



P L A N N I N G S U B - C O M M I T T E E

**Wednesday 6 March 2024 at 6.30pm
Council Chamber, Hackney Town Hall**

Addendum - For Agenda Items 5 and 6

**Dawn Carter-McDonald
Interim Chief Executive
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Planning Sub-Committee

Wednesday 6 March 2024

Addendum - For Agenda Items 5 and 6

- 5 2023/0362: Technico House, 4 Christopher Street, 56 & 58 Wilson Street and 1,3 & 5 Earl Street, London EC2A (pages 3-10)**

- 6 2022/0995: 18 French Place, London, E1 6JB (pages 11 – 18)**

LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE
06/03/2024

ADDENDUM SHEET

ITEM 5: 2023/0362: Technico House, 4 Christopher Street, 56 & 58 Wilson Street and 1,3 & 5 Earl Street

Sustainability Conditions:

Subsequent to the submission of the committee report, the Council has engaged with the applicant to ensure that there are no elements of the sustainability conditions that counterproductively require compliance with standards that would be to the detriment of the overall sustainability of the building. As such, the proposed sustainability conditions are considered to be robust and comprehensive with the following amended wording:

8.1.8a Embodied carbon targets

Prior to the commencement of the above ground works 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 by the Local Planning Authority, providing full details to demonstrate the design measures that have been explored to achieve the standards set out in the Whole Life Carbon assessment hereby approved (prepared by Atelier Ten dated 09/12/2022), subject to feasibility and the availability of materials:

- a) Upfront embodied carbon (modules A1-A5) 743 kg CO₂e/sqm – excluding sequestration - the developer will be expected to demonstrate and quantify how further design works have been carried out to align with the aspirational target of 500kgCO₂e/sqm
- b) Life embodied carbon (modules A1-A5, B1-B5, C1-C4) 1,112 kg CO₂e/sqm - including sequestration
- c) Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO₂e/sqm - excluding sequestration
- d) Updated Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment template

The development 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

8.1.8b Embodied carbon targets

Prior to the occupation of the development, 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) in kg CO₂e/sqm – excluding sequestration
- b) Life embodied carbon (modules A1-A5, B1-B5, C1-C4) in kg CO₂e/sqm – excluding sequestration

- c) Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO2e/sqm - excluding sequestration
- d) Final as built Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment template

The final as-built GLA WLC assessment should also 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/implementing-london-plan/london-plan-guidance/whole-life-cycle-carbon-assessments-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.9a Circular Economy

Prior to the commencement of the above ground works of the development hereby approved, a revised Circular Economy statement (including an updated GLA Circular Economy Statement) shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate that, where feasible, steps and recommended actions have been taken to design for a circular economy, and the following actions have been undertaken, as set out in the hereby approved Circular Economy statement (prepared by Atelier Ten dated November 2023):

- a) Approaches as listed in the CE Strategic Approach table 3.1
- b) Approaches as listed in section 17 of Pre Demolition Audit prepared by Reusefully dated October 2023
- c) Updated Greater London Authority - Circular Economy Statement template

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.

8.1.9b Circular Economy

Prior to the occupation of the development, a Final "as-built" Circular Economy statement 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) Final Circular Economy Statement
- b) Final as built Greater London Authority - Circular Economy Statement template
- c) Final as built supporting reports: Pre-Redevelopment Audit, Pre-Demolition Audit, Operational Waste Management Plan, Construction Waste Management Plan, Bill of Material, Cradle to Cradle certification

In addition, the final as-built Circular economy statement should be also 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/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.22a Energy Statement

Prior to the commencement of above ground works for the development, a revised Energy Statement shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate that the “Be Lean, Be Clean and Be Green” energy reductions against Part L 2021 and the Energy Use Intensity target have been achieved or improved upon as set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten dated August 2023) and Addendum to Energy Statement (prepared by Atelier Ten):

- a) Minimum carbon savings of 8.8% against Part L 2021 through the “Be Lean” stage
 - b) Minimum overall carbon savings of 12% against Part L 2021
 - c) Energy Use Intensity of 91.5 kWh/sqm/yr with an aspiration target of using a predictive modelling TM54 calculation methodology - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the aspirational target of 55 kWh/sqm/yr
 - d) A third party review report of the as-designed TM54 calculation
 - e) Updated GLA Carbon Emission Reporting Spreadsheet
- 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

8.1.22b Energy Statement

Prior to the occupation of the development, 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) As-built Space Heating demand in kWh/sqm/yr using as-built modelling calculations
- d) As-built Energy Use Intensity in kWh/sqm/yr using as-built modelling calculations
- e) Final GLA Carbon Emission Reporting Spreadsheet

Where compliance is not met, a remedial plan and associated cost plan or a justification as to why compliance cannot be met shall be submitted to and approved, in writing, by the Local Authority prior to the occupation of development, detailing, where relevant, 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/pr-e-planning-application-meeting-service/energy-planning-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.23 Overheating

Prior to the commencement of above ground works for the development a dynamic overheating risk assessment shall be submitted to and approved, in writing, by the Local Authority, in writing, assessing a representative sample of the office spaces following the CIBSE TM52 (nonresidential) methodology against weather files CIBSE TM49 DSY2 & DSY3.

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

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

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 carbon development and construction

8.1.24a MVHR - Ventilation with heat recovery

Prior to the commencement of above ground works for the development, 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 compliance with the objectives set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten)

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.24b MVHR - Ventilation with heat recovery

Prior to the occupation of the development, full details including as built ventilation system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MSC registered installer 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. The development 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 or a justification why compliance cannot be met shall be submitted to and approved, in writing, by the Local Authority prior to the occupation of development, detailing the necessary measures to meet the required target level of performance.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.25 Be Clean

Prior to the commencement of above ground works for the development, updated evidence of correspondence between the applicant, the relevant local authority and network provider confirming whether the identified DHN has the capacity to serve the development shall be submitted to the Local Planning Authority.

In the event sufficient capacity is identified, the following information shall be submitted to and approved, in writing, by the Local Planning Authority:

- a) 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 include, but not be limited to:

- Details of 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
- Identification of who will be responsible to implement the upgrade

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.

8.1.26a Heat pump - Heating

1) Prior to the commencement of above ground works for the development, full details including heating 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 compliance with the objectives set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten dated August 2023):

- a) Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- b) Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

The heat pump thereby approved shall be installed prior to occupation of the development

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.26b Heat pump - Heating

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

The development 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 or justification why compliance cannot be met must be submitted to and approved, in writing, by the Local Authority, and where relevant, detailing the necessary measures to meet the required level of performance, prior to the occupation of the development.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.27 BREEAM

1) Prior to any works of demolition (excluding soft-strip the BREEAM pre assessment for the retail units shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate at least BREEAM NC 2018 Rating of "Excellent", seeking to achieve the maximum number of water credits.

2) Prior to the commencement of above ground works for the development hereby approved, the confirmation of the submission of both BREEAM Interim Design Stage Assessments to the BRE shall be submitted to the Local Planning Authority and the Interim Design Stage Assessment shall, on receipt from the BRE, be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate at least the following standards have been met:

- a) BREEAM NC 2018 Rating of "Outstanding" for office;
- b) BREEAM NC 2018 Rating of "Excellent" for retail; and
- c) Seeking to achieve the maximum number of water credits for each part of the development.

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

3) Within 12 weeks of occupation of the development, confirmation of the submission of both BREEAM Final Post Construction Assessment to the BRE shall be submitted to the Local Planning Authority and, on receipt from the BRE both BREEAM Final Design Certificates shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details confirming the final rating and that credits have 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

8.1.39 PV panels

Prior to the occupation of the development hereby approved, full details including installation certificates by MSC registered installer must be submitted to and approved, in writing, by the Local Authority providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten dated August 2023)

- a) Solar PV panels capacity of 48.4 kWp; and
- b) Solar PV panels array of 238 sqm or justification as to why this area cannot be achieved.

The development 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 or justification why compliance cannot be met must be submitted to and approved, in writing, by the Local Authority, and where relevant, detailing the necessary measures to meet the required level of performance, prior to the occupation of the development.

REASON: In the interest of addressing climate change and securing sustainable and net zero and net zero carbon development and construction.

8.1.40 *NABERS*: This condition is no longer required, since a third party review report of the as-designed TM54 calculation has been agreed in condition 8.1.22 (Energy Statement). This also reflects uncertainty as to the continued existence of NABERS as an applicable standard at this time.

Heads of Terms Paragraph 8.2:

The Heads of Terms should be amended to reflect that, while the scope of the Public Realm and Highways Works is agreed, the itemised costs of those agreed works will be subject to review prior to the signing of the legal agreement:

1. The agreement under Section 278 of the Highways Act will require payment of a public realm contribution. The scope of the works is agreed and the estimated cost of works is £1,908,174.96, with the final cost (to be subject to indexation) to be agreed prior to the signing of the legal agreement.
2. Financial contribution to the Council to deliver open space enhancement works as a payment in lieu to offset on-site open space shortfalls: £781,630.36
3. S278 agreement for essential works to the public highway, including reinstatement of footways and carriageways surrounding the site. The scope of the works is agreed and the estimated cost of works is £497,658.26, with the final cost (to be subject to indexation) to be agreed prior to the signing of the legal agreement.

In addition, TfL have now costed the provision of the Finsbury Circus Cycle Hire hub and the following amendment should be made to the relevant Head of Terms:

18. Closure of the Christopher Street docking station for the duration of the demolition and construction will require payment to TfL for a 'cycle hire hub' on Finsbury Circus: £351,458.54 for two years construction time, with a clause allowing further payments, should these be necessary for a longer period of construction.

ITEM 6: 2022/0995: 18 French Place, London, E1 6JB

The following paragraphs to be changed to:

5.1.2 The dwellings proposed would have a gross internal area (GIA) of 109 sqm for the ground

floor unit, **68 sqm** for the first floor unit and 65 sqm for the second and third floor units.

7.1.3 Details of materials, windows and doors

Full details, with samples and/or product images and specification, of all the facing materials to be used on the external surfaces of the buildings, including glazing and doors, shall be submitted to and approved by the Local Planning Authority in writing **prior to the commencement of above ground works**. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is of a high quality and integrates with the host building and Conservation Area.

7.1.16 Green/Brown Roof

A bio-diverse, substrate-based extensive brown roof (80mm minimum depth) should be established on the roof of the proposal as shown on the approved plans. Full details thereof shall be submitted and approved in writing by the local planning authority, **prior to the commencement of above ground works**. The development shall not be carried out otherwise than in accordance with the details thus approved, and retained and maintained thereafter.

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

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

NATALIE BROUGHTON
Assistant Director Planning & Building Control

LONDON BOROUGH OF HACKNEY	
PLANNING SUB-COMMITTEE 06/03/2024	ADDENDUM SHEET

ITEM 5: 2023/0362: Technico House, 4 Christopher Street, 56 & 58 Wilson Street and 1,3 & 5 Earl Street

Sustainability Conditions:

Subsequent to the submission of the committee report, the Council has engaged with the applicant to ensure that there are no elements of the sustainability conditions that counterproductively require compliance with standards that would be to the detriment of the overall sustainability of the building. As such, the proposed sustainability conditions are considered to be robust and comprehensive with the following amended wording:

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REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.8b Embodied carbon targets

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REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.9a Circular Economy

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- a) Approaches as listed in the CE Strategic Approach table 3.1
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8.1.9b Circular Economy

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In addition, the final as-built Circular economy statement should be also submitted to the GLA at ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the relevant GLA – guidance

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REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

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8.1.22b Energy Statement

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- b) As-built G-values for windows and doors using relevant datasheets
- c) As-built Space Heating demand in kWh/sqm/yr using as-built modelling calculations
- d) As-built Energy Use Intensity in kWh/sqm/yr using as-built modelling calculations
- e) Final GLA Carbon Emission Reporting Spreadsheet

Where compliance is not met, a remedial plan and associated cost plan or a justification as to why compliance cannot be met shall be submitted to and approved, in writing, by the Local Authority prior to the occupation of development, detailing, where relevant, 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 -

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REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction

8.1.23 Overheating

Prior to the commencement of above ground works for the development a dynamic overheating risk assessment shall be submitted to and approved, in writing, by the Local Authority, in writing, assessing a representative sample of the office spaces following the CIBSE TM52 (nonresidential) methodology against weather files CIBSE TM49 DSY2 & DSY3.

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

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

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REASON: In the interest of addressing climate change and securing sustainable and net zero carbon development and construction

8.1.24a MVHR - Ventilation with heat recovery

Prior to the commencement of above ground works for the development, 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 compliance with the objectives set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten)

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.24b MVHR - Ventilation with heat recovery

Prior to the occupation of the development, full details including as built ventilation system (or any other related fixed plant adopted) specification and supporting drawings and installation certificates by an MSC registered installer 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. The development 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 or a justification why compliance cannot be met shall be submitted to and approved, in writing, by the Local Authority prior to the occupation of development, detailing the necessary measures to meet the required target level of performance.

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8.1.25 Be Clean

Prior to the commencement of above ground works for the development, updated evidence of correspondence between the applicant, the relevant local authority and network provider confirming whether the identified DHN has the capacity to serve the development shall be submitted to the Local Planning Authority.

In the event sufficient capacity is identified, the following information shall be submitted to and approved, in writing, by the Local Planning Authority:

- a) 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 include, but not be limited to:

- Details of 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
- Identification of who will be responsible to implement the upgrade

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

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8.1.26a Heat pump - Heating

1) Prior to the commencement of above ground works for the development, full details including heating 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 compliance with the objectives set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten dated August 2023):

- a) Details of location of the condenser units from the heat pump systems and noise solutions to mitigate impact for nearby sensitive receptors;
- b) Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

The heat pump thereby approved shall be installed prior to occupation of the development

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8.1.26b Heat pump - Heating

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

The development 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 or justification why compliance cannot be met must be submitted to and approved, in writing, by the Local Authority, and where relevant, detailing the necessary measures to meet the required level of performance, prior to the occupation of the development.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction.

8.1.27 BREEAM

1) Prior to any works of demolition (excluding soft-strip the BREEAM pre assessment for the retail units shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate at least BREEAM NC 2018 Rating of "Excellent", seeking to achieve the maximum number of water credits.

2) Prior to the commencement of above ground works for the development hereby approved, the confirmation of the submission of both BREEAM Interim Design Stage Assessments to the BRE shall be submitted to the Local Planning Authority and the Interim Design Stage Assessment shall, on receipt from the BRE, be submitted to and approved, in writing, by the Local Planning Authority, providing full details to demonstrate at least the following standards have been met:

- a) BREEAM NC 2018 Rating of "Outstanding" for office;
- b) BREEAM NC 2018 Rating of "Excellent" for retail; and
- c) Seeking to achieve the maximum number of water credits for each part of the development.

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

3) Within 12 weeks of occupation of the development, confirmation of the submission of both BREEAM Final Post Construction Assessment to the BRE shall be submitted to the Local Planning Authority and, on receipt from the BRE both BREEAM Final Design Certificates shall be submitted to and approved, in writing, by the Local Planning Authority, providing full details confirming the final rating and that credits have 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

8.1.39 PV panels

Prior to the occupation of the development hereby approved, full details including installation certificates by MSC registered installer must be submitted to and approved, in writing, by the Local Authority providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved Energy and Sustainability Statement Rev P05 (prepared by Atelier Ten dated August 2023)

- a) Solar PV panels capacity of 48.4 kWp; and
- b) Solar PV panels array of 238 sqm or justification as to why this area cannot be achieved.

The development 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 or justification why compliance cannot be met must be submitted to and approved, in writing, by the Local Authority, and where relevant, detailing the necessary measures to meet the required level of performance, prior to the occupation of the development.

REASON: In the interest of addressing climate change and securing sustainable and net zero and net zero carbon development and construction.

8.1.40 *NABERS*: This condition is no longer required, since a third party review report of the as-designed TM54 calculation has been agreed in condition 8.1.22 (Energy Statement). This also reflects uncertainty as to the continued existence of NABERS as an applicable standard at this time.

Heads of Terms Paragraph 8.2:

The Heads of Terms should be amended to reflect that, while the scope of the Public Realm and Highways Works is agreed, the itemised costs of those agreed works will be subject to review prior to the signing of the legal agreement:

1. The agreement under Section 278 of the Highways Act will require payment of a public realm contribution. The scope of the works is agreed and the estimated cost of works is £1,908,174.96, with the final cost (to be subject to indexation) to be agreed prior to the signing of the legal agreement.
2. Financial contribution to the Council to deliver open space enhancement works as a payment in lieu to offset on-site open space shortfalls: £781,630.36
3. S278 agreement for essential works to the public highway, including reinstatement of footways and carriageways surrounding the site. The scope of the works is agreed and the estimated cost of works is £497,658.26, with the final cost (to be subject to indexation) to be agreed prior to the signing of the legal agreement.

In addition, TfL have now costed the provision of the Finsbury Circus Cycle Hire hub and the following amendment should be made to the relevant Head of Terms:

18. Closure of the Christopher Street docking station for the duration of the demolition and construction will require payment to TfL for a 'cycle hire hub' on Finsbury Circus: £351,458.54 for two years construction time, with a clause allowing further payments, should these be necessary for a longer period of construction.

ITEM 6: 2022/0995: 18 French Place, London, E1 6JB

The following paragraphs to be changed to:

5.1.2 The dwellings proposed would have a gross internal area (GIA) of 109 sqm for the ground

floor unit, **68 sqm** for the first floor unit and 65 sqm for the second and third floor units.

7.1.3 Details of materials, windows and doors

Full details, with samples and/or product images and specification, of all the facing materials to be used on the external surfaces of the buildings, including glazing and doors, shall be submitted to and approved by the Local Planning Authority in writing **prior to the commencement of above ground works**. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is of a high quality and integrates with the host building and Conservation Area.

7.1.16 Green/Brown Roof

A bio-diverse, substrate-based extensive brown roof (80mm minimum depth) should be established on the roof of the proposal as shown on the approved plans. Full details thereof shall be submitted and approved in writing by the local planning authority, **prior to the commencement of above ground works**. The development shall not be carried out otherwise than in accordance with the details thus approved, and retained and maintained thereafter.

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

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

NATALIE BROUGHTON
Assistant Director Planning & Building Control