



Appeal Decision

Site visit made on 16 September 2025

by **H Porter BA(Hons), PGDip, MSc IHBC**

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/U5360/W/25/3368258

Holiday Inn Express, 275 Old Street, Hackney, London, EC1V 9LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Firoka (City) Limited against the Council of the London Borough of Hackney.
 - The application Ref is 2025/0112.
 - The development proposed is redevelopment to provide a part-1, part-2, part-3 storey extension comprising additional hotel bedrooms (Use Class C1), refurbishment of the building including alterations to external elevations and reconfiguration of the ground floor and introduction of a cafe (Use Class E) with associated cycle parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for redevelopment to provide a part-1, part-2, part-3 storey extension comprising additional hotel bedrooms (Use Class C1), refurbishment of the building including alterations to external elevations and reconfiguration of the ground floor and introduction of a cafe (Use Class E) with associated cycle parking and landscaping at Holiday Inn Express, London, EC1V 9LN in accordance with the terms of the application, Ref 2025/0112, subject to the conditions in the attached schedule.

Preliminary Matters

2. At the time of making the appeal, the appellant submitted an updated drawing pack with some minor revisions to resolve drawing inconsistencies. The revisions have not fundamentally changed the scheme that was considered by the Council when preparing its Statement of Case. I do not consider it would lead to any procedural unfairness to consider the appeal on the basis of the updated drawings.
3. During the course of the appeal, the appellant submitted a Unilateral Undertaking (UU), made under Section 106 of the Town and Country Planning Act and dated 23 October 2025 (the October '25 UU). The October '25 UU reflects increased carbon off-setting contributions and amendments to the monitoring fees, following the Council's representations on the superseded version. I consider the October '25 UU against the relevant tests towards the end of this decision letter.
4. The appeal site is adjacent to, but outside the boundaries of, the South Shoreditch Conservation Area (SSCA) and the Pitfield Street Conservation Area (PSCA) and close to various listed buildings. Notwithstanding iterations of the SoCG infer that the proposed development would not give rise to any heritage impacts¹, the Council's SoC cites harm to the setting of the SSCA as well as two Grade II listed

¹ 7.5 p. 11 Draft SoCG 25 June 2025; and, p 11 SoCG 8 September 2025

buildings². In reaching my decision, I have borne in mind the statutory duty under s66(1) of the Act³ and sought further representations from the parties in relation to two other listed buildings and their settings nearby⁴. Based on the responses received, and my own observations, I am satisfied that the appeal scheme would preserve the settings and special interest of listed buildings, other than those considered in the reasoning below.

Background and Main Issues

5. The appeal site, which is occupied by a five-storey hotel, benefits from extant planning permission, granted in April 2024 (LPA ref. 2023/0954) (the 2024 scheme). Amongst other things, the 2024 scheme involved the hotel's refurbishment and up to two storey extension, provision of an additional 89 hotel bedrooms and a ground floor cafe. Subsequent to that consent, the appellant sought planning permission for an alternative proposal, comprising further upward extension, the provision of 14 further bedrooms, larger cafe floorspace, and elevational design changes. The Council failed to give notice of its decision within the statutory period on the subsequent application, the subject of this appeal.
6. I consider the main issues in this appeal are:
 - The effect of the proposed development on local character and distinctiveness, including its effect on the significance of relevant designated heritage assets; and,
 - whether the appeal scheme would secure sufficient energy efficient measures or financial contributions towards carbon offsetting.

Reasons

Existing local character and significance of heritage assets

7. The appeal site is situated along Old Street, a bustling commercial thoroughfare in east London where the surrounding townscape is varied, reflecting the area's layered history and built evolution. Running along the appeal site's rear boundary, Boot Lane has a quieter, secondary nature, underscored by the service functions at the rear of the appeal site and lower-rise and finer urban grain of development beyond.
8. The SSQA captures a large area that wraps to the east and south of the appeal site, encapsulating the network of narrow streets around Hoxton Square as well as a large area to the south of Old Street. The significance of the SSQA as a whole is informed by its development as an industrial suburb in the mid-to-late 19th century and influenced by the four to five storey former retail and warehouse buildings that line the main thoroughfares and smaller-scale buildings behind the main frontages. The strong building line and relatively consistent scale of traditional buildings along Old Street that extend eastwards creates a channelled view towards the square tower of Shoreditch Town Hall.

² Grade II listed 8 and 10 Pitfield Street N1 (List Entry Number: 1235279) (Nos. 8 & 10); Grade II listed Shoreditch Town Hall (List Entry Number: 1235232)

³ s66(1) of the Planning (Listed Buildings and Conservation Areas) Act (the Act). As the proposal does not concern land or buildings in a conservation area, nor an application for listed building consent, s72(1) nor s16(1) of the Act are not of relevance.

⁴ Grade II listed building known as 324 Old Street, a former congregational chapel; and, the Grade II listed building known as 340 and 342 Old Street, comprising two early 18th century double span buildings

9. The boundaries of the PSCA encapsulate the development fronting Pitfield Street and the streets off it but exclude the appeal site. The historic route structure, linear views along Pitfield Street, surviving 19th century buildings, including the Grade II listed pair of late Georgian townhouses immediately adjacent to the appeal site, are components that make a valuable contribution to the character and appearance of the PSCA as a whole and to its significance as a designated heritage asset.
10. The existing hotel presents an unassuming, albeit somewhat dated, background building that marks a clear transition where a more intimate townscape transforms to the larger scale, more commercial thoroughfare of Old Street. In views from the Hoxton Square character area of the SSCA⁵, the recently completed 26-storey hotel opposite rises above the appeal site, unmistakably influencing its context as being palpably in excess of five or so storeys. While the appeal site offers a definite terminating feature within their settings, its contribution to the significance of the SSCA and PSCA as designated heritage assets is neutral.
11. The Grade II listed Shoreditch Town Hall was formerly a vestry hall constructed in phases from between the late 1860s and late 1930s; the significance and special interest of which derives from its architectural detailing, its use, and adaptation over time. As a symbol of the status and wealth of the area at the end of the 19th century, the building's elaborate detailing, size and grandeur, manifest in its square tower, are part of its special architectural and historic interest.
12. Views to the Town Hall serve to emphasise its landmark and symbolic status, this includes the channelled view gained along Old Street, in the vicinity of the appeal site. There is a subtle curve to Old Street, which adds a kinetic nature to views along it. These vantages are within the wider setting of the listed Town Hall and contributes, albeit in a relatively modest way, to an appreciation and understanding of its significance and special interest. The prominence of the tower as a focal point within the streetscape also contribute to the experience of the listed building from the wider setting of the SSCA and also makes a valuable contribution to its significance as a designated heritage asset.
13. According to the statutory list description, the Grade II listed building '8 and 10 Pitfield Street' (Nos. 8 & 10) comprises two early 19th century buildings, with possibly earlier cores, ground floor shop fronts and stock brick upper storeys. In spite of some variation between individual houses and shopfronts, and the addition of a continual mansard roof extension, the special interest and significance of the Grade II listed building is partly derived from its classically ordered arrangement, surviving architectural detailing and historic fabric, as well as historic interest as a remnant of an earlier late-Georgian townscape.
14. The surroundings of Nos. 8 & 10 have undergone substantial transformation over time, shaped in part by slum clearance, wartime bomb damage, and shifts in the area's economic viability throughout the 20th century. The appeal site reflects this evolving context, marked by a pronounced contrast in scale, age, detailing, and materials. Consequently, aside from highlighting the special interest of Nos. 8 and 10 as a surviving fragment of the former Georgian townscape, the appeal site makes a neutral contribution to the listed building's significance and special interest.

⁵ South Shoreditch Conservation Area Appraisal and Management Plan, 2021 p. 5(Character Areas)

15. The notable shift in scale, land use and character between Old Street and the more intimate townscape around Hoxton Square tells of its historic uses and character. Materials locally tend to reflect the area's built evolution. Yellow stock brick and slate roofs predominate in earlier buildings; however, later engineered and coloured brick, horizontal glazing, render and metal cladding are also prevalent. Traditional buildings of modest scale and finer-grain development are characteristic features of the townscape within the boundaries of the SSCA and PSCA. That said, the area has also seen significant change from the late 20th century onwards, including the development of taller buildings, with contemporary architectural expressions and varied material palettes.
16. The appeal building is one such later 20th century intervention into the Old Street streetscape, which subsumes the entire block from Pitfield Street to Coronet Street. Its scale, form and footprint are already at odds with the finer urban grain and plot division that characterises some streets and spaces nearby, including in the SSCA and PSCA. Featuring a rendered central element, dark grey brick and blackened glass ground floor, glazed corner towers and grey metal-clad upper storey, the material treatment of the existing building is relatively generic and 'of its day'. With just two entrances, one at the front and one at the rear, the existing building offers bland and inactive frontages that detract from the ground floor vibrancy of Old Street and the local area.

The proposal's effect

17. The appeal scheme would redevelop and renovate the appeal site and increase its scale in part by one, two and three storeys. The principle of refurbishment and some increase in scale have already been established through the consented scheme. By comparison, the appeal scheme would introduce a different external expression and a further increase in height, concentrated towards the centre and rear of the appeal site. A more consistent building line would be introduced along the building's principal elevations, as well as a ground floor café with splayed entrance at the corner of Old Street and Coronet Street. The proposed west elevation would introduce a narrow stairwell link element and full-height glazing up to mezzanine level at Pitfield Street.
18. Although the language may be subtle, there is a clear architectural intention behind the brick latticing and partial setback of the principal Old Street elevation. The layering of the brick grid of the principal elevations would also create a vertical emphasis and assist in breaking down the overall massing and bulk. The proposed application of the materials to the Old Street elevation, as well as different scales and building lines, would successfully reduce the relentlessness along the Old Street façade.
19. The footprint, scale and material treatment of the existing building already sets it apart. Although the increase in scale and massing, particularly along the Boot Lane elevation would be perceptible, there would be a degree of softening by the stairwell link element. The proposed single-storey parking and bike storage area would rationalise the service functions within this elevation and help alleviate the overall mass and bulk of the Boot Lane elevation. The recent development of a very tall building on the opposite side of Old Street would lessen the contrast between the appeal site and lower-rise townscape around it. Experienced in the context of a modernising and changing townscape, the proposal would continue to be experienced as an unassuming, albeit larger, background building. As such, the

surroundings from which the PSCA are experienced would be unharmed and the proposed development would make a neutral contribution to its significance as a designated heritage asset.

20. The proposal would reinforce an already evident distinction between the Grade II listed Nos. 8 & 10 and its broader, evolving urban context. Although there would be a further increase in the relative building height compared to Nos. 8 & 10, the legibility of this listed building as a surviving fragment of the former Georgian townscape would not be undermined. Indeed, considering the 2024 consent, the appeal proposal would have no greater dominating impact, rather, the proposed narrow link element would soften the transition between the listed building and its contemporary neighbour. I am therefore satisfied that the proposed development would preserve the setting of this Grade II listed building and cause no harm to its significance or special interest.
21. There would be a step down to the Coronet Street elevation, creating a more gradual transition to the lower-rise buildings that typify development within the SSCA. Experienced in the context of the traditional townscape within the SSCA fronting Old Street, the contrast with the lower-rise development within the Hoxton Square character area would be more obvious. Yet, the 2024 scheme would have had a similar impact. I consider that the appeal proposal would offer a subdued yet contemporary counterpoint that would fit with the area's ongoing evolution. The increase in scale would be experienced in the broader urban context and, in views from Hoxton Market, markedly influenced by the very tall building on the opposite side of Old Street. While it would be taller than the 2024 scheme, the appeal building would continue to be read as a clearly later intervention and transitional, terminating feature between distinct townscape areas. Overall, the prevailing street enclosure⁶ within the SSCA would also be maintained and the existing townscape and context respected.
22. That said, the proposed increase in scale at the appeal site would marginally impinge on views towards the tower of Shoreditch Town Hall from certain vantages along Old Street. The appeal site is outside of the SSCA boundary and the 'key view'⁷ towards the Town Hall tower beyond the appeal site would be maintained. Even so, in longer-distance views that introduce the Town Hall as a focal point within the SSCA, the appeal proposal would diminish the experience and ability to appreciate its significance. Inevitably, there would also be some residual harm to the significance of the SSCA through development within its setting. Relative to the SSCA as a whole, the degree of harm to its significance as a designated heritage asset would be less than substantial and at the lower end of that scale.
23. By the same effect, the symbolic status of the Town Hall would be reduced, resulting in some slight harm to its significance and special interest. Consequently, the setting of the Grade II listed building would not be preserved and, in some small way, its special interest harmed. Owing to the scale and nature of the proposal, the harm to the significance of this heritage asset would be less than substantial, and at the very lower end of that scale.
24. The proposed materials palette would be a mix of 'heritage' stock bricks, different tones of grey bricks, interspersed with grey render panels and powder coated aluminium fins, parapets and planters, with clear or sand-blasted glazing. The

⁶ SoC para 2.7

⁷ South Shoreditch Conservation Area Appraisal and Management Plan p. 25

proposed materials would provide some degree of material consistency as well as allowing some restrained contemporary expression for the revitalised building that would fit comfortably within the local context without overtly competing with it. In my view, the proposed material treatment and overall aesthetic expression would offer a subtle and considered upgrading, entirely fitting for the local context. I do not agree that the proposed materials imply a lack of durability or poor quality. Rather I am content that the quality and finish of materials, could be controlled via suitably worded conditions.

25. I consider that the proposed development offers an appropriate response and enhancement to the appeal site's context, including through layout, scale and appearance. There would be no harm to the appeal site, local character and distinctiveness nor conflict with LP Policies D1, D3 or D4 of The London Plan: the Spatial Development Strategy for Greater London, December 2020 (the LP).
26. I do not find that there would be conflict with the townscape, local character and context, and other requirements, of Policy LP1 Hackney Local Plan 2033, July 2020 (the HLP). However, criterion iv of Policy LP1 requires all new development preserves or enhances the significance of the historic environment and setting of heritage assets; while Policy HC1 of the LP requires development proposals affecting heritage assets, and their settings, conserve their significance. The harms identified in relation to the SSCA and the Grade II listed Shoreditch Town Hall leads to conflict with these policies.
27. Policy LP3 of the HLP, and the Framework, requires development that leads to less than substantial harm to the significance of a designated heritage asset be outweighed by the public benefit of the proposal. While the presumptive desirability of preserving a listed building or its setting must be given considerable importance and weight. I consider the heritage harms and the public benefits of the proposal in my overall planning and heritage balance.

Energy efficiency and carbon off-setting

28. In the absence of a legal agreement securing the financial contribution towards carbon off-setting, the Council raised concerns that the appeal scheme would fail to secure sufficient energy efficiency measures resulting in an unacceptable level of carbon dioxide emissions⁸. Policy LP55 of the HLP and Policy SL 2 of the LP seek to mitigate climate change including through achieving the maximum feasible reductions in carbon emissions and development that seeks to achieve a zero-carbon target; requires non-residential and major developments to achieve the BREEAM 'Excellent' rating; 15% reduction of carbon emissions through energy efficiency measures; and at least 10% energy needs from renewable sources onsite or locally.
29. As with the 2024 scheme, the appeal proposal involves retention and renovation of an existing building. In its SoC, the Council concedes that the minimum policy compliance for carbon savings would be met⁹ and that the BREEAM Excellent score would be achieved¹⁰. Furthermore, the target for 35% reductions in carbon emissions set out in the LP Policy SI2 would be met, and photovoltaic panels and heat pumps are incorporated into the design that, subject to control by condition,

⁸ Council's SoC para 5.3

⁹ Council's SoC para 4.87 and 4.94

¹⁰ SoC 4.94

would secure energy saving measures to reduce greenhouse gas emissions in operation while minimising energy demand.

30. I note the further concerns that the appeal scheme lacks robust justification for why more passive measures could not be integrated to reduce active cooling need. However, Policy LP54 of the HLP requires all new development must regulate internal and external temperatures, including through technologies which avoid overheating. Even if the GLA expectations relating to thermal modelling may not be met, the appeal scheme is supported by robust justification through the overheating analysis with a 5% window open scenario, given that openable windows are located at height and in a busy area. I am therefore satisfied that the mechanical ventilation system proposed would avoid overheating and do not find conflict with HLP Policy LP54.
31. Subsequent to the Council setting out its SoC, the appellant submitted the October '25 UU, which contains financial obligations to secure contributions towards carbon off-setting. The contributions would increase the amount secured for the 2024 scheme, to account for the new elements proposed and align with the commentary within the Council's CIL Compliance Statement. In light of this evidence, I am content that the necessary financial contributions towards carbon off-setting would be secured. For the purposes of the second main issue, I consider that the proposed development would be satisfactory in terms of energy efficiency measures and financial contributions towards carbon off-setting. I deal with the October '25 UU in relation to the Regulation 122 tests below.

Other Considerations

32. LP Policy G5 requires major development proposals contribute to the greening of London by including urban greening as a fundamental element of site and building design and incorporating measures such as high-quality landscaping. The Council has indicated that the appeal scheme would fall below the Urban Greening Factor (UGF) 'target score' of 0.3 recommended for predominantly commercial development. The explanatory text to LP Policy G5 indicates that urban greening measures will result in an increase in green cover and can cover a wide range of options. The proposed development includes areas of supplementary planting to the first and second floors, improving on the measures approved within the 2024 scheme and increasing the UGF accepted by the Council under the 2024 scheme. Bearing in mind that UGF 0.3 is a target score, not a required one, and that conditions can provide further controls on the quality of the urban greening measures, I am satisfied the proposal accords with LP Policy G5.
33. During the course of the appeal, the Council provided with a copy of a signed and fully executed S106 Agreement made between the appellant and the Council, dated 3 October 2024 (the s106 Agreement). The second and fifth schedules of this October '25 UU references the obligations set out in the second to fifth schedules of this s106 Agreement contains obligations relating to an Employment and Skills Plan, as well as Skills Training Plan, Travel Plan, Considerate Constructors Scheme; operation of a car free development; and agreement with TfL in relation to highways works. The appellant's solicitor has confirmed that these obligations remain binding in favour of the Council. Therefore, the relevant schedules would necessarily avoid conflict with policies within the development plan that seek to ensure developments are car free, contribute to local employment, and provide training opportunities.

Obligations

34. The October '25 UU reflects increased carbon off-set contributions and amendments to the monitoring fees, following the Council's representations on the superseded version. The Council provided a CIL Compliance Statement and confirmed the UU would provide a financial contribution of £11,951.42 towards the costs of monitoring of the legal obligations; £266,293 towards the delivery of carbon offsetting projects within the Borough; and £84,628.37 towards carrying out highways works. The statutory provisions also indicate that the provisions under the Second to Fifth Schedules (inclusive) of the previous s106 Agreement remain binding and enforceable by the Council. Obligations relating to an Employment and Skills Plan, a Skills Training Plan, and registration with the Considerate Constructors Scheme; operation of a car free development; and agreement with TfL in relation to highways works; travel plan would be necessary to ensure the development is satisfactory in respect of highways, minimising travel by private vehicle, and maximising local employment and training opportunities. Overall, having considered the UU and obligations and financial contributions within it are necessary to make the development acceptable in planning terms, as well as directly related, and fairly and reasonably related in scale and kind to the development. The statutory Regulation 122 tests would therefore be met.

Heritage and Planning Balance

35. I have found that the proposed development would fail to preserve the setting of the Grade II listed Shoreditch Town Hall, running counter to the statutory provisions of the Act, which is a matter of considerable importance and weight. There would also be harm to the significance of the SSCA through development affecting its setting. Bearing in mind the scale and nature of the proposals relative to the SSCA and Town Hall as designated heritage assets, the degree of harm to their significance would, in each case, be less than substantial and towards the very lower end of the 'spectrum' of less than substantial harm. The Framework gives great weight to the conservation of heritage assets and requires that less than substantial harm to the significance of a designated heritage asset be weighed against the public benefits of the proposal.
36. The Council considers that the 2024 scheme to represent the maximum quantum of development the appeal site and nearby assets could accommodate¹¹. The 2024 scheme provides a genuine fallback and intervention into the site and local townscape. While noting that the appeal scheme would be materially larger by comparison, it would only be by one further storey. With that additional scale of development, the appeal proposal would realise a further 14 bedrooms over and above the 89 bedrooms provided by the 2024 scheme. Those 14 additional bedrooms would contribute to a higher proportion of larger bedrooms, contributing towards reducing a deficit, and helping to meet projected demand of visitor accommodation across the Borough. Occupiers of the additional bedrooms would also feed into the local and wider economy. There would be further short-term economic benefits associated with a larger development and longer construction phase. The increase in bedrooms and commercial space will also benefit longer-term employment opportunities.

¹¹ Council's SoC para 4.11

37. Inevitably, matters of detailed design are subjective but, arguably, the appeal proposal offers a more reflective and considered building compared with the 2024 scheme. There would be a more subtle articulation of the Old Street elevation into three parts, which in my view positively responds to the local townscape in terms of elevational treatment. There would also be improved transparency at ground floor level, which would benefit the sense of vitality and activity along the building's frontages. The appeal scheme would also deliver a small betterment in the provision of urban greening, biodiversity enhancement, and improved internal access provision. There would also be an overall benefit associated with optimising the appeal site capacity, through a design-led approach, in a location that is well connected to jobs, services, and amenities.
38. On balance, I consider that the harms identified to the relevant designated heritage assets identified, and the great weight carried, would be outweighed by the sum of public benefits of the proposal. Accordingly, there would be no conflict with Policy LP3 of the HLP, nor the historic environment protection policies of the Framework. Notwithstanding the breach with policies relating to heritage assets and their settings, taken in the round, I consider that the appeal scheme would be in overall compliance with the development plan as a whole.

Conditions

39. Various conditions were suggested by the Council. As planning conditions should be kept to a minimum, comply with the 'six tests' within the PPG and Framework, and be drafted for precision and clarity, I re-worded a number of the suggested conditions. In the interests of natural justice, the parties were given the opportunity to comment on the re-drafted conditions and the appellant in respect of any different or differently worded pre-commencement conditions. The appellant confirmed agreement on 13 November 2025, the Council did not comment.
40. The Council included a suggested condition relating to NOx emissions. However, its wording did not include any implementation clause, timing or retention clause nor clear reference to policy. My re-drafted Construction Management condition includes reference to NOx and the SPG. However, as the Council did not offer any comment as to why a further condition might be necessary to make the development (post construction) acceptable in planning terms, I do not consider it would be reasonable to impose one.
41. Conditions setting out the timescale for the commencement of the development and list of approved plans are required in the interests of providing planning certainty and clarity. I have imposed separate conditions relating to design details and sample panels and drafted these to provide clarity, certainty and reduce the number of conditions. I have included external fittings, external doors, and roof plant that is not shown on the approved plans as part of the design detail requirements, also for certainty and clarity. Both of these design detail conditions are necessary in the interests of the character and appearance of the area and ensuring the external quality of the development is satisfactory. The details for external doors are also necessary in the interests of accessibility and avoiding obstruction of public footways.
42. Conditions requiring further details of cycle parking, a car parking management plan, and a delivery and servicing plan are necessary to ensure adequate provision is made for cyclists and blue badge holders and that the development

does not cause disruption to the local road network, or neighbouring occupiers, once in operation.

43. A condition requiring submission of a Construction Management Statement is necessary in the interests of local air quality and to minimise disruption during the construction stage. To reduce the number of conditions I have included the restrictions and requirements relating to non-road mobile machinery, reduction of dust and NOx as part of the Construction Management Statement provisions. Conditions that require details relating to BREEAM certification, heating and cooling performance and Solar PVs are all necessary to ensure the development achieves or exceeds the standards within the supporting energy statement documents and that the overall carbon dioxide emissions and air pollution generation of the development are minimised.
44. Conditions relating to the 'blue roof' planting, a planting strategy and planting maintenance are required in the interest of improving urban greening of the site. While a condition requiring bird and bat boxes are installed are necessary in the interests of ecology and biodiversity enhancement. Conditions that control the use of the café and planted areas, including the 'blue roof' are necessary to ensure the urban greening benefits are secured, and to ensure the living conditions of neighbours and future occupiers are protected. A condition requiring a scheme to keep plant and machinery noise below specified background levels is also necessary in the interests of protecting the living conditions of future, and neighbouring, occupiers of the development.
45. Conditions relating to piling, foul and surface water details are all necessary to minimise risks of pollution or flooding. While conditions to ensure the provision of air source heat pumps, overheating mitigation and solar photovoltaic (PV) panels, as well as provision of an Energy Statement are all necessary to ensure the development delivers sufficient energy efficient measures and in the interests of reducing carbon emissions.

Conclusion

46. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed and planning permission is granted.

H Porter

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos:
A-0000 Rev P2 (Site Location Plan); A-0001 Rev P3 (Proposed Block Plan); A-1000 Rev P1 (Existing Ground Floor Plan); A-1001 Rev P1 (Existing Mezzanine Layout); A-1002 EXISTING Rev P1 (Existing First / Typical Floor Layout); A-1003 Rev P1 (Existing South Elevation); A-1004 Rev P1 (Existing West & East Elevations); A-1005 Rev P1 (Existing North Elevation); A-2000 Rev P3 (Proposed Ground Floor Layout); A-2001 Rev P3 (Proposed Mezzanine Layout); A-2002 Rev P3 (Proposed First Floor Layout); A-2003 Rev P3 (Proposed Second Floor Layout); A-2004 Rev P3 (Proposed Third Floor Layout); A-2005 Rev P3 (Proposed Fourth Floor Layout); A-2006 Rev P3 (Proposed Fifth Floor Layout); A-2007 Rev P3 (Proposed Sixth Floor Layout); A-2008 Rev P3 (Proposed Seventh Floor Layout); A-2009 Rev P3 (Proposed Roof Plan Layout); A-3000 Rev P3 (Proposed Section 1-1); A-3001 Rev P3 (Proposed Section 2-2); A-3002 Rev P3 (Proposed Section 3-3); A-3003 Rev P3 (Proposed Short Sections); A-4000 Rev P3 (Proposed South Elevation); A-4001 Rev P3 (Proposed East & West Elevations); A-4002 Rev P3 (Proposed North Elevation); A-5000 Rev P3 (Proposed Elevation Details); A-6000 Rev P3 (Proposed 3Ds Views); A-7000 Rev P3 (Urban Green Factor).
- 3) Notwithstanding Condition 3 (approved drawings), prior to the commencement of the development hereby approved the following design details shall be submitted to and approved in writing by the local planning authority:
 - a. Details of materials to be used in the construction of all external surfaces, which comprise a materials schedule including manufacturer details, product code, product photographs, colour (RAL number), texture and finish.
 - b. Details of ground floor entrance doors, which shall include elevation and section drawings at a relevant scale of 1:5 – 1:20, materials and finish; and show how the entrance doors are designed to be wheelchair accessible and will not open across footways or carriageways, unless used solely as an emergency exit.
 - c. Details of roof plant, associated external enclosures and any roof-level installations, which shall include elevation and section drawings at a relevant scale of 1:5 – 1:20, materials and finish.
 - d. Details of external fittings (including pipework, soil stacks, flues, vent grilles, security alarms, security lighting, and ductwork), which shall include a schedule with corresponding elevation drawings at a relevant scale of 1:10 – 1:50.The development shall be carried out in accordance with the approved design details.
- 4) Notwithstanding Condition 3 (approved drawings), prior to the commencement of the development hereby approved the following sample panels shall have been approved in writing by the local planning authority:

- a. 1m² sample panels of each type of facing brickwork including mortar or jointing;
- b. 1m² sample panel of facing render including texture and colour;
- c. 'as built' representation panel of the centre block south elevation showing layers of façade materials in section;
- d. 'as built' representation panel of the north, east & west elevations showing layers of façade materials in section.

The approved sample panels shall be retained and made available for inspection at a location agreed by the local planning authority and until the completion of the relevant part of the development, which shall be carried out in accordance with the approved sample panels.

- 5) Notwithstanding Condition 3 (approved drawings), prior to the commencement of the development hereby approved specifications, including corresponding location drawings, of the Heating, Ventilation, Mechanical Cooling and Hot Water Systems shall have been submitted to and approved in writing by the local planning authority. The specifications shall include manufacturer and installer details, associated plant, and corresponding location drawings, and show how the development shall achieve or exceed the standards set out in the submitted Energy Statement (Rev P3 (Design Buro), 12/12/2024).

The development shall be carried out in accordance with the approved specifications.

- 6) Notwithstanding Condition 3 (approved drawings), prior to the commencement of the development hereby approved a full specification of the Solar Photovoltaic (PVs) panels shall have been submitted to and approved in writing by the local planning authority. The specification shall include manufacturer and MSC installer details, PV dimensions, associated plant, and corresponding location drawings that demonstrate a combined solar PV array of 452m²; and show how the development shall achieve or exceed the standards set out in the submitted Energy Statement Rev P3 (Design Buro), 12/12/2024.

The development shall be carried out in accordance with the approved specifications unless a remedial plan and associated cost plan for an alternative PV performance has been submitted to and approved in writing by the local planning authority.

- 7) Prior to the commencement of the development hereby approved, a Construction Method Statement (CMS) shall have been submitted to, and approved in writing by the local planning authority. The CMS shall provide for:
 - a. Details of all non-road mobile machinery (NRMM) of net power of 37kW – 560kW to be used during the demolition, site preparation, and construction of the development hereby approved. The details shall show compliance with the emission standards set out within the Greater London Authority's Control of Dust and Emissions During Construction Demolition Supplementary Planning Guidance, July 2014 or subsequent guidance and how an up-to-date list of all NRMM will be registered and maintained at <https://nrmm.london/user-nrmm/register> prior to the operation of any NRMM on site;

- b. Compliance with the NO_x emissions standards set out within the Greater London Authority's Sustainable Design and Construction SPG or subsequent guidance;
- c. Details of all vehicle routing, turning, access and parking arrangements for construction, visitor and delivery vehicles, as well as the loading and unloading of plant and materials;
- d. The storage of plant, NRMM and materials used in the demolition and constructing the development;
- e. The erection and maintenance of security hoarding including decorative displays;
- f. All measures to suppress and control the emission of dust and dirt during demolition and construction that shall not include burning of materials on site;
- g. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- h. The delivery, demolition and construction working hours;
- i. Details of measures to control noise during demolition and constructing the development;
- j. A liaison strategy that minimises conflicts with demolition and construction impacts on the operation of the adjacent school.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 8) Prior to the commencement of the development hereby approved an Energy Compliance Statement (ECS) shall have been submitted to and approved in writing by the local planning authority. The submitted ECS shall provide details and show how the development shall achieve or exceed the standards set out in the submitted Energy Statement Rev P3 (Design Buro), 12/12/2024 including a:
- a. Minimum carbon savings of 15%/6 tonnes of CO₂e for the new extension and 12%/12 tonnes of CO₂e for the retained building against Part L 2021 through fabric efficiency;
 - b. Minimum overall carbon savings of 40%/15.5 tonnes of CO₂e for the new extension and 38%/39.4 tonnes of CO₂e for the retained building against Part L 2021;
 - c. Maximum U-values (W/m²K) for the new extension: walls 0.17; roof 0.1; windows and doors 0.8;
 - d. G-values for windows and doors for the new extension: 0.57;
 - e. Air permeability (m³/h/m²@50pa) for the new extension: 5;
 - f. Maximum Energy Use Intensity for the new extension: 73.19kWh/m²/yr and for the retained building 72.31 kWh/m²/yr;
 - g. Predictive modelling calculation methodology and third-party review report of the as-designed predictive modelling calculations;
 - h. Updated GLA Carbon Emissions Reporting Spreadsheet.

The development shall be carried out in accordance with the approved ECS details.

- 9) Prior to the commencement of the development hereby approved an Overheating Risk Assessment (ORA) shall have been submitted to and approved in writing by the local planning authority. The ORA shall be compiled

using the CIBSE TM52 (non-residential) methodology and compliance criteria and include details of:

- a. Overheating risk passive mitigation measures against the baseline scenario (i.e development with no passive mitigation added);
- b. Overheating risk active adaptation measures against the baseline scenario and implemented passive measures;
- c. Demonstration that all mitigation units achieve a 100% pass rate against weather file CIBSE TM49 DSY1;
- d. Where mitigation units fail to achieve a 100% pass rate a retrofit and mitigation plan to manage future overheating risk;
- e. Specification of all Mechanical Cooling Systems to meet cooling load demands;
- f. A management plan for any additional overheating remedial mitigation measures.

The development shall be carried out in accordance with the approved ORA details, which shall be retained thereafter.

- 10) Prior to the commencement of the development hereby approved, a BREEAM Interim Design Certificate shall have been submitted to and approved in writing by the local planning authority. The submitted Interim Design Certificate shall provide details and show how the development shall achieve or exceed the standards set out in the submitted Energy Statement Rev P3 (Design Buro), 12/12/2024 including a Minimum BREEAM rating of 70.58% targeting credits: Ene 01, Ene 02, Ene 03, Ene 04, Ene 05, Ene 06, Wat 01, Wat 02, Wat 03, Wat 04, Mat 01, Mat 02, Mat 03, Mat 04, Mat 05, Mat 06, Wst 01, Wst 02, Wst 03, Wst 04, Wst 05, Wst 06.

The development shall be carried out in accordance with the approved BREEAM Interim Design Certificate details.

- 11) Notwithstanding Condition 3 (approved drawings), prior to the occupation of any part of the development hereby approved details of the cycle parking provision shall have been submitted to and approved in writing by the local planning authority. The cycle parking details shall show a minimum 16 staff and 7 guest cycle parking facilities and include layouts and spacing, foundation design, stand manufacture details.

The development shall be carried out in accordance with the approved cycle parking details, which shall be retained thereafter.

- 12) Notwithstanding Condition 3 (approved drawings), prior to the occupation of any part of the development hereby approved, details of the location and design of a minimum of six bird and bat boxes shall have been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved bird and bat box details, which shall be retained thereafter.

- 13) Notwithstanding Condition 3 (approved drawings), prior to the commencement of any part of the extension hereby approved, further details of any planting to the roof, first and second floors shall have been submitted to and approved in writing by the local planning authority. The submitted planting details shall include:
- a. A planting strategy statement setting out the planting objectives and how a varied plant structure will be delivered;

- b. A full specification of all proposed planting including the quantity, size, species of plants that shall include native plants and species with high biodiversity value;
- c. A planting implementation and management plan including long term management responsibilities, maintenance schedules and provision for replacement planting should establishment fail;
- d. Cross-section drawings showing a substrate depth of at least 80mm above the vegetative mat for the 'blue roof' at a relevant scale of 1:5 – 1:20.

All planting shall be implemented and managed in accordance with the approved details and retained thereafter.

- 14) Notwithstanding Condition 3 (approved drawings), prior to the occupation of any part of the development hereby approved, a Car Parking Design and Management Plan shall have been submitted to and approved in writing by the local planning authority. The submitted Car Parking Design and Management Plan shall include plans showing the layout of parking for blue badge holders within the development as well as details of its operation and management.

The development shall be carried out in accordance with the approved Car Parking Design and Management Plan which shall be implemented thereafter.

- 15) Prior to the occupation of any part of the development hereby approved, a Delivery and Servicing Plan (DSP) shall have been submitted to and approved in writing by the local planning authority. The submitted DSP shall include details specifying all delivery and servicing arrangements once the development is brought into use.

The development shall be carried out in accordance with the approved DSP, which shall be implemented thereafter.

- 16) Before any plant or machinery (including associated with heating or cooling systems) is brought into use on the development hereby approved, a noise scheme shall have been submitted to and approved in writing by the local planning authority demonstrating how noise shall be kept at least 5dB(A) below background levels when measured at nearby noise sensitive locations.

The plant and machinery shall be installed in accordance with the approved noise scheme and maintained thereafter.

- 17) Prior to the commencement of any piling within the development hereby approved, a Piling Method Statement shall have been submitted to and approved in writing by the local planning authority, in consultation with Thames Water. The Piling Method Statement shall include details of the depth, type, methodology and programme for all piling works, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure. It shall also include a piling layout plan including wastewater assets, local topography, and clearances between piles and underground sewerage utility infrastructure.

All piling work must be carried out in accordance with the approved Piling Method Statement and piling plan.

- 18) Before any part of the development hereby approved is brought into use, details of the disposal of foul water necessary to serve the additional flows from the development shall have been submitted to and approved in writing by the local planning authority, in consultation with Thames Water. The submitted details

shall demonstrate capacity exists off site to serve the development; or include a development and infrastructure phasing plan; or show upgrades to the foul water network have been completed.

The development shall be carried out in accordance with the approved foul water details.

- 19) Before any part of the development hereby approved is brought into use, details of the disposal of surface water from the development shall have been submitted to and approved in writing by the local planning authority, in consultation with Thames Water. The submitted details shall demonstrate capacity exists off site to serve the development; or include a development and infrastructure phasing plan; or show upgrades to the surface water network necessary to avoid flooding and/or potential pollution incidents arising from the development have been completed.

The development shall be carried out in accordance with the approved surface water details.

- 20) Within 12 weeks of occupation of the development hereby approved, a BREEAM Final Design Certificate shall be submitted to and approved in writing by the local planning authority. The submitted Final Design Certificate shall provide details, presented in a tracker comparing credits at BREEAM Interim Design Certification stage, and confirming the final rating and credits have been achieved or improved upon pre-commencement figures. The approved BREEAM Final Design Certificate details shall be retained thereafter.

- 21) The floorspace shown as 'café' on the approved plan A-2000 Rev P3 (Proposed Ground Floor Layout) shall be used as business floorspace within Class E (a) and (b) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

- 22) The planted areas of the development hereby approved (including above entrances and labelled as 'blue roof' on the approved drawings) shall not be used for any purpose other than for planting and its maintenance.

END OF SCHEDULE