. It confirms that the proposed development would not place significant pressure on the local pedestrian, cyclist, or public transport networks, in accordance with Policy LP43 of the Hackney Local Plan 2033.
- 6.9.3 Policy LP42 of the Hackney Local Plan 2033 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes. Following discussions, the cycle parking quantum was updated to ensure compliance with policy guidance. Council's streetscene team raised no objections to the proposed quantum and design however queried the proposed short-stay provision. As such, a condition of permit will require submission of a final policy-compliant cycle parking plan demonstrating the exact layout, security features, and an adequate provision of dedicated short-stay visitor spaces.
- 6.9.4 Policy LP43 of the Hackney Local Plan 2033 states that new development must incorporate designated spaces for deliveries within the boundary of the development. Delivery and servicing will be conducted on-street via Orsman Road. To ensure these operations do not negatively impact highway safety or the surrounding network, a final Delivery and Servicing Plan (DSP) will be conditioned.
- 6.9.5 Policy LP44 of the Hackney Local Plan 2033 requires all major developments to integrate the proposed development into the public realm or provide contributions to urban realm improvements in the vicinity of the site. A financial contribution is sought to improve areas of the public realm and in line with the Local Plan policies outlined above. The scope of S278 works proposed includes renewing of the footway and kerbs to the frontage of the development and providing dropped kerbs for bin access. These essential highways works would provide public benefit by improving the experience for occupants of the proposed development, as well as forming a necessary role in mitigating the impact of the new workers and residents on the surroundings.
- 6.9.6 Policy LP45 of the Hackney Local Plan 2033 requires new developments be car-free. The scheme is proposed to be car-free however; a blue badge parking will be provided off site via funded conversion of an existing on-street car parking space. These requirements will be secured via legal agreement. A Parking Design and Management Plan will be conditioned to ensure that the car parking space is appropriately designed and managed.
- 6.9.7 It is recognised that there may be some need for occasional vehicle use by future occupiers so future residents should be provided with a car-club membership and driver credit. This will be secured as part of the S106 agreement.
- 6.9.8 A full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. In order to effectively monitor the measures

set out in the final Travel Plan, a financial contribution should be secured via legal agreement.

- 6.9.9 Given the nature of the proposed development, construction movements are a key concern for the application. A final Construction Management Plan (CMP) will be required to mitigate negative impact on the surrounding highway network. These should be in line with TfL guidance. This will be secured by condition. To effectively monitor the final CLP a monitoring fee is recommended to be secured via legal agreement.
- 6.9.10 Subject to conditions and a legal agreement, the proposal is considered to contribute towards encouraging active travel, reducing reliance on cars and improving highway safety. The development is therefore deemed to meet the requirements of policies LP41-45 of the Hackney Local Plan 2033.

6.10 Sustainability, Climate Change and Energy

- 6.10.1 All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate. A development of this scale would be expected to comply with building regulations to ensure the statutory requirements to reduce pollution, energy and carbon emissions are met. The development would be required to demonstrate that it incorporates fabric efficiency measures.
- 6.10.2 Policy SI 4 of the London Plan and LP54 of the Hackney Local Plan 2033 require all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change.
- 6.10.3 Policy LP55 of the Hackney Local Plan 2033 applies to all new developments and states they must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.
- 6.10.4 The energy strategy proposed as part of the development has been assessed by Hackney officers. The scheme is proposed to achieve overall carbon savings of 134%, far surpassing the minimum threshold of 35% under Part L 2021.
- 6.10.5 The applicant has demonstrated that operational carbon savings have been maximised at this stage of the design, demonstrating exemplary energy efficiency and innovative best practices. No carbon savings payment would be needed as the scheme proposes to exceed carbon emissions with the carbon savings.
- 6.10.6 As such, the overall approach is in line with existing policy requirements. Nevertheless, a number of conditions are required to secure the key commitments and targets are adhered to throughout the process:
- Energy Statement
 - PV Panels
 - Water Source Heat Pump
 - Reversible Underfloor Cooling System
 - Overheating Risk Management
 - Fabric Performance
 - Mechanical Ventilation Heat Recovery

- Waste Management Plan
- Low Embodied Carbon Materials
- BREEAM
- Embodied Carbon
- Circular Economy
- Be Clean

6.10.7 The details of these recommended conditions can be found in section 9 below.

6.10.8 Detailed reporting and monitoring of the actual, as-built performance of the building is written into the proposed conditions and would require details to be sent to the LPA, to ensure that the performance of the building is as expected. A recommended clause in the legal agreement also requires reporting and monitoring in the standard way for major development.

6.10.9 It is considered that the applicant has submitted satisfactory evidence in relation to the sustainability of the proposed building. Subject to the proposed conditions and legal agreement, the application is considered to be acceptable on sustainability grounds.

6.11 Waste Management

6.11.1 Policy LP57 of the Hackney Local Plan 2033 seeks to ensure new development in Hackney supports the objectives of sustainable waste management.

6.11.2 Commercial and residential waste will be stored in separate refuse stores at basement level. The stores will be accessible from Orsman Road via a dedicated bin/bike lift and are therefore within the 30m horizontal drag distance of the roadside allowing a refuse lorry to park adjacent to the site. The refuse store will be located behind sealed doors with extract provision to ensure smells are avoided.

6.11.3 The Council's waste officers have reviewed the proposals and have outlined that the bin stores capacities would need to be increased to 3 x 1100L eurobins and 1 x 140L food waste bin for residential and 3 x 1100L and 1 x 600L for commercial waste. It is considered there is sufficient space to accommodate this within the proposed basement. It is also noted that refuse cannot be collected from basements and it would be for the developer to provide a plan for bins to be moved to and from an off-street collection point at street level. As such, a refuse management plan should be conditioned to ensure that sufficient space is available and arrangements are made for bins to be deposited and collected from Orsman Road on collection days.

6.11.4 Subject to conditions, the proposal is considered to provide suitable waste and collection servicing arrangements. The development is therefore deemed to meet the requirements of policy LP57 of the Hackney Local Plan 2033.

6.12 Air Quality

6.12.1 Policy LP58 of the Hackney Local Plan 2033 requires all new development not to exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the lifetime of the development.

6.12.2 An Air Quality Assessment was provided with the application that demonstrated that the development meets the air quality neutral policy test meaning that future occupiers are

likely to experience acceptable air quality. As the development is car-free and heating/hot water is delivered using water source heat pumps, it is unlikely that the development will have an adverse effect on local air quality.

- 6.12.3 However, given the proximity of the site to Regents Canal, there is a possibility that future occupiers may be affected by emissions of moored or moving vessels, e.g. from vessels using wood/coal for heating, and from diesel engines used for propulsion of electricity generation. However, this was considered not to represent a constraint to development by the Council's Environmental Pollution officers. As such, the site is considered suitable for the proposed end use from an air quality perspective.
- 6.12.4 In order to mitigate against construction dust impacts, which have been identified as medium risk, a condition is recommended to ensure suitable mitigation is in place throughout the construction phase.

6.13 Biodiversity, Ecology and Green Infrastructure

- 6.13.1 Policy G5 of the London Plan 2021 and LP46 of the Hackney Local Plan 2033 requires that all development should enhance the network of green infrastructure and seek to improve access to open space.
- 6.13.2 Policy G6 of the London Plan 2021 states that development proposals should manage impacts on biodiversity, aim to secure net biodiversity gain and contribute to urban greening. Policy LP47 of the Hackney Local Plan 2033 reinforces this policy, stating that all development should protect and, where possible, enhance biodiversity leading to a net gain.
- 6.13.3 Policy G7 of the London Plan 2021 states that proposals should ensure that, wherever possible, existing trees of value are retained and must incorporate high quality landscaping. This is supported by policy LP51 of the Hackney Local Plan 2033.
- 6.13.4 An Ecology Assessment and a Bat Emergence Report, prepared by Green Shoots Ecology, were submitted with the application. The Bat Emergence Report provided, identified that there are multiple bat species within 1km of the site. The survey results show that there was a moderate level of bat activity next to the building. The Report recommended the installation of bat and bird boxes and bee homes. This will be required as a condition of permit. The reports were considered by the Council's biodiversity officer who raised no concerns with the demolition of the building subject to conditions requiring the installation of bat and bird boxes.
- 6.13.5 Lighting has been designed to focus on minimising artificial light spill onto the canal. This is proposed to be achieved through setting the building line back from the canal slightly, a stepped back first floor mezzanine internally, and moving light sources away from the water's edge. The first floor office uses low level lighting on the canal side, and will feature automated blinds/curtains to control light emission. It is proposed that all light fittings will be specified to be a warm-toned 3000k max. New vegetation is planned alongside the canal to create an additional physical light buffer. To minimise impacts on species inhabiting the adjacent canal, a Construction Environmental Management Plan (CEMP) is recommended and must be adhered to throughout the development. A condition will also require details of the automated blinds to be submitted.

- 6.13.6 The Urban Greening Factor (UGF) of the development of 0.61 is achieved due to the densely planted courtyard and external amenity spaces with semi-mature trees as well as intensive and extensive green/blue roofs and. The UGF provided exceeds the minimum set out in policy and is acceptable.
- 6.13.7 In regard to Biodiversity Net Gain legislation, it does not appear to apply to this development due to the "de minimis" exemption, as there is little to no biodiversity on site. As such, the site is exempt from biodiversity net gain requirements.
- 6.13.8 No trees will be removed to facilitate the proposed development. One tree will require facilitation pruning to allow for demolition and construction access. A condition will require further details to be submitted.
- 6.13.9 There are five trees outside the red line boundary, alongside the canal, that could be impacted by the development. The trees are made up of three common alders, one sycamore and one wild cherry. The trees are protected by a group TPO. The Arboricultural Report outlines that the built structures around the trees have acted as root barriers, meaning the roots are contained within the wedge shaped piece of land between the site and the canal. A condition will ensure that appropriate tree protection measures are installed prior to commencement of the development. An Arboricultural Method Statement must also be submitted to ensure that existing trees' roots and canopies are protected while potentially damaging activities are undertaken.
- 6.13.10 12 new trees are also proposed to be planted. Following discussions with officers the planting mix and maintenance plan has been amended to ensure that these trees, along with other proposed planting, is appropriate. Information relating to soil and substrate volumes and types, tree pit designs and tree anchorage systems are required. This will be secured by condition
- 6.13.11 The Canal and River Trust, were consulted and made comments regarding the impact of construction on the structural integrity of the Regent's Canal, the impact on the character and appearance of the Regent's Canal Conservation Area and the impact on the ecology of the Regent's Canal. Conditions have been recommended regarding the waterway wall, landscaping, lighting and waterborne transport feasibility.
- 6.13.12 For these reasons, and subject to conditions, the development is deemed acceptable in regard to impacts on biodiversity, ecology and trees.

6.14 Contaminated Land

- 6.14.1 Policy LP58 of the Hackney Local Plan 2033 requires development proposed on contaminated or potentially contaminated land, to address risks to sensitive receptors (both on and off site) from land contamination through proportionate actions before and during construction and during operation where appropriate.
- 6.14.2 On the advice of the Contaminated Land team, and to ensure that the risk of land contamination is effectively assessed and managed (if necessary), a condition requiring submission of a quantitative risk assessment has been recommended. This has been included as a condition.

6.15 Crime

- 6.15.1 Policy D11 of the London Plan 2021 states boroughs should work with their local Metropolitan Police Service in order to 'Design Out Crime' and maintain a safe and secure environment. Furthermore, Policy LP1 of the Hackney Local Plan 2033 notes that new development must be secure and designed to minimise crime and antisocial behaviour.
- 6.15.2 The local police constabulary have been consulted and raise no objection subject to conditions requiring that a 'Secured by Design' accreditation be obtained for the building and permanently retained. This has been included as a condition.

6.16 Drainage

- 6.16.1 Policy SI 12 of the London Plan 2021 states that development proposals must comply with the flood risk assessment and management requirements over the lifetime of the development and have regard to measures proposed in flood management plans. Policy SI 13 of the London Plan 2021 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 6.16.2 Policy LP53 of the Hackney Local Plan 2033 requires all development to have regard to reducing flood risk, both to and from the site, over its expected lifetime. The policy further states that all development should decrease vulnerability to flooding through appropriate siting, design and on and off-site mitigation and requires development which includes the creation of basements to demonstrate the potential for groundwater flooding to itself or to the surrounding area would not be increased.
- 6.16.3 The site is shown to have a high risk of surface water flooding and has an increased potential for elevated groundwater. There will be a change of flood risk vulnerability classification from a less vulnerable to a more vulnerable use.
- 6.16.4 A Flood Risk Assessment and SuDS Strategy Report were submitted and reviewed by the Council's drainage engineers and found to be acceptable.
- 6.16.5 The proposed surface water discharge rate into Regent's Canal has been limited to 2.0 l/s for all return periods. A condition requiring further details of the SuDS system is recommended as is a condition requiring the submission of a final completion certificate.
- 6.16.6 An intrusive ground investigation with groundwater monitoring has been commissioned, which indicates a groundwater level of approximately 15m bgl, substantially below the proposed basement formation level (4.0m bgl). As such, it is considered that groundwater flood risk can be addressed by condition.
- 6.16.7 As such, subject to conditions, the proposal is acceptable on drainage grounds.

6.17 Fire Strategy

- 6.17.1 Policy D12 of the London Plan 2021 states that development proposals must achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.

6.17.2 A fire statement has been submitted that meets the requirements of Policy D12.

6.18 **Infrastructure Impact / Planning Obligations**

6.18.1 When considering the potential content of a legal agreement, regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is standard practice with applications where S106 contributions are likely to be required for the applicant/agent to provide a draft head of terms, with their submission. In relation to S106 matters, the Hackney Local Plan 2033 and the London Plan 2021, as well as the Hackney S106 Planning Contributions SPD are the most relevant documents. Contributions/Provisions for the following are sought: W

Financial Contributions

- £59,374.50 towards employment training
- £2,000 towards the monitoring of the travel plan
- £8,750 towards the monitoring of the demolition and construction management plans
- Car club credits for the first occupant of each new residential unit
- £67,000 towards the cost of S278 highways works
- £1,500 per apprentice placement
- £31,686.50 towards open space
- Monitoring costs of £16,849
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement

Non-financial contributions:

- 25% Local Labour Apprenticeships
- Employment and Skills Plan
- Full framework apprentice for every £2 Million of construction contract value
- Procurement Plan
- Participation in the Considerate Constructors Scheme
- Car free development
- Travel Plan
- Be Seen Monitoring
- Carbon Offset safeguard
- Building Material Bank

Community Infrastructure Levy

6.18.2 Under the Mayor of London's CIL charging schedule developments within the London Borough of Hackney are subject to a CIL rate of £60 per square metre of development, with the exception of medical/health/education uses. The site is located within Zone A of the Hackney CIL Charging Zone which adopts a rate of £190 per square metre of residential floorspace and a rate of £0 for office and retail uses.

6.18.3 The amount of the CIL is calculated on the basis of net additional internal floorspace with the proposal being for 140 sqm of new commercial floor space and 1,483 sqm of new residential floorspace.

- 6.18.4 The total CIL liability when the above floorspace totals are calculated in line with paragraph 40 of The Community Infrastructure Levy Regulations 2010 is £484,357.38
- 6.18.5 This is an estimate only and these amounts are subject to indexation. Any liability notice will reflect rates applicable at the time a planning decision is made.

7.0 EQUALITIES CONSIDERATIONS

- 7.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.2 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 The proposal is considered to successfully optimise the use of the site, providing a sustainable and high quality mixed use building whilst taking into account the character and appearance of the surrounding conservation area, the amenities of neighbouring occupiers and residents and all other relevant considerations. The scheme is considered to represent a positive development, on an underutilised site, that delivers good quality residential units and commercial floorspace.
- 8.2 Section 38 (6) of the Planning Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The proposal is deemed to comply with the relevant policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021) and the granting of planning permission is recommended subject to conditions and the completion of a legal agreement.

9.0 RECOMMENDATIONS

Recommendation A

- 9.1 That planning permission be GRANTED, subject a legal agreement and the following conditions:

9.1.1 Commencement within three years

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

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

9.1.2 Development in accordance with plans

Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans:

294_1010 Rev 08 - Proposed Site Plan - dated 23/09/2025;
294_1000 Rev 10 - Proposed Lower Ground Floor Plan - 11/05/2026;
294_1001 Rev 08 - Proposed Ground and Upper Ground Floor Plan - dated 23/09/2025;
294_1002 Rev 08 - Proposed First and Second Floor Plan - dated 23/09/2025;
294_1003 Rev 08 - Proposed Third and Fourth Floor Plan - dated 23/09/2025;
294_1004 Rev 08 - Proposed Fifth and Roof Floor Plan - dated 23/09/2025;
294_1100 Rev 08 - Proposed North and South Street Elevations - dated 26/09/2025;
294_1101 Rev 08 - Proposed South Orsman Road Elevation - dated 23/09/2025;
294_1102 Rev 08 - Proposed North Regent's Canal Elevation - dated 23/09/2025;
294_1103 Rev 08 - Proposed Courtyard Elevations - dated 23/09/2025;
294_1104 Rev 08 - Proposed Link Elevation - dated 23/09/2025;
294_1200 Rev 08 - Proposed Section A - dated 23/09/2025;
294_1201 Rev 05 - Proposed Section C - dated 23/09/2025.

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

9.1.3 Materials to be submitted

Prior to the commencement of development above damp proof course level, and notwithstanding the approved details in the application, particulars of all externally facing construction materials for the new buildings (including hard landscaping and pavement details) within the scheme shall be submitted to, and approved in writing by, the Local Planning Authority. Samples of the proposed materials shall be made available on site for inspection and retained for the duration of the works. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

REASON: To ensure the materials used within the scheme are as anticipated, and in accordance with LP1 and LP54 of the Hackney Local Plan as well as Sections 12 of the National Planning Policy Framework.

9.1.4 Details to be approved

Detailed drawings of the proposed development showing the matters set out below must be submitted to and approved in writing by the Local Planning Authority, before the relevant parts of the works are commenced. The development shall not be carried out otherwise than in accordance with the details thus approved which shall be implemented in full prior to the first use/occupation of the development.

- a) Obscure glazing to the eastern windows of the northern block.
- b) Screening to the east facing terrace of the northern block.

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

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

- a) A demolition and construction method statement, covering all phases of the development, to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages of the project, including, but not limited to, details of dust mitigation measures to deal with construction waste during site clearance, demolition and construction works (including any breaking or crushing of concrete), the location of any mobile plant machinery, and details of measures to be employed to mitigate noise and vibration demonstrating best practical means;
- c) An air quality and dust management plan, to include details of measures to control and mitigate emissions of dust from site clearance, demolition and construction activity, following best practice guidance, including installation of noise, vibration and dust (NVD) monitoring systems and appropriate locations around the site;
- d) A demolition and construction traffic management plan to include the following: the construction programme/timescales; the number/frequency and size of construction vehicles; construction traffic route and trip generation; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/footway closures during the construction period; details of parking suspensions (if required) and the duration of construction;
- e) 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.

The Demolition and Construction Management Plan shall set out how the following will be adhered to:

- A Notice Board shall be erected externally to have contact details for the Site and Regional Office posted. The contact details should be sufficient for Planning Enforcement and Environmental Health to be able to contact an appropriate person in event of complaints. The main contractor is requested to submit contact details to the planning authority and to display them on the site board at the site entrance;
- Details of at Least two relevant named individuals including their job role (one of whom should ideally be an off-site main office contact);
- Postal addresses;
- E-mail details; and,
- Mobile details with a robust arrangement for out of hours' complaints

REASON: To comply with policy LP58 of the Hackney Local Plan 2033 and policy SI 1 of the London Plan 2021, to protect air quality and human health by minimising emissions 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.

9.1.6 **NRMM**

All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards of the Mayor of London's NRMM Low Emission Zone for the Central Activities Zone and Opportunity Areas. Unless in compliance with these 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 comply with policy SI 1 of the London Plan 2021, to ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity.

9.1.7 **Post Installation Noise Levels**

A post installation test shall be carried out prior to occupation to demonstrate that all residential premises designed in accordance with "BS8233:2014 - Guidance on Sound Insulation and Noise Reduction for Buildings" achieve the required internal noise levels cited in Table 4.2 of the Noise Impact Assessment Rev B (Syntegra dated 22/09/2025). The results must be submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent noise nuisance.

9.1.8 **Sound Insulation in and between buildings**

A post installation test shall be carried out prior to occupation to demonstrate the recommended sound insulations in and between all residential premises cited in the Noise Impact Assessment Rev B (Syntegra dated 22/09/2025) are being met. The results must be submitted to and approved in writing by the Local Planning Authority.

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

9.1.9 **Sound Insulation between Residential and Commercial Properties (Pre-Commencement)**

Sound insulation must be installed between the commercial premises at upper ground / first floor level and the residential premises on the first and second floor levels. The scheme of sound insulation shall be submitted for approval in writing to the local planning authority before the commencement of the relevant works.

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

9.1.10 Sound Insulation between Residential and Commercial Properties (Pre-Occupation)

A post installation test shall be carried out prior to occupation to demonstrate that the recommended sound insulation between the commercial premises and the residential premises are being met. The results must be submitted to and approved in writing by the Local Planning Authority.

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

9.1.11 Plant Noise

The proposed mechanical plant shall be installed so as to prevent the transmission of noise and vibration into neighbouring premises. The total noise level from any fixed plant shall be 10dB or more below the background noise level at any noise sensitive premises at any time.

Any new plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall not increase the existing background noise level (10dB below) when measured 1m external from the nearest residential or noise sensitive premises.

An assessment of the expected noise levels shall be carried out by a suitably qualified (IOA accredited) and experienced acoustic consultant, in accordance with BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound,' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details submitted and maintained thereafter.

REASON: To ensure that occupiers of the neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from fixed plant and machinery.

9.1.12 Plant Noise (Pre-occupation)

The use hereby permitted, or the operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out to confirm compliance with the noise criteria. The results must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

REASON: To ensure that occupiers of the neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from fixed plant and machinery.

9.1.13 Delivery and Service Plan

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

- Frequency of deliveries per day/week
- Size of vehicles
- How vehicles would be accommodated on the public highway
- identify measures to mitigate the impact of servicing and deliveries
- How sustainable freight will be encouraged and enabled, for example through the provision of on-site cargo cycle parking

Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

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

9.1.14 Cycle Parking

Prior to the commencement of above ground construction, a policy compliant cycle parking plan shall be submitted and approved in writing by the local planning authority. The plan must show details of layout, foundation, stand type and spacing of the long-stay and short-stay cycle parking spaces throughout the development. A minimum of 5% of long stay spaces should be for adapted/larger bikes.

The storage spaces and stands must be kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for future occupiers and in the interest of safeguarding highway safety.

9.1.15 Parking Design & Management Plan

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

- a) A scaled layout plan showing the provision of the designated Blue Badge parking bays located within a 50-metre transfer distance of the residential core they serve. If a 50-metre distance is not technically feasible, technical justification must be provided alongside mitigation measures (e.g., covered routes, resting points/seating every 50m).
- b) Identification of zones or potential locations for the remaining 7% of Blue Badge bays to demonstrate future adaptability.

The approved PDMP(s) shall be implemented in full prior to occupation of the phase of development and maintained in perpetuity for the lifetime of the development.

REASON: To ensure the development provides safe, accessible, and sustainable parking infrastructure in accordance with policies T6 and T6.1 of the London Plan 2021 and Hackney Local Plan 2033.

9.1.16 **Sustainable Drainage**

No development shall commence, other than works of demolition, until a full detailed specification of the sustainable drainage system, supported by appropriate calculations, construction details, drainage layout, exceedance flow routing plan, and a site-specific management and maintenance plan of the sustainable drainage system, has been submitted to and approved in writing by the LPA, in consultation with the LLFA. Details shall include, but not be limited to, the proposed blue roofs (with a minimum 100mm attenuation storage depth), biosolar roofs (with a minimum 150mm substrate depth not including vegetative mats), rain gardens, permeable paving, and the flow control system. Surface water from the site shall be managed in accordance with the Flood Risk Assessment & SUDS Strategy for Planning (Ref: 25-15597, Rev. Planning 2v2, dated May 2026) by Syntegra Consulting Ltd, and shall discharge to Regent's Canal at a peak discharge rate not exceeding 2.0 l/s for all return periods up to and including the 1 in 100 year storm event plus a 40% allowance for climate change. The approved sustainable drainage system shall be fully implemented prior to first occupation and shall thereafter be managed and maintained in accordance with the approved details for the lifetime of the development.

REASON: In the interest of sustainable drainage.

9.1.17 **Sustainable Drainage Completion Statement**

Prior to first occupation of the development, evidence (including as-built drawings, photographs, post-construction surveys) and a final completion statement signed off by a suitably qualified and experienced drainage engineer should be submitted to and approved in writing by the LPA showing that the sustainable drainage system has been constructed as per the approved designs and in accordance with best practice.

REASON: In the interest of sustainable drainage.

9.1.18 **Surface Water Flood Risk**

A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk shall be submitted to and approved in writing by the LPA in consultation with the LLFA prior to the construction of the measures. The scheme shall be carried out in its entirety before the site is occupied and; constructed and completed in accordance with the approved plans in line with BS 8582:2013 code of practice for "surface water management for development sites" and current best practice.

REASON: In the interest of safeguarding against pluvial flood risk.

9.1.19 **Ground Water Flood Risk**

No development shall commence, other than works of demolition, until a report (including intrusive investigation and monitoring) demonstrating that the basement development will not increase the potential for groundwater flooding to itself or to the surrounding area

during and post-construction has been submitted to and approved in writing by the LPA for approval. Where groundwater is identified as a potential risk, details of appropriate controls including flood resilience and/or resistance measures shall be submitted to the LPA for approval and the approved measures incorporated before the basement is occupied. The basement shall be constructed and completed in accordance with the approved plans in line with BS 8102:2022 Protection of below ground structures against water ingress - code of practice.

REASON: In the interest of safeguarding against groundwater flood risk.

9.1.20 Contaminated Land (Pre-Commencement)

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

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

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

If additional significant contamination is found at any time when carrying out the approved development, it must immediately be reported in writing to the LPA. For the avoidance of doubt, this condition can be discharged on a section by section basis.

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

9.1.21 Thames Water Piling

No piling shall take place 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) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

REASON: In order to ensure the protection of underground sewerage utility infrastructure.

9.1.22 **Secure By Design (Pre-Commencement)**

Prior to commencement of above ground works, a full and detailed application for the Secured by Design award scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Office, demonstrating how Secured by Design Certification will be achieved for this scheme. The development shall be carried out in accordance with the approved details maintained thereafter.

REASON: To ensure that the building functions securely, in a manner consistent with the principles of 'Secured by Design'.

9.1.23 **Secure by Design Accreditation**

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

REASON: To ensure that the building functions securely, in a manner consistent with the principles of 'Secured by Design'.

9.1.24 **Energy Statement (Pre-commencement)**

Prior to the above grade works and following completion of RIBA Stage 4 of the development hereby approved, a revised Energy Statement shall be submitted to and approved in writing 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 (Rev 03 by Webb Yates Engineers Ltd dated 24/09/2025):

- a) Minimum carbon savings of 66% / 11.4 tonnes CO₂e for the residential units and 19% / 0.6 tonnes CO₂e for the non residential area against Part L 2021 through fabric efficiency (Be Lean)
- b) b) Minimum overall carbon savings of 120% / 20.8 tonnes CO₂e for the residential units and 213 % / 6.5 tonnes CO₂e for the non residential area against Part L 2021 - applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the SHD target of 32.85 kWh/sqm/yr which shall be calculated using predictive modelling unless otherwise agreed in writing with the Local Planning Authority

- c) Maximum Energy Use Intensity of 29.24 kWh/sqm/yr for residential units and 34.82 kWh/sqm/yr for non residential areas using a predictive modelling calculation methodology PHPP, TM54 or equivalent - the applicant will be expected to benchmark the results against the UK Net Zero Carbon Building Standard relevant data sets
- d) A third party review report of the as-design predictive modelling calculations
- e) 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:

- 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 development 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 policies LP54, LP55 and LP56 of the Hackney Local Plan 2033, policies SI 2, SI 3, SI 4 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.25 Energy Statement (Pre-occupation)

Prior to the occupation of the development hereby approved, a Final “as-built” Energy Statement shall be submitted to and approved in writing by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- a) As-built Space Heating demand in kWh/sqm/yr using as-built modelling calculations
- b) As-built Energy Use Intensity in kWh/sqm/yr using as-built modelling calculations (NIA & GIA)
- c) Final GLA Carbon Emission Reporting Spreadsheet

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.

The final as-built GLA carbon Emission Reporting spreadsheet should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk , along with any supporting evidence as per the relevant GLA guidance - <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pre-planning-application-meeting-service/energy-planning-guidance>

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 policies LP54, LP55 and LP56 of

the Hackney Local Plan 2033, policies SI 2, SI 3, SI 4 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.26 **PV Panels (Pre-commencement)**

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 in writing 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 (Rev 03 by Webb Yates Engineers Ltd dated 24/09/2025):

- a) Solar PV panels annual electricity peak generation of 122.65 kWp
- b) Solar PV panels array of 350 panels
- c) Battery storage capacity of 345 kWh
- d) Detailed roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- e) Detailed Operation & Maintenance manual including fire risk assessment where applicable

The development 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 policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.27 **PV Panels (Pre-occupation)**

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

- a) Solar PV panels annual electricity peak generation
- b) Solar PV panels array
- c) Battery storage capacity
- d) Installation certificate by MCS register installer
- e) As built roof plan (1:50) showing PV array, maintenance and access paths, other plants and services, landscaping including fire breaks where applicable
- f) Final Operation & Maintenance manual including fire risk assessment where applicable

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 or improve upon the 'as designed' performance.

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 policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.28 **Water Source Heat Pump (Pre-commencement)**

Prior to the above ground works and following completion of RIBA Stage 4 of the development hereby approved, full details of the communal water source heat pump based heating system specification and supporting drawings shall be submitted to and approved in writing 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 (Rev 03 by Webb Yates Engineers Ltd dated 24/09/2025) and relevant supporting documents:

- a) Minimum Heat pump Seasonal Coefficient of Performance of 4.62 for the heating and 2.89 for the hot water - 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)

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 policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.29 **Water Source Heat Pump (Pre-occupation)**

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

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.

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 policies LP54 and LP55 of the Hackney Local Plan 2033, policies SI 2, and SI 4 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.30 **Reversible Underfloor Cooling System**

Prior to the occupation of the hereby approved development, full details of the reversible underfloor cooling system (or any other related fixed plant adopted) including specification and supporting drawings, as well as installation certificates by a suitably qualified installer must be submitted to and approved in writing 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) System Seasonal Energy Efficiency Ratio of 6 for both residential and non residential
- b) Details of location of the condenser units from the VRF systems (or any other fixed plant adopted) 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)

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.

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 and LP55 of the Hackney Local Plan, SI2, and SI4 of the London Plan, and Section 14 of the National Planning Policy Framework.

9.1.31 **Residents guide to overheating risk management**

Prior to occupation of the development hereby approved, 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.

9.1.32 **Fabric Performance (Pre-commencement)**

Prior to the above grade works and following completion of RIBA Stage 4 of the development hereby approved, a revised Energy Statement shall be submitted to and approved in writing 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:

- a) Maximum U-values (W/m²K): walls 0.13; floors 0.10; roof 0.10; windows and doors (residential 1.00/ non residential 1.20) unless otherwise agreed in writing with the Local Planning Authority
- b) Maximum G-values for windows and door: 0.3 unless otherwise agreed in writing with the Local Planning Authority
- c) Maximum Air permeability (m³/h/m²@50pa): 1 unless otherwise agreed in writing with the Local Planning Authority

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 policies LP54, LP55 and LP56 of the Hackney Local Plan 2033, policies SI 2, SI 3, SI 4 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.33 Fabric Performance (Pre-occupation)

Prior to the occupation of the development hereby approved, a Final “as-built” Energy Statement shall be submitted and approved in writing by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- a) As-built U-values: walls/cladding; walls/non cladding; floors ; roof; windows and doors using 'through wall' calculations for each component and relevant datasheets
- b) As-built G-values for windows and doors using relevant datasheets
- c) Full air permeability test report prepared by a suitable contractor confirming all units have achieved the as design air permeability 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 or improve upon the ‘as designed’ performance.

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.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policies LP54, LP55 and LP56 of the Hackney Local Plan 2033, policies SI 2, SI 3, SI 4 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.34 MVHR (Pre-commencement)

Prior to the above ground works and following completion of RIBA Stage 4 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 in writing 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% for residential units and minimum MVRH efficiency of 85% for non residential units 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

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policies LP54 and LP55 of the Hackney Local Plan 2033, policies SI 2 and SI 4 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.35 MVHR (Pre-occupation)

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

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.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policies LP54 and LP55 of the Hackney Local Plan 2033, policies SI 2 and SI 4 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.36 Sustainable Waste Management Plan

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:

- a) Municipal waste recycling rate of 65%
- b) Business waste recycling rate of 75%
- c) Minimum of 95% demolition or site waste diverted from landfill for reuse, recycling or recovery
- d) Minimum of 95% of excavation waste diverted from landfill for beneficial use
- e) Minimum of 20% of the new building material elements are comprised of recycled or reused content

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.

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

REASON: To reduce carbon emissions, enhance climate resilience, promote the circular economy, and support low carbon development, in accordance with the policy SI 7 of the London Plan 2021, GLA guidance, Hackney Local Plan LP57 and the NPPF.

9.1.37 Low Embodied Carbon Materials, Components and Systems (Pre-commencement)

Prior to the below grade works of the development hereby approved (excluding demolition and site clearance works), full details of the proposed primary structural systems and basement construction shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the development will be constructed using:

- a) Sedimentary stone as a primary structural material and external facing finish
- b) Responsibly sourced mass timber and timber as primary internal structural materials and finishes
- c) A low-carbon basement comprising a minimum of 50% stone and the remaining portion of a low-carbon concrete (unless otherwise agreed in writing).

The submission shall include:

- d) Construction drawings at appropriate scales;
- e) Environmental Product Declarations (EPDs) or equivalent evidence demonstrating the embodied carbon performance of the specified materials in relation to the overall embodied carbon target;
- f) A material schedule identifying the location and extent of each material.
- g) Detail of any encapsulation to timber elements.
- h) Details of key junctions and fixings and how the systems will be designed for circularity and/or low life-cycle embodied carbon.

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 policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.38 Low Embodied Carbon Materials, Components and Systems (Pre-commencement)

Prior to the above ground works and following completion of RIBA Stage 4 of the development hereby approved, full details of external and internal materials shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate:

- a) The extent of use of reused brick and/or stone within the external façade, with the proportion (by volume or surface area) clearly stated and justified in terms of reducing embodied carbon and maximising the circular economy
- b) The use of low-carbon insulation, with supporting technical specifications in terms of embodied carbon and fabric performance
- c) The use of timber framed windows.

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 policy LP55 of the Hackney Local

Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.39 Low Embodied Carbon Materials, Components and Systems (Pre-occupation)

Prior to the occupation of the development hereby approved, full details of the as-built low embodied carbon components, materials and systems 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.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.40 BREEAM (Pre-commencement)

Prior to the above ground works and following completion of RIBA Stage 4 of the development hereby approved, the BREEAM Interim Design Certificate shall be submitted to and approved in writing by the Local Planning Authority confirming the pre-assessment rating has been achieved or improved upon :

- a) BREEAM Excellent 71.8% rating for New Construction

All the targeted credits must be presented in a tracker comparing credits targeted at the BREEAM Pre Assessment stage.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.41 BREEAM (Post-occupation)

Within 12 weeks of occupation of the development hereby approved, the BREEAM Final Design Certificate shall be submitted to and approved in writing by the Local Planning Authority, providing full details confirming the final rating and credits have been achieved or improved upon the pre-commencement figures. Achieved credits must be presented in a tracker comparing credits achieved at BREEAM Interim Certification stage.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policy LP55 of the Hackney Local Plan 2033, policy SI 2 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.42 Embodied Carbon (Pre-commencement)

Prior to the above grade works and following completion of RIBA Stage 4 of the development hereby approved, a revised Whole Life Carbon Assessment (utilising RICS Whole Life Carbon Assessment First Edition methodology) shall be submitted to and approved in writing by the Local Planning Authority, providing full details to demonstrate the design measures that have been explored to reduce upfront and whole life cycle embodied carbon subject to feasibility and the availability of materials:

- a) Upfront embodied carbon (modules A1-A5) in CO₂e/sqm GIA - without incorporating biogenic carbon storage
- b) Embodied carbon (modules A1-A5, B1-B5, C1-C4) in kg CO₂e/sqm GIA - with any biogenic carbon storage reported alongside
- c) Whole Life Carbon (modules A1-A5, B1-B5, B6 & B7, C1-C4) in kg CO₂e/sqm GIA - with any biogenic carbon storage reported alongside
- d) Comparison against GLA benchmarks and UK Net Zero Carbon Building Standard benchmarks for the relevant years
- e) Project and assessment details - description of the proposed development, software tool used, type of EPDs used
- f) Confirmation that the assessment accounts for a minimum of 95% of the capital cost for each building element category - if less, explanations are required
- g) Details on third party verification mechanisms that have been adopted to quality assure the submission
- h) Confirmation that options for retaining existing buildings and structures have been fully explored before considering substantial demolition including incorporating the fabric of existing buildings into the new development
- i) Carbon emission associated with pre construction demolition
- j) An estimate of the percentage of the new build development, which will be made up of existing facades, structures, buildings
- k) Summary of key actions to achieve the WLC emissions reported and reduction expected to be achieved from retention, reuse and materials already on site
- l) Summary of opportunities to reduce the development's WLC emissions further
- m) Completion of the materials quantities and end of life scenario table - which should align with the bill of materials table (included in the CE statement)
- n) Completion of the GWP of all life cycle modules table - Module C3 & D must align with the CE statement, module B6 must align with Be seen requirement (predictive modelling)

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policies SI 2 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.43 Embodied Carbon (Pre-occupation)

Prior to the occupation of the development hereby approved, a Final "as-built" Whole Life Carbon assessment based on the actual materials, products and systems used shall be submitted to and approved in writing by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures

- a) Upfront embodied carbon (modules A1-A5) (kg CO₂e/sqm) GIA - without incorporating biogenic carbon storage
- b) Embodied carbon (modules A1-A5, B1-B5, C1-C4) (kg CO₂e/sqm GIA) - with any biogenic carbon storage reported alongside
- c) Whole Life Carbon (modules A1-A5, B1-B5, B6 & B7, C1-C4) (kg CO₂e/sqm GIA) - with any biogenic carbon storage reported alongside
- d) Comparison against the pre commencement baseline, GLA benchmarks and UK Net Zero Carbon Building Standard benchmarks for the relevant years and an explanation of the difference including any design changes
- e) Summary of the lesson learnt and how those will inform future projects
- f) Supporting evidence such as:
 - i) Site energy use record
 - ii) Contractor condemnation of as-built material quantities and specifications Record of material delivery including distance travelled and transportation mode (inclusive of temporary works)
 - iii) Waste transportation recording waste quantity, distance travelled and transportation mode broken down into material categories used for the assessment
 - iv) List of installed product specific EPDs and material passports

The applicant will be expected to demonstrate and quantify how further design works have been carried out to reduce carbon emissions in line with aspirational and minimum required targets or relevant limits.

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 thus approved.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with policies SI 2 and SI 7 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.44 **Circular Economy Strategy**

Prior to the above ground works and following completion of RIBA Stage 4 of the development hereby approved, a detailed Circular Economy Statement including a site waste management plan (or updated version of the approved Circular Economy Statement that reaffirms the approved strategy or demonstrates improvements to it), shall be submitted to and approved by in writing by the local planning authority.

The Circular Economy Statement must be prepared in accordance with the GLA Circular Economy Guidance and demonstrate that the development has been designed to meet the relevant targets set out in the guidance.

The end-of-life strategy included in the statement shall include the approach to storing detailed building information such as material passports relating to the structure, components and materials of the new building elements (and of the interventions to distinguish the historic from the new fabric)

REASON: To reduce carbon emissions, enhance climate resilience, promote the circular economy, and support low carbon development, in accordance with policy SI 7 of London Plan 2021, GLA guidance, Hackney Local Plan LP57 and the NPPF.

9.1.45 Circular Economy Pre-Demolition Audit

Prior to any works of deconstruction and demolition of the development hereby approved, full details of the pre-demolition audit in accordance with section 4.6 of the GLA's adopted Circular Economy Statement guidance shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the development is designed to meet the relevant targets set out in the GLA Circular Economy Statement Guidance.

REASON: To reduce carbon emissions, enhance climate resilience, promote the circular economy, and support low carbon development, in accordance with policy SI 7 of London Plan 2021, GLA guidance, Hackney Local Plan LP57 and the NPPF.

9.1.46 Be Clean (Pre-commencement)

Prior to the above ground works and following completion of RIBA Stage 4 of the development hereby approved, a revised set of information demonstrating the ability for future connection and provision of the required safeguarded, obstacle-free routes and defined interface points to an existing or future 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 on-site connection with pre-installed and capped with flange
- e) Details of pre-installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)

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

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

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 policies LP55 and LP56 of the

Hackney Local Plan 2033, policies SI 2, and SI 3 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.47 **Be Clean (Pre-occupation)**

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)

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

The applicant shall submit information to demonstrate consideration of and minimisation of the estimated energy costs to occupants and outline how they are committed to protecting the consumer from high prices. This shall cover the parameters set out in the guidance for CIBSE Code of Practice for Heat Networks and as referred to at outline planning stage. This should include a confirmation of the quality assurance mechanisms that will be considered as part of the strategy which shall be submitted to and approved in writing by the Local Planning Authority.

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 policies LP55 and LP56 of the Hackney Local Plan 2033, policies SI 2, and SI 3 of the London Plan 2021, and Section 14 of the National Planning Policy Framework.

9.1.48 **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.

9.1.49 Arboricultural Method Statement

No works shall commence on site (including demolition and site clearance) unless an Arboricultural Method Statement ("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 shall detail the methods of demolition and construction that will minimise harm to the retained group of trees protected by Tree Preservation Order 6 of 2016. The works shall not be carried out unless in 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 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.

9.1.50 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.

9.1.51 Landscape Scheme

Prior to the occupation of the development phase, detailed drawings and plans for the soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- Soil volumes for proposed tree planting demonstrating, where applicable, that soil volumes equivalent to at least two-thirds of the projected mature canopy area will be provided to achieve tree planting UGF score of 0.8;
- 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;

In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next planting season with others of similar size and species (unless the Local

Planning Authority gives written consent to any variation), and evidence of the replacement shall be submitted and approved in writing by the Local Planning Authority.

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

REASON: To ensure that the site protects and enhances biodiversity, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

9.1.52 Tree Protection

Tree and ground protection for all retained trees at the site and on adjacent land shall be undertaken in accordance with BS5837:2012 (Trees in relation to construction - Recommendations) and will protect the root protection area calculated as described in Table 2 of that British Standard for the duration of all site works (including demolition) undertaken in connection with the development hereby approved. The protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2012 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps.

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

9.1.53 Blinds

Prior to first occupation of the development, details of the following shall be submitted to and approved, in writing, by the Local Planning Authority. These details shall include:

- Technical specifications of the Ambient Light Sensors (ALS) used for operating internal blinds and curtains, ensuring they are calibrated to independently draw down as daylight diminishes to a level requiring internal artificial light.
- Evidence that automated timer-controlled roller blinds will be installed to all north-facing windows, programmed to remain lowered daily between the hours of 20:00 and 07:00.
- Light fittings are controlled through the use of sensors.
- Confirmation that the balconies will not be externally lit.
- The development shall not be undertaken otherwise than in accordance with the details hereby approved, which shall be installed in full prior to the first occupation of the development and maintained thereafter for the lifetime of the development.

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

9.1.54 Bird & Bat Boxes

Prior to the occupation of the development hereby approved, details and full specifications of bird boxes, swift bricks/boxes, and bat boxes, 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 4 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 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 2033 policy LP47.

9.1.55 Bee Bricks

Prior to the above ground works of the development hereby approved, full specifications of a minimum of 2 bee bricks incorporated into the design of the development shall be submitted to and approved in writing by the Local Planning Authority. The bricks shall be placed in a sunny location at least 1 metre above ground level, in close distance to pollinator friendly planting.

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

REASON: To support bee populations in Hackney and preserve endangered urban biodiversity in accordance with Hackney's Local Plan 2033 policy LP47.

9.1.56 Bird Survey

Prior to any demolition or site clearance works undertaken in bird nesting season, a pre-works ecological check for nesting birds must be carried out by a suitably qualified ecologist. The pre-works check for nesting birds must be undertaken no longer than 48 hours prior to commencement of any demolition or site clearance works. If nesting birds are identified on site then no demolition works or site clearance works may commence until a further pre-works ecological check for birds is undertaken (no longer than 48 hours before any demolition or site clearance commences) and which identify no nesting birds.

The findings and recommendations of all surveys, including any necessary mitigation or avoidance measures, must be submitted to the Local Planning Authority within 2 weeks of the commencement of any demolition or site clearance works. Works shall proceed strictly in accordance with the recommendations. This condition will not be fully discharged until the LPA has approved the surveys in writing.

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

9.1.57 Bat Survey

Prior to any demolition or site clearance works undertaken between May - August, a bat dusk survey must be undertaken by a suitably qualified ecologist to establish the likely presence of a bat roost on site.

Prior to any demolition or site clearance works undertaken outside of May - August, a pre-works bat check must be undertaken by a suitably qualified ecologist to establish the likely presence of a bat roost on site

The pre-works checks must be undertaken no longer than 48 hours prior commencement of any demolition or site clearance works. If bat roosts are identified on site then no demolition works or site clearance works may commence until a further pre-works ecological check for bats are undertaken (no longer than 48 hours before any demolition or site clearance commences) and which identify no bat roosts.

The findings and recommendations of all surveys, including any necessary mitigation or avoidance measures, must be submitted to the Local Planning Authority within 2 weeks of the commencement of any demolition or site clearance works. Works shall proceed strictly in accordance with the recommendations. This condition will not be fully discharged until the LPA has approved the surveys in writing.

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

9.1.58 Wildlife Protection Measures

No development shall commence until a Construction Environmental Management Plan (CEMP), detailing precautionary working methods to protect wildlife, has been submitted to and approved in writing by the Local Planning Authority. The development shall be

executed strictly in accordance with the approved plan throughout the construction period. These measures must include:

- All fuel and chemicals must be stored in a secure, bunded, and locked area.
- Immediate remediation protocols for any accidental spillages.
- At the end of each working day, all open excavations must either be securely covered or provided with mammal escape routes (e.g., sloped earth ramps or sturdy wooden planks).
- All exposed pipework must be capped off at the end of each day to prevent animals becoming trapped.
- Sensitive lighting scheme during construction, to minimise light pollution onto the canal.

REASON: To protect and preserve urban biodiversity in accordance with Policy LP47 of the Hackney Local Plan 2033.

9.1.59 **Waterway Wall**

Prior to the commencement of the development hereby approved, a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal & River Trust. The development shall be carried out in accordance with the approved details.

REASON: To ensure, prior to work starting on site, that there is no adverse impact on the structural integrity of the Regent's Canal as a result of the proposed development.

9.1.60 **Lighting**

Prior to the occupation of the development hereby permitted, full details of the proposed lighting (to include a lux plan indicating any light spill over the waterspace) shall be submitted to and approved in writing by the Local Planning Authority, and implemented as agreed.

REASON: To ensure that there is no light spill that causes adverse impacts on the ecology of the Regent's Canal.

9.1.61 **Waterborne Transport Feasibility**

Prior to the commencement of the development hereby permitted, a feasibility study shall be carried out to assess the potential for moving material by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the waterways is not physically or economically feasible.

REASON: To encourage, prior to development starting on site, the use of the waterways for transporting waste and bulk materials in accordance with Policy SI 15 of the London Plan 2021.

9.1.62 Accessible Dwellings

At least 10% units 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) prior to first occupation and shall be retained as such thereafter. The remaining dwellings should also be built and maintained to a minimum of M4 (2) standard.

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

9.1.63 No new pipes and plumbing

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

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.

9.1.64 No roof plant

No roof plant, including all external enclosures, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building.

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

Recommendation B

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

Affordable Housing

- Early and late Stage review mechanisms

Affordable Workspace

- No less than 148 sqm GIA of the E(g) Use Area floorspace to be provided in accordance with the Affordable Workspace Policies and Affordable Workspace Statement and located at ground floor level (60% of local market rents in perpetuity).

Highways & Transportation

- Car Free Development (Non-Blue Badge Holders) to restrict new residential and business uses of the development from obtaining parking permits to park in the surrounding CPZ bays
- Car Club Credits for future occupiers
- Travel Plan monitoring fee of £2,000
- Travel Plan

- Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring fee of £8,750
- S278 Highways Works for LBH of £67,000
- Funding for the conversion of one standard vehicle parking bay to a Blue Badge parking bay.

Hackney Works Contribution

- Employment and Training Contribution of £16,222.50 towards Construction and Demolition and £43,152 towards End Use.

Employment, Skills & Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Commitment to the Council's local labour and construction initiatives (25% local labour on site employment and 25% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council;
- A support fee of £1,500 per apprentice placement;
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough;
- Considerate Constructors Scheme.

Sustainability

- Reporting and monitoring in line with the London Plan requirements
- Carbon offset safeguard in the event that performance standards are not met

Open Space

- Commercial Open Space Contribution of £31,686.50 to reflect the underprovision of on-site open space by 276 sqm.

Costs

- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement, payable prior to completion of the deed.
- Monitoring costs payable on completion of the agreement.

Recommendation C

- 9.3 That the Sub-Committee grants delegated authority to the Assistant Director Planning and Building Control (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions and legal agreement heads of terms 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

The following informatives should be added:

- SI.1 Building Control
- SI.7 Hours of Building Works
- SI.11 Advertisements
- SI.24 Naming and Numbering
- SI.50 S106 Agreement
- SI.57 CIL

Out of Hours Work / S61 Application

The Control of Pollution Act 1974 allows the council to set times during which works can be carried out and the methods of work to be used. Contractors may apply for prior approval for works undertaken outside of normal working hours. They should email the Environmental Protection Section at environmental.protection@hackney.gov.uk to obtain a section 61 application form. Please note that the council has 28 days to process such applications.

Groundwater Risk Management Permit (Thames Water)

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Minimum Pressure (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.

Underground Water Assets (Thames Water)

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

Radon

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

UXO Study

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

Access and Oversailing of the Canal (Canal & River Trust)

Access to, or oversailing of, the Canal & River Trust’s land or water during the construction and operation of the development must be agreed in writing with the Canal & River Trust before development commences. Please contact Bernadette McNicholas in the Canal & River Trust’s Estate Team for further information.

Canal & River Trust Code of Practice

The applicant/developer should refer to the current Canal & River Trust “Code of Practice for Works affecting the Canal & River Trust” to ensure that any necessary consents are obtained, and liaise with the Trust’s Third Party Work’s Engineer for more advice.

Surface Water Discharge (Canal & River Trust)

Any surface water discharge to the Regent’s Canal will require prior consent from the Canal & River Trust. Please contact the Trust’s Utilities Team at utilitiesenquiry@canalrivertrust.org.uk.

Secure by Design

The applicant must seek the continual advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk.

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

Natalie Broughton - Assistant Director of Planning & Building Control

No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact Officer
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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>	Alix Hauser Planning Officer X 6377	1 Hillman Street London E8 1DY
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