

Date: 9th October 2023

Planning ref: HGY/2022/0752

London Borough of Haringey
Planning Department
Development Management
Alexandra House
10 Station Road, Wood Green
N22 7TR

Non-material Amendment Application to Planning Permission Ref: HGY/2022/0752

Ashley Road Depot - Non-material amendment application to alter the trigger points for planning conditions:

Dear Sir/Madam,

Please find enclosed an application under Section 96a of the Town and Country Planning Act 1990 for a non-material amendment to planning permission ref: HGY/2022/0752. The purpose of this application is to submit a request to amend several planning condition trigger points, which relate to and/or have an impact on the passivhaus strategy for the Ashley Road development. This follows new appointments for a passivhaus design consultant and certifier, which prevented detailed design work commencing as originally scheduled.

The proposed changes would not prevent the conditions being carried out in full. Rather, the applicant requests the timing of these conditions be revised to a point, which would allow necessary passivhaus calculations to be fully incorporated into the scheme's design. The applicant is seeking to revise the trigger points for following planning conditions:

Planning Condition Number	Planning Condition
5	Details drawings and material samples
15(a)	CEMP, Landscape & Ecology Management Plan + Sensitive Lighting Strategy
32	Road Safety Audit
39a	Updated Energy Strategy
40	DEN Connection details
42(a)	Updated overheating report
44	Design stage passivhaus strategy - Buildings A1-5, B2-3, C2
45	Design stage passivhaus strategy - Buildings B1 & C1
49(a)	Details of blue and living roofs
51	Balcony and screening details

Table 1: Planning conditions as per consented scheme

Background

Full planning permission for the development of Ashley Road Depot was granted on 31st August 2022 for a housing-led mixed-use scheme comprising 272 residential units and 174 sqm of class use E floorspace, ranging from four to thirteen storeys.

Planning permission ref: HGY/2022/0752 approved the following development:

“Full planning application for the erection of 272 homes including 50% socially rented homes extending 4-13 storeys, 174sqm of flexible Use Class E floorspace along with a new vehicular access to the site, car parking and two pedestrian north south routes. The proposal also includes both private and public hard and soft landscaping throughout the site”.

The council is seeking to amend planning conditions outlined in table one, which relate to and/or have an impact on the passivhaus strategy for the development.

These proposed revisions arise from a passivhaus regulatory requirement to appoint a new passivhaus design certifier; and owing to consultant performance concerns by scheme contractor ‘Formation’, a new passivhaus design consultant. These appointment changes have prevented detailed design work commencing as originally scheduled.

Going forward, ‘Mead Consulting’ are appointed as passivhaus design certifiers and Etude, who previously worked on the scheme, are appointed as passivhaus design consultants.

Passivhaus Strategy and Passivhaus Planning Package (PHPP) calculations

As previously outlined, the council is seeking to amend planning trigger points, which relate to and/or have an impact on the passivhaus strategy – as required in planning conditions 44 and 45. To this effect, Etude have drafted a letter to the council’s carbon management team, setting out revised times scales for delivery of a passivhaus strategy and RIBA stage four PHPP modelling.¹

In this letter Etude explain that there are currently seven well developed PHPP models for buildings A1-A5, A2-A3, A4, B1, B2-B3, C1 and C2, reflecting an ‘early Stage 4’ level of progress. Over the next few weeks, Etude expect their level of detail design to continue thereby increasing the level of certainty for key outputs - most importantly the space heating demand level in kWh/m2/year.

The current priorities for Etude are to confirm the window supplier and the actual window products for use, which will have a significant impact on the PHPP results, as well as a several other suppliers and products.

Etude’s work with Formation Design & Build (Main contractor), Levitt Bernstein (Architects) and Civic Engineers (Structural engineers) on junctions and details will also help quantify the impact on thermal bridges.

Based on the team’s current progress and the anticipated design programme, Formation are expecting to submit:

- A draft Design Stage Passivhaus Strategy, along with evidence from the seven draft Stage 4 PHPP spreadsheets around mid-November 2023; and

¹ Please refer to attached supporting statement by Etude.

- The final Design Stage Passivhaus Strategy, along with evidence from the seven final Stage 4 PHPP spreadsheets around January 2024.

As outlined in the original planning application, Haringey Council has an ambitious programme to deliver 3,000 new council homes by 2031. This is a key corporate priority, given that like many other local authorities, Haringey is facing an acute demand for housing with more than 12,500 households on our housing waiting list.

As the development is already well underway, with construction above ground scheduled to commence in mid-October, the council is very keen to avoid a downing of tools, until the passivhaus strategy has been completed, potentially 3-month delay, with a likely greater knock-on impact to the program and costing for the council to deliver much need council homes. Therefore, having reviewed the conditions which will be affected by this hold up, due to the relationship to the passivhaus strategy, we kindly request that the triggers be changed to enable for a slightly later submission to align with the completion of the passivhaus strategy, scheduled for January 2024.

It is our view that the following proposed trigger changes are very minor in nature and for development with a three year build out, would not materially impact any of the intention or requirements of the conditions attached to the planning permission ref: HGY/2022/0752.

Proposed planning condition trigger point amendments

Planning Condition '5' - Details drawings and material samples

Prior to the commencement of above ground works detailed drawings (including sections) to a scale of 1:20 to confirm the detailed design and materials of the:

- a) Detailed elevational treatment;
- b) Detailing of roof and parapet treatment;
- c) Windows and doors (including plan, elevation and section drawings indicating jamb, head, cill, reveal and surrounds of all external windows and doors at a scale of 1:10), which shall include a recess of at least 115mm;
- d) Details of entrances and porches which shall include a recess of at least 115mm;
- e) Details and locations of down pipes, rainwater pipes or foul pipes and all external vents;
- f) Details of balustrading;
- g) Facing brickwork: sample panels of proposed brickwork to be used showing the colour, texture, pointing, bond, mortar, and brickwork detailing shall be provided;
- h) Details of cycle, refuse enclosures and plant room; and
- i) Any other external materials to be used;

together with a full schedule of the exact product references for all materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.

Changes sought:

Prior to the commencement of **façade treatment works**, detailed drawings (including sections) to a scale of 1:20 to confirm the detailed design and materials of the:

- a) Detailed elevational treatment;
- b) Detailing of roof and parapet treatment;
- c) Windows and doors (including plan, elevation and section drawings indicating jamb, head, cill, reveal and surrounds of all external windows and doors at a scale of 1:10), which shall include a recess of at least 115mm;
- d) Details of entrances and porches which shall include a recess of at least 115mm;
- e) Details and locations of down pipes, rainwater pipes or foul pipes and all external vents;
- f) Details of balustrading;
- g) Facing brickwork: sample panels of proposed brickwork to be used showing the colour, texture, pointing, bond, mortar, and brickwork detailing shall be provided;
- h) Details of cycle, refuse enclosures and plant room; and
- i) Any other external materials to be used;

together with a full schedule of the exact product references for all materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policies DM1, DM8 and DM9 of the Development Management Development Plan Document 2017.

Reason for changes:

The information requested within this condition (roof & parapet, windows/doors, elevation treatment etc) are directly impacted by the junction detailing and specification of products. In order to develop these details, we require review and sign-off from the Passivhaus Certifier. The external fabric and design as mentioned above, can have a significant impact on the calculations and therefore ability to achieve passivhaus accreditation.

Planning Condition 15(a) - CEMP, Landscape & Ecology Management Plan + Sensitive Lighting Strategy

(a) Prior to the commencement of above ground works for the development hereby approved, the following documents shall be submitted for the written approval of the Local Planning Authority, in accordance with the Ecological Impact Assessment hereby approved:

- i. Construction Environmental Management Plan
- ii. Sensitive Lighting Strategy
- iii. Landscape and Ecology Management Plan

(b) Prior to the first occupation of development, photographic evidence and a post-development ecological field survey and impact assessment shall be submitted to and approved by the Local Planning Authority to demonstrate the delivery of the ecological enhancement and protection measures is in accordance with the approved measures.

Development shall accord with the details as approved and measures shall be retained for the lifetime of the development.

Reason: To ensure that the development provides the maximum provision and protection of habitats for biodiversity and the mitigation and adaptation of climate change. In accordance with Policies G1, G5, G6, SI1 and SI2 of the London Plan (2021) and Policies SP4, SP5, SP11 and SP13 of the Haringey Local Plan (2017).

Changes sought:

(a) Prior to the commencement of **façade treatment works**, for the development hereby approved, the following documents shall be submitted for the written approval of the Local Planning Authority, in accordance with the Ecological Impact Assessment hereby approved:

- i. Construction Environmental Management Plan
- ii. Sensitive Lighting Strategy
- iii. Landscape and Ecology Management Plan

(b) Prior to the first occupation of development, photographic evidence and a post-development ecological field survey and impact assessment shall be submitted to and approved by the Local Planning Authority to demonstrate the delivery of the ecological enhancement and protection measures is in accordance with the approved measures.

Development shall accord with the details as approved and measures shall be retained for the lifetime of the development.

Reason: To ensure that the development provides the maximum provision and protection of habitats for biodiversity and the mitigation and adaptation of climate change. In accordance with Policies G1, G5, G6, SI1 and SI2 of the London Plan (2021) and Policies SP4, SP5, SP11 and SP13 of the Haringey Local Plan (2017).

Reason for changes:

The lighting element of this condition specifically, located on balconies, walls etc. are directly impacted by the junction detailing and specification of products, which can have an impact on the passivhaus calculations.

Planning Condition 32 - Road Safety Audit

Prior to the commencement of above ground works for the development hereby approved a Stage 2 Road Safety Audit based on the scope of the Stage 1 Road Safety Audit shall be submitted to the Local Planning Authority for its written approval. The recommendations of the Stage 2 RSA shall be taken up and followed in the design of the development as appropriate and retained as such thereafter.

Reason: In order to protect amenity and the safety of the public highway.

Changes sought:

Prior to the **occupation of the development hereby** approved a Stage 2 Road Safety Audit based on the scope of the Stage 1 Road Safety Audit shall be submitted to the Local Planning Authority for its written

approval. The recommendations of the Stage 2 RSA shall be taken up and followed in the design of the development as appropriate, and retained as such thereafter.

Reason: In order to protect amenity and the safety of the public highway.

Reason for changes:

Reconfiguration of the junction as set out in S278 works required by planning decision are still being developed by a number of council teams including, highways, regeneration and transport. The Road Safety Audit cannot be undertaken until these works have been agreed and finalised.

Planning Condition 39(a) - Updated Energy Strategy

The development hereby approved shall be constructed in accordance with the Energy and Sustainability Statement and Appendices prepared by Etude (dated June 2022, Rev H) delivering a minimum 84% improvement on carbon emissions over 2013 Building Regulations Part L, with SAP10 emission factors, Passivhaus-level fabric efficiencies, connection to the Decentralised Energy Network with a centralised air source heat pump (ASHP) system as a backup solution, and a minimum 350 kWp solar photovoltaic (PV) array.

(a) Prior to above ground construction, an updated Energy Strategy shall be submitted to and approved by the Local Planning Authority. This must include:

- Confirmation of how this development will meet the zero-carbon policy requirement in line with the Energy Hierarchy;
- Confirmation of the necessary fabric efficiencies to achieve a minimum 30% reduction, including details to reduce thermal bridging;
- Location, specification and efficiency of the proposed Plan B ASHP system (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
- Specification and efficiency of the proposed Mechanical Ventilation and Heat Recovery (MVHR) with and without cooling coils, with plans showing the rigid MVHR ducting and location of the unit;
- Details of the PV, demonstrating the roof area has been maximised, with the following details: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp);
- A metering strategy. The development shall be carried out strictly in accordance with the details so approved prior to first operation and shall be maintained and retained for the lifetime of the development. The solar PV array shall be installed with monitoring equipment prior to completion and shall be maintained at least annually thereafter.

(b) Within six months of first occupation, evidence that the solar PV installation has been installed correctly shall be submitted to and approved by the Local Planning Authority, including photographs of the solar array, a six-month energy generation statement, and a Microgeneration Certification Scheme certificate.

(c) Within six months of first occupation, evidence shall be submitted to the Local Planning Authority that the development has been registered on the GLA's Be Seen energy monitoring platform.

(d) Within one year of first occupation, evidence shall be submitted to and approved by the Local Planning Authority to demonstrate how the development has performed against the approved Energy

Strategy and to demonstrate how occupants have been taken through training on how to use their homes and the technology correctly and in the most energy efficient way and that issues have been dealt with. This should include energy use data for the first year and a brief statement of occupant involvement to evidence this training and engagement.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan (2017) Policies SP4 and DM22.

Changes sought:

The development hereby approved shall be constructed in accordance with the Energy and Sustainability Statement and Appendices prepared by Etude (dated June 2022, Rev H) delivering a minimum 84% improvement on carbon emissions over 2013 Building Regulations Part L, with SAP10 emission factors, Passivhaus-level fabric efficiencies, connection to the Decentralised Energy Network with a centralised air source heat pump (ASHP) system as a backup solution, and a minimum 350 kWp solar photovoltaic (PV) array.

(a) Prior to **façade treatment works**, an updated Energy Strategy shall be submitted to and approved by the Local Planning Authority. This must include:

- Confirmation of how this development will meet the zero-carbon policy requirement in line with the Energy Hierarchy;
- Confirmation of the necessary fabric efficiencies to achieve a minimum 30% reduction, including details to reduce thermal bridging;
- Location, specification and efficiency of the proposed Plan B ASHP system (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
- Specification and efficiency of the proposed Mechanical Ventilation and Heat Recovery (MVHR) with and without cooling coils, with plans showing the rigid MVHR ducting and location of the unit;
- Details of the PV, demonstrating the roof area has been maximised, with the following details: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp);
- A metering strategy. The development shall be carried out strictly in accordance with the details so approved prior to first operation and shall be maintained and retained for the lifetime of the development. The solar PV array shall be installed with monitoring equipment prior to completion and shall be maintained at least annually thereafter.

(b) Within six months of first occupation, evidence that the solar PV installation has been installed correctly shall be submitted to and approved by the Local Planning Authority, including photographs of the solar array, a six-month energy generation statement, and a Microgeneration Certification Scheme certificate.

(c) Within six months of first occupation, evidence shall be submitted to the Local Planning Authority that the development has been registered on the GLA's Be Seen energy monitoring platform.

(d) Within one year of first occupation, evidence shall be submitted to and approved by the Local Planning Authority to demonstrate how the development has performed against the approved Energy Strategy and to demonstrate how occupants have been taken through training on how to use their homes and the technology correctly and in the most energy efficient way and that issues have been

dealt with. This should include energy use data for the first year and a brief statement of occupant involvement to evidence this training and engagement.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan (2017) Policies SP4 and DM22.

Reason for changes:

The energy and heating systems proposed within the development will impact the Passivhaus calculations substantially and therefore cannot be finalised until the Passivhaus calculations have been completed.

Planning Condition 40 - DEN Connection details

Prior to the above ground commencement of construction work, details relating to the future connection to the DEN must be submitted to and approved by the local planning authority. This shall include:

- Further detail of how the developer will ensure the performance of the DEN system will be safeguarded through later stages of design (e.g. value engineering proposals by installers), construction and commissioning including provision of key information on system performance required by CoP1 (e.g. joint weld and HIU commissioning certificates, CoP1 checklists, etc.);
- Peak heat load calculations in accordance with CIBSE CP1 Heat Networks: Code of Practice for the UK (2020) taking account of diversification.
- Detail of the pipe design, pipe sizes and lengths (taking account of flow and return temperatures and diversification), insulation and calculated heat loss from the pipes in Watts, demonstrating heat losses have been minimised together with analysis of stress/expansion;
- A before and after floor plan showing how the plant room can accommodate a heat substation for future DEN connection. The heat substation shall be sized to meet the peak heat load of the site. The drawings should cover details of the phasing including any plant that needs to be removed or relocated and access routes for installation of the heat substation;
- Details of the route for the primary pipework from the energy centre to a point of connection at the site boundary including evidence that the point of connection is accessible by the area wide DEN, detailed proposals for installation for the route that shall be coordinated with existing and services, and plans and sections showing the route for three 100mm diameter communications ducts;
- Details of the space allowance for the DEN main passing through the site from Park View Road to Ashley Road;
- Details of the location for building entry including dimensions, isolation points, coordination with existing services and detail of flushing/seals;
- Details of the location for the set down of a temporary plant to provide heat to the development in case of an interruption to the DEN supply including confirmation that the structural load bearing of the temporary boiler location is adequate for the temporary plant and identify the area/route available for a flue;
- Details of a future pipework route from the temporary boiler location to the plant room.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and SI3, and Local Plan (2017) Policies SP4 and DM22.

Changes sought:

Prior to **façade treatment works**, details relating to the future connection to the DEN must be submitted to and approved by the local planning authority. This shall include:

- Further detail of how the developer will ensure the performance of the DEN system will be safeguarded through later stages of design (e.g. value engineering proposals by installers), construction and commissioning including provision of key information on system performance required by CoP1 (e.g. joint weld and HIU commissioning certificates, CoP1 checklists, etc.);
- Peak heat load calculations in accordance with CIBSE CP1 Heat Networks: Code of Practice for the UK (2020) taking account of diversification.
- Detail of the pipe design, pipe sizes and lengths (taking account of flow and return temperatures and diversification), insulation and calculated heat loss from the pipes in Watts, demonstrating heat losses have been minimised together with analysis of stress/expansion;
- A before and after floor plan showing how the plant room can accommodate a heat substation for future DEN connection. The heat substation shall be sized to meet the peak heat load of the site. The drawings should cover details of the phasing including any plant that needs to be removed or relocated and access routes for installation of the heat substation;
- Details of the route for the primary pipework from the energy centre to a point of connection at the site boundary including evidence that the point of connection is accessible by the area wide DEN, detailed proposals for installation for the route that shall be coordinated with existing and services, and plans and sections showing the route for three 100mm diameter communications ducts;
- Details of the space allowance for the DEN main passing through the site from Park View Road to Ashley Road;
- Details of the location for building entry including dimensions, isolation points, coordination with existing services and detail of flushing/seals;
- Details of the location for the set down of a temporary plant to provide heat to the development in case of an interruption to the DEN supply including confirmation that the structural load bearing of the temporary boiler location is adequate for the temporary plant and identify the area/route available for a flue;
- Details of a future pipework route from the temporary boiler location to the plant room.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and SI3, and Local Plan (2017) Policies SP4 and DM22.

Reason for changes:

The energy and heating systems proposed within the development will impact the Passivhaus calculations substantially and therefore cannot be finalised until the Passivhaus calculations have been completed. Furthermore, the DEN strategy design needs to be completed to finalise this work, this is not expected until January 2023.

Planning Condition 42(a) - Updated overheating report

(a) Prior to above ground works, an updated Overheating Report modelling future weather files shall be submitted to and approved by the Local Planning Authority. This assessment shall be based on the TM59 modelling undertaken by Etude (Energy and Sustainability Statement dated June 2022). This revised strategy shall include:

- Modelling of dwellings based on CIBSE TM59, using the CIBSE TM49 London Weather Centre files DSY1 for the 2020s, high emissions, 50% percentile;
- Modelling of mitigation measures required to pass the mandatory weather files, clearly setting out which measures will be delivered before occupation in line with the Cooling Hierarchy;
- Updated as-designed heat loss calculations from heat interface units and pipework.

(b) Prior to occupation, the development must be built in accordance with the approved overheating measures and retained thereafter for the lifetime of the development:

- Natural ventilation, with openable areas including fixed louvred side panel for accessible bedrooms and secure night latch for other accessible habitable rooms;
- Glazing g-value of 0.50 or lower;
- External shading to south-facing windows on top floors (min. 1m depth);
- Brise soleil for other windows without balcony shading on south façades (1m full height, 0.8m for punched windows)
- External shutters for west-facing bedrooms (perforated/slatted shutters for airflow)
- Internal blinds on all façades (light-coloured, solar transmittance of 0.11);
- MVHR with summer bypass (min. 0.55ach);
- Minimal heat losses from heat interface units (HIU) and pipework;
- Active cooling with 1.5 kW cooling coil only for 19 dwellings with habitable rooms facing south-east;
- Any further mitigation measures identified as required in part (a).

Reason: In the interest of reducing the impacts of climate change, to enable the Local Planning Authority to assess overheating risk and to ensure that any necessary mitigation measures are implemented prior to construction, and maintained, in accordance with London Plan (2021) Policy SI4 and Local Plan (2017) Policies SP4 and DM21.

Changes sought:

(a) Prior to **façade treatment works**, an updated Overheating Report modelling future weather files shall be submitted to and approved by the Local Planning Authority. This assessment shall be based on the TM59 modelling undertaken by Etude (Energy and Sustainability Statement dated June 2022). This revised strategy shall include:

- Modelling of dwellings based on CIBSE TM59, using the CIBSE TM49 London Weather Centre files DSY1 for the 2020s, high emissions, 50% percentile;
- Modelling of mitigation measures required to pass the mandatory weather files, clearly setting out which measures will be delivered before occupation in line with the Cooling Hierarchy;
- Updated as-designed heat loss calculations from heat interface units and pipework.

(b) Prior to occupation, the development must be built in accordance with the approved overheating measures and retained thereafter for the lifetime of the development:

- Natural ventilation, with openable areas including fixed louvred side panel for accessible bedrooms and secure night latch for other accessible habitable rooms;
- Glazing g-value of 0.50 or lower;
- External shading to south-facing windows on top floors (min. 1m depth);
- Brise soleil for other windows without balcony shading on south façades (1m full height, 0.8m for punched windows)
- External shutters for west-facing bedrooms (perforated/slatted shutters for airflow)
- Internal blinds on all façades (light-coloured, solar transmittance of 0.11);

- MVHR with summer bypass (min. 0.55ach);
- Minimal heat losses from heat interface units (HIU) and pipework;
- Active cooling with 1.5 kW cooling coil only for 19 dwellings with habitable rooms facing south-east;
- Any further mitigation measures identified as required in part (a).

Reason: In the interest of reducing the impacts of climate change, to enable the Local Planning Authority to assess overheating risk and to ensure that any necessary mitigation measures are implemented prior to construction, and maintained, in accordance with London Plan (2021) Policy SI4 and Local Plan (2017) Policies SP4 and DM21.

Reason for changes:

The information requested within this condition (roof & parapet, windows/doors, elevation treatment etc) are directly impacted by the junction detailing and specification of products. In order to develop these details, we require review and sign-off from the Passivhaus Certifier. The external fabric and design can have a significant impact on the calculations and therefore ability to achieve passivhaus accreditation.

Planning Condition 44 - Design stage passivhaus strategy - Buildings A1-5, B2-3, C2

Prior to the commencement of above ground construction works to Buildings A1-5, B2-3 and C2 only, a Design Stage Passivhaus Strategy shall be submitted to and approved by the Local Planning Authority. This should show that a Passivhaus level space heating demand target of 15 kWh/m²/year is achieved, accompanied by Passive House Planning Package (PHPP) calculations.

Within one month of completion of Buildings A1-5, B2-3 and C2, a Passivhaus Certificate will be submitted for approval demonstrating that Buildings A1-5, B2-3 and C2 meet the Passivhaus Standards, awarded by a suitably qualified independent Passivhaus Certifier.

Reasons: In the interest of addressing climate change and securing sustainable development in accordance with London Plan (2021) Policies SI2, SI3 and SI4, and Local Plan (2017) Policies SP4 and DM21.

Changes sought:

Prior to the **façade treatment works**, to Buildings A1-5, B2-3 and C2 only, a Design Stage Passivhaus Strategy shall be submitted to and approved by the Local Planning Authority. This should show that a Passivhaus level space heating demand target of 15 kWh/m²/year is achieved, accompanied by Passive House Planning Package (PHPP) calculations.

Within one month of completion of Buildings A1-5, B2-3 and C2, a Passivhaus Certificate will be submitted for approval demonstrating that Buildings A1-5, B2-3 and C2 meet the Passivhaus Standards, awarded by a suitably qualified independent Passivhaus Certifier.

Reasons: In the interest of addressing climate change and securing sustainable development in accordance with London Plan (2021) Policies SI2, SI3 and SI4, and Local Plan (2017) Policies SP4 and DM21.

Reason for changes:

Following the change in appointment off passivhaus certifier and passivhaus design adviser, the work on this has only recently commenced, please see attached letter from passivhaus consultants Etude.

Planning Condition 45 - Design stage passivhaus strategy - Buildings B1 & C1

Prior to the commencement of above ground construction works to Buildings B1 and C1, a Design Stage Passivhaus Strategy shall be submitted to and approved by the Local Planning Authority. Passive House Planning Package (PHPP) calculations should show that the design follows the Passivhaus methodology and achieve the highest level of energy efficiency that is technically feasible on this site, achieving a space heating demand target of 20 kWh/m²/year.

Within one month of completion of Buildings B1 and C1, air tightness certificates should be submitted to demonstrate that the development achieves the level of air tightness targeted in the PHPP model at precommencement stage. The dwellings are to achieve a maximum 20 kWh/m²/year space heating demand target, evidenced with a PHPP spreadsheet.

Reasons: In the interest of addressing climate change and securing sustainable development in accordance with London Plan (2021) Policies SI2, SI3 and SI4, and Local Plan (2017) Policies SP4 and DM21.

Changes sought:

Prior to the **façade treatment works**, to Buildings B1 and C1, a Design Stage Passivhaus Strategy shall be submitted to and approved by the Local Planning Authority. Passive House Planning Package (PHPP) calculations should show that the design follows the Passivhaus methodology and achieve the highest level of energy efficiency that is technically feasible on this site, achieving a space heating demand target of 20 kWh/m²/year.

Within one month of completion of Buildings B1 and C1, air tightness certificates should be submitted to demonstrate that the development achieves the level of air tightness targeted in the PHPP model at precommencement stage. The dwellings are to achieve a maximum 20 kWh/m²/year space heating demand target, evidenced with a PHPP spreadsheet.

Reasons: In the interest of addressing climate change and securing sustainable development in accordance with London Plan (2021) Policies SI2, SI3 and SI4, and Local Plan (2017) Policies SP4 and DM21.

Reason for changes:

Following the change of passivhaus certifier, the work on this has only recently commenced, please see attached letter from passivhaus consultants Etude.

Planning Condition 49(a) - Details of blue and living roofs

a) Prior to the commencement of above ground works, details of the living and blue roofs must be submitted to and approved in writing by the Local Planning Authority. Living roofs must be planted with flowering species that provide amenity and biodiversity value at different times of year. Plants

must be grown and sourced from the UK and all soils and compost used must be peat-free, to reduce the impact on climate change. The submission shall include:

- i) A roof plan identifying where the living and blue roofs will be located;
- ii) A section demonstrating settled substrate levels of no less than 120mm for extensive living roofs (varying depths of 120-180mm), and no less than 250mm for intensive living roofs (including planters on amenity roof terraces);
- iii) Roof plans annotating details of the substrate: showing at least two substrate types across the roof, annotating contours of the varying depths of substrate;
- iv) Details of the proposed type of invertebrate habitat structures with a minimum of one feature per 30m² of living roof: substrate mounds and 0.5m high sandy piles in areas with the greatest structural support to provide a variation in habitat; semi-buried log piles / flat stones for invertebrates with a minimum footprint of 1m², rope coils, pebble mounds of water trays;
- v) Details on the range and seed spread of native species of (wild)flowers and herbs (minimum 10g/m²) and density of plug plants planted (minimum 20/m² with roof ball of plugs 25m³) to benefit native wildlife, suitable for the amount of direct sunshine/shading of the different living roof spaces. The living roof will not rely on one species of plant life such as Sedum (which are not native);
- vi) Roof plans and sections showing the relationship between the living roof areas and photovoltaic array; and vii) Management and maintenance plan, including frequency of watering arrangements.
- viii) A section showing the build up of the blue roofs and confirmation of the water attenuation properties, and feasibility of collecting the rainwater and using this on site;

(b) Prior to the occupation of 90% of the dwellings, evidence must be submitted to and approved by the Local Planning Authority that the living and blue roofs have been delivered in line with the details set out in point (a). This evidence shall include photographs demonstrating the measured depth of substrate, planting and biodiversity measures. If the Local Planning Authority finds that the living roof has not been delivered to the approved standards, the applicant shall rectify this to ensure it complies with the condition. The living and blue roofs shall be retained thereafter for the lifetime of the development in accordance with the approved management arrangements.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with London Plan (2021) Policies G1, G5, G6, SI1 and SI2 and Local Plan (2017) Policies SP4, SP5, SP11 and SP13.

Changes sought:

a) Prior to **façade treatment works**, details of the living and blue roofs must be submitted to and approved in writing by the Local Planning Authority. Living roofs must be planted with flowering species that provide amenity and biodiversity value at different times of year. Plants must be grown and sourced from the UK and all soils and compost used must be peat-free, to reduce the impact on climate change. The submission shall include:

- i) A roof plan identifying where the living and blue roofs will be located;
- ii) A section demonstrating settled substrate levels of no less than 120mm for extensive living roofs (varying depths of 120-180mm), and no less than 250mm for intensive living roofs (including planters on amenity roof terraces);
- iii) Roof plans annotating details of the substrate: showing at least two substrate types across the roof, annotating contours of the varying depths of substrate;
- iv) Details of the proposed type of invertebrate habitat structures with a minimum of one feature per 30m² of living roof: substrate mounds and 0.5m high sandy piles in areas with the greatest structural

support to provide a variation in habitat; semi-buried log piles / flat stones for invertebrates with a minimum footprint of 1m², rope coils, pebble mounds of water trays;

v) Details on the range and seed spread of native species of (wild)flowers and herbs (minimum 10g/m²) and density of plug plants planted (minimum 20/m² with roof ball of plugs 25m³) to benefit native wildlife, suitable for the amount of direct sunshine/shading of the different living roof spaces. The living roof will not rely on one species of plant life such as Sedum (which are not native);

vi) Roof plans and sections showing the relationship between the living roof areas and photovoltaic array; and vii) Management and maintenance plan, including frequency of watering arrangements.

viii) A section showing the build up of the blue roofs and confirmation of the water attenuation properties, and feasibility of collecting the rainwater and using this on site;

(b) Prior to the occupation of 90% of the dwellings, evidence must be submitted to and approved by the Local Planning Authority that the living and blue roofs have been delivered in line with the details set out in point (a). This evidence shall include photographs demonstrating the measured depth of substrate, planting and biodiversity measures. If the Local Planning Authority finds that the living roof has not been delivered to the approved standards, the applicant shall rectify this to ensure it complies with the condition. The living and blue roofs shall be retained thereafter for the lifetime of the development in accordance with the approved management arrangements.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with London Plan (2021) Policies G1, G5, G6, SI1 and SI2 and Local Plan (2017) Policies SP4, SP5, SP11 and SP13.

Reason for changes:

As the roofs form part of the external fabric, junction detailing, and specification of products can have a significant impact on the passivhaus calculations. It should be noted that the weight of the living roof has been allowed for in the structural calculations.

Planning Condition 51 - Balcony and screening details

The detailed design of the balconies, including screening features as appropriate, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. Once approved the details shall be implemented and retained as such thereafter.

Reason: To ensure the high-quality design and amenity of the development in accordance with Policy DM1 of the Development Management DPD 2017.

Changes sought:

The detailed design of the balconies, including screening features as appropriate, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the **façade treatment works**. Once approved the details shall be implemented and retained as such thereafter.

Reason: To ensure the high-quality design and amenity of the development in accordance with Policy DM1 of the Development Management DPD 2017.

Reason for changes:

Alterations to the design detailing needs to be amended to comply with Passivhaus. Junction detailing and specification of products of the balconies and fittings can have an impact on the passivhaus calculations.

Conclusion

The amendments to the scheme proposed under this Section 96a application seek address the challenges of delivering the scheme without delay, while ensuring that the requirements of the conditions attached to planning permission ref: HGY/2022/0752 can be fully implemented.

We consider that while the triggers are proposed to be amended, this is a relatively short period of time in a 3-year build and as they would not prevent any of the conditions being fully addressed and discharged, it is considered that these can be regarded as non-material, as there would be no change to the outcome of the conditions.

We trust the submitted information sufficient to determine this application, but should you require additional information or clarification, please don't hesitate to contact us.