



PLANNING SUB - COMMITTEE

Thursday 10 March 2022,
at 6.30 pm Council Chamber, Hackney
Town Hall

The live stream can be viewed here:

<https://youtu.be/7uakO3MQGp4>

In case any technical issues arise with the main livestream please use this
alternative link:

<https://youtu.be/MNBvtyuVWeY>

Members of the Committee:

Councillor Brian Bell, Councillor Ajay Chauhan, Councillor Humaira Garasia, Councillor Katie Hanson (Vice Chair), Councillor Clare Joseph, Councillor Michael Levy, Councillor Steve Race, Councillor Vincent Stops (Chair) and Councillor Sarah Young.

Substitute Planning Sub-Committee Members:

Councillor Anna Lynch, Councillor M Can Ozsen, Councillor Benzion Papier, Councillor Clare Potter and two majority group vacancies.

Mark Carroll
Chief Executive

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Contact: Gareth Sykes,
Governance Officer

Contact: gareth.sykes@hackney.gov.uk

Planning Sub-Committee
Thursday 10 March 2022, 6:30pm
Agenda

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 To consider any proposal/questions referred to the Sub-Committee by the Council's Monitoring Officer**
- 4 Minutes of the Previous Meeting**
- 5 2017/3511: 49 – 50 Eagle Wharf, London, N1 7ED (Pages 11 - 180)**
- 6 Delegated decisions (Pages 181 - 196)**
- 7 Any other business**
- 8 Dates of future meetings**

Public Attendance

The Town Hall is not presently open to the general public, and there is limited capacity within the meeting rooms. However, the High Court has ruled that where meetings are required to be 'open to the public' or 'held in public' then members of the public are entitled to have access by way of physical attendance at the meeting. The Council will need to ensure that access by the public is in line with any Covid-19 restrictions that may be in force from time to time and also in line with public health advice.

Those members of the public who wish to observe a meeting are still encouraged to make use of the live-stream facility in the first instance. You can find the link on the agenda front sheet.

Members of the public who would ordinarily attend a meeting to ask a question, make a deputation or present a petition will be able to attend if they wish. They may also let the relevant committee support officer know that they would like the Chair of the meeting to ask the question, make the deputation or present the petition on their behalf (in line with current Constitutional arrangements).

In the case of the Planning Sub-Committee, those wishing to make representations at the meeting should attend in person where possible.

Regardless of why a member of the public wishes to attend a meeting, they will need to advise the relevant committee support officer of their intention in advance of the meeting date. You can find contact details for the committee support officer on the agenda front page. This is to support track and trace. The committee support officer will be able to confirm whether the proposed attendance can be accommodated with the room capacities that exist to ensure that the meeting is covid-secure.

As there will be a maximum capacity in each meeting room, priority will be given to those who are attending to participate in a meeting rather than observe.

Members of the public who are attending a meeting for a specific purpose, rather than general observation, are encouraged to leave the meeting at the end of the item for which they are present. This is particularly important in the case of the Planning Sub-Committee, as it may have a number of items on the agenda involving public representation.

Before attending the meeting

The public, staff and councillors are asked to review the information below as this is important in minimising the risk for everyone.

If you are experiencing covid symptoms, you should follow government guidance. Under no circumstances should you attend a meeting if you are experiencing covid symptoms.

Anyone experiencing symptoms of Coronavirus is eligible to book a swab test to find out if they have the virus. You can register for a test after checking your symptoms through the NHS website. If you do not have access to the internet, or have difficulty with the digital portals, you are able to call the 119 service to book a test.

If you're an essential worker and you are experiencing Coronavirus symptoms, you can apply for priority testing through GOV.UK by following the guidance for essential workers. You can also get tested through this route if you have symptoms of coronavirus and live with an essential worker.

Availability of home testing in the case of people with symptoms is limited, so please use testing centres where you can.

Even if you are not experiencing covid symptoms, you are requested to take an asymptomatic test (lateral flow test) in the 24 hours before attending the meeting.

You can do so by visiting any lateral flow test centre; details of the rapid testing sites in Hackney can be found here. Alternatively, you can obtain home testing kits from pharmacies or order them here.

You must not attend a lateral flow test site if you have Coronavirus symptoms; rather you must book a test appointment at your nearest walk-through or drive-through centre.

Lateral flow tests take around 30 minutes to deliver a result, so please factor the time it will take to administer the test and then wait for the result when deciding when to take the test.

If your lateral flow test returns a positive result then you must follow Government guidance; self-isolate and make arrangements for a PCR test. Under no circumstances should you attend the meeting.

Attending the Town Hall for meetings

To make our buildings Covid-safe, it is very important that you observe the rules and guidance on social distancing, one-way systems, hand washing, and the wearing of masks (unless you are exempt from doing so). You must follow all the signage and measures that have been put in place. They are there to keep you and others safe.

To minimise risk, we ask that Councillors arrive fifteen minutes before the meeting starts and leave the meeting room immediately after the meeting has concluded. The public will be invited into the room five minutes before the meeting starts.

Members of the public will be permitted to enter the building via the front entrance of the Town Hall no earlier than ten minutes before the meeting is scheduled to start. They will be required to sign in and have their temperature checked as they enter the building. Security will direct them to the Chamber or Committee Room as appropriate.

Seats will be allocated, and people must remain in the seat that has been allocated to them.

Refreshments will not be provided, so it is recommended that you bring a bottle of water with you.

RIGHTS OF PRESS AND PUBLIC TO REPORT ON MEETINGS

Where a meeting of the Council and its committees are open to the public, the press and public are welcome to report on meetings of the Council and its committees, through any audio, visual or written methods and may use digital and social media providing they do not disturb the conduct of the meeting and providing that the person reporting or providing the commentary is present at the meeting.

Those wishing to film, photograph or audio record a meeting are asked to notify the Council's Monitoring Officer by noon on the day of the meeting, if possible, or any time prior to the start of the meeting or notify the Chair at the start of the meeting.

The Monitoring Officer, or the Chair of the meeting, may designate a set area from which all recording must take place at a meeting.

The Council will endeavour to provide reasonable space and seating to view, hear and record the meeting. If those intending to record a meeting require any other reasonable facilities, notice should be given to the Monitoring Officer in advance of the meeting and will only be provided if practicable to do so.

The Chair shall have discretion to regulate the behaviour of all those present recording a meeting in the interests of the efficient conduct of the meeting. Anyone acting in a disruptive manner may be required by the Chair to cease recording or may be excluded from the meeting.

Disruptive behaviour may include: moving from any designated recording area; causing excessive noise; intrusive lighting; interrupting the meeting; or filming members of the public who have asked not to be filmed.

All those visually recording a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting. The Chair of the meeting will ask any members of the public present if they have objections to being visually recorded. Those visually recording a meeting are asked to respect the wishes of those who do not wish to be filmed or photographed. Failure by someone recording a meeting to respect the wishes of those who do not wish to be filmed and photographed may result in the Chair instructing them to cease recording or in their exclusion from the meeting.

If a meeting passes a motion to exclude the press and public then in order to consider confidential or exempt information, all recording must cease and all recording equipment must be removed from the meeting. The press and public are not permitted to use any means which might enable them to see or hear the

proceedings whilst they are excluded from a meeting and confidential or exempt information is under consideration.

Providing oral commentary during a meeting is not permitted.

ADVICE TO MEMBERS ON DECLARING INTERESTS

Hackney Council's Code of Conduct applies to all Members of the Council, the Mayor and co-opted Members.

This note is intended to provide general guidance for Members on declaring interests. However, you may need to obtain specific advice on whether you have an interest in a particular matter. If you need advice, you can contact:

- Director of Legal and Governance Services
- the Legal Adviser to the committee; or
- Governance Services.

If at all possible, you should try to identify any potential interest you may have before the meeting so that you and the person you ask for advice can fully consider all the circumstances before reaching a conclusion on what action you should take.

You will have a disclosable pecuniary interest in a matter if it:

- i. relates to an interest that you have already registered in Parts A and C of the Register of Pecuniary Interests of you or your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner;
- ii. relates to an interest that should be registered in Parts A and C of the Register of Pecuniary Interests of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner, but you have not yet done so; or
- iii. affects your well-being or financial position or that of your spouse/civil partner, or anyone living with you as if they were your spouse/civil partner.

If you have a disclosable pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you (subject to the rules regarding sensitive interests).
- ii. You must leave the meeting when the item in which you have an interest is being discussed. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision.
- iii. If you have, however, obtained dispensation from the Monitoring Officer or Standards Committee you may remain in the meeting and participate in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a pecuniary interest.

Do you have any other non-pecuniary interest on any matter on the agenda which is being considered at the meeting?

You will have 'other non-pecuniary interest' in a matter if:

- i. It relates to an external body that you have been appointed to as a Member or in another capacity; or
- ii. It relates to an organisation or individual which you have actively engaged in supporting.

If you have other non-pecuniary interest in an item on the agenda you must:

- i. Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.

- ii. You may remain in the meeting, participate in any discussion or vote provided that contractual, financial, consent, permission or licence matters are not under consideration relating to the item in which you have an interest.

- iii. If you have an interest in a contractual, financial, consent, permission or licence matter under consideration, you must leave the meeting unless you have obtained a dispensation from the Monitoring Officer or Standards Committee. You cannot stay in the meeting whilst discussion of the item takes place and you cannot vote on the matter. In addition, you must not seek to improperly influence the decision. Where members of the public are allowed to make representations, or to give evidence or answer questions about the matter you may, with the permission of the meeting, speak on a matter then leave the meeting. Once you have finished making your representation, you must leave the meeting whilst the matter is being discussed.

- iv. If you have been granted dispensation, in accordance with the Council's dispensation procedure you may remain in the meeting. If dispensation has been granted it will stipulate the extent of your involvement, such as whether you can only be present to make representations, provide evidence or whether you are able to fully participate and vote on the matter in which you have a non pecuniary interest.

Further Information

Advice can be obtained from Dawn Carter-McDonald, Director of Legal and Governance via email dawn.carter-mcdonald@hackney.gov.uk.

Introduction

The majority of planning applications for extensions to a home, new shop fronts, advertisements and similar minor developments are decided by Planning Officers.

The Planning Sub-Committee generally makes the decisions on larger planning applications that:

- may have a significant impact on the local community; and
- are recommended for approval by the Planning Officer.

Planning Sub-Committee members use these meetings to make sure they have all the information they need and hear both sides before making a decision.

The Planning Sub-Committee

The Planning Sub-Committee is made up of Councillors from all political parties. One of the Councillors is the Planning Sub-Committee Chair. When making decisions the Planning Sub-Committee will always be:

- open about how they came to a decision,
- fair when making a decision, and
- impartial by not favouring one side over another.

All Planning Sub-Committee members will keep an open mind regarding planning applications. The meetings are necessarily formal because the Chair and members want to listen to everyone and have the chance to ask questions so that they can fully understand the issues.

Those speaking, either for or against a planning application, are generally given five minutes to explain their concerns/why they believe the application has merit. If there is more than one person for or against a planning application the five minutes is to be divided between all the persons wishing to speak or a spokesperson is to be nominated to speak on behalf of those persons. The Chair will help groups speaking on the same item to coordinate their presentations.

How the Planning Sub-Committee meeting Works

The Planning Sub-Committee will normally consider agenda items in turn. If there are a lot of people for an item the Chair might change the order of the agenda items to consider an item earlier.

At the beginning of each meeting the Chair will explain how the meeting works and what can and cannot be taken into account by Planning Sub-committee members when making decisions. The procedure followed at each meeting is set out below:

- The Chair welcomes attendees to the meeting and explains the procedure the meeting will follow,
- Apologies received,

- Members declare any interests in an item on the agenda,
- Minutes of previous Planning Sub-committees are considered/approved,
- The Planning Sub-committee will consider any proposal/questions referred to the Sub-committee by the Council's monitoring officer,
- The Chair asks the Planning Officer to introduce their report/recommendation to the Planning Sub-Committee. The Planning Officer will also inform Planning Sub-committee members of any relevant additional information received after the report was published,
- Registered objectors are given the opportunity to speak for up to five minutes,
- Registered supporters and the applicant are given the opportunity to speak for up to five minutes,
- Councillors who have registered to speak to object or in support are given the opportunity to speak for up to five minutes. The registered objectors or supporters, as the case may be, will be given the opportunity to speak for a further five minutes in such circumstances to ensure equal time is given to all parties,
- Where the applicant is a Councillor they must leave the meeting after the Planning Sub-committee members have asked them any questions of clarification/discussions regarding an agenda item have been completed so that members can consider and vote on the recommendation relating to the Councillor's planning application.
- Planning Sub-committee members can ask questions of objectors and supporters or their agents and ask Council officers for further clarification before considering a Planning Officer's recommendation,

Where Planning Sub-committee members have concerns regarding a planning application that cannot be addressed to their satisfaction when considering the application, the members can resolve to defer determining the planning application until such time as their concerns can be addressed,

- The recommendation, including any supplementary planning conditions/obligations or recommendations proposed during the consideration of an item by the Planning Sub-Committee members, is put to a vote. Where an equal number of votes is cast for and against a recommendation, the Chair has a casting vote.

Decisions

Decisions of the Planning Sub-Committee relating to planning applications shall be based on:

- National planning policies set out by Government,
- Regional strategy, the London Plan, set out by the Greater London Authority,

- Development plan documents, such as the Core Strategy, Development Management Local Plan etc., and
- Other 'material planning considerations' such as the planning history of a site.

Non-planning considerations are not relevant to the Planning Sub-committee's decision making and should be disregarded by the Sub-Committee.

Speaking at the Meeting

If you have submitted a written representation to the Council in respect of a planning application you, your nominated agent or any local Councillor can register to speak at the meeting at which the application is considered by the Planning Sub-Committee.

Any person registering to speak should contact governance@hackney.gov.uk by 4.00pm on the working day before the meeting (Wednesday 9 March 2022).

Speakers can seek to introduce a maximum of two photographs or other illustrative material that depicts a fair impression of the relevant site at the meeting if this will aid them in making their representations. However, such material will only be allowed if it has been submitted to the Governance at governance@hackney.gov.uk by 4.00 pm on the working day before the meeting (Wednesday 9 March 2022) and its inclusion is agreed to by all parties attending the meeting on this particular matter. In all cases, the Chair of the Planning Sub-Committee will retain their discretion to refuse the use of such illustrative material.



ADDRESS: 49 – 50 Eagle Wharf, London, N1 7ED	
APPLICATION NUMBER: 2017/3511	
WARD: Hoxton West Ward	REPORT AUTHOR: Barry Coughlan

<p>DRAWING NUMBERS:</p> <p>EAG-P103-S2-P0; EAG-P105-S2-P0; EAG-P106-S2-P0; EAG-P107-S2-P0; EAG-P100-S2-P0; EAG-P101-S2-P0; EAG-P102-S2-P0; EAG-P104-S2-P0; EAG-P108-S2-P0; EAG-P109-S2-P0</p> <p>EAG-P122-S2-P0; EAG-P118-S2-P0; EAG-P110-S2-P3; EAG-P111-S2-P10; EAG-P112-S2-P5; EAG-P113-S2-P4; EAG-P114-S2-P4; EAG-P115-S2-P4; EAG-P116-S2-P5; EAG-P117-S2-P1; EAG-P122-S2-P0; EAG-P220-S2-P4; EAG 4 -P221-S2-P4; EAG-P222-S2-P4; EAG 4 -P223-S2-P4; EAG 5 -P224-S2-P6; AG-P225-S2-P2; EAG-P226-S2-P5; EAG-P600-S2-P0</p> <p>DOCUMENTS:</p> <p>Design and Access Statement; Air Quality Assessment, Air Quality Neutral Assessment; Archaeological Assessment; Daylight and Sunlight Assessment; Desk Study Report May 2021; Drainage Report; Preliminary Ecological Appraisal; Landscape and Ecological Management Plan; Health Impact Checklist; Employment Floorspace Viability Report; Energy Statement Jan 2022; Heritage Statement; Noise Impact Assessment; Statement of Community Involvement; Sustainability Statement Jan 2021; Transport Assessment; Framework Travel Plan; Ventilation Statement; Child Friendly Impact Assessment (Oct 2021); GN40-Guidance-note-01_04_2021; Fire Statement</p>	<p>VALID DATE: 10/10/2017</p>
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<p>March 2021; Viability Assessment (Savills) dated Nov 2020; EWR Letter RICS Guidance (Viability Letter from Savills Sept 2021); Urban Greening Factor Calculation Feb 2022; SAP Calculations; EWR Viability Note (Savills) Feb 2022; Area Schedule dated 03/02/2022</p>	
<p>APPLICANT: GHL (Eagle Wharf Road) Ltd. % Agent</p>	<p>AGENT: Montagu Evans 5 Bolton Street London W1J 8BA</p>
<p>PROPOSAL:</p> <p>Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5,591 sqm of commercial floorspace (Use Class Eg[i]) at basement, ground, first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (comprising 23 x 1 bed, 17 x 2 bed, 8 x 3 bed, 2 x 4 bed) as well as 127 sqm café floorspace (Use Class E[b]) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.</p>	
<p>POST SUBMISSION REVISIONS:</p> <p>The application has been amended since last presented to committee in 2019. The amendments comprise minor reductions in commercial floor area in order to address updated cycle parking and sustainability standards. Relevant supporting information was also updated to reflect the current policy context and additional viability information has been published online. A re-consultation exercise was undertaken on 29/10/2021 and a further re-consultation exercise undertaken on 07/02/2022 following a further reduction in commercial floorspace to accommodate increased waste storage and the submission of additional information relating to sustainability and fire safety.</p> <p>It is noted that a minor amendment was made on 01/03/2022 to the submitted Fire Statement which added two additional images to the statement. The amended statement has been published online. Given the extent and nature of this change, it is not considered necessary to undertake a further re-consultation.</p>	
<p>RECOMMENDATION SUMMARY:</p> <p>Approve conditional planning permission subject to conditions and legal agreement.</p>	

NOTE TO MEMBERS:

This application has been brought before Planning Sub-Committee as it is a Major Development

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X (Zone F)	
Conservation Area	X (Regents Canal)	
Listed Building (Statutory)		X
Listed Building (Local)	X	
POA	X (Wenlock)	

LAND DETAILS:	USE	Use Class	Use Description	Floorspace (GIA)
Existing		E(g)[i]	Office	4,784
		E(b)	Food and drink	251
Proposed		E(g)[i]	Business	5,591
		A3	Food and Drink	127
		C3	Residential units	4,623

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	0	0	0	0	0	0
Proposed	Flats	23	17	8	2	0
	Dwellings	0	0	0	0	0
	Studio	0	0	0	0	0
Totals	(Total = 50)	23	17	8	2	

Overall Residential Unit Totals:	Market	Intermediate	Social	Total
Existing	0	0	0	0
Proposed	50	0	0	50

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	10 (informal)	0	20 (informal)

Proposed	0	3	228
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CASE OFFICERS REPORT

1. SITE DESCRIPTION

- 1.1 The site is immediately north of Eagle Wharf Road, N1 and within the Hoxton West Ward. The site is bounded by Eagle Wharf Road to the south and Regents Canal to the north, and neighbouring properties no.48/48a to the east and no. 51-59 to the west. It is roughly rectangular in shape and approximately 0.39ha.
- 1.2 The Borough boundary with the London Borough of Islington follows the northern bank of the Regents Canal at this location.
- 1.3 Existing development on site comprises a complex of 2-3 storey commercial buildings. The majority of the space provided by the complex is in E(g) use class, in part used for photographic studios, and partly for offices and other ancillary E(g) uses, with the remaining space in E(b) use class. About 1,200m² of the E(g) space is double storey height studio space and the rest is single storey height studio, office and ancillary space.
- 1.4 The applicant has stated that the following leases apply to the site:
- 49 Eagle Wharf Road is leased to Holborn Studios for a period of 15 years commencing on and including 29 June 2015;
 - Unit 1, 50 Eagle Wharf Road leased to Holborn Studios for a period of 15 years, commencing on and including 29 June 2015.
 - Unit 2, 50 Eagle Wharf Road leased to Stonemanor (trading as Apricot) between 1 March 2007 and 31 March 2018; and,
 - Units 3 and 4, Eagle Wharf Road are leased to Holborn Studios for a period of 15 years, commencing on and including 29 June 2015.
- 1.5 The space leased to Holborn Studios operates as a film and photography studio, and 'hire out' surplus space to businesses that operate within similar or associated fields.
- 1.6 Holborn Studios also operate the space which is in E(b) use. This space is operated as a bar and brasserie and it is located in the north east of the complex, adjacent to and opening out onto Regents Canal. It is known as Studio Kitchen.
- 1.7 Within the complex there is also a courtyard shared by the businesses on site. The courtyard is approximately 61sqm. The courtyard provides

space for parking on site, though the amount has been disputed during consultation and is unclear given the lack of distinct marked bays. The type of parking provided is for vehicles and bicycles. Based on a site visit, it is considered that there is informal parking space for circa 10 vehicles and 20 bicycles.

- 1.8 The site's primary access is from Eagle Wharf Road. It provides both vehicular and pedestrian access through into the courtyard. There are also two secondary access points for servicing and loading. The site has a Public Transport Accessibility Level (PTAL) of 2 though the level rises within 100m of the site to a PTAL of 5. The site lies within a Crossrail 2 safeguarding area.
- 1.9 On the basis of the site visit, soft landscaping is limited with only potted plants visible throughout the site.
- 1.10 Immediately adjacent the site to the east is No. 48/48a Eagle Wharf Road. Development on this site comprises a 3 storey warehouse facility for self-storage with associated car parking. A resolution to grant planning permission for the redevelopment of this site was reached on 01/09/2021. Permission is yet to be formally issued while the legal agreement is finalised. The development would comprise buildings of 2-7 storeys and accommodating a self-storage facility (Use Class B8) office accommodation and 139 residential units (Use Class C3).
- 1.11 Immediately adjacent the site to the west is No. 51-59 Eagle Wharf Road. Development on this site comprises a recent development of 4 – 7 storey modern mixed use development.
- 1.12 To the south of the Site, across Eagle Wharf Road, development comprises of a range of 3-4 storey residential buildings.
- 1.13 To the north of the Site, is the Regents Canal, and at this location for the length of the site is the pontoon dock of Eagle Wharf Marina (EWM). The marina includes a pontoon dock and 5 commercial and 7 residential barges. The moorings and pontoon are immediately adjacent the site.
- 1.14 EWM can be accessed from the site and vice versa. EWM can also be accessed from a controlled point on the publically accessible Packington Street Bridge, which is approximately 50m east of the site as the crow flies. Across the canal is the public towpath and residential buildings ranging from 2 – 6 storeys in height.
- 1.15 Within approximately 250m east and west along the canal, there are instances of canalside development where the massing is up to 7 storeys in height.

- 1.16 The site is located within the Wenlock Priority Office Area (POA) and the City Fringe Opportunity Area (CFOA). The Regent Canal is designated as a Conservation Area (CA), Site of Interest for Nature and Conservation (SINC), Green Link, Green Corridor and as Open Space, and forms part of the GLA Blue Ribbon network.

Red line boundary and ownership

- 1.17 The site location plan submitted shows a redline site boundary that extends into the Regents Canal. Partly within the redline boundary, as it extends into the Regents Canal, is Eagle Wharf Marina (EWM). EWM is operated under a lease from the Canal and River Trust (CRT).

- 1.18 Notwithstanding this, the freehold ownership of the land within the redline boundary is understood to be under the sole ownership of the applicant, as evidenced by a land registry deed. The CRT, who own and manage the Regents Canal have agreed with this position. The applicant has confirmed that the only tenancies that are either noted on the registry deed or have been subsequently granted, and which constitute Interested Parties are to Holborn Studios Limited, who have been served notice.

- 1.19 On the basis of the information available, it is accepted that all Interested Parties have been notified of the application.

Conservation and Heritage

- 1.20 The site is located within the designated Regents Canal Conservation Area (RCCA). Development on site and specifically the Commissary are outlined within the conservation area appraisal:

Much of the western end of Eagle Wharf from opposite Sturts Lock as far as Packington Road Bridge has in last twenty years been extensively refurbished with many factory buildings now being part of Holborn Studios, one of London's major film locations and photographic studios. The Commissary, a bar and restaurant with a large conservatory overlooking the canal and extensive outdoor seating is part of Holborn Studios and is an attractive and sensitive conversion of an industrial building.

- 1.21 The existing buildings on site are identified as positive buildings within the Conservation Area. The existing buildings were also added to the local list in 2012. It is noted on the list that the building is a “Victorian former industrial building (now studios)”.

- 1.22 The area immediately north of the Canal, within the London Borough of Islington, is designated as being within Arlington Square Conservation Area (ASCA).

- 1.23 Beyond No. 51-59 Eagle Wharf Road, at the junction of Eagle Wharf Road and Shepherdess Walk are No. 107-133 (Odd) Shepherdess Walk, which are a grade II listed terrace of residential buildings.

2. RELEVANT PLANNING HISTORY

- 2.1 The site was subject to an application submitted by the same applicant for the redevelopment of the site in 2015. The application reference was 2015/2596. The proposed development was:

Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5644 sq. m, of commercial floorspace at basement, ground, part first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (23 X 1 bed, 17 X 2 bed, 8 X 3 bed, 2 X 4 bed) as well as 127 sq. m. cafe floorspace (A3) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.

- 2.2 The development proposed under 2015/2596 is broadly similar in scope to that being considered under this application.
- 2.3 The application was recommended for approval by Officers and Members resolved to approve the application at a meeting of Planning Sub-Committee in July 2016, subject to conditions and the completion of a legal agreement. The application was subsequently approved on the 8th November 2016. The decision was subsequently challenged by way of a Judicial Review. The challenge was brought by Holborn Studios and a Mr D. Brenner. The challenge was upheld and the decision was subsequently quashed for reasons relating to the consultation process and failure to consult on amendments to the proposals.
- 2.4 The subject application was first submitted in September 2017 and was brought to Planning Sub Committee on 09/01/2019. Officers recommended the application for approval and members resolved to grant planning permission subject to conditions and the completion of a legal agreement. Permission was issued 09/08/2019 and the decision was subsequently challenged by way of a Judicial Review brought by Holborn Studios Ltd. The challenge was upheld on the basis of the nature and extent of the financial viability information published online and the decision was quashed.
- 2.5 The applicants have elected to keep the existing planning application live so as to address the reasons for the judicial review through the submission of further information and an updated submission. The application is broadly similar to the initial September 2017 submission in terms of scale, massing and development quantum. There have been

some minor reductions in commercial floorspace to reflect updated cycle parking and sustainability standards and increased waste storage.

- 2.6 Further to this, the following list comprises relevant applications for development on the site:
- 2.7 Application Reference: 2013/0032
Application Description: Demolition of existing buildings associated with the erection of a mixed use building to provide 5,139sqm of class b1 floor space, 371sqm class a3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping
Application Decision: Withdrawn by applicant
- 2.8 Application Reference: 2012/3923
Application Description: Demolition of existing buildings and the erection of a mixed use building to provide 5,139sqm of Class B1 floor space, 371sqm Class A3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping.
Application Decision: Withdrawn by applicant
- 2.9 Application Reference: SOUTH/479/98/FP
Application Description: Change of use of existing use of existing staff restaurant to public restaurant (A3 Use).
Application Decision: Granted
- 2.10 The following applications were for proposed development adjacent to the site:
- Eagle Wharf Marina*
- 2.11 Application Reference: SOUTH/570/97/FP
Application Description: Provision of facilities and pontoons to facilitate the provision of 15 residential and commercial boat moorings.
Application Decision: Granted
- No. 51-59 Eagle Wharf Road (164 – 168 Shepherdess Walk)*
- 2.12 Application Reference: 2009/2154
Application Description: Change of use of Unit 11 from class A3 (restaurants and cafes) to alternative use Class A3 or B1 (Business) or D1 (non-residential institutions) to include the following uses only: Clinics (except those treating alcohol or drug addiction or dependency or mental health problems), Health Centres, Crèche and Day Nurseries; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.
Application Decision: Granted
- 2.13 Application Reference: 2009/0546

Application Description: Change of use of units 3, 4, 5, & 6 from class B1 (Business) to a dual use class B1 (Business) / D1 (Non-residential institutions) to include the following uses only: Clinics, except those treating alcohol or drug addiction or dependency; or mental health problems; Health Centres; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.

Application Decision: Granted

2.14 Application Reference: 2005/2375

Application Description: Demolition of existing buildings and erection of a part 5, part 6, part 7 storey plus basement level building to provide 3000sqm of Class (B1) (Commercial) floor space; 310sqm of Class A3 (Restaurant) floor space and 108 residential units, comprising 33 x 1 bed, 41 x 2 bed, 30 x 3 bed and 4 x 4 bed units together with 29 car parking spaces and 5 servicing bays and associated landscaping

Application Decision: Granted

Packington Bridge Gate House, Sturts Lock, N1

2.15 Application Reference: 2013/0843

Application Description: Erection of a single storey gatehouse building, external staircase and wheelchair lift with a timber pontoon and secure bike store.

Application Decision: Granted

48 - 48a Eagle Wharf Road, Hackney, London, N1 7ED

2.16 Application Reference: 2021/0680

Application Description: Redevelopment of existing self-storage site (B8 use) to provide a mixed use scheme comprising blocks of 2-7 storeys and accommodating a self-storage facility (Use Class B8) at lower basement, basement and ground floor level, office accommodation (Use Class E(g)) at basement, ground and first floor level, 139 residential units (Use Class C3) at second to sixth floor and cafe (Use Class E) at ground and first floor level, along with landscaping and other associated works..

Application status: Resolution to grant planning permission.

3. CONSULTATION

3.1 The Council informs people of planning applications in a number of different ways. There is a statutory requirement to inform specific Statutory Consultees of planning applications through Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010. A list of these stakeholders is outlined on the Council's website.

3.2 The Council has also adopted a Statement of Community Involvement (SCI) which sets out the standards of consultation. In deciding how and who to consult on a planning application, the Council take the following into account:

- The minimum statutory requirements for publicity of planning applications as set out in the relevant legislation; and
 - The type of application - for example the Council will normally go beyond the minimum notification requirements where a development may give rise to significant local interest, or is on a particularly sensitive site or is of a large-scale.
- 3.3 The statutory requirement for publicity of the application is considered to be a Press Notice and either Site Notice or Neighbour Notification, and which is set out in the SCI. With specific regard to neighbour notification, the SCI sets out that the council will notify all properties within at least 30m of the boundaries of the application site as a minimum. It is Officers discretion to notify neighbours outside of this area.
- 3.4 Consultation was undertaken on the application. In line with statutory requirements and the SCI the publicity of the application comprised:
- A Press Notice
 - Site Notices
 - Notification of neighbours within 30m of the application site as a minimum.
 - Publication on the Councils weekly list of applications and website; and,
 - Consultation with the Conservation Area Advisory Committee
- 3.5 The application was the subject of a consultation process when first submitted and leading up to the 09/01/2019 Planning Sub-Committee. This comprised six rounds of consultation with nearby neighbours, relevant statutory consultees and local groups. Due to a serious cyber attack experienced by the Council in October 2020, the representations made by objectors and other interested parties to these consultations are currently unavailable and have not yet been recovered. However, it is noted that the responses received are summarised in Section 3 of the 09/01/2019 committee report appended to this report.
- 3.6 A full re-consultation exercise was undertaken on 29/10/2021 which included nearby neighbours, all relevant statutory consultees and local groups (including the Conservation Area Advisory Committee). This included residents living within 30m of the site and nearby residences in the London Borough of Islington. Site notices were also displayed near the site, a notice was placed in the local press and the application was published on the Council's weekly list.
- 3.7 A second round of re-consultation took place on 07/02/2022 following the submission of some additional sustainability information, a minor amendment to the commercial floor area, the submission of an additional financial viability note, amended ground floor plan and section drawing,

fire safety drawing and urban greening factor plan. An amendment was also made to the development description to update the commercial floor area and references to relevant use classes. The consultation exercise included all neighbours consulted on the application on 29/10/2021, all those who made representation on that round of consultation and all relevant statutory consultees.

3.8 Overall, the consultation process described above is considered to be in full compliance with statutory requirements and the SCI. All documents in support of the application have been publically available for comment for over 21 days (save for the final version of the Fire Statement as discussed on the cover sheet which was published on 01/03/2022). Comments received since the 29/10/2021 consultation have been summarised and considered in this report. The representations received are summarised in the sections below:

3.9 **First Round of Re-consultation**

3.9.1 Date Statutory consultation period started: 29/10/2021

3.9.2 Date Statutory consultation period ended: 26/11/2017 (21 days from press/site notice)

3.9.3 Site Notice: Yes (x3 – x2 within LBH and x1 within LBI)

3.9.4 Press Advert: Yes

3.9.5 In addition to the site notice and press notice, 366 notification letters were sent to nearby occupiers.

3.10 **Second Round of Re-consultation**

3.10.1 Date Statutory consultation period restarted: 07/02/2022

3.10.2 Date Statutory consultation period ended: 28/02/2022 (21 days)

3.10.3 In addition to the site notice and press notice, 1,100 notification letters were sent to nearby occupiers.

3.11 **Public Responses**

3.11.1 At the time of writing, as a result of the rounds of consultation that have been undertaken since 29/10/2021, 721 objections have been received.:

3.11.2 The grounds for objection can be summarised as follows:

- The proposal would result in the loss of a world-renowned, valuable cultural asset at the site and would undermine the creative industries in this part of the city fringe, contrary to planning policy protecting cultural uses.
- Planning policy in relation to sustainability and climate change has changed since the application was last considered. The proposal does not meet the new standards.

- The proposed affordable housing contribution has reduced considerably since last considered and is a miniscule sum for a development of this nature. On balance the benefits do not outweigh the harms and the application should be refused.
- The proposed housing does not meet housing need in the borough in terms of affordability.
- Residents of Eagle Wharf Marina were not notified of the application. OFFICER COMMENT: Consultation records show that the registered address for Eagle Wharf Marina (172 Shepherdess Walk) was sent a consultation letter. Site notices were also displayed at various points near the site.
- The proposal would result in the loss of a valuable heritage asset, which makes a positive contribution to the canal and the conservation area.
- The documents in relation to the previous application were all lost in a data hack. OFFICER COMMENT: The submission has been updated to reflect the current policy context and all relevant information is available to view online. Consultation responses received upon the last application are summarised in the appended report.
- The proposal would result in the loss of an affordable studio facility.
- The proposal is weaker than the previously quashed submissions and should be refused.
- The existing use of the building is an asset to the community, which includes granting use for young people/education. OFFICER COMMENT: The proposal is assessed on the basis of the existing/proposed planning uses.
- The application uses a previously quashed application number so is procedurally flawed. OFFICER COMMENT: The reopening of a quashed planning permission in order to allow the applicant to address any legal flaws found by the courts is procedurally acceptable.
- The proposal would result in the loss of 350 jobs.
- The proposal does not comply with policies relating to the canal.
- The proposal will impact upon wildlife and biodiversity in the area.
- The impacts of construction would be detrimental to local residents. OFFICER COMMENT: The recommended conditions include a Demolition and Construction Management Plan which would mitigate the potential environmental impacts of construction.
- The proposal would have a detrimental impact upon neighbouring amenity including daylight/sunlight, privacy and outlook.
- The proposal represents overdevelopment

3.11.3 The objections summarised above are considered to be addressed in the main body of the report unless otherwise noted above.

3.11.4 A total of 930 objections and 1 support were received when the application was last considered by members. These are summarised in the appended report.

3.11.5 In addition to the above, an objection has been received from representatives working on behalf of Holborn Studios. The grounds of objection can be summarised as follows:

- Requests that objection be read in conjunction with that submitted previously (summarised in appended report).
- The proposals are substantially different from the previous submission and should be submitted as a new application. OFFICER COMMENT: The submission is not considered to be substantially different such that this would require a new application.
- Key differences in the application are not made clear in the consultation letter and the old development description is used. OFFICER COMMENT: The first round of re-consultation 29/10/20201 made clear updated plans and documents had been submitted. The second round of re-consultation (07/02/2022) contained a further summary of the reasons for re-consultation and updated the floor areas and references to use class. It is considered that the consultation exercise has been sufficiently clear as to convey the nature of the reconsultation and over 700 responses have been received. The proposal remains broadly similar to the previous submission.
- The application submission does not make clear the changes to the scheme and the changes in policy context. OFFICER COMMENT: The application documents have been updated to reflect the updated policy context. The changes to the scheme, including to planning contributions are included in the submission documents and are set out in this report.
- No further stakeholder engagement was undertaken contrary to the requirements of the NPPF. OFFICER COMMENT: Stakeholder engagement was undertaken prior to the submission of the application in 2017 as detailed in the submitted SCI. The proposal is broadly similar and it is not considered that further stakeholder consultation by the applicant is required in such cases. The Council has fulfilled its statutory obligations in terms of consultation.
- The 29/10/2021 consultation letter included the line “Please note that if you have already submitted comments following the initial consultations, these will still be fully taken into consideration when a decision is made” which cannot be the case if previous responses were lost in a cyber attack. OFFICER COMMENT: This was a clerical error in the consultation letter which was corrected in the reconsultation letter of 07/02/2022. The comments made on the previous submission are summarised and addressed in the appended report.
- If the council has lost application material in the cyber attack, it cannot fulfil its obligation and a new application should be submitted. OFFICER COMMENT: A full consultation exercise has been undertaken as part of the current submission. It is considered that the Council has fulfilled its statutory obligations in terms of consultation. The application documents and drawings are available on the Council’s website and have been for the consultation period (save for the final

version of the Fire Statement as discussed on the cover sheet which was published on 01/03/2022).

- The reference to 'partial demolition' in the development description is inaccurate. OFFICER COMMENT: The proposal would not demolish the entire building therefore 'partial demolition' is an accurate description.
- The Council should confirm that all relevant consultees have been reconsulted. OFFICER COMMENT: All relevant statutory and internal consultees have been reconsulted. Where amenity groups made representations previously these have been summarised in the appended report.
- The application proposals would result in the loss of a high-quality studio facility. The replacement commercial use is not an adequate replacement.
- The proposal would result in the loss of the existing affordable commercial space.
- The proposal provides less commercial space than last time and does not optimise the amount of commercial space.
- The proposal would result in the loss of low cost floorspace and this is not addressed in the submission documents.
- The proposal would provide less affordable workspace than before.
- The proposed space is substandard and would not be suitable for use as a studio or photography studio.
- The proposed access arrangements encourage trespass on Eagle Wharf Marina. OFFICER COMMENT: It is unclear how this would be the case. A condition is recommended in relation to operational management which will include provisions for access.
- Affordable Housing should be provided on site.
- Full viability information should be published online.
- The proposal is unacceptable in heritage terms and would result in the loss of a non-designated heritage asset.
- The public benefits have reduced and do not outweigh the harm that would be caused.
- The proposal does not comply with improved sustainability standards in the London Plan and the submission does not include details of urban greening factor, embodied carbon or a circular economy statement. OFFICER COMMENT: A UGF document has been submitted. A whole life carbon assessment and circular economy statement are requirements of GLA referable schemes which this is not.
- No acoustic assessment for Air Source Heat Pumps. OFFICER COMMENT: The impact of plant noise is to be mitigated by the recommended condition.
- Rooftop plant has not been maximised and there would be overheating in half the proposed dwellings.

The matters summarised above are considered to be addressed in the main body of the report unless otherwise noted above.

3.12 Local Groups

3.12.1 A summary of the comments offered by local groups consulted are as follows:

Association of Photographers

3.12.2 An objection was received on the following grounds (summary):

- *Loss of studio*
- *Impact on the photographic industry*
- *Impact to creative industry*
- *Loss of culturally significant asset*

Friends of Regents Canal

3.12.3 Objection on the grounds of (summary):

- *Loss of Holborn Studios*
- *Loss of buildings on site all of which are locally listed*

Regents Canal/Shoreditch Conservation Area Advisory Committee CAAC

3.12.4 Object. The substantial loss of a non-designated heritage assets (ie the locally listed buildings), which make a positive contribution to the character and appearance of the conservation area, would result in significant harm to the conversation area and wider townscape. Even if that harm is less than substantial the very limited public benefits of the scheme (particularly the under provision of affordable housing) would be insufficient to justify the detrimental impact of the proposals. In addition, the proposed replacement buildings are poorly considered in terms of their overall composition and scale towards the Regents Canal, have a form and appearance which is incongruous to this stretch of the conservation area, and would have a detrimental impact on its character and appearance. Towards the street frontage the proposal lacks any townscape and architectural quality and would result in the introduction of a poor-quality building that would detract from the setting of the conservation area.

Hackney Society Planning Group (HSPG)

3.12.5 Objection on the ground of (set out verbatim below):

The genesis of this application is well recorded but it is worth emphasising that there have been no lawful decisions made on this application and whilst observations and recommendations made by previous sub-committees and officers contain much that is still factually correct and valid, the LPA would be entitled to come to a different judgement on the balance of those observations even if nothing had changed. In fact the Court would not have quashed the previous decisions had it felt the same planning judgement was inevitable.

As it happens, in policy terms at least, much has changed - in particular the emphasis on sustainability and re-use, and new London Plan 2021 policies on (D13) Agent of Change, (HC5) the creative industries, and

(D6) enhanced requirements for good housing design - in particular, dual aspect residential units. And, of course, LP33.

We have previously emphasised the current, exceptional sustainable use of the existing buildings - Holborn Studios employs (directly, and indirectly) a substantial number of people in a creative industry that has demanded little change to the fabric of the historic buildings. This ability to perpetuate an economic advantage without either demolition or substantial additional construction places a high bar for the test of whether any new development might be - overall - sustainable. What is currently proposed does not reach that bar as it proposes the demolition of the existing creative economic activity and much of the fabric (and embodied carbon) of the existing building.

Furthermore what is proposed is not exceptional either in design quality terms or in terms of economic benefit, sustainability, and amenity value.

In particular we remain perturbed that the application continues to propose 40% single-aspect units and note that a substantial proportion of the remainder only count as dual-aspect on a technicality - with a second aspect provided by a small single window into a courtyard or balcony (e.g. E02, B04, B09). Policy D6 of the London Plan 2021 provides a distinct change of emphasis since 2016:

C) Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating. The application fails to demonstrate that it meets the new requirements, and if it was felt the provision of single aspect accommodation carried insufficient weight to refuse the application under 2016 policy, it surely carries sufficient weight now.

The new London Plan 20121 Policy D13 requires that

B) Developments should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.

No material changes to the scheme have been proposed since 2018, so the applicant relies on the removal of the current business and replacement with a generic photographic studio of a different type - that is to say replacement of a large, "drive-in" scale photographic studio complex with a smaller set of studios which would not have the ability to accommodate shoots of the same type and scale. The downscaling of the use in order to facilitate the residential uses is the antithesis of the requirement of Policy D13 that an existing use be allowed to flourish.

Whilst the Court, in the second JR made it clear there was, at the time "... no policy requirement to retain the specific type of use operated and required by [Holborn Studios]" it went on to point out that "the loss of [Holborn Studios] was relevant to the considerations comprised in the policies related more generally to employment activity."

Retention of existing activity is now also captured in, for instance, new London Plan 2021 Policy HC5 "Supporting London's culture and creative industries" - which explicitly encourages the protection and preservation of "existing cultural venues, facilities and uses". The word 'and' makes it clear we are not merely dealing with uses within the usual meaning of the legislation, but specific venues and facilities. The facilities for the creative sector that are provided in the large studios of Holborn Studios are rare in inner London, and their loss will not easily be replaced nearby - certainly not within Hackney.

Finally, The statement of community involvement remains that of July 2017. Given the considerable change of local and London policy, and time elapsed, the failure to re-engage the community in this light, must be seen as a failure to consult at all.

In JR2 the Court invited the LPA to consider that the planning "balance might be struck in different ways" and the Court has provided clarity that would enable that to happen now even without the substantial shift in policy that has subsequently happened.

In the face of the considerable policy enhancements and a largely unamended scheme, it would be perverse for the LPA to reach the same conclusions as it has done previously.

NB. Holborn Studios are supporters of the Hackney Society, though the observations of the Planning Group are made without regard to that fact.

OFFICER NOTE: The proposal is broadly similar to that which was consulted on by the applicant in preparation of their Statement of Community Involvement. The Council has fulfilled its obligations in terms of public consultation. The consultation exercise that has been undertaken is considered to be appropriate in this case.

3.13 **Statutory Consultees**

3.13.1 A summary of the comments offered by statutory consultees consulted are as follows:

Historic England (Historic Buildings and Areas)

3.13.2 No further comments on the proposals beyond those summarised in the appended report.

Historic England (Archaeology)

3.13.3 No further comments on the proposals beyond those summarised in the appended report.

The Canal and Rivers Trust

3.13.4 No further comments on the proposals beyond those summarised in the appended report.

London Fire and Emergency

3.13.5 No response received. Previous response summarised in the appended report.

Thames Water

3.13.6 No further comments on the proposals beyond those summarised in the appended report.

London Borough of Islington (LBI)

3.13.7 No response received. Previous response summarised in the appended report.

Crossrail Limited

3.13.8 No further comments on the proposals beyond those summarised in the appended report.

Natural England

3.13.9 No response received. Previous response summarised in the appended report.

Secure By Design (SBD) – Metropolitan Police

3.13.10 No response received. Previous response summarised in the appended report.

Transport for London

3.13.11 No objection subject to conditions and general comments on the grounds of:

- The proposed cycle parking is in line with the London Cycling Design standards (LCDS) and within London Plan Policy T5 (Cycling).
- 5% of the proposed cycle parking must be able to accommodate larger cycles to comply with the London Plan.
- Details of proposed construction access arrangements should be provided to TfL in the form of a Construction Management Plan (CMP) to confirm impacts on the surrounding road network. Please note that any impact/changes to TfL Assets/Infrastructure will require approval from TfL.
- In accordance with London Plan Policy T7, TfL requests that a Delivery and Servicing Plan (DSP) is submitted to and approved by Hackney Council in consultation with TfL prior to occupation.
- With regards to the CMP, it is imperative that road safety measures are considered, and preventative measures delivered through the construction and operational phases of the development. TfL encourages the use of contractors who are registered on the FORS system under silver membership and would welcome a commitment by the applicant to this scheme outlined in the CMP. Please see: <http://www.tfl.gov.uk/info-for/freight/safety-and-the-environment/managing-riskswrrr>.

- TfL supports no car parking apart from the provision of 3 blue-badge car parking spaces. This complies with London Plan Policy T6 and the Mayors Transport Strategy.
- The footway width on the canal side must keep a minimum of 2m in line with London Plan policy T2, Healthy Street and TfL's Streetscape Guidance, which can be found here: <https://content.tfl.gov.uk/streetscape-guidance-.pdf>

GLA culture team

- 3.13.12 General comments made on the following:
- *Consideration should be given to the policies of the London Plan specifically policies on creative workspace and re-provision of workspace, and the Mayor's Cultural Infrastructure Plan*
 - *Holborn Studios contribution to London's cultural infrastructure is valuable and significant. It is essential that creatives in London have access to a range of spaces to suit their diverse needs.*

Health and Safety Executive (Fire)

- 3.13.13 No comment.

3.14 **Council Departments**

Pollution - Land Contamination

- 3.14.1 Conditions which relate to the following are recommended:
- *Additional information to be carried out further to Desk Study Report prepared by ST Consult (Ref DS2568, November 2014) including:*
 - o *An additional cable percussive borehole position in the western corner of the site.*
 - o *As well as three combined gas and water monitoring installation in WS's, similar installations in all of the cable percussive positions.*
 - o *Groundwater monitoring, sampling and analyses from all positions where groundwater is encountered.*
 - o *Initially 6 ground gas monitoring visits (to include PID) over a three month period.*
 - *Condition CSL 1*
 - *Condition CSL 2*

Pollution – Air

- 3.14.2 No objection subject to conditions relating to air quality management.

Streetscene - Highways

3.14.3 The following works to the surrounding highways network are required and are to be secured via a S278 agreement:

- *Reconstruction of the footway along the front of the site on Eagle Wharf Road using new ASP slabs and new kerb;*
- *The conversion of the redundant crossovers to footway,*
- *Provision of new crossovers as required reconstruction of the two remaining crossovers and provision of a dropped kerb for the proposed goods lift;*
- *The resurfacing of the carriageway between Shepherdess Walk and Cropley Street;*
- *The refitting of the lamp columns along the same stretch of road with LED relocation of any street furniture as required to accommodate the development amendments to parking, loading and other traffic regulation orders to accommodate the revised street design and access arrangements.*

The works have been costed at £109,028 which has been agreed with the applicant.

Sustainable Drainage Officer

3.14.4 No objection subject to conditions relating to:

- *Details of proposed Sustainable drainage system*
- *Groundwater flooding*

Pollution Noise

3.14.5 Conditions which relate to the following are recommended:

- *Ventilation and extraction details for A3 use*
- *Safeguarded background noise levels*
- *Safeguarded internal noise levels*
- *Ensuring additional soundproofing between adjacent residential and commercial elements*
- *Standards for noise emissions from proposed plant*
- *Standards for noise emissions from demolition and construction management plan.*

Traffic and Transportation

3.14.6 No objection subject to the the conditions, obligations and comments set out in the Transport section below.

Waste Management

3.14.7 Sought increased waste storage during course of application. No objection subject to conditions:

Building Control

3.14.8 Following the submission of additional information in relation to Fire Safety, no objection.

Sustainability

3.14.9 Due to there being no sustainability officer currently in post when the application was assessed, an external consultant (RPS) have been appointed to assess the sustainability and energy documents submitted to support the scheme. Following the submission of additional information, RPS raise no objections to the scheme (summarised in the relevant section below).

4. **POLICIES**

4.1 In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (2004) planning applications should be determined in accordance with the development plan, unless other material planning considerations indicate otherwise.

4.2 The development plan comprises:

- The London Plan (published March 2021)
- The London Borough of Hackney Local Plan (LP33) (adopted July 2020)

4.3 Within these documents it is considered that the pertinent policies are as follows:

4.4 **Local Plan LP33 (July 2020)**

LP1 Design Quality and Local Character

LP2 Development and Amenity

LP3 Designated Heritage Assets

LP4 Non Designated Heritage Assets

LP5 Strategic and Local Views

LP6 Archaeology

LP9 Health and Wellbeing

LP10 Arts, Culture and Entertainment Facilities

LP11 Utilities and Digital Connectivity Infrastructure

LP12 Meeting Housing Needs and Locations for New Homes

LP13 Affordable Housing

LP14 Dwelling Size Mix

LP17 Housing Design

LP26 Employment Land and Floorspace

LP27 Protecting and Promoting Office Floorspace in the Borough

LP29 Affordable Workspace and Low Cost Employment Floorspace

LP31 Local Jobs, Skills and Training

LP36 Shops Outside of Designated Centres

LP41 Liveable Neighbourhoods

LP42 Walking and Cycling

LP43 Transport and Development

- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP49 Green Chains and Green Corridors
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP52 Water spaces, Canals and Residential Moorings
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP56 Decentralised Energy Networks (DEN)
- LP57 Waste
- LP58 Improving the Environment - Pollution

4.5 London Plan (March 2021)

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD1 Opportunity Areas
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of Change
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H10 Housing size mix
- S4 Play and informal recreation
- E1 Offices
- E2 Providing suitable business space
- E3 Affordable workspace
- E8 Sector growth opportunities and clusters
- E9 Retail, markets and hot food takeaways
- E11 Skills and opportunities for all

HC1 Heritage conservation and growth
HC5 Supporting London's culture and creative industries
G1 Green infrastructure
G2 London's Green Belt
G3 Metropolitan Open Land
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 6 Digital connectivity infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
SI 14 Waterways – strategic role
SI 16 Waterways – use and enjoyment
SI 17 Protecting and enhancing London's waterways
T1 Strategic approach to transport
T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.2 Office Parking
T6.5 Non-residential disabled persons parking 4
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning 4
DF1 Delivery of the Plan and Planning Obligations

4.6 Further to the development plan is the following guidance and national policies which are material considerations:

4.7 **Supplementary Planning Guidance and Documents**

Regional Guidance

- Accessible London (October 2014);
- Affordable Housing and viability (August 2017)
- Character and Context (June 2014);
- City Fringe Opportunity Area Planning Framework (2015);
- Energy Planning (April 2014);
- Guidance on the preparation of energy assessments (2016);

- Housing SPG (2016)
- Housing Design Guide (2010);
- Play and Informal Recreation SPG (2012);
- Planning for Equality and Diversity in London (October 2007);
- Sustainable design and construction SPG (April 2014); and,
- The control of dust and emissions during construction and demolition (July 2014);

Local Guidance

- Sustainable design and construction SPD (2016);
- Planning Contributions SPD (2020);
- Public Realm SPD (2012);
- Child Friendly SPD (2021);

4.8 National Planning Policies and Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

5. COMMENT

5.1 Proposal

5.1.1 Planning permission is being sought for:

Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5,591 sqm of commercial floorspace (Use Class Eg[i]) at basement, ground, first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (comprising 23 x 1 bed, 17 x 2 bed, 8 x 3 bed, 2 x 4 bed) as well as 127 sqm café floorspace (Use Class E[b]) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works. Reconsultation due to the submission of additional sustainability information, minor amendment to commercial floor area, financial viability note, amended ground floor plan and section drawing, fire safety drawing and urban greening factor plan. Amendment also made to development description to update floor areas and references to use classes.

5.1.2 As discussed in the sections above, the proposal is broadly similar to that which obtained a resolution to grant planning permission at Planning Sub-Committee in January 2019 and was subsequently quashed at judicial review.

5.1.3 The proposal would still involve the demolition of all existing buildings on site, except for a 3 storey L-shaped block fronting onto the canal and a

square chimney, and erect new blocks of between 2-7 storeys in height. This includes a part 5, part 6 part 7 storey L-shaped block fronting Eagle Wharf Road and returning along the eastern site boundary, a six storey block adjacent to the canal and two blocks of two and three storeys respectively which would connect the new building on Eagle Wharf Road to the retained buildings on the canal. The external appearance of the proposal in terms of massing, form, design and materiality is unchanged since the previous proposal.

5.1.4 The residential element of the proposal would also remain unchanged in terms of quantum with 50 units continuing to be provided within the development at the same unit and tenure mix. For clarity, the unit and tenure mix is restated below:

- 23x 1 bed Market Sale (46%);
- 17x 2 bed Market Sale (34%);
- 8x 3 bed Market Sale (16%) ; and,
- 2x 4 bed Market Sale (4%).

5.1.5 Of the proposed residential units, the proposal remains to provide 5 as wheelchair adaptable units (4x 2 bed 3 person, and 1x 1bed 2 person) which represents 10% of the overall residential units. Private amenity space would also continue to be provided by balconies to the majority of the residential units with shared amenity space provided by courtyards and landscaped space around the development.

5.1.6 The commercial floorspace would be slightly reduced in comparison to the proposal previously presented to members in Jan 2019. This reduction is principally due to updated standards related to design and sustainability, as well as an enhanced provision for waste storage, which have resulted in a greater proportion of the ground and basement floors being given over to accommodate these needs. A comparison of the commercial floor area presented to committee in January 2019 versus those currently proposed is set out in the table below:

	Jan 2019 Committee Report	Current Proposal
Office (Class E[g])	5,644sqm (GIA)	5,591sqm (GIA)
Cafe (Class E[b])	127sqm (GIA)	127sqm (GIA)

5.1.7 The proposed development would continue to be car free except for three blue badge parking spaces. The number of cycle storage spaces has been increased from 168 to 228 to better address updated standards. Access arrangements remain unchanged with vehicle access to the parking

spaces and access for servicing provided from Eagle Wharf Road. Two pedestrian access points are also provided through the undercrofts on Eagle Wharf Road.

- 5.1.8 In addition to the changes in floor area set out above, there have been enhancements to the proposed landscaping scheme in order to address new standards relating to urban greening and biodiversity. There have also been improvements to the approach to sustainability to reflect updated standards. Both are discussed in greater detail in relevant sections below.
- 5.1.9 There have also been changes to some of the key scheme deliverables as a result of the updated policy context and an updated consideration of financial viability. These include:
- Affordable Workspace provision changed from 24% of office floorspace at a 80% of market rental levels to 11.5% of office floorspace at a 60% of market rental levels;
 - Payment in lieu of on site affordable housing reduced from £757,076 to £157,823;
 - Recalculation of Carbon Offsetting payment from £47,592 to £132,195;
 - Recalculated formula based planning contributions and monitoring fees as per updated Planning Contributions SPD (see Recommendation B).

Judicial Review Background

- 5.1.10 As mentioned above, the application was the subject of a successful judicial review in 2020 which led to planning permission 2017/3511 being quashed (final judgement dated 11/06/2020). This followed a previous successful judicial review in 2017 which led to a previous consent for a broadly similar development at the site being quashed (2015/2596).
- 5.1.11 The grounds for the 2017 judicial review related to a lack of consultation upon changes made to the planning application during the course of its assessment and the lack of publication online of certain documents relating to officers assessment of the existing office space. The subject application was submitted prior to the final 2017 judgement being issued (final judgement date 10/11/2017).
- 5.1.12 The grounds for the 2020 judicial review were threefold and can be summarised as follows:
1. Failure to make all relevant information in relation to financial viability publicly available, including background papers, and that the content of the information that was published was insufficiently clear.
 2. The Council's guidance in relation to lobbying material submitted to Planning Sub-Committee members by consultees was unlawful.
 3. Officers failed in the committee report to properly interpret development plan policies in relation to the retention of the existing creative use.

5.1.13 In his judgement, Mr Justice Dove found that the second and third grounds set out above should be dismissed but that the first ground should succeed and therefore permission should be quashed. The reasons for this decision can be summarised briefly as follows:

- The Council was found to have not fulfilled its obligation under section 100 D (5) of the 1972 Local Government Act in relation to the publication of background papers which were material to the preparation of an officers report. This included ‘a significant volume of further technical work addressing ground rents and their impact on existing use value, the derivation of figures for the planning obligations and CIL and also the identification of a benchmark land value’.
- The material which was placed in the public domain in relation to financial viability was found to be insufficiently ‘comprehensive and coherent’ and included ‘inconsistencies’ in relation to matters such as the derivation of benchmark land value.
- The Council was found to not have complied with the NPPF and NPPG in terms of the publication of key viability information.

Scope of this Report

5.1.14 Additional information that has been submitted by the applicant in relation to financial viability which is intended to address the grounds upon which the permission was quashed at judicial review.

5.1.15 The information published on the Council’s website prior to the most recent round of consultation includes the full set of documents which are relevant to the Council’s recommendation, including separate summary viability reports prepared by both the applicant and the Council’s surveyor setting out the final agreed viability position following the initial submission of a viability appraisal. A viability note has also been published which addresses the implications upon scheme viability of a minor reduction in commercial floorspace caused by an increased provision of waste storage space (negotiated following the initial re-consultation on 29/10/2021). The documentation is listed on the opening page of this report in full and has been published on the council’s website since 04/02/2022 and any relevant background papers are listed at the end of this report.

5.1.16 The documents have been prepared so that they are transparent, comprehensive and coherent and include a clear account as to how key viability inputs were arrived at as a result of negotiations. Further consideration of the outcome of the viability assessment is set out in the relevant section below.

5.1.17 Based on the material submitted, it is officers’ position that the Council has fulfilled its duty in relation to the Section 100 (D) of the Local Government Act 1972 and the relevant parts of the NPPF and NPPG.

5.1.18 Given that the judicial review process did not find any flaw with the Council's wider planning assessment of this application, it is considered that the scope of this report should be focussed upon the additional information submitted in relation to financial viability that is intended to address the first ground of the judicial review, the updated viability assessment and any areas of planning policy where there has been a material change since members last resolved to grant planning permission along with any relevant changes to the surrounding context. The officer's report from Jan 2019 committee is appended to this report and, where the assessment is unaffected by changes in policy or local context, this represents officers views on the proposed development, and will not be repeated here.

5.1.19 Members are advised that they may choose to come to a different decision on the application on this occasion. However, it should be noted that the previous resolution to grant is a material planning consideration and the Council would be vulnerable to criticisms of unreasonableness if a different decision were to be made without a significant change in circumstances.

5.1.20 Since Jan 2019, the Council has adopted a new Local Plan (2020) and a new London Plan has also been published (2021). The NPPF was also updated in February 2021. The sections below will highlight any changes to policy since Jan 2019 such that these may affect the planning assessment. The full list of Core Strategy, Development Management Local Plan and London Plan policies that were applied previously is contained in the appended Jan 2019 officer's report.

5.2 **Considerations**

5.2.1 The principal material planning considerations relevant to this application are as follows:

- Principle of Development;
- Design and Heritage Considerations;
- Quality of accommodation: Residential
- Impact to Amenity;
- Biodiversity and Landscaping;
- Traffic and Transportation;
- Energy and Sustainability;
- Other Planning Considerations;
- Community Infrastructure Levy; and,
- Planning Contributions.

5.2.2 Each of these considerations is discussed in turn below.

5.3 **Principle of Development**

Employment Floorspace

- 5.3.1 The site is located within the Wenlock Priority Office Area (POA) (previously referred to as the Wenlock Priority Employment Area) and the Core Growth Area of the City Fringe Opportunity Area (CFOA). The 2021 London Plan identifies the CFOA/Tech City area as having an indicative employment capacity of 50,500 jobs and a minimum of 25,500 new homes (updated from the 70,000 jobs and a minimum of 8,700 new homes set out in the previous plan).
- 5.3.2 The relevant current London Plan policies in relation to employment floorspace are E1 (Offices), E2 (Providing Suitable Business Space), E3 (Affordable Workspace) and E8 (Sector growth opportunities and clusters). The relevant current policy context in relation to employment floorspace contained within LP33 is set out at policies LP26 (Employment Land and Floorspace), LP27 (Protecting and Promoting Office Floorspace in the borough), LP29 (Affordable and Low Cost Workspace) and LP31 (Local Jobs, Skills and Training). Where key aspects of these policies differ to those which were in place when the application was last brought to committee, this is discussed below.
- 5.3.3 The strategic policies related to offices and business space (E1, E2 and E8) in the London Plan are considered to be broadly similar to those policies which were previously in place. It is considered that the development would continue to meet the objectives of these policies in terms of promoting an acceptable standard of office accommodation that meets a strategic need and is in line with the CFOA/Tech City designation.
- 5.3.4 The policy context in relation to the maximisation of employment floorspace (LP26) is broadly similar to that previously in place. Although the proposal provides slightly less commercial floorspace than when last considered by members, it would still provide an uplift in commercial floorspace compared to the existing (an increase of 807sqm) and would continue to maximise the provision of employment floorspace on site (discussed further below). It is therefore considered to comply with LP26.
- 5.3.5 The requirements of LP27 are also broadly consistent with those previously in place in terms of the provision of new business floorspace, the retention of existing employment land and the co-location of residential and commercial uses. The proposal would continue to provide a mixed use, employment-led scheme where the residential element would not compromise the character or function of the POA. The proposal is also still consistent with the surrounding land use character, the most notable change to which has been the resolution to grant a mixed use residential/commercial scheme at the adjacent site (2021/0680). The new floorspace would also continue to be of a high quality of design and flexible. It is noted that some ground floor residential space is provided as

part of the development which is now discouraged by LP27, however, this is a small part of the overall commercial space and is considered acceptable given the context facing landscaped amenity space and the canal.

- 5.3.6 The key change to LP27 in comparison to the previous policies relates to the proportion of commercial floorspace sought in this POA which has increased from a need to be 'employment-led' (as per DM17) to 60% of total floor area subject to viability. The proposal would provide 54.2% of floorspace as office and therefore falls short of the new 60% target. However, the submitted financial viability information is considered to demonstrate that the maximum viable extent of commercial floorspace has been achieved on site.
- 5.3.7 While the development currently provides a surplus of £157,823, it is considered that the implications of converting part of the proposed residential floorspace to commercial space in order to achieve a greater proportion of office would have a detrimental impact upon the viability of the scheme such that the scheme would no longer be viable (the Gross Development Value of the residential component far exceeds that of the commercial component). In addition, the layout of the development is such that the provision of access to additional office accommodation within the development would have significant cost implications due to the need for separate lift access for each use. Overall, it is considered that the maximum viable amount of commercial floorspace has been provided and that the proposal is acceptable in terms of LP27.

Affordable/Low Cost Workspace

- 5.3.8 LP29 requires 10% of gross new employment developments (where there is no low cost floorspace re-provided) to be affordable workspace at a discount of 60% of the locality's market rent. This differs from the previous policy requirement which sought 10% of floorspace to be provided at 80% of market rates. The proposal would provide 11.5% of commercial floorspace as affordable workspace at a policy compliant rate of discount and therefore exceeds the requirements of LP29. Whilst it is acknowledged that the scheme previously provided 24% of employment space as affordable, this was at the lesser discounted rate which, at current rental levels, would be unaffordable in this area. The extent of the reduction in affordable workspace reflects the higher discount sought by LP29 and the wider viability of the scheme. However, given that it continues to exceed policy, the affordable workspace offer is considered to remain a significant benefit of the proposal. The proposed affordable workspace offer would also be in line with the objectives of London Plan policy E3.
- 5.3.9 LP29 also states that proposals which seek to redevelop existing low cost employment floorspace must re-provide the maximum economically

feasible amount of low cost employment floorspace in perpetuity at equivalent rents and service charges, suitable for the existing or equivalent uses, subject to current lease arrangements and the desire of existing businesses to remain on-site. This represents a rephrasing of the previous affordable workspace policy (DM18) which sought a similar approach to existing 'low value' workspace. Given that the existing commercial floorspace on site could be characterised as 'low cost floorspace', and given the apparent desire of the existing occupants to remain on site, it is considered appropriate to assess its loss against LP29.

- 5.3.10 As discussed above, it is considered that the proposal would provide the maximum economically viable amount of employment floorspace on site, including a provision of 11.5% affordable workspace which exceeds policy. Given the outcome of the viability assessment (further details below), where the delivery of an employment led scheme with 11.5% affordable workspace produces a relatively small surplus, it is considered that the re-provision of the entirety of the existing floorspace (or at least that which is occupied by Holborn Studios) at the same rental rates and service charges as are currently in place would not be an economically viable proposition. A partial re-provision is also unlikely to enable the existing occupier to remain on site given their specific operational needs. Consideration should therefore be given to whether a provision of affordable workspace, secured in perpetuity at a genuine affordable rate of discount where no such control currently exists, would be an acceptable outcome in the circumstances.
- 5.3.11 In light of the exceptional circumstances at this site where the existing buildings provide a high volume of what could be considered 'low cost workspace' to an occupier with very specific operational requirements, and given the viability context referred to above and discussed in greater details further below in this report, it is considered that the proposed provision of affordable workspace is acceptable to satisfy the requirements of LP29 in relation to low cost workspace.
- 5.3.12 More broadly, on the issue of the suitability of the proposed floorspace for re-occupation by the current occupier, it is considered that the same arguments put forward in the appended report continue to hold weight. While the particular occupational requirements of Holborn Studios photography studio may not be fully accommodated by the new floorspace, the space is considered to be of a design and standard where it could be occupied by other potential occupiers in the E(g)[i] use class, including creative uses such as photography studios and more conventional office uses (which are also present upon the site). The submitted Employment Floorspace Viability Report also demonstrates that the existing floorspace, while suited to the current occupier, is in need of modernisation and is not suitable to a wider range of occupiers within this use class due to a lack of full DDA compliance, restricted layout and access arrangements and restricted access to natural light in parts of the

building. The report shows that the cost of upgrading the current accommodation to an acceptable standard for wider occupation within the E(g)[i] use class would not be economically viable compared with the likely return from such an investment.

Cultural Use

- 5.3.13 Local Plan policy relating to the cultural use of the site as a photography studio is broadly similar to that in place previously with policy LP10 seeking to protect such uses. Policy HC5 of the London Plan now also states that existing cultural venues, facilities and uses should be protected where appropriate.
- 5.3.14 As discussed in the appended report, while the new floorspace might not meet the specific operational requirements of Holborn Studios, its design and nature does not preclude the occupation of the space by another similar cultural occupier. This is supported by the judgement on the 2020 judicial review where officers' assessment of the loss of a cultural use at the site was contested but that ground was dismissed. The comments of the GLA's culture team are noted. The affordable workspace would be suitable for occupiers within the creative sector and would be provided at a genuine discount against market rates.

Employment Generation

- 5.3.15 Whilst the amount of commercial floorspace has reduced slightly, the overall assessment in relation to Employment Generation is considered to remain sound. Based on the employment density for office space set out in the Planning Contributions SPD which has been updated since the application was previously considered, the proposal would provide 529 jobs. The development would provide high quality, adaptable office space which is likely to exceed the existing employment generation on site (noting that the use of E(g)i space as studio/creative space may lead to some fluctuation in employment density).

Residential Use/Density

- 5.3.16 The principle of a residential use at the site remains acceptable and would comply with the employment policies set out above in terms of safeguarding the ongoing functioning of the POA. The acceptability of the proportion of commercial space versus residential has been discussed above.
- 5.3.17 The approach to residential density set out in London Plan policy D3 has changed somewhat since the previous relevant policies were in place with greater emphasis now put upon the acceptability of density within local context. The proposal is considered to remain acceptable in this regard.

Residential Mix

- 5.3.18 Local Plan policy targets in relation to housing mix for market units remain unchanged since the scheme was previously presented to members. The scheme remains acceptable in this regard.

Affordable Housing

- 5.3.19 Local Plan policy continues to target 50% of units in schemes of over 10 units to be provided on site as affordable housing, 60% of which should be social rented and 40% intermediate housing. The policy now includes reference to London Affordable Rent as part of the social tenure, in line with policy H6 of the new London Plan and reference is also made to a desire for homes to be 'genuinely' affordable. The threshold approach for the assessment of viability set out at policy H5 of the London Plan was in place when the application was last presented to members as a requirement of the GLA's Affordable Housing and Viability SPG. Given that the proposal would continue to provide no units of affordable housing on site, an assessment of financial viability has been undertaken to determine whether the maximum reasonable amount has been provided.
- 5.3.20 As was previously the case, the site's employment designation means that the provision of employment floorspace on site, particularly affordable workspace, is a policy priority. The maximisation of an economically viable provision of employment floorspace has been discussed above and is considered to have been sufficiently demonstrated. As such, while full policy compliance in terms of the proportion of employment floorspace has not been achieved, it is considered appropriate to assess the financial viability of the scheme to determine whether any affordable housing can be provided on site in the first instance (and in accordance with the Council's target tenure mix) or if a payment in lieu of off site provision should be made.
- 5.3.21 An updated viability assessment, which has been published in full on the Council's website, has been submitted by the applicant and reviewed by the Council's Surveyor. Given the length of time that has passed since the viability of the scheme was last assessed, and given the various changes in policy that have a bearing on viability which have arisen since then, a reassessment of viability is considered appropriate in the circumstances. The assessment of viability was based on an EUV+ approach to deriving Benchmark Land Value, in line with the NPPF and NPPG guidance and Local Plan and London Plan policy. The assessment was also carried out in line with RICS guidance dated March 2021.
- 5.3.22 Various assumptions contained within the applicant's initial FVA report dated November 2020 were challenged by the Council's surveyor and, following a process of negotiation, final agreement has been reached upon the key viability inputs. A summary of the key areas of initial disagreement

and the process which led to a final agreed viability position being reached is set out in the Summary Reports prepared by both the applicant and the Council's Surveyor. The applicant's report also includes the final argus appraisal. It is noted that reference is made in the HSPS Summary Report to a July 2020 report submitted by Savills (that report is also referred to in the Allsops Report appended to the Strettons Nov 2020 Report). The July 2020 Savills Report contained an error in relation to floor areas which was corrected in the Nov 2020 Savills report and is therefore not published online in order to avoid any confusion.

5.3.23 The key final agreed viability inputs are summarised in the table below.

Appraisal Inputs	Agreed position
Construction Period	12 month pre-construction period 18 months construction period 6 months sale period
Revenues	
GDV of proposed residential units	£35,195,000
GDV of proposed commercial accommodation	£28,658,712
Additional Revenue - Existing leases	£754,585
Costs	
Commercial accommodation purchaser's costs	6.76%
Construction costs	£26,950,000 (inclusive of 5% contingency)
Professional fees	10%
Tenant Compensation costs	£1,598,000
CIL and Section 106 costs	£1,485,087
Residential Marketing	1.50%
Residential sales agent fee	1.25% of residential GDV
Residential sales legal fee	0.2% of residential GDV
Commercial letting agent fee	10.0%
Commercial letting agent fee	5.0%
Commercial sale agent fee	1.0%
Commercial sale legal fee	0.5%
Finance	6.5% debit and 0.1% credit
Profit / Risk Return	16.39% on GDV / 20% on Cost
Site acquisition costs	Stamp duty at prevailing rate Agent fee 1% Legal fee of 0.5%
Residual Land Value	£13,157,823
Benchmark Land Value	£13,000,000 (EUV of £12,500,000 plus 4% landowner premium).
Surplus / Deficit	£157,823 (surplus)

5.3.24 Key matters to note in the above table are a premium of 4% applied to EUV in order to arrive at the Benchmark Land Value. The figure for CIL

and s106 costs has risen in comparison to the last assessment due to changes to formula based contributions such as carbon offsetting. The appraisal also now contains a substantial Tenant Compensation Cost which was not included as a cost in the previous appraisal. It is recommended that a review mechanism be secured by legal agreement so that any savings against this cost could be recovered by the council and allocated towards affordable housing. Ground rents are not included in the appraisal summarised above due to the uncertainty surrounding how the recently assented Ground Rents Bill (Feb 2022) will be implemented in practice. It is recommended that a review mechanism be secured by legal agreement which allows any increase in GDV arising from ground rents to be captured and allocated towards the provision of affordable housing.

- 5.3.25 As can be seen from the above, a surplus of £157,823 has been arrived at which would be provided as a payment in lieu towards the provision of off site affordable housing. Due to the size of this contribution, it would not be feasible or practical to allocate this money towards an on site provision so in officers' view these amount to "exceptional circumstances" under London Plan Policy H4(B).
- 5.3.26 It is noted that the surplus identified above is lower than that arrived at when the scheme's viability was last assessed (the surplus was previously £757,076). This is a reflection of the updated costs and value inputs at the time the most recent assessment was undertaken, the updated policy context which requires increased planning contributions and the inclusion of a substantial additional cost as noted above (tenant compensation costs, to be recovered by review mechanism should the figure be overstated).
- 5.3.27 It is also noted that the small reduction in commercial floorspace that resulted from the increased waste storage provision has resulted in a loss of revenue of £200,213 to the developer (as set out in the viability note dated Feb 2022). The agreed affordable housing contribution has not been reduced as a result of this reduction in revenue and the proportion of affordable workspace remains at 11.5%. As such, a reassessment of viability in light of this reduction is not considered necessary and the published note is considered sufficient to make clear that additional cost has been borne by the developer without impacting upon the extent of affordable housing contribution to be delivered.
- 5.3.28 Overall the viability of the proposal is considered to have been thoroughly assessed and the surplus identified represents the maximum reasonable amount of affordable housing contribution that could be provided, in accordance with policy LP13. The documentation upon which the assessment has been made has been published unredacted online and the summary documents provided set out a coherent and comprehensive account of viability negotiations. It is recommended that the payment in lieu identified above be secured by legal agreement along with the review

mechanism referred to above and an early and late stage review mechanism.

5.4 **Design and Heritage Considerations**

Introduction

5.4.1 The current scheme is substantively the same as the 2017 proposal in terms of design and the minor changes to the number of cycling spaces and to the Energy Strategy are not considered to affect the overall design quality of the scheme. In terms of the local context, there has been very little physical change around the site since 2019 (*as confirmed by a site visit carried out 03/02/2022*), and there have been no new heritage designations within the immediate vicinity.

5.4.2 However, resolution to grant consent was made in 2021 for the redevelopment of the adjacent site at 48 Eagle Wharf Road (*known as Sturt's Yard*), to provide a mixed use site up to 7 storeys (*Ref: 2021/0680*). The consented massing in that scheme is generally higher than the proposals for 49 - 50 Eagle Wharf Road, which are predominantly 3 - 4 storeys fronting the canal.

5.4.3 The Planning Sub-Committee previously found the Holborn Studios scheme acceptable in design and heritage terms and this was not contested by the decision at Judicial Review. The consent at 48 Eagle Wharf Road is consistent with appropriate canalside development in this area and the overall design and heritage assessment for 49 - 50 Eagle Wharf Road remains the same as in 2019. However, there have been some updates to reflect changes in the policy context, which are outlined below.

Changes to Policy Context

5.4.4 In the 2019 design and heritage assessment, reference was made to London Plan (2016) policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets & Archaeology), which have been superseded in the latest version of the London Plan (2021). The most relevant policies in the new London Plan are D1 (London's Form, Character & Capacity for Growth), D4 (Delivering Good Design) and HC1 (Heritage Conservation & Growth) and the proposals are considered to align with these updated policies.

5.4.5 In terms of local policy, the 2017 design and heritage assessment made reference to policies CS24 (Design) and CS25 (Historic Environment), DM1 (High Quality Design) and DM28 (Managing the Historic Environment), all of which have been superseded by policies in LP33 (2020). The most relevant policies in the new Local Plan are LP1 (Design Quality & Local Character), LP3 (Designated Heritage Assets) and LP4

(Non Designated Heritage Assets) and the proposals are considered to align with these updated policies.

- 5.4.6 Other relevant policies and guidance are National Planning Policy Framework Chapter 12 Achieving Well Designed Places and Chapter 16 Conserving and Enhancing the Historic Environment and the Council's Characterisation Study, which set out a number of principles for canalside development. The proposals are considered to align with these policies and documents. With regards to the NPPF, some paragraph numbers have changed in the July 2021 update. However, the relevant paragraph content and overall assessment remain as per the 2019 assessment.

Summary of Design and Heritage Assessment

- 5.4.7 The site is located in the Regents Canal Conservation Area (RCCA) and has been locally listed since 2012. The existing buildings are identified with the Conservation Area Appraisal (2009) as Buildings of Townscape Merit. The Council now uses different terminology and these buildings would now be regarded as "positive contributors" to the Conservation Area. This means that they are considered to make a positive contribution to the significance of the Conservation Area as a whole. The Council moved further in 2012, adding the buildings to its local list. This means that, as well as forming part of a Designated Heritage Asset (the Conservation Area) they are also considered to be Non designated Heritage Assets in their own right.
- 5.4.8 A site visit was undertaken in 2015 by the LBH Planning Service's Conservation team and Historic England as part of the assessment of an earlier application (*Ref: 2015/2596*). The outcome of this visit was an agreement on the retention of the most significant parts of the site. A further site visit was carried out by the Conservation team in May 2018 in relation to the current application. That visit confirmed that the site and buildings had not been significantly altered since the site visit in 2015. A site visit carried out in February 2022 confirmed that the situation is unchanged and the key areas of significance continue to be retained under the current proposals. Historic England have returned no further comments.
- 5.4.9 Whilst overall, the design is considered acceptable as it retains and sympathetically refurbishes the buildings of key heritage interest and brings forward new build elements of an appropriate scale, massing and high quality design, some harm was identified as part of the 2019 design and heritage assessment. This harm derives from the impact to the significance of the Conservation Area caused by the demolition of some parts of a site that is seen as a positive contributor. The impact is considered to result in 'less than substantial harm' (in terms of the NPPF Para 202 test) to the RCCA, since the buildings proposed to be

demolished are of lesser significance. Officers also note that this approach may likely result in the loss of Holborn Studios as a business from the site.

- 5.4.10 No harm was identified in relation to the setting impacts to Arlington Square Conservation Area to the north of the site and the Grade II listed Georgian terraces at 107 - 133 Shepherdess Walk to the west. With regards to archeology, the proposals were reviewed as part of the 2019 assessment by Historic England - Greater London Archaeological Advisory Service (GLAAS) and found to be acceptable subject to conditions, which remains the case under the current proposals.
- 5.4.11 The proposed development causes less than substantial harm in terms of the NPPF Paragraph 202 test to the Designated Heritage Asset (the Conservation Area). This is considered to be outweighed by the public benefits delivered by the scheme, which are considered to include:
- Provision of additional employment floorspace, that would assist in meeting an identified need locally and support the strategic objectives of the Opportunity Area and the London Plan;
 - Provision of affordable workspace that exceeds the required amount by policy and supports the POA designation, strategic objectives of the Opportunity Area, and therefore the London Plan;
 - Provision of 50 residential units that will assist in meeting an identified need for housing in the borough;
 - Payment of financial contribution to affordable housing of £157,823
 - Public access to landscaped canalside courtyards to be secured in perpetuity;
 - Retention, preservation and ongoing maintenance of chimney considered to be significant and add to the RCCA secured by legal agreement; and
 - Payment of £35,000 towards the maintenance and enhancement of canalside towpath.
- 5.4.12 It is further considered, in relation to the NPPF Para 203 test, that the harm to the Non Designated Heritage Asset is continued to be outweighed by the public benefits listed above.
- 5.4.13 The overall design and heritage assessment therefore remains as per the 2019 assessment. Officers consider that the requirements of the NPPF Paras 202 and 203 test are met and therefore consider that the Council has met its statutory duty in relation to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The design of the proposal and its heritage impacts are considered acceptable and the scheme is considered to preserve the RCCA. Officers consider that no harm is caused to the setting of listed buildings and therefore consider that the Council has met

its statutory duty in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.

Conclusion

5.4.14 Overall, in design terms the proposals are considered to respond positively to the site and its heritage context and the scheme delivers new build elements which are of an appropriate scale, massing and design quality. Although the impacts of the scheme are found to cause less than substantial harm to the Conservation Area and some harm is caused to the non-designated heritage asset, these harms are considered to be outweighed by the significant public benefits delivered by the scheme. On the basis of the considerations set out in this section and the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 the design of the proposal and its heritage impacts are considered acceptable. The minor changes to the scheme's design, resolution to grant planning permission on the adjoining site at 48 Eagle Wharf Road and changes in the policy context do not alter the overall assessment made in 2019 and the proposals remain acceptable in design and heritage terms, subject to the same conditions.

5.5 Quality of Accommodation: Residential (C3)

5.5.1 Local Plan and London Plan policies in relation to standards of residential accommodation remain broadly similar to those in place previously. The conclusions of the assessment in the appended report in relation to residential layout, inclusive design and provision of private amenity space are therefore considered to still stand.

5.5.2 It is noted that policy D6 of the London Plan now makes explicit reference to the need to maximise dual aspect units in new developments, however, the GLA Housing SPG set out similar objectives in this regard. In this case, the proposal is considered to have maximised the number of dual aspect dwellings and the overall quality of accommodation in terms of outlook, daylight, privacy, cross ventilation and overheating is considered to be acceptable.

5.5.3 Whilst it is noted that consent has been granted at the adjacent site for a part six, part seven storey building (2021/0680), its design is such that it would not have an unacceptable detrimental effect upon the daylight, overshadowing or privacy provided to the proposed units. As such, the context remains broadly unchanged and the conclusions of the assessment in relation to internal daylight, overshadowing and privacy are considered to still stand.

Open Space/Playspace

- 5.5.4 New policy requirements are in place in relation to open space and playspace since the application was last presented to members.
- 5.5.5 LP48 requires mixed use developments to provide 4sqm of communal open space per employee in mixed use schemes. Based on an employment density of 529 this would equate to 2,116sqm of communal open space. LP50 requires development with a child yield of 10 or more to provide 10sqm per child. These areas can overlap if necessary. The proposal would provide 1,265sqm of open space in landscaped areas between the buildings and along the canal side. Whilst this falls short of the requirements of LP48 and LP50, given the constrained nature of the site and the need to preserve some non-designated heritage assets, as well as the high quality nature of the space provided, most of which has an open aspect onto the canal, the overall provision is considered acceptable.
- 5.5.6 It is noted that a Child Friendly Impact Assessment has been submitted which shows that the development achieves a 'good' rating in respect of the Doorstep and Streets Assessment and an 'excellent' rating in respect of the Destinations Assessment. In light of the comments made above, and subject to the same condition imposed previously in relation to details of doorstep play, the proposal is considered acceptable in terms of play space.

Internal Noise Levels

- 5.5.7 Internal noise levels at the development would be the same as previously assessed and are considered acceptable subject to conditions relating to sound insulation between uses and restricting noise from plant.
- 5.5.8 It is noted that the agent of change principle has been introduced under policy D13 of the London Plan since the application was last considered. The aim of this policy is to put the onus on new developments to mitigate the noise from established noise generating uses in the vicinity upon new residential uses. The surrounding context and the design of the development in terms of its approach to minimising the impacts of noise (as set out in the acoustic report) are considered to be such that the proposal would comply with D13.

5.6 Impact upon Amenity

- 5.6.1 Local and London Plan policies in relation to amenity are broadly similar to those in place previously. The surrounding context has also not changed materially other than the resolution to grant at the adjacent site (2021/0680). As this scheme is yet to obtain planning permission, it has not been considered reasonable to require an assessment of daylight/sunlight impacts upon residential units in that development. It is noted that the design of the subject proposal, which is mostly lower in

height and density to that next door, is unlikely to have an unacceptable impact upon the adjacent development by reason of loss of daylight/sunlight, or overshadowing.

- 5.6.2 The conclusions of the assessment in respect of daylight/sunlight, overshadowing, privacy, outlook and noise/odour within the appended report are considered to still stand.

5.7 Impact on Canal Users

- 5.7.1 The policy framework in relation to the canal has been updated since the application was last presented to members. While the broad thrust of the policy remains the same, there has been an added reference in policy LP52 in relation to overshadowing of canals and towpaths. This has been assessed in the submitted Daylight/Sunlight report and found there is less overshadowing of the towpath on 21 June in the morning with the development in place than the existing buildings and a minimal difference to afternoon shadowing on the same day. On this basis, and given that height and massing of the building are otherwise acceptable, the overshadowing impacts upon the canal are considered acceptable.

- 5.7.2 The impact on canal users, including residents of Eagle Wharf Marina would be as otherwise set out in the appended report whose conclusions are considered to still stand.

5.8 Biodiversity and Landscaping

Biodiversity

- 5.8.1 The updated NPPF sets out an objective for planning decisions to minimise impacts on and provide net gains for biodiversity which was not in place when the application was previously brought to committee. LP 47 also states that development should, where possible, enhance biodiversity and lead to a net gain (although net gain was mentioned in the previous policy DM34), and the London Plan now seeks development to aim for biodiversity net gain.
- 5.8.2 The site currently provides limited biodiversity opportunities, being mostly covered by buildings or hardstanding and with the pontoon and canal edge being mostly occupied by outdoor seating ancillary to the cafe use. The submitted Landscape and Ecological Management Plan demonstrates that the proposed ecological enhancements and landscaping provided by the proposal would provide 100% biodiversity net gain and would therefore be in accordance with the above policies.
- 5.8.3 Relevant aspect of biodiversity policies in the Local Plan and London Plan are otherwise broadly similar to those in place previously and, whilst the submitted Landscape and Ecological Management Plan has been updated

to refer to current policy, the conclusions of the previous appraisal in relation to the existing ecological value of the site and the appropriateness of proposed enhancements are considered to still stand.

Landscaping

- 5.8.4 A key change to policy since the application was last brought to committee in relation to landscaping and trees is the introduction of the Urban Greening Factor (LP48 and London Plan policy G5). For commercial led schemes a UGF of 0.3 is required. The proposal would provide a UGF of 0.32 through the provision of green roofs, planting and permeable paving. The proposal is therefore in accordance with LP48 and G5.
- 5.8.5 The policy context is otherwise broadly similar to that in place previously. Therefore, the conclusions of the previous assessment in relation to landscaping and trees are considered to still stand, subject to the same conditions.

5.9 Traffic and Transportation

- 5.9.1 Eagle Wharf Road is partially two-way with the eastern section being a one-way street (west to east), which provides access to a mix of residential and commercial sites. A bi-directional cycling quietway runs along the one-way section of the street. Eagle Wharf Road forms part of Parking Zone A. The operational hours are Monday to Friday between 8.30am – 6.30pm.
- 5.9.2 The 49-50 Eagle Wharf Road development is currently situated within a Low Traffic Neighbourhood (Hoxton LTN). Low traffic neighbourhoods are groups of residential streets, bordered by main or “distributor” roads, where “through” motor vehicle traffic is discouraged or removed. In this location this includes a:
- bus gate on Shepherdess Walk
 - filter on Nile Street
 - filter on Micawber Street
 - filter on Ebenezer Street.
- 5.9.3 This is currently a temporary measure and is being continuously reviewed. If successful this could be made permanent. The site is accessible by all modes with an excellent network of footpaths and cycle facilities, including the TfL Quietway Link that runs along Eagle Wharf Road. A number of bus services can be accessed within a short walk from the site including towards the City of London from the New North Road. The site is approximately a 15-20 minutes walk from Old Street and Angel rail stations.

- 5.9.4 According to TfL's planning information database, the site has a PTAL Level of 2, indicating a low accessibility to public transport. However, areas close to the site are considered to have a rating of 4 and 5 resulting in the site being considered to have reasonable public transport accessibility. The site currently provides 4,784sqm of B1 office/commercial studio space and a 251sqm A3 restaurant. There is some informal cycle parking and car parking on site. The site is in close proximity to a number of car club bays as well as a 45 space TfL cycle hire docking station.

Trip Generation

- 5.9.5 The applicant has submitted a detailed trip generation analysis as part of the TS. This utilises a mixed methodology that includes an in / out transport survey from October 2015 and data from the Trip Rate Information Computer System (TRICS).

Office Use

- 5.9.6 For the existing site, the transport survey indicates that the site receives 978 two way movements across an average weekday. A total of 753 trips are associated with public transport, 108 with walking and 66 with car drivers.
- 5.9.7 For the proposed office use, the trip generation data is based on an extrapolation of the transport survey. The proposed 5,626sqm office floor space has the potential to produce 1,090 movements per day. A total of 913 trips are predicted via public transport, 120 by walking and 57 by cycling. The applicant has reduced the number of car driver trips to zero, owing to the car-free status of the development.

Residential

- 5.9.8 The trip generation data for the proposed residential dwellings has been generated by using the TRICS database. This provides comparable transport data from similar land uses to estimate a total number of trips.
- 5.9.9 For the proposed 50 residential units, between 07:00 - 21:00 hours, 279 two-way trips are predicted consisting of 136 arrivals and 143 departures. In relation to modal share, 156 trips are predicted via public transport, 75 trips via walking and 39 trips via cycling. The applicant has reduced the number of car drivers to zero, owing to the car-free status of the development.

Net Impact

- 5.9.10 The applicant suggests that the proposed development is likely to result in an overall increase of 391 movements to/from the site each day. The majority of these trips are predicted to be made via sustainable modes.

The overall numbers of vehicle movements are predicted to decrease following the removal of the on-site parking opportunities.

- 5.9.11 The Local Authority recognises that the majority of the net increase in trips from the application site are likely to be made via sustainable transport modes. The car-free proposal and the CPZ on Eagle Wharf Road will help to reduce private vehicle trips to and from the site.
- 5.9.12 It is important to note that a number of assumptions and adjustments have been made to the trip generation data that may underestimate the overall number of private vehicle trips. The transport survey was conducted in 2015. The site has a relatively low PTAL and the applicant has reduced the number of car trips to zero for the application site. This may underestimate the number of private vehicle trips, for example, for Blue Badge holders, pick-up and drop offs and for parking in close proximity to the application site in non-operational CPZ hours.
- 5.9.13 Additionally, the data may underestimate the recent decrease in public transport patronage that can be attributed to the Covid-19 pandemic. These factors highlight the importance of implementing a well managed travel plan to reduce private vehicle use and dependency (see below).

Cycle Parking

- 5.9.14 Hackney Policies LP41, LP42 and LP43 in LP33 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Local Plan 2033 policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible cycles, tricycles and cargo bikes.
- 5.9.15 A total of 228 cycle parking spaces (102 allocated to the residential element and 126 allocated to the commercial / café element) will be provided within secure storage areas across the site. This represents an increase of 72 spaces from the previous submission, reflective of increased standards set out in Hackney's Local Plan (July 2020) and the London Plan (2021).
- 5.9.16 The residential proposal provides a total of 76 cycle parking spaces in 2 secure stores within the building. This cycle parking will consist of Josta 2 tier type or similar system. A further 26 residential cycle parking spaces are provided within the secure courtyards in the form of 13 Sheffield stands.
- 5.9.17 The residential aspect is slightly below LBH standards with a shortfall of 13 spaces. The provision is considered acceptable based on the fact that any further increase risks diluting the quality and functionality of the proposed

public realm within the scheme or reduce the amount of commercial floorspace within the buildings at ground floor.

- 5.9.18 Cycle storage for the restaurant and office units will be allowed for to meet the cycle parking standards (based on a gross office floor area of 5,626sqm and a restaurant gross floor area of 127sqm), with a total of 126 employee, customer and visitor spaces provided for within the site, using Sheffield style cycle parking stands. Pedestrian flow within the development and through the site to the Canal will ensure natural surveillance of these spaces. The provision is as was deemed acceptable previously.
- 5.9.19 The cycle parking provision (228 cycle spaces) has materially increased when compared to the 2019 planning consent (156 cycle spaces). There has been a concerted effort to increase cycle parking provision closer to LBH's own cycle parking standards rather than those set out in the London Plan. This increase is considered an acceptable provision based on the fact that any further increase in cycle parking risks compromising the proposed public realm in terms of landscaping and amenity space.

Car parking:

- 5.9.20 The scheme is proposed to be car-free which is supported by the London Plan and LP33. This states that to reduce car usage and promote active travel, all new developments in the borough must be car-free (see policy LP45 for further details).
- 5.9.21 As outlined above, the application site is located within Parking Zone A. The operational hours are Monday to Friday between 8.30am – 6.30pm

Blue Badge Spaces

- 5.9.22 LP33 states that disabled parking should be provided in accordance with the London Plan¹. The London Plan states that all developments irrespective of their size must provide at least one disabled parking space.
- 5.9.23 There is current provision for car parking on site associated mainly with Holborn Studios Ltd who occupy a significant proportion of the commercial space on site. However, the proposed development is car-free except for provision for blue badge parking. This approach is supported by Hackney Local Plan sustainable transport policies, in particular LP45.
- 5.9.24 A total of 3 car parking spaces are proposed at ground floor level for blue badge holders, accessed via Eagle Wharf Road and a loading bay for vans is also provided.

¹ <https://hackney.gov.uk/lp33>

Travel Plan

- 5.9.25 A Framework Travel Plan (FTP) has been submitted as part of the application. A full Travel Plan will be required to be produced and implemented on occupation of the development. A full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the s106 legal agreement or a planning condition inclusive of £5,000 contribution towards the monitoring of the Travel Plan.

Delivery and Servicing

- 5.9.26 A Delivery and Servicing Plan has been produced. Delivery, servicing and refuse collection would be carried out from the street. Delivery vehicles on site won't be able to turn on site. This will result in difficulty in ensuring vehicle ingress and egress in a forward gear across the public footway. The concern is exacerbated due to the significant number of pedestrians and cyclists that use Eagle Wharf Road. The applicant is encouraged to consider an alternative approach.
- 5.9.27 A final delivery and servicing plan (DSP) should be conditioned via s106 legal agreement to be approved by the Local Authority prior to occupation of the proposed site. Owing to the importance of the DSP in this location, a £1,000 contribution is sought to monitor the plan after the development has been occupied.
- 5.9.28 The applicant is expected to work collaboratively with other developers in the local area. It will be crucial to carefully manage any conflict with other construction and highway works schemes in the area at the time of commencement. For example, neighbouring Access Self Storage site is also going through the planning process. A consolidated approach to Demolition and Construction must be taken. With a number of development sites in the area, it is increasingly important to manage the construction process in a safe and efficient manner.
- 5.9.29 Given the nature of the proposed development, a final Construction Logistics Plan (CLP) and final Construction Management Plan (CMP) are required and must be conditioned to mitigate negative impact on the surrounding highway network. To effectively monitor the final CLP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.

5.10 Energy and sustainability

- 5.11 Local and London Plan policy has seen various substantive changes in policy since the application was last presented to members in response to the declaration of a climate emergency.

- 5.12 LP33 policy LP55 Mitigating Climate Change, and London Plan policies SI2, SI3 and SI4 require all new developments to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability. Policy LP55 states that all residential development should meet a zero carbon emissions rate and that non-residential developments must achieve the BREEAM 'Excellent' rating (or an equivalent rating under any other system which may replace it) and where possible achieve the maximum number of water credits, and must be built to be zero-carbon. SI2 also introduces a 'be seen' stage to the previous energy hierarchy where there is an additional onus upon developments to monitor, verify and report on energy performance.
- 5.13 Where it can be robustly demonstrated that it is not possible to reduce CO2 emissions on-site by the specified levels, carbon off-setting payments will be required and secured via legal agreement. The formula upon which such calculations are based has been revised since the case was previously presented to members with the extent of contribution at this site being increased from £47,592 to £132,915. It is recommended that the payment of this sum in full is secured by legal agreement. It is also recommended that conditions relating to energy monitoring be imposed in order to satisfy the 'be seen' requirements of SI2. Further information was sought by the Council's sustainability consultant in relation to
- 5.14 SI2 of London Plan now also required developments referable to the mayor to submit a whole life-cycle carbon assessment. Similarly, SI7 requires the submission of a Circular Economy Statement for referable schemes. As this scheme is not GLA referable, neither report were a requirement in this case. However, regard has been had for the principles of reducing waste and supporting the circular economy in terms of whether the demolition of the existing buildings on site, which continue to provided a viable use, can still be justified. Given the age and condition of the existing buildings, the extent of retrofitting and refurbishment that would be required to bring them up to moder sustainability (among other) standards and given the high sustainability standards that would be achieved in the new development, it is considered that the proposed partial demolition and redevelopment can be justified. A condition requiring the submission of a construction waste management plan is recommended. The operational waste of the development is assessed elsewhere in this report and is considered acceptable subject to conditions.
- 5.15 A requirement has also been introduced for new commercial-led developments to achieve an Urban Greening Factor of 0.3. As discussed elsewhere in this report, this has been achieved. The proposed approach to green roofs and the use of photovoltaic panels on the roof of the building has been assessed by the Council's sustainability consultant and is considered acceptable.

- 5.16 The proposal has been assessed in relation to overheating and, following the provision of additional information relating to overheating of communal corridors, the Council's sustainability consultant raises no objection to the proposal. Further information in relation to matters such as background data supporting calculations, information in relation to Air Source Heat Pumps, heat distribution and the referencing related assessments in sustainability reporting was requested by the Council's sustainability consultant during the course of the assessment. Further information was provided in response to these requests has been provided (and published online) and no objections to the development are raised.

6 Other Planning Matters

6.1 Air and Land Contamination

- 6.1.1 The policy context surrounding Land Contamination is considered to be broadly similar to that in place previously and the conclusions of the previous assessment still stand.

- 6.1.2 The updated Air Quality Impact Assessment, which includes updated AQ data, has been assessed by the Council's Air Quality Officer and is considered to demonstrate that the proposal would not have an unacceptable impact in terms of air quality.

6.2 Waste and Refuse

- 6.2.1 The proposal for waste storage has been assessed based on current Hackney guidance for waste storage collection capacity and collection. The provision has been increased since first submission to include additional residential waste storage at ground floor level. The provision is considered acceptable subject to the submission of further details by condition.

6.3 Drainage

- 6.3.1 Following the submission of additional information, the Council's Drainage Officers raised no objection subject to conditions relating to:

- Detailed specification of proposed SuD's and their maintenance
- Details relating to groundwater flooding

6.4 Fire Safety

- 6.4.1 Policy D12 of the London Plan introduces a new requirement for major development proposals to be submitted with a Fire Statement. The submitted Fire Statement, which has been amended since first

submission, has been assessed by the Council's Building Control Officer and no objections have been raised. The proposal is considered acceptable in terms of relevant provisions for fire safety.

7.1 Community Infrastructure Levy

7.1.1 The development is liable to the Community Infrastructure Levy (CIL), and both the Mayor and Council have an adopted charging schedule.

7.1.2 The Mayoral charging schedule has a flat rate charge of £35per sqm which would be applied to all chargeable development.

7.1.3 The Hackney charging schedule has a different charge depending on the different areas of the borough where the development is located. The site is located in Zone A 'City Fringe' which will mean the following charges will be levied:

- Residential – Zone A £190 per sqm
- Office – City Fringe £50per sqm
- Other Retail – City Fringe £65per sqm

7.1.4 All other development has a nil charge.

7.1.5 Overall the total amount the proposed development is liable for based on both charging schedules is: £974,900 (excluding indexation).

7.1.6 This calculation is based on the building evidently being in use for six of the previous 12 months, given site visits and correspondence, prior to the date of this report. This calculation is also based on current levels of indexation and floor areas provided by the applicant.

7.1.7 These figures could be subject to change, given indexation at the time of the notice, which is in line with legislation, and will be confirmed within a demand notice upon commencement of the development.

7.1.8 In respect of local finance considerations other than CIL, whilst the proposed development would contribute towards the aggregate number of homes for the purposes of calculating Hackney's New Homes Bonus and the dwellings would be rateable for Council Tax Purposes, the economic benefit of the additional dwellings is negligible in the context of the overall total of new homes, and this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies.

7.2 Planning Obligations

7.2.1 The details of the likely financial contributions and legal obligations have been prepared in line with the Council's SPD on Planning Contributions (2015), and the relevant legislation. The resulting level of contributions and Heads of Terms for the legal agreement are detailed in Recommendation B below.

7.2.2 The financial contributions are as follows:

- Improvements to the Towpath – £35, 000
- Highway Improvements – £109,028
- Total Employment and Training Contribution - £214,252
- Travel Plan Monitoring – £5,000
- Delivery and Servicing Management Plan Contribution £1,000
- Carbon Offsetting - £132,915
- CLOCS - £7,750
- Monitoring – £14,940

7.2.3 The total amount of non-affordable housing related financial contributions is £519.885

7.2.4 The financial contribution for affordable housing is: £157,823

7.2.5 The total amount of all financial contributions is therefore: £677,708m

7.2.6 As discussed, the total CIL liability is assumed to be: £974,900m

7.2.7 The total amount of financial contributions and CIL liability is: £1,644,855

7.2.8 In addition to these financial contributions, there are the following further legal obligations:

- On site provision of 643sqm GIA as affordable workspace at 60% of market rates in perpetuity
- Car Free Development restricting the take up of CPZ permits by residents
- Employment and Skills Plan to secure benefits to local employers and employees
- Considerate Contractors Scheme
- Public Access to the site towards the pontoon.
- Viability review mechanism related to tenant compensation costs.
- Viability review mechanism related to ground rents.
- Early and late stage viability review.

8 CONCLUSION

8.1 Section 38 (6) of the Planning Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2 The proposed development is considered to continue be employment led and offer the maximum economically feasible amount of such floorspace which will be an uplift on the existing quantum; provide a format of employment space which is considered to be of a modern standard, cater for and sustain a wider range of E(g)[i] uses in line with policy designations and their supporting evidence base, generating possibly more employment opportunities; secure the provision of 647m² (11.5%) affordable workspace with a defined rent, quantum and fair process that exceeds policy requirements; provide further uses with additional benefits of their own, which will support the employment use, whilst not undermining the wider operation of the POA, and secure the viable delivery of the employment element; all of which is considered to support and sustain the POA and is in line with pertinent employment policy.
- 8.3 The residential element of the proposed development will deliver 50 units deemed to be of a high standard of accommodation, supporting the borough in meeting its housing targets, and offers the contribution of £157,823 to the provision of affordable housing.
- 8.4 The proposed development adopts an approach to heritage conservation which is considered, on balance, acceptable. This is achieved through the retention of the most significant elements of the site, removing later ad hoc structures, careful massing, vernacular design and high quality materials. Impacts have been assessed in line with the pertinent policy, legislation and considerations, and are considered to be, on balance, acceptable.
- 8.5 The likely loss of Holborn Studios and the impacts of this as a result of the proposed development have been considered, and on balance this is considered to be acceptable when assessed against all Development Plan policies.
- 8.6 Overall, the proposal is considered to comply with the pertinent policies in the development plan for the reasons set out above, there would be compliance with the adopted development plan viewed as a whole and other material considerations do not indicate that the plan should not be followed. The public benefits of the development as a whole, which have been amended in certain cases since the application was last presented to members, have been weighed in the planning balance and are considered to outweigh any harm caused. Accordingly the application for full planning permission reference 2017/3511 is recommended for approval, subject to conditions and the completion of a legal agreement.

9. RECOMMENDATION

- 9.1 RECOMMENDATION A:** That Planning Permission be GRANTED, subject to the following conditions:

9.1.1 Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

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

9.1.2 Commencement within three years

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

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

9.1.3 Approval of Materials & Mock Ups

Full details, including samples, and 1:1 mock ups where deemed by Officers as necessary, of the materials to be used on all external surfaces of all buildings, including glazing, shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

9.1.4 Details to be approved

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Façade details and typical façade sections at 1:20
- Typical window and door details/sections at 1:20
- Typical ground floor/entrance details/sections at 1:20
- Typical balcony and balustrade details/sections at 1:20

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

9.1.5 Brickwork Detail

Sample panels of brickwork, indicating the colour, texture, facebond and pointing shall be resubmitted to and approved by the Local Planning Authority before the relevant parts of the work are commenced.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and architectural interest of the building.

9.1.6 Bird and Bat intrusive surveys

Prior to any works commencing further bird and bat surveys shall be undertaken by a professionally accredited person in line with the submitted Ecology Appraisal. The results shall be recorded, relevant measures according to pertinent legislation shall be taken to protect any wildlife found and this data shall inform the provision and level of bird and bat boxes across the proposed development.

Reason: To ensure that suitable protection is provided for any fauna that reside on the site.

9.1.7 Archaeological Assessment

1. No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

2. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure any archaeological remains on the site are treated appropriately.

9.1.8 Historic Building Recording

All historic fabric removed from the retained buildings and those to be demolished shall be subject to a full photographic and textual recording of the standard indicated in the Historic England guidance document *Understanding Historic Buildings: A Guide to Good Recording Practice* (English Heritage, 2006). The recording should be at Level 2 as described in Paragraph 5.3 and the record preserved as described in Paragraphs 7.1 to 7.3 of that document. The completed record shall be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of development and shall then be submitted to the Greater London Historic Environment Record. The removal of historic fabric shall not be carried out otherwise than in accordance with the recording thus approved.

REASON: Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.

9.1.9 Scheme of Balcony Screening & Obscure Glazing details

Prior to occupation of the development hereby approved, a scheme relating to the details of privacy measures and obscure glazing treatment to be installed to balconies or to windows potentially affected by direct or close proximity overlooking from balconies shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be carried out only in accordance with the approved scheme with approved privacy measures being installed prior to occupation of the relevant units and the approved screens and obscure glazing shall be maintained for the lifetime of the development.

REASON: To mitigate potential impact of overlooking from and dwellings.

9.1.10 Demolition and Construction Management Plan

Before any works associated with the application hereby approved begin, a detailed Demolition and Construction Management Plan, including CLOCS monitoring covering all phases of the development and the matters set out below shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and the approved measures shall be maintained throughout the entire demolition and construction period.

This shall include (but not limited to);

- a) Details of measures to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);

- b) Details setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to:
- details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete);
 - the location of any mobile plant machinery;
 - explore the use of the canal for transport of materials and in support of the construction of the development;
 - details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means; and,
 - details of measures to handle contaminants such as asbestos;
 - Site Waste Management details
- c) A risk assessment and method statement outlining all works to be carried out adjacent to the water to be prepared in consultation with adjacent development and to be approved in consultation with The Canal and River Trust; and,
- d) Compliance with NRMM regulations.

REASON: To avoid hazard and obstruction being caused to the Regents Canal, adjacent development, users of the public highway, in the interest of public safety and amenity and to mitigate the environmental impacts of the construction of the development.

9.1.11 Construction Logistics Plan

A Demolition and Construction Logistics Plan to include the following; the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; and, any temporary road/ footway closures during the construction period (including those to adjacent pontoons); shall be prepared in consultation with TfL, adjacent development and the Canal and Rivers Trust and submitted to and approved in writing by the Local Planning Authority, in consultation with TfL and Canal and Rivers Trust. The development shall only be implemented in accordance with these details as approved and shall be maintained throughout the entire demolition and construction period. The potential use of the canal for transportation of waste and goods shall be investigated as part of the construction logistics plan.

REASON: To avoid hazard and obstruction being caused to adjacent development, users of the public highway and in the interest of public safety and amenity.

9.1.12 Drainage Strategy

Development other than demolition and site preparation shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

9.1.13 Sustainable Urban Drainage

Notwithstanding the details shown on the plans and documents hereby approved, prior to commencement of the development other than demolition and site preparation, the applicant shall submit

- a) full details of a sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan has been provided. Details shall include but not limited to the proposed green/blue roof (with a substrate depth of at least 80mm not including vegetative mats), waterbutts, permeable paving, treepits/planters, underground attenuation system and the flow control system, which shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the drainage report (Ref: 12176 Issue no. 5 dated 21 January 2022) and the overall site peak discharge rate is restricted to 4.5 l/s.
- b) full details (including intrusive investigation/trial pit and monitoring where necessary) demonstrating that the basement development will not increase the potential for groundwater flooding to itself or to the surrounding area during and post-construction has been submitted to the Local Planning Authority for approval. Where groundwater is identified as a potential risk, details of appropriate controls including flood resilience and/or resistance measures shall be submitted to the LPA for approval and the approved measures incorporated before the basement is occupied. The basement shall be constructed and completed in accordance with the approved plans in line with BS 8102:2009 code of practice for "protection of below ground structures against water from the ground".

The development shall not commence, other than demolition and site preparation, until written confirmation has been received from the Local Planning Authority, confirming approval of the surface water drainage measures.

REASON: To ensure that the proposals do not increase flood risk in the surrounding area.

9.1.14 Crossrail 2 Safeguarding

No works associated with the development hereby approved shall commence until detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate that the development would:

- i. Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works;
- ii. Accommodate ground movement arising from the construction thereof; and
- iii. Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures.

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs (i), (ii) and (iii) of this condition shall be completed, in their entirety, before any part of the buildings hereby approved are occupied.

REASON: To safeguard the future construction of Crossrail 2.

9.1.15 Impact Piling

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

9.1.16 Landscaping Details

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of development (excluding works of demolition and site clearance). The landscaping scheme shall include the following:

- Planting of trees and shrubs showing species

- Depth of planting and explicit reasons if planters are used with substrate that does not feed into the ground
- Type of stock
- Number of trees
- Areas of seeding and turf
- Lighting details and measure to minimise impacts to fauna and the canal
- Details of CCTV and how it will be relate to the overall landscaping
- Exploration of locations for and details of bat and bird boxes, including on the chimney, reflecting the results and level of activity of the intrusive surveys.
- Exploration of potential for vertical greening poles along the canal edge.
- Exploration for design features reflecting the historic uses of the site.

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

9.1.17 Flood Resilience

Prior to the commencement of development, except for demolition and site preparation, a scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site and in the basement against surface water and groundwater flood risk shall be submitted to and agreed, in writing with the Local Planning Authority. The scheme shall be carried out in its entirety before the basement is occupied and; constructed and completed in accordance with the approved plans in line with BS 8102:2009 code of practice for "protection of below ground structures against water from the ground" and BS 8582:2013 code of practice for "surface water management for development sites".

REASON: To ensure that the proposals do not increase flood risk in the surrounding area.

9.1.18 Contaminated Land: Assessment

No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include: a survey of the extent, scale and nature of contamination; the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

9.1.19 Contaminated Land: Remediation Scheme

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part II of the Environmental Protection Act 1990 in relation to its intended use.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

9.1.20 Contaminated Land: Implementation of Remediation Scheme

The approved remediation scheme shall be carried out [and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority] before the development [or relevant phase of development] is occupied.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

9.1.21 Reporting unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

9.1.22 Secure by Design

Prior to the commencement of above ground works associated with the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

REASON: To ensure the safety of both future and neighbouring occupiers and users of the site and surrounds is protected by ensuring adequate Secure by Design measures are implemented.

9.1.23 Bio Diverse Roof Details

Full details (plan drawing and section at 1/20 scale) of a green / brown roof with a minimum of 80mm substrate depth (not including the proposed vegetative mat), including a detailed maintenance plan and relationship to Solar PV installation, shall be submitted to and approved by the Local Planning Authority, before development commences. The development shall not be carried out otherwise than in accordance with the details thus

approved and shall be fully implemented before the premises are first occupied.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to enhance the performance and efficiency of the proposed building, and does not compromise the proposed PV installation.

9.1.24 Wind Microclimate

An assessment of the microclimate produced by the proposed development shall be provided for the approval of the Council in writing and any mitigation measures required shall be implemented in full prior to commencement of above grade works.

REASON: To protect the immediate and surrounding micro climate in the area.

9.1.25 Public art

Full detail of the proposed public art to be commissioned and located at the access and egress points to the public courtyard shall be provided to and approved in writing by the local planning authority prior to the commencement of landscaping works. The approved pieces shall be implemented and maintained in perpetuity.

REASON: To ensure the delivery of a high quality public realm in support of the development and enhance the amenity of the public.

9.1.26 CCTV Details

Full details of CCTV shall be provided to and approved in writing by the local planning authority in consultation with its emergency planning department prior to the commencement of landscaping works. The CCTV shall be capable of linking to the borough wide system.

REASON: To protect the safety and security of the development and its users.

9.1.27 Children's Play Facility

Before the occupation of the development hereby approved, details of the proposed doorstep play provision for under 5 year olds shall be submitted to the Local Planning Authority for approval in writing. The details shall include measures to be incorporated to minimise the potential conflict between the proposed play area and the adjacent 3 car parking spaces. The approved details shall be installed before occupation of the development.

REASON: To ensure suitable provision for doorstep play is provided for onsite as proposed within the application documents.

9.1.28 Roof Light

Notwithstanding the submitted plans, prior to occupation, a roof light shall be installed into the roof of unit B16 above the shared living/kitchen/dining area.

REASON: To mitigate potential impacts of this unit being a single aspect unit with northerly orientation by providing it with some direct sunlight through the provision of a rooflight.

9.1.29 Cycle Parking

The cycle storage facilities for the residential and commercial units as shown on the approved plans shall be installed prior to the first occupation of the development hereby approved. Provision shall be made for a minimum 228 spaces as follows:

- 102 for the residential element; and,
- 126 for the employment element

These spaces shall be implemented before the use is first commenced and thereafter retained permanently.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles and in the interest of promoting sustainable transport.

9.1.30 Blue Badge Parking

Prior to the occupation of the development, the three blue badge parking spaces shall be installed as proposed and then retained permanently for exclusive use by blue badge holders only, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed provision for blue badge holders is retained onsite.

9.1.31 Refuse and Recycling Strategy coordination of commercial users

Prior to occupation of the development hereby approved, a refuse and recycling strategy, including measures for the coordination of waste and recycling between the various premises and details of third party arrangements for the manoeuvring of bins, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Refuse collection shall only be carried out in

accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is satisfactorily served in terms of refuse collection and safeguard against the build-up of pollution.

9.1.32 Delivery and Servicing Management Plan

Prior to occupation of the development hereby approved, A Delivery and Servicing Management Plan, including measures to minimise noise generated from the servicing areas and safe operation of the courtyard, shall be submitted to and approved by the Local Planning Authority. Thereafter, deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: In order to ensure that delivery and servicing does not impact the amenity of neighbouring occupiers and the safe and efficient operation of the highway.

9.1.33 Sustainable Drainage Review

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

REASON: In order to ensure suitable sustainable drainage measures are delivered as part of the development.

9.1.34 Air Quality – Operational Phase

An Air Quality Management Plan shall be submitted for approval by the Local Planning Authority prior to occupation of the development and the measures identified within the submitted plan shall be implemented in full prior to first occupation of the development.

REASON: To protect air quality and people's health by ensuring that pollutants such as Nitrogen Dioxide and particulate matter are kept to a minimum during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

9.1.35 Plant Noise

Noise from any plant and machinery shall at all times remain 5dB(A) below background level when measured at any nearby residential unit

REASON: To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise nuisance from equipment and machinery.

9.1.36 Site Management Plan

Prior to occupation of the development hereby approved, a detailed Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall set out measures to ensure the security of the site is maintained and provide measures to mitigate any noise and disturbance including (but not limited to):

- Hours of operation including opening hours of the Café/Restaurant and commercial areas;
- Details of servicing times and noise mitigation measures;
- Details of maintenance of sustainable energy technologies, including the green roof;
- Details of all external lighting;
- Details of CCTV;
- Details of cleaning and maintenance of the landscaped spaces and features;
- Details of access arrangements and measures of control; and
- Details of all other measures required by secure by design approval.

The operation of the approved uses and the use of the public realm shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of the application site and neighbouring sites is secured and ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of general disturbance.

9.1.37 BREEAM

Within 10 weeks of occupation of the development hereby approved, a BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming an 'Excellent' rating (or another scheme target of equivalent or better environmental performance) has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the as built development achieves the relevant sustainability targets.

9.1.38 Energy Requirements

Before Occupation of the development the applicant is to submit the following information to the Local Planning Authority for Approval in writing:

- a) Air permeability: full air permeability test certificates confirming that the whole development, including the commercial units achieves an average air permeability of equal or less than 5m³/m²@50pa;
- b) Application of external and internal shading and openable windows to promote natural ventilation to KLDs and bedroom in residential development to mitigate overheating
- c) Passive provision for connection to a wider DHN
- d) PV Solar array: certification by an accredited PV installer confirming that an array with an overall capacity of at least 13.2kWp has been installed on the roof of the development; and,
- e) ASHP: full commissioning certificates carried out by an MCS registered installer of the installed ASHP system, and confirmation that the specified system is registered on the governments Energy Technology List.

REASON: To ensure that the proposed sustainability measures are implemented to a satisfactory standard as proposed.

9.1.39 Ventilation and Extraction Details – A3

Prior to the operation of any space as A3 use, details of suitable mechanical ventilation and/or flue extraction shall be submitted to and agreed by the local planning authority. The hereby approved equipment shall be installed, retained and maintained thereafter prior to the occupation of the relevant part of the development.

REASON: In order to safeguard the amenity of nearby occupiers and the surrounding area.

9.1.40 Internal Ambient Noise Levels - Good Standard

All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

- Good resting conditions: Living rooms 35 dB (day: T =16 hours 07:00 – 23:00)
- Good sleeping conditions: Bedrooms 35 dB (night: T = 8 hours 23:00 – 07:00) L_{Amax} 45 dB (night 23:00 – 07:00)

A test shall be carried out prior to occupation of the residential units to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources

9.1.41 Party Wall Noise Insulation

Dwelling houses sharing a party wall element with a commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The minimum airborne sound insulation of the party element shall be $D_{nT'w}$ of 60dB. The approved scheme is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

Details of testing to be carried out demonstrating that the required standard of sound insulation has been met shall be submitted to the Local Planning Authority for approval prior to the occupation of the buildings hereby approved.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises.

9.1.42 Signage

Details of proposed signage to commercial units shall be submitted to and approved in writing by the Local Planning Authority before the unit(s) are occupied, notwithstanding any additional need for advertisement consent.

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

9.1.43 Electric Vehicle Charging

Prior to the occupation of the development hereby proposed, the details, including charging rates, of 3 electric charging points to serve the 3 parking spaces within the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Following this, they shall be installed as approved and shall be retained permanently for use, unless otherwise approved in writing by the Local Planning Authority.

REASON: To promote sustainable modes of transport and reduce pollution, in line with London Plan T6.1.

9.1.44 Secure by Design Certification

The proposed development, hereby approved shall achieve Secure by Design accreditation, prior to occupation of the residential units.

REASON: To ensure satisfactory living standards and safeguard against potential crime and anti-social behaviour.

9.1.45 Energy Monitoring Information

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy non-compliance.

- a) Within six weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.
- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal

Owner must use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority and be implemented by the legal Owner as soon as reasonably practicable.

Reason: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan

Compliance Conditions

9.1.46 Accessible and Wheelchair Housing

As illustrated on the submitted drawings, units B03, B07, B14, B18 and B20 shall be delivered to meet the standard of Building Regulation Part M 4(3). The remaining units shall be delivered to this standard unless materially affected.

Reason: To ensure that a suitable provision of fully accessible housing is made.

9.1.47 No Roof Plant

No further roof plant (including all external enclosures, machinery and other installations) other than that set out within the approved drawings, or having been the subject of approval by condition attached to this permission, shall be placed upon or attached to the roof or other external surfaces of the building.

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

9.1.48 Perforated roller shutters

No externally fixed roller shutters shall be installed to the building hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

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

9.1.49 External Ductwork

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

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

9.1.50 Brick Slips

No panelised brick slip systems requiring vertical or horizontal expansion joints shall be used on any of the building facades.

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

9.2 RECOMMENDATION B

9.2.1 That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a legal agreement under relevant legislation in order to secure the following matters to the satisfaction of Head of Planning and the Director of Legal:

9.2.2 Highways and Transportation:

- A survey to review and agree the condition of the highway and public realm within the proximity to the site pre commencement, in order to manage and repair any impacts to this land post completion.
- Full Travel Plan and associated monitoring fee prior to occupation - £5000
- Car free Agreement (no residential, other than blue badge, or business parking permits)
- Future residents provided with free car club membership and driving credit to the figure of £60
- £7,750 towards construction management plan monitoring.
- Delivery and Servicing Management Plan Contribution £1,000
- The provision of timed public access to the courtyard in perpetuity
- £109,028 towards S278 works for the following:
 - Reconstruction of the footway along the front of the site on Eagle Wharf Road using new ASP slabs and new kerb;
 - The conversion of the redundant crossovers to footway,

- o Provision of new crossovers as required reconstruction of the two remaining crossovers and provision of a dropped kerb for the proposed goods lift;
- o The resurfacing of the carriageway between Shepherdess Walk and Cropley Street;
- o the refitting of the lamp columns along the same stretch of road with LED
- o relocation of any street furniture as required to accommodate the development
- o amendments to parking, loading and other traffic regulation orders to accommodate the revised street design and access arrangements

9.2.3 Canal Towpath

- Contribution of £35, 000 to be paid to the Canal and Rivers Trust (CRT) for improvements to the Regents Canal Towpath between Wharf Road and New North Road

9.2.4 Chimney

- Schedule of repair and ongoing maintenance of chimney.

9.2.5 Affordable Housing

- Financial contribution for affordable housing is: £157, 823
- Viability review mechanism related to tenant compensation costs.
- Viability review mechanism related to ground rents.
- Early and late stage viability review.

9.2.6 Climate Change

- Payment of carbon offset monies totalling £132,915

9.2.7 Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Ways into work financial contribution
 - *Total Employment and Training Contribution - £214,452
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council;
- Commitment to the Council's local labour and construction initiatives (25% on site employment and 25% local labour f) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period

- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme.

9.2.8 Affordable Workspace

- Provision of affordable workspace totalling 643sqm GIA as affordable workspace at 60% of market rates in perpetuity.
- Submission and approval of Affordable Workspace Statement prior to the occupation of the employment floorspace.
- Reasonable endeavours to utilise an affordable workspace provider serving the creative industry.

9.2.9 Other

- Contribution towards monitoring of legal agreement and its obligations - £14,940
- Public access to site
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement prior to completion.

9.3 RECOMMENDATION C

That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manager) to make any minor alterations, additions or deletions to the recommended heads of terms and recommended conditions as set out in this report (and if applicable to authorise any such changes requested by the GLA) provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

10. INFORMATIVES

It is recommended that the following informatives should be added:

- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)

- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- NSI Prior notification for construction from the Local Authority regarding highway works.
- NSI Surface water drainage and ground water discharge responsibility.
- NSI Existing refuse collection times
- NSI WSI preparation and implementation in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.
- NSI Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- NSI Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- NSI There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- NSI A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other

process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

- NSI A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- NSI Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- NSI Transport for London is prepared to provide to information about the proposed location of the Crossrail 2 tunnels and structures. It will supply guidelines about the design and location of third party structures in relation to the proposed tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the construction and use of the tunnels. Applicants are encouraged to discuss these guidelines with the Crossrail 2 engineer in the course of preparing detailed design and method statements.
- NSI The best practical means available in accordance with British Standard Code of Practice B.S. 5228:1997 shall be employed at all times to minimise the emission of noise from the site;
- NSI The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800 – 1800 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- NSI No waste or other material shall be burnt on application site.
- NSI A barrier shall be constructed around the site, to be erected prior to demolition.
- NSI A suitable and sufficient means of suppressing dust must be provided and maintained.
- NSI Please note that the Highways department must be advised when payment of the section 278 monies has been made and a minimum of six months' notice is to be given by the developer before highway works are expected to start on site.

- NSI The back edge of footway will remain at its current level (height). It is the developer’s responsibility to incorporate this into their design as this is essential in ensuring the thresholds to the premises are level and DDA compliant and that surface water falling on the public footway can drain onto the carriageway.
- NSI In aiming to satisfy the relevant SBD condition, the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via: DOCOMailbox.NE@met.police.uk or telephone 0208 217 3813.
- NSI The applicant / development should refer to the current “Code of Practice for Works affecting the Canal and River Trust” to ensure any necessary consents are obtained. Please visit <http://canalrivertrust.org.uk/about-us/forbusinesses/undertaking-works-on-our-property>
- NSI The applicant/development is advised that any oversail, encroachment or access to the waterway or towpath requires written consent from the Canal and River Trust, and they should contact the Canal and River Trust regarding the required access agreement.
- NSI The applicant is advised that surface water discharge to the waterway will require prior consent from the Canal and River Trust. Please contact Nick Pogson from the Canal and River Trust Utilities team (nick.pogson@canalrivertrust.org.uk)

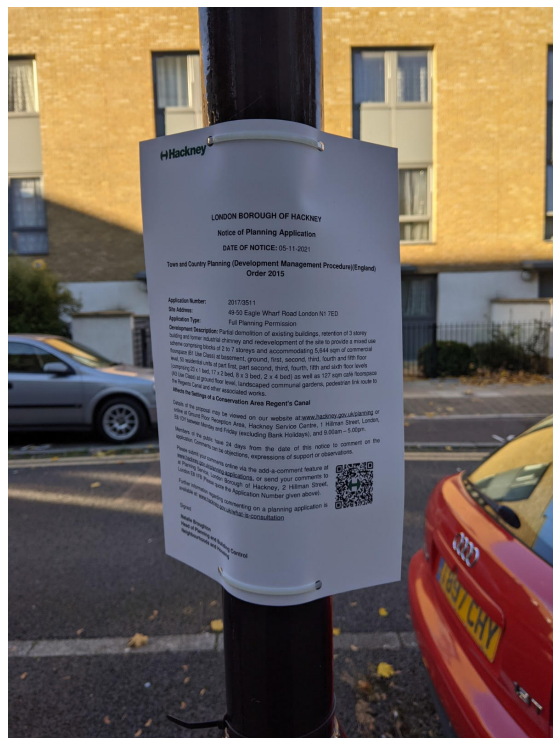
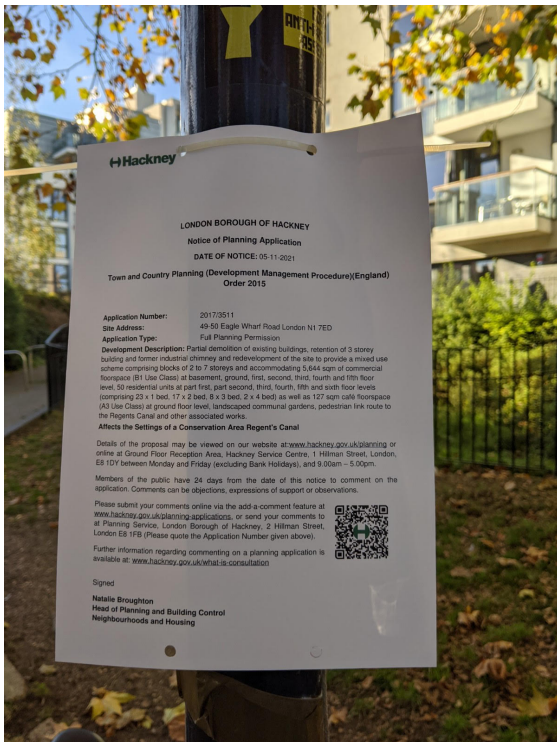
Signed..... Date.....

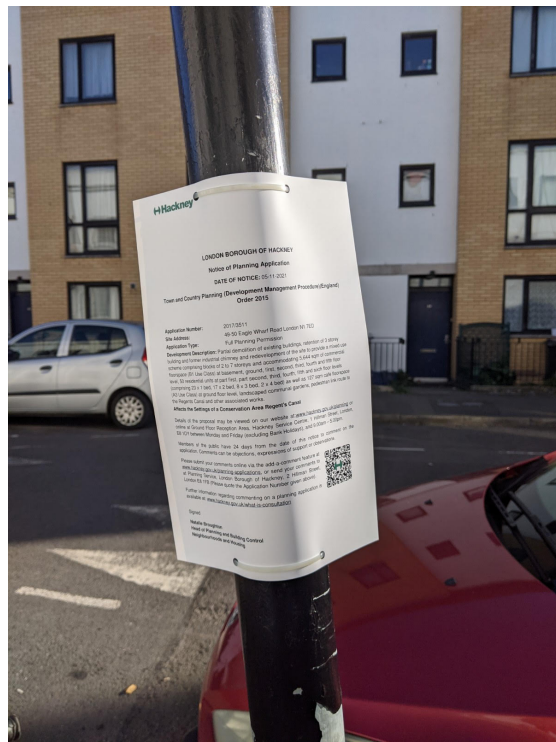
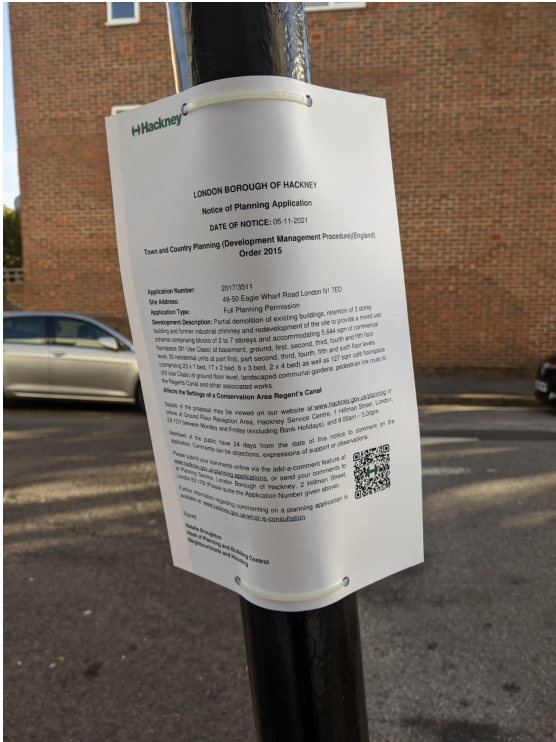
ALED RICHARDS
Director, Public Realm

NO	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	The following background papers relevant to in this	Barry Coughlan Planning Officer, ext 7939	1 Hillman Street, Hackney, E8 1FB

	<p>report are available for inspection upon request to the officer named in this section:</p> <ul style="list-style-type: none"> - Solicitor Letters relating to Tenant Compensation Costs - Hackney Property Services Summary Viability Report 30/09/2021 - Stretton's Viability Assessment Nov 2020 - RPS Review of Sustainability Reporting Jan 2022 		
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Site Notices –





ADDRESS: 49 – 50 Eagle Wharf, London, N1 7ED	
APPLICATION NUMBER: 2017/3511	
WARD: Hoxton West Ward	REPORT AUTHOR: Stuart Hammond

DRAWING NUMBERS:	VALID DATE: 10/10/2017
<p>Drawings Numbers:</p> <p>EAG-P100-S2-P0 Existing Ground Floor EAG-P101-S2-P0 Existing First Floor EAG-P102-S2-P0 Existing Second Floor EAG-P103-S2-P0 Existing Location Plan EAG-P104-S2-P0 Existing North and South Context EAG-P105-S2-P0 Existing Demolition Ground Floor EAG-P106-S2-P0 Existing Demolition First Floor EAG-P107-S2-P0 Existing Demolition Second Floor EAG-P108-S2-P0 Existing Courtyard Elevations EAG-P109-S2-P0 Existing Courtyard Elevations</p> <p>EAG-P110-S2-P0 Proposed Basement Floor Plan EAG-P111-S2-P1 Proposed Ground Floor Plan EAG-P112-S2-P0 Proposed First Floor Plan EAG-P113-S2-P1 Proposed Second Floor Plan EAG-P114-S2-P1 Proposed Third Floor Plan EAG-P115-S2-P1 Proposed Fourth Floor Plan EAG-P116-S2-P1 Proposed Fifth Floor Plan EAG-P117-S2-P0 Proposed Sixth Floor Plan EAG-P118-S2-P0 Proposed Block Plan EAG-P220-S2-P1 South Elevation SEP 2018 EAG-P221-S2-P1 North Elevation SEP 2018 EAG-P222-S2-P1 Street Scene SEP 2018 EAG-P223-S2-P1 South Long Section SEP 2018 EAG-P224-S2-P1 North Long Section SEP 2018 EAG-P225-S2-P1 West Cross Section SEP 2018 EAG-P226-S2-P1 East Cross Section SEP 2018</p> <p>EAG-K173-S2-P1 Use Plans Proposed Basement and Ground Floor SEP 2018 EAG-K174-S2-P1 Use Plans Proposed First and Second Floor SEP 2018 EAG-K175-S2-P1 Use Plans Proposed Third and Fourth Floor SEP 2018 EAG-K176-S2-P1 Use Plans Proposed Fifth Floor SEP 2018</p>	

<p>Supporting Documents: Planning Statement, prepared by Montagu Evans 2018; Response to Consultation Comments Received and Enclosures, prepared by various 2018; Additional Information Cover Letter, prepared by Montagu Evans 2018; Design and Access Statement, prepared by Peter Davy Smith 2018; Drainage Report, prepared by Tully De'Ath 2017; Heritage Statement, prepared by Montagu Evans; Archaeological Assessment, prepared by Howe Malcolm Archaeology and Planning Ltd; Daylight/Sunlight Assessment, prepared by Dixon Payne; Ecological Appraisal 2018, prepared by Lloyd Bore; Drainage Energy Statement, including Overheating Design Note, prepared by XCO2 Energy; Ventilation Statement, prepared by XCO2; Employment Floorspace Viability Report, prepared by Currell Commercial 2017; Noise Impact Assessment, prepared by Accon UK; Sustainability Statement, prepared by XCO2; Desk Study Report, prepared by Southern Testing Environmental and Geotechnical; Statement of Community Involvement, prepared by AECOM 2018; Air Quality Assessment and Air Quality Neutral Assessment prepared by Accon UK; Transport Statement, prepared by TTP Consulting 2018; and, Agreed Appraisal SEP 2018; Viability Summary 12.9.18_ V2 prepared by Savills</p>	
<p>APPLICANT: GHL (Eagle Wharf Road) Ltd.</p>	<p>AGENT: Montagu Evans 5 Bolton Street London W1J 8BA</p>
<p>PROPOSAL: <i>Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5644 sq. m, of commercial floorspace at basement, ground, part first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (23 X 1 bed, 17 X 2 bed, 8 X 3 bed, 2 X 4 bed) as well as 127 sq. m. cafe floorspace (A3) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.</i></p>	
<p>POST SUBMISSION REVISIONS:</p> <p>Further Information:</p> <ul style="list-style-type: none"> o Further information provided in response to consultation comments o Further information provided as revised planning statement with enclosures addressing multiple considerations o Clarification of ownership o Revised development description o Disclosure of viability appraisal and assumptions 	

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RECOMMENDATION SUMMARY:

Grant planning permission subject to conditions and completion of a legal agreement.

NOTE TO MEMBERS:

This application has been brought before Planning Sub-Committee as it is a Major Development

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X (Zone F)	
Conservation Area	X (Regents Canal)	
Listed Building (Statutory)		X
Listed Building (Local)	X	
PEA	X (Wenlock)	

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	B1	Business	4,784
	A3	Food and drink	251
Proposed	B1	Business	5644
	A3	Food and Drink	127
	C3	Residential units	4609

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	0	0	0	0	0	0
Proposed	Flats	23	17	8	2	0
	Dwellings	0	0	0	0	0
	Studio	0	0	0	0	0
Totals	(Total = 50)	23	17	8	2	

Overall Residential Unit Totals:	Market	Intermediate	Social	Total
Existing	0	0	0	0
Proposed	50	0	0	50

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	10 (informal)	0	20 (informal)
Proposed	0	3	168

CASE OFFICERS REPORT

1. SITE DESCRIPTION

- 1.1** The site is immediately north of Eagle Wharf Road, N1 and within the Hoxton West Ward. The site is bounded by Eagle Wharf Road to the south and Regents Canal to the north, and neighbouring properties no.48/48a to the east and no. 51-59 to the west. It is roughly rectangular in shape and approximately 0.39ha.
- 1.2** The Borough boundary with the London Borough of Islington follows the northern bank of the Regents Canal at this location.
- 1.3** Existing development on site comprises of a complex of 2-3 storey commercial buildings. The majority of the space provided by the complex is in B1 use class, in part used for photographic studios, and partly for offices and other ancillary B1 uses, with the remaining space in A3 use class. About 1,200m² of the B1 space is double storey height studio space and the rest is single storey height studio, office and ancillary space.
- 1.4** The applicant has stated that the following leases apply to the site:
- 49 Eagle Wharf Road is leased to Holborn Studios for a period of 15 years commencing on and including 29 June 2015;
Unit 1, 50 Eagle Wharf Road leased to Holborn Studios for a period of 15 years, commencing on and including 29 June 2015.
Unit 2, 50 Eagle Wharf Road leased to Stonemanor (trading as Apricot) between 1 March 2007 and 31 March 2018; and,
Units 3 and 4, Eagle Wharf Road are leased to Holborn Studios for a period of 15 years, commencing on and including 29 June 2015.
- 1.5** From site inspection and consultation responses, the space leased to Holborn Studios operates as a film and photography studio, and 'hire out' surplus space to businesses that operate within similar or associated fields.
- 1.6** Holborn Studios also operate the space which is in A3 use. This space is operated as a bar and brasserie and it is located in the north east of the complex, adjacent to and opening out onto Regents Canal. It is known as the Commissary.
- 1.7** Within the complex there is also a courtyard shared by the businesses on site. The courtyard is approximately 61sqm. On inspection, the courtyard provides space for parking on site, though the amount has been disputed during consultation and is unclear given the lack of distinct marked bays. The type of parking provided is for vehicles and bicycles. Based on a site visit, it is considered that there is informal parking space for circa 10 vehicles and 20 bicycles.
- 1.8** The site's primary access is from Eagle Wharf Road. It provides both vehicular and pedestrian access through into the courtyard. There are also two secondary access points for servicing and loading. The site has a Public Transport Accessibility Level

(PTAL) of 2 though the level rises within 100m of the site to a PTAL of 5. The site lies within a Crossrail 2 safeguarding area.

- 1.9** On the basis of the site visit, soft landscaping is limited with only potted plants visible throughout the site.
 - 1.10** Immediately adjacent the site to the east is No. 48/48a Eagle Wharf Road. Development on this site comprises a 3 storey warehouse facility for self-storage with associated car parking.
 - 1.11** Immediately adjacent the site to the west is No. 51-59 Eagle Wharf Road. Development on this site comprises a recent development of 4 – 7 storey modern mixed use development.
 - 1.12** To the south of the Site, across Eagle Wharf Road, development comprises of a range of 3-4 storey residential buildings.
 - 1.13** To the north of the Site, is the Regents Canal, and at this location for the length of the site is the pontoon dock of Eagle Wharf Marina (EWM). A lease plan provided during consultation outlines provision for the pontoon dock and 5 commercial and 7 residential barges. The moorings and pontoon are immediately adjacent the site.
 - 1.14** EWM can be accessed from the site and vice versa. EWM can also be accessed from a controlled point on the publically accessible Packington Street Bridge, which is approximately 50m east of the site as the crow flies. Across the canal is the public towpath and residential buildings ranging from 2 – 6 storeys in height.
 - 1.15** Within approximately 250m east and west along the canal, there are instances of canalside development where the massing is up to 7 storeys in height.
 - 1.16** The site is located within the Wenlock Priority Employment Area (PEA) and the City Fringe Opportunity Area (CFOA). The Regent Canal is designated as a Conservation Area (CA), Site of Interest for Nature and Conservation (SINC), Green Link, Green Corridor and as Open Space, and forms part of the GLA Blue Ribbon network.
- Red line boundary and ownership*
- 1.17** The site location plan submitted shows a redline site boundary that extends into the Regents Canal. Partly within the redline boundary, as it extends into the Regents Canal, is Eagle Wharf Marina (EWM) as discussed. EWM is operated under a lease from the Canal Rivers Trust (CRT).
 - 1.18** Notwithstanding this, the freehold ownership of the land within the redline boundary is understood to be under the sole ownership of the applicant, as evidenced by a land registry deed. The CRT, who own and manage the Regents Canal have agreed with this position. The applicant has confirmed that the only tenancies that are either noted on the registry deed or have been subsequently granted, and which constitute Interested Parties are to Holborn Studios Limited, who have been served notice.
 - 1.19** On the basis of the information available, it is accepted that all Interested Parties have been notified of the application.

Conservation and Heritage

- 1.20** The site is located within the designated Regents Canal Conservation Area (RCCA). Development on site and specifically the Commissary are outlined within the conservation area appraisal:

Much of the western end of Eagle Wharf from opposite Sturts Lock as far as Packington Road Bridge has in last twenty years been extensively refurbished with many factory buildings now being part of Holborn Studios, one of London's major film locations and photographic studios. The Commissary, a bar and restaurant with a large conservatory overlooking the canal and extensive outdoor seating is part of Holborn Studios and is an attractive and sensitive conversion of an industrial building.

- 1.21** The existing buildings are identified as Buildings of Townscape Merit. The existing buildings were also added to the local list in 2012. It is noted on the list that the building is a "Victorian former industrial building (now studios)".
- 1.22** The area immediately north of the Canal, within the London Borough of Islington, is designated as being within Arlington Square Conservation Area (ASCA).
- 1.23** Beyond No. 51-59 Eagle Wharf Road, at the junction of Eagle Wharf Road and Shepherdess Walk are No. 107-133 (Odd) Shepherdess Walk, which are a grade II listed terrace of residential buildings.

2. RELEVANT PLANNING HISTORY

- 2.1** The site was subject to an application submitted by the same applicant for the redevelopment of the site in 2015. The application reference was 2015/2596. The proposed development was:

Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5644 sq. m, of commercial floorspace at basement, ground, part first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (23 X 1 bed, 17 X 2 bed, 8 X 3 bed, 2 X 4 bed) as well as 127 sq. m. cafe floorspace (A3) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.

- 2.2** The proposed development of 2015/2596 is, for the majority, is the same in scope to that being considered under this application.
- 2.3** The application was recommended for approval by Officers and Members resolved to approve the application at a meeting of Planning sub-committee in July 2016, subject to conditions and the completion of a legal agreement. The application was subsequently approved on the 8th November 2016. The decision was subsequently challenged by way of a Judicial Review. The challenge was brought by Holborn Studios and a Mr D. Brenner. The challenge was upheld and the decision was subsequently quashed for procedural reasons mainly relating to the consultation process.

- 2.4** Further to this, the following list comprises relevant applications for development on the site:
- 2.5** Application Reference: 2013/0032
Application Description: Demolition of existing buildings associated with the erection of a mixed use building to provide 5,139sqm of class b1 floor space, 371sqm class a3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping
Application Decision: Withdrawn by applicant
- 2.6** Application Reference: 2012/3923
Application Description: Demolition of existing buildings and the erection of a mixed use building to provide 5,139sqm of Class B1 floor space, 371sqm Class A3 (restaurant) floor space and 82 residential units together with associated car parking spaces, delivery bay, cycle parking and associated amenity space and landscaping.
Application Decision: Withdrawn by applicant
- 2.7** Application Reference: SOUTH/479/98/FP
Application Description: Change of use of existing use of existing staff restaurant to public restaurant (A3 Use).
Application Decision: Granted
- 2.8** The following applications were for proposed development adjacent to the site:
- Eagle Wharf Marina*
- 2.9** Application Reference: SOUTH/570/97/FP
Application Description: Provision of facilities and pontoons to facilitate the provision of 15 residential and commercial boat moorings.
Application Decision: Granted
- No. 51-59 Eagle Wharf Road (164 – 168 Shepherdess Walk)*
- 2.10** Application Reference: 2009/2154
Application Description: Change of use of Unit 11 from class A3 (restaurants and cafes) to alternative use Class A3 or B1 (Business) or D1 (non-residential institutions) to include the following uses only: Clinics (except those treating alcohol or drug addiction or dependency or mental health problems), Health Centres, Crèche and Day Nurseries; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.
Application Decision: Granted
- 2.11** Application Reference: 2009/0546
Application Description: Change of use of units 3, 4, 5, & 6 from class B1 (Business) to a dual use class B1 (Business) / D1 (Non-residential institutions) to include the following uses only: Clinics, except those treating alcohol or drug addiction or dependency; or mental health problems; Health Centres; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.
Application Decision: Granted
- 2.12** Application Reference: 2005/2375
Application Description: Demolition of existing buildings and erection of a part 5, part 6, part 7 storey plus basement level building to provide 3000sqm of Class (B1)

(Commercial) floor space; 310sqm of Class A3 (Restaurant) floor space and 108 residential units, comprising 33 x 1 bed, 41 x 2 bed, 30 x 3 bed and 4 x 4 bed units together with 29 car parking spaces and 5 servicing bays and associated landscaping
Application Decision: Granted

Packington Bridge Gate House, Sturts Lock, N1

2.13 Application Reference: 2013/0843

Application Description: Erection of a single storey gatehouse building, external staircase and wheelchair lift with a timber pontoon and secure bike store.

Application Decision: Granted

3. CONSULTATION

3.1 The Council informs people of planning applications in a number of different ways. There is a statutory requirement to inform specific Statutory Consultees of planning applications through Schedule 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2010. A list of these stakeholders is outlined on the Council's website.

3.2 The Council has also adopted a Statement of Community Involvement (SCI) which sets out the standards of consultation. In deciding how and who to consult on a planning application, the Council take the following into account:

- The minimum statutory requirements for publicity of planning applications as set out in the relevant legislation; and
- The type of application - for example the Council will normally go beyond the minimum notification requirements where a development may give rise to significant local controversy, or is on a particularly sensitive site or is of a large-scale.

3.3 The statutory requirement for publicity of the application is considered to be a Press Notice and either Site Notice or Neighbour Notification, and which is set out in the SCI. With specific regard to neighbour notification, the SCI sets out that the council will notify all properties within at least 30m of the boundaries of the application site as a minimum. It is Officers discretion to notify neighbours outside of this area.

3.4 Consultation was undertaken on the application. In line with statutory requirements and the SCI the publicity of the application comprised:

- A Press Notice
- Site Notices
- Notification of neighbours within 30m of the application site as a minimum.
- Publication on the Councils weekly list of applications and website; and,
- Consultation with the Conservation Area Advisory Committee

3.5 In addition, objectors to application 2015/2956 were also notified at the discretion of the Officer.

3.6 Applications can be amended during their determination. There is no statutory requirement for the council to re-consult or stipulations on methods to be used. The SCI outlines that changes may be made to resolve objections. In these cases there is

no legal requirement to re-consult stakeholders, although the Council may re-advertise and re-consult for a 14 day period.

- 3.7** There were six rounds of consultation on the application and the details of each are outlined below. In each round relevant statutory consultees, local groups and members of the public were invited to comment.
- 3.8** Overall, there has been full compliance with statutory requirements and the SCI. All documents in support of the application have been publically available for comment for over 21 days. Comments received from the date on which the application was first publicised until the time of writing have been considered in this report. Where requests to view elements file have been made, this has been reasonably accommodated.
- 3.9** Consultation with members of the public is discussed at 3.18.
- 3.10** Consultation with local groups is discussed at 3.19
- 3.11** Consultation with statutory consultees is discussed at 3.20
- 3.12 First Round of Consultation**
- 3.12.1 Date Statutory consultation period started: 12/10/2017
- 3.12.2 Date Statutory consultation period ended: 02/11/2017 (21 days)
- 3.12.3 Site Notice: Yes (x3 – x2 within LBH and x1 within LBI)
- 3.12.4 Press Advert: Yes
- 3.12.5 In addition to the site notice and press notice, 368 notification letters were sent to nearby occupiers and previous objectors to application 2015/2596 notifying them of the application.
- 3.13 Second Round of Consultation**
- 3.13.1 In response to comments raised by the Officers, further information was submitted by the applicant. The information provided clarification around various matters including ownership, Interested Parties, existing uses and employment levels, daylight and sunlight, ecological matters and a response to objections.
- 3.13.2 The substantial objections raised during initial consultation and content of the information addressing these objections was considered to justify further consultation.
- 3.13.3 Date Statutory consultation period started: 25/04/2018
- 3.13.4 Date Statutory consultation period ended: 09/05/2018 (14 days)
- 3.13.5 Site Notice: (x3 – x2 within LBH and x1 within LBI)
- 3.13.6 Press Notice: No
- 3.13.7 In addition to the site notice, 471 notification letters were sent to nearby occupiers inviting them to comment. Furthermore, all consultees (where details were provided) who responded to the initial consultation were also invited to comment.
- 3.14 Third Round of Consultation**

- 3.14.1 In response to further comments raised by the Officers, further information was submitted by the applicant. The information provided clarification regarding the reference to consultation with Holborn Studios in the application, alongside a drainage strategy, revised transport assessment, further daylight and sunlight information and revised ecology assessment.
- 3.14.2 The substantial objections raised during initial consultation and content of the information addressing these objections was considered to justify further consultation.
- 3.14.3 Date Statutory consultation period started: 05/06/2018
- 3.14.4 Date Statutory consultation period started: 19/06/2018 (14 days)
- 3.14.5 Site Notice: (x3 – x2 within LBH and x1 within LBI)
- 3.14.6 Press Notice: No
- 3.14.7 In addition to the site notice, 499 notification letters were sent to nearby occupiers inviting them to comment. Again, all consultees (where details were provided) who responded to the initial rounds of consultation were also invited to comment.
- 3.15 Fourth Round of Consultation**
- 3.15.1 In response to further comments raised by the Officers, further information was submitted by the applicant. The information provided further clarification regarding remaining references to consultation with Holborn Studios in the application, and accordingly revised the design and access statement and statement of community involvement.
- 3.15.2 The substantial objections raised during initial consultation and content of the information addressing these objections was considered to justify further consultation.
- 3.15.3 Date Statutory consultation period started: 12/07/2018
- 3.15.4 Date Statutory consultation period started: 26/07/2018 (14 days)
- 3.15.5 Site Notice: (x3 – x2 within LBH and x1 within LBI)
- 3.15.6 Press Notice: No
- 3.15.7 In addition to the site notice, 465 notification letters were sent to nearby occupiers inviting them to comment. Furthermore, consultees (where details were provided) who responded to the initial consultation were also invited to comment.
- 3.16 Fifth Round of Consultation**
- 3.16.1 In response to further comments raised by the Officers, further information was submitted by the applicant. The information provided further detail on and clarification regarding the development description, errors contained within drawings, ownership details, affordable workspace and viability. Consequently, a more detailed development description to explicitly set out the constituent elements of the proposed development was agreed; clarification regarding drawing errors and ownership; justification and clarification of the affordable workspace; and, full disclosure of the viability assessment and subsequent revised affordable housing offer was provided.
- 3.16.2 The substantial objections raised during initial consultation and content of the information which addressed these objections was considered to justify further consultation.

- 3.16.3 Date Statutory consultation period started: 17/09/2018
- 3.16.4 Date Statutory consultation period ended: 11/10/2018 (24 days)
- 3.16.5 Site Notice: (x3 – x2 within LBH and x1 within LBI)
- 3.16.6 Press Notice: No
- 3.16.7 In addition to the site notice, 441 notification letters were sent to nearby occupiers inviting them to comment. Furthermore, consultees (where details were provided) who responded to the initial consultation were also invited to comment. 130 notification letters were sent to the previous commenters to 2015/2956
- 3.16.8 The site notice was erected a day after the circulation of notification letters. The site was dated accordingly outlining a minimum of 24 days for comments to be made.
- 3.17 Sixth Round of Consultation**
- 3.17.1 Officers noted an error with the fifth round of consultation. Consequently, the application and all supporting information was reconsulted upon.
- 3.17.2 Date Statutory consultation period started: 15/11/2018
- 3.17.3 Date Statutory consultation period ended: 09/12/2018 (24 days)
- 3.17.4 Site Notice: (x3 – x2 within LBH and x1 within LBI)
- 3.17.5 Press Notice: No
- 3.17.6 In addition to the site notice, 667 notification letters were sent to nearby occupiers inviting them to comment. Furthermore, consultees (where details were provided) who responded to the initial consultation were also invited to comment.
- 3.18 Public Responses**
- 3.18.1 At the time of writing, during all rounds of consultation detailed above, there were 930 objectors and 2 supporters..
- 3.18.2 A summary of the main grounds raised in support are as follows:
- Provision of much needed housing
 - Provision of public access to the Canal
 - Retention of the most historic elements
- 3.18.3 A summary of the main issues raised by these objections are as follows:
- o Loss of employment – 300+ jobs
 - o Loss of employment to local people
 - o Loss of 25 local businesses
 - o Loss of viable business as protection to heritage assets
 - o Loss of businesses on site and in area
 - o Loss of locally listed buildings
 - o Loss of historic building of townscape merit in the CA – more protection should be afforded to it because few remain
 - o Loss of high profile/internationally renowned photography studio
 - o Loss of cultural heritage / community asset / landmark / iconic use
 - o Loss of operation that supports local businesses
 - o Loss of affordable workspace
 - o Loss of amenities provided for canal boat residents
 - o Loss of incubator space for new business

- o Loss of a community amenity space
- o Loss of educational facility
- o Loss of access to the canal moorings
- o Loss of a wedding venue
- o Loss of SME business premises
- o Loss of a performing venue
- o Loss of studio space for arts and creative business
- o Loss of historic use
- o Loss of site of special historic significance
- o Loss of photography and film studios, and darkroom facility
- o Loss of anchor tenant

- o Impact to local community – socially, culturally, environmentally and economically
- o Impact to media / photography industry – few studios of this calibre left in central London, difficult to recreate parameters in new developments
- o Impact to PEA
- o Impact to wider businesses in area
- o Impact to wider creative and media industry
- o Impact to the vitality of creative and media industry in the borough
- o Impact on canal boat residents
- o Impact to the canal users
- o Impact to the canal
- o Impact to the Conservation Area appearance and character physically
- o Impact to the Conservation Area character culturally and socially
- o Impact on the diversity of film and photography studios offered in Greater London
- o Impact to ecology
- o Impact of additional housing on local services
- o Impact to existing local businesses with the likely build programme and having to relocate
- o Impact on traffic generated on cyclists using Eagle Wharf Road
- o Impact to local views

- o Proposal isn't needed / no need to develop the site / no justification
- o Proposal would result in the existing businesses leaving the borough
- o Proposal does not meet the specific housing needs of Hackney
- o Proposal does not provide affordable housing in line with policy
- o Proposal is unsympathetic to the conservation area
- o Proposal would be detrimental to the character and appearance of the conservation area
- o Proposal is not suitable for a photographic studio use of the existing calibre
- o Proposal will not deliver housing that is affordable to existing community residents
- o Proposals will be marketed offshore before marketing to local residents
- o Proposals will force out creative business that benefit area
- o Proposal would result in an imbalance of land use within PEA
- o Proposals could be accommodated on other sites
- o Proposal is unworkable at canal side given the relationship between the current leaseholders
- o Proposal does not provide employment space suitable for businesses that operate in this area
- o Proposal results in overdevelopment
- o Proposal will generate traffic

- o Proposal for basement space does not provide suitable space for artists
- o Proposal for basement space does not provide suitable space for photographic/film studios
- o Proposal will deliver poor quality housing
- o Proposal conflicts with the Regents Canal CA Appraisal
- o Proposal does not provide provision for retaining jobs during construction
- o Proposal reduces stock of affordable workspace
- o Proposal has not been developed in consultation with the existing businesses

- o Misleading information in the planning application
- o Objections made to application 2015/2956 should be considered
- o Lack of policy protection to creative businesses and districts
- o No provision to retain current jobs during construction period
- o Responses from photographers and professionals within the film/photography industry outlining that the basement space could not function to provide high end studios
- o Increase in use of Packington Street bridge as access
- o Planning policy has a presumption is in favour of retaining employment floorspace
- o Reconfiguration of space is not suitable for existing businesses
- o Unnecessary delay tactics by the applicant
- o Reducing stock of small units
- o Loss of space supported by the Mayor
- o Proposed office accommodation is inappropriate for the site specific characteristics and location
- o Proposals would harm character and appearance of conservation area by demolishing most of the existing buildings
- o Historic chimney is negatively affected by being left as a standalone structure
- o Redacted viability report contradicts policy seeking transparency in such matters

3.19 Local Groups

3.19.1 A summary of the comments offered by local groups consulted are as follows:

Holborn Studios

3.19.2 An objection from the operators of Holborn Studios was received on the following grounds(summary):

- *Unsuitability of proposed space for photographic and moving image studio on the grounds of –*
 - o *Access / Operational Requirements*
 - o *Fire Safety*
 - o *Ceiling Heights / Operational requirements*
- *In professional opinion the proposed space would be unviable for business.*
- *Loss of business diversity and suitable space for SME's*
- *Inappropriate introduction of residential use*
- *Loss of light industrial land*
- *The application doesn't address the structural report*
- *Loss of the largest film/photography studio in Hackney*
- *Misrepresentation in the planning application*
- *Conflicts with London Plan Policy and Draft London Plan Policy*
- *Leases/occupancy*
- *Political statements made by Hackney politicians*

- *Substantial impact to heritage assets*
- *No affordable housing provided*
- *Lack of transparency with regards to viability*
- *Multiple professional photographer objections*

Eagle Wharf Marina (EWM)

3.19.3 An objection was received on the following grounds (summary):

- *Lack of consultation with Eagle Wharf Marina or any other occupiers on site*
- *Proposal will end the symbiotic relationship between EWM and businesses in 49 – 50 Eagle Wharf Road*
- *Proposal will result in the existing moorings – 5000sqft office space / 7 residential moorings – not being able to operate due to access*
- *No agreement to use pontoon/moorings as set out in application*
- *Unsuitability of proposed space for photographic and moving image studio*
- *Recent mayoral promises*
- *Lease with CRT provides for 5 business barges and 7 residential barges for 20 years – access from Packington Street Bridge*
- *Pre application advice to 2015/2596 suggested the retention of the existing uses*

Inland Waterways Association (IWA)

3.19.4 Support was received, subject to conditions, on the following ground (summary):

- *Advocate the use of the canal for the movement of materials, given cycling accidents and seek a condition for such.*
- *Generally in support of application due to opening up of the canal and retention of genuine heritage buildings subject to further information concerning sunlight to the canal and wildlife issues.*

Angel Association / FORC

3.19.5 An objection was received on the following grounds (summary):

- *Loss of iconic building*
- *Loss of destination*
- *Loss of listed building site*
- *Impact to the canal – heritage*
- *Impact to the canal – overshadowing*

Association of Photographers

3.19.6 An objection was received on the following grounds (summary):

- *Loss of only central London studio large enough to take a car or other large subjects*
- *Impact on the photographic industry*
- *Impact to creative industry*
- *Loss of culturally significant asset*

Friends of Regents Canal

3.19.7 Objection on the grounds of (summary):

- *Loss of Holborn Studios*
- *Loss of buildings on site all of which are locally listed*
- *The scheme threatens the employment of over 300 people within the Holborn Studios community and there is no provision to retain jobs offsite during a prolonged construction period.*

- *The scheme will deprive Hackney (and the Regent's Canal) of a large number of visitors who flow through Holborn Studios and who contribute to the vibrancy and economy of the area.*
- *Loss of a destination*
- *The scheme offers no affordable housing.*
- *The scheme involves demolition of a locally listed heritage asset that is within the Regents Canal Conservation Area.*
- *The proposed studio configurations in the basement are totally unsuitable.*
- *London needs places like Holborn Studios and this scheme would result in a net loss for London.*
- *A very similar scheme has recently been rejected by the high Court.*
- *Request for committee members to visit the site prior to the committee*
- *Objections to similar applications – 2012/3923, 2015/2596, 2017/3511 should be considered as part of the assessment of this application*

Regents Canal/Shoreditch Conservation Area Advisory Committee CAAC

3.19.8 No response received.

The Regents Network

3.19.9 Objection on the ground of (summary):

- *Disruption to local community and businesses*
- *The existing accommodates and caters for the local community there would be no benefit from the development to the community or the waterway*
- *Impact of the proposed development in terms of height, bulk and appearance to the Regents Canal as a heritage and public asset*
- *Lack of notification during consultation process*
- *Non waterway use in the proposed development beside the canal which would be contrary to policy;*
- *The canal and conservation area have been degraded by existing large and bulky developments and the proposed development is overly large and bulky, adding to this degradation;*
- *Protruding balconies are detrimental;*
- *Proposals result in the loss of industrial land and would not provide suitable space for the existing tenants;*
- *Residential and commercial accommodation should be affordable;*
- *Manner in which the chimney is being retained is not appropriate;*
- *Viability information should be provided in the public domain*

The Greater London Industrial Archaeological Society (GLIAS)

3.19.10 Objection on the ground of (summary):

- *Intensive character of the proposed development within the conservation area*
- *The loss of viable and distinctive studio space*
- *The loss without recognition of the last remains of the historic Regents Canal Iron Works*
- *The loss without recognition of fine examples Henry Grissel's style of manufactured iron and trusses*
 - *If the Council decides to approve the development, then we ask not only that the iron roof be archaeologically recorded to a good standard but also that some of the roof trusses be retained as instructive ornamental*

features of the site, together with a cast-iron pillar also located on the site.

Hackney Society Planning Group (HSPG)

3.19.11 Objection on the ground of (summary):

- *More effort made to rehouse the existing occupier;*
- *Quality of courtyard spaces are compromised given the orientation of the site looking toward the canal (north) with most of the massing to the south;*
- *Internally the planning of the housing blocks is problematic with long corridors with no daylighting and a large number of single aspect units;*
- *Consider forms of the proposed buildings and choice of material are overly complex;*
- *Retention of the existing chimney is welcomed but loss of building at its base diminishes this as it loses its context;*
- *Highly desirable to preserve the current economies of the site and its intensive employment-led use;*
- *Existing is demonstrably highly sustainable both economically and in terms of sensitive use of the heritage buildings; and,*
- *The current proposal is highly speculative and does not offer any certainty that it can maintain the current employment levels or, in particular, the affordable resources for small enterprises that are currently enjoyed.*

3.20 **Statutory Consultees**

3.20.1 A summary of the comments offered by statutory consultees consulted are as follows:

Historic England (Historic Buildings and Areas)

3.20.2 No comments further to those made on 2015/2596 outlining the following:

Historic England is broadly content with the proposed redevelopment of this site and the proposed scheme. However, the setting of the chimney and its ability to be appreciated as a landmark in locally important views would be compromised. Given that it is locally listed building and within the conservation area identified as a building of townscape merit, this would cause some harm. Should you be minded to approve these proposals, we strongly urge you to secure the retention, repair and future maintenance of the chimney tower by legal agreement.

Historic England (Archaeology)

3.20.3 No objection subject to conditions relating to:

- *Two stage archaeology condition including written schemes of investigation and if required method site investigation and post investigation programme of work.*
- *Building recording and publication in line with section 12 of the NPPF (2012)*
- *Written schemes of investigation should be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.*

The Canal and Rivers Trust

3.20.4 No objection to the proposed development subject to conditions and with comments made on the following grounds:

Land Ownership – CRT agrees with developer. The redline plan does not include any Canal & River Trust owned land.

Design

The Trust welcomes the preservation of the chimney,

Removal of adjacent low brick buildings on the canalside also removes its functional context.

Concerns about the proximity of the proposed six storey element to block 1, and in particular the projecting balcony, which gets very close to the brick chimney, and compromises the setting of this non-designated heritage asset which forms an important landmark on the canal corridor.

Concerns about the height of the proposed development adjacent to the canal and its impact on the appreciation of the chimney, impact on the conservation area and relationship to the retained building.

Design changes to the above could improve the setting of the scheme within the Regent's Canal Conservation Area.

Canal Wall

Works will need to comply Code of Practice for Works Affecting the Canal & River Trust Survey of the canal wall will be required to inform potential mitigation measures to carry out demolition and piling work safely

Canalside Uses and Moorings

Generally support the principle of animated uses on the canalside to provide activity, as the existing development does.

Concern raised about the adverse impact on the existing moorings here, which we consider make a positive contribution made to the Regent's Canal Conservation Area.

Ensure that the relationship between the application site and the moorings is carefully managed.

Concern regarding the management of the access provided to the adjacent existing mooring pontoons and adverse impacts them – suggests additional security and privacy measures for the occupants of the moorings.

The LPA may be aware that the Trust leases the waterspace for the moorings to the operator, but we make these comments in our role as a statutory consultee.

Ecology and Overshadowing

New ecological assessment should be conducted and submitted prior to determination of the scheme.

Consideration should be given to bats using the canal as a feeding corridor and how this might be affected by the development, and what mitigation may be required.

Daylight, Sunlight and Overshadowing report does not assess the impact of the proposal on the canal or the adjacent moorings.

Mitigation measures may be required.

Any additional ecological enhancements that might be considered near the canalside should be sustainable and not affect navigation. This site may also benefit from environmental enhancements such as bird and bat boxes.

Lighting

No lighting should be installed which directly illuminates the surface of the canal, in order to protect this SINC and its role as a bat feeding corridor.

Off-site works

Contribution from the development towards the Enterprise team's project to improve the canal environment for all users. We consider that a figure of £35,000 would be reasonable for a development of this scale. Welcomes the agreement by the developer to this figure.

Consequently, conditions and planning obligations on the following matters were sought:

- *Risk Assessment and Method Statement for all works adjacent to the water and moorings*
- *Full details of landscaping scheme*
- *Pre commencement survey of the waterway wall and method statement for repair*
- *Details of proposed lighting and CCTV*
- *Full details of measures to ensure continued enjoyment of adjacent moorings*
- *Secure payment of £35,000*

London Fire and Emergency

- 3.20.5 *No objection with comments made on the following ground (summary):
With reference to the application no. 2017/3511 dated 25 April 2018, the Commissioner requests plans clearly indicating how the proposal will meet the requirements of Approved Document B, Section B5.*

Thames Water

- 3.20.6 *No objection subject to the following comments and conditions relating to:
Waste Comments
Developer should follow sequential approach to the disposal of surface water. Discharge to the public sewer will require approval from Thames Water.*

Water Comments

Recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments

As the site is closer to a natural water course we expect all surface water to be discharged here.

London Borough of Islington (LBI)

- 3.20.7 *Comments on the following matters:
Use and opening hours of proposed ground floor café and its outdoor seating area should be controlled to ensure amenity impacts (including for Islington residents opposite) are limited.*

No objection in design and conservation terms.

Seeks the retention of Holborn Studios as a unique asset in terms of employment and cultural heritage, would be of public benefit. This public benefit would extend beyond borough boundaries. References 2012/6858/P.

A complete (written and illustrated) assessment of the impact of the proposed development upon views and the setting of the Arlington Square Conservation Area should be provided by the applicant.

The removal of the unsightly boundary wall (visible from the Islington side of the canal, between the application site and the adjacent development on the corner of Shepherdess Walk and Eagle Wharf Road) should be secured if it is under the control of the applicant.

Control of glare and lighting overspill should be undertaken in line with paragraph 10.42 of the applicant's Ecological Appraisal

Adjacent residents of Islington should be consulted directly by LB Hackney, if they have not been already.

Crossrail Limited

- 3.20.8 No objection subject to conditions and informatives relating to:
- *Detailed design and construction method statements to ensure accommodation/safeguarding of Crossrail 2*
 - *Reference to the Crossrail 2 Information for Developers*

Natural England

- 3.20.9 No objection.

Secure By Design (SBD) – Metropolitan Police

- 3.20.10 No objection subject to conditions relating to:
- *Request Secured by Design condition and community safety informative*

Transport for London

- 3.20.11 No objection subject to conditions and general comments on the grounds of:
- *Cycle parking provision in line with London Plan and Draft New London Plan.*
 - *It is recommended the total number of 90 and 78 cycle parking spaces for the Residential and Commercial uses respectively are secured by condition.*
 - *5% of cycle parking spaces should be provided to accommodate larger cycles to be in accordance with the London Cycle Design Standards (LCDS).*
 - *Requests a Construction Logistics Plan in line with TfL guidance*
 - *It is imperative that road safety measures are considered and preventative measures delivered through the construction and operational phases of the development. TfL encourages the use of contractors who are registered on the FORS system under silver membership and would welcome a commitment by the applicant to this scheme outlined in the CMP. Please see: <http://www.tfl.gov.uk/info-for/freight/safety-and-the-environment/managing-risks-wrrr>.*
 - *Requests a Delivery and Servicing Plan in accordance with TfL guidance*
 - *Understands that 3 car parking spaces are provided for electric vehicles only*
 - *TfL supports the inclusion of a framework Travel Plan and requests that it is updated accordingly as development progresses.*
 - *Given the scale, location and nature of the proposal, TfL recommends the production of a Construction Management Plan that will be submitted to and approved by both the Borough of Hackney and TfL prior to works commencing*

on site. This document should include both the demolition and construction phases.

- *Car free nature of development welcomed and this should be secured by restricting occupiers from applying for permits.*

GLA culture team

3.20.12 General comments made on the following:

- *Consideration should be given to the draft policies of the London Plan specifically policies on creative workspace and re-provision of workspace, and the Mayor's Cultural Infrastructure Plan*
- *Holborn Studios contribution to London's cultural infrastructure is valuable and significant. It is essential that creatives in London have access to a range of spaces to suit their diverse needs.*

3.21 Council Departments

Pollution - Land Contamination

3.21.1 No objection subject to conditions relating to:

- *Additional information to be carried out further to Desk Study Report prepared by ST Consult (Ref DS2568, November 2014) including:*
 - *An additional cable percussive borehole position in the western corner of the site.*
 - *As well as three combined gas and water monitoring installation in WS's, similar installations in all of the cable percussive positions.*
 - *Groundwater monitoring, sampling and analyses from all positions where groundwater is encountered.*
 - *Initially 6 ground gas monitoring visits (to include PID) over a three month period.*
- *Condition CSL 1*
- *Condition CSL 2*

Economic Regeneration

3.21.2 No objection subject to conditions, obligations and general comments on the ground of:

- *The percentage of affordable workspace is significant in the context of our policy requirement and the opportunity to secure the quantum, rates, management and end-use are strong positives.*
- *What we require is for the applicant to commit to a process by which the affordable element is secured for tenants that provide space for businesses from the same sector as the current tenants.*
- *Conditions and obligations –*
 - *Employment and skills plan*
 - *Procurement plan*
 - *Ways into work contribution*
 - *24% as affordable workspace*

Private Sector Housing

3.21.3 Consideration should be given to:

- *Building regulations*
- *Natural lighting and ventilation*
- *Internal ventilation for internal windowless bathrooms, WC's and kitchens*
- *Windowless rooms must have mechanical ventilation*

- *Adequate provision for refuse*

Pollution – Air

3.21.4 No objection subject to conditions relating to air quality management.

Streetscene - Highways

3.21.5 The following works to the surrounding highways network are required and are to be secured via a S278 agreement:

- *Reconstruction of the footway along the front of the site on Eagle Wharf Road using new ASP slabs and new kerb;*
- *The conversion of the redundant crossovers to footway,*
- *Provision of new crossovers as required reconstruction of the two remaining crossovers and provision of a dropped kerb for the proposed goods lift;*
- *The resurfacing of the carriageway between Shepherdess Walk and Cropley Street;*
- *The refitting of the lamp columns along the same stretch of road with LED relocation of any street furniture as required to accommodate the development amendments to parking, loading and other traffic regulation orders to accommodate the revised street design and access arrangements.*

The works have been costed at £100,130 which has been agreed with the applicant.

Sustainable Drainage Officer

3.21.6 No objection subject to conditions relating to:

- *Details of proposed Sustainable drainage system – no discharge until such works undertaken*
- *Evidence, signed off by appropriate professional, of final completion survey*

CCTV & Emergency Planning

3.21.7 No objection general comments requesting:

- *If CCTV is to be installed, there are minimum standards which the system must meet in order to be compatible with the councils systems.*

Pollution Noise

3.21.8 No objection subject to conditions relating to:

- *Ventilation and extraction details for A3 use*
- *Safeguarded background noise levels*
- *Safeguarded internal noise levels*
- *Ensuring additional soundproofing between adjacent residential and commercial elements*
- *Standards for noise emissions from proposed plant*
- *Standards for noise emissions from demolition and construction management plan.*

Traffic and Transportation

3.21.9 No objection subject to the following conditions, obligations and general comments:

- *Transport Improvements*
- *Travel Plan monitoring fee*
- *Future residents excluded from applying for a car parking permit*
- *Future residents provided with free car club membership and driving credit to the figure of £60*

- Cycle parking – secure sheltered and accessible cycle park including end of journey facilities such as shower and changing facilities to be provided in accordance with Hackney Transport Strategy provisions on site prior to first occupation of the development and maintained there afterwards.
- Delivery Service Plan
- Demolition & Construction Management Plan
- Work & Residential Travel Plans

Waste Management

3.21.10 No objection subject to conditions and general comments made as follows:

- *Application requires 9200 litres for domestic waste and recycling, and further 10,900 litres for commercial waste*
- *Suggest a ratio of 10:4 provision for commercial waste in favour of B1*
- *Separate storage of waste between commercial and residential waste*
- *Rates of collection should be clarified and details of servicing should be provided by condition to ensure suitable provision*

Pollution Noise

3.21.11 No objection subject to conditions relating to:

- *Fixed plant noise 10dB below background noise levels*
- *Ventilation and extraction details*

3.22 Prior Consultation and Objections to application reference 2015/2596

3.22.1 Given that the application has the same development description and the proposed development would be of the same character to that of application reference 2015/2596, consultation comments made to 2015/2956 have been considered in the assessment of this application.

3.22.2 The objections were summarised by the Officers report to committee as follows:

- *The demolition of the locally listed buildings is unacceptable and would harm to the conservation area;*
- *The proposals result in overdevelopment of the site, the scale is excessive, would harm the canal and conservation area and would significantly reduce the dominance of the existing chimney in views along the canal;*
- *Proposals are not employment led, provide for a decrease in employment floorspace and the loss of the existing employment floorspace is not consistent with policy as it is viable and in high demand;*
- *Proposed floorspace would not be suitable for the existing businesses resulting in the loss of Holborn Studios;*
- *Proposals would reduce availability of affordable workspace;*
- *Proposed development would impact existing businesses and residents along the canal resulting in their closure;*
- *Proposals would harm the amenities of neighbouring residents by causing losses of day light and sunlight, overlooking, and by compromising security;*
- *Proposals would have unacceptable transport impacts and provide insufficient levels of car parking;*
- *Proposals would not provide sufficient play space;*
- *Construction impacts would harm amenities of neighbouring residents;*
- *The proposals would result in the loss of trees, plants and wildlife habitats;*

- *Insufficient facilities for disabled people are proposed; and*
- *Insufficient levels of affordable housing are proposed.*

4. POLICIES

4.1 In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (2004) planning applications should be determined in accordance with the development plan, unless other material planning considerations indicate otherwise.

4.2 The development plan comprises:

- The London Plan (adopted March 2016)
- The London Borough of Hackney Core Strategy Development Plan (adopted December 2012)
- The London Borough of Hackney Development Management Plan Local Plan (July 2015): and
- The London Borough of Hackney Site Allocations Local Plan (July 2015)

4.3 Within these documents it is considered that the pertinent policies are as follows:

4.4 Hackney Core Strategy (2010)

Policy CS6 - Transport and Land Use
Policy CS12 - Health and Environment
Policy CS19 - Housing Growth
Policy CS20 - Affordable Housing
Policy CS22 - Housing Density
Policy CS24 - Design
Policy CS25 - Historic Environment
Policy CS27 – Biodiversity
Policy CS28 – Water and Waterways
Policy CS29 - Resource Efficiency and Reducing Carbon Dioxide Emissions
Policy CS30 - Low Carbon Energy, Renewable Technologies and District Heating
Policy CS32 - Waste
Policy CS33 - Promoting Sustainable Transport

4.5 Hackney Development Management Plan (2015)

Policy DM1 – High Quality Design
Policy DM2 – Development and amenity
Policy DM3 – Promoting health and well-being
Policy DM4 – Community infrastructure levy and planning contributions
Policy DM5 – Protection and delivery of social and community facilities and places of worship
Policy DM19 – General Approach to new housing development
Policy DM21 – Affordable Housing Delivery
Policy DM22 – Homes of different sizes
Policy DM28 – Managing the historic environment
Policy DM31 – Open space and living roofs
Policy DM35 – Landscaping and tree management
Policy DM37 – Sustainability standards for residential development

- Policy DM38 – Sustainability standards for non-residential development
- Policy DM39 – Offsetting
- Policy DM40 – Heating and Cooling
- Policy DM45 – Development and Transport
- Policy DM47 – Parking, Car free and car capped development

4.6 **London Plan (2016)**

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children's and young people's play and informal recreation facilities
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.15 Coordination of housing development and investment
- Policy 4.1 Developing London's economy
- Policy 4.12 Improving opportunities for all
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable Energy
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban Greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Water use and supplies
- Policy 6.1 Strategic approach to transport
- Policy 6.3 Assessing the effects of development upon transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 Inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.13 Safety security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands
- Policy 7.24 Blue Ribbon Network
- Policy 7.27 Blue Ribbon Network: supporting infrastructure

- Policy 7.28 Restoration of the Blue Ribbon Network
- Policy 7.30 London's canals and other rivers and waterspaces
- Policy 8.2 Planning obligations
- Policy 8.3 Community Infrastructure Levy

4.7 Further to the development plan is the following guidance and national policies which are material considerations:

4.8 Supplementary Planning Guidance and Documents

Regional Guidance

- Accessible London (October 2014);
- Affordable Housing and viability (August 2017)
- Character and Context (June 2014);
- City Fringe Opportunity Area Planning Framework (2015);
- Energy Planning (April 2014);
- Guidance on the preparation of energy assessments (2016);
- Housing SPG (2016)
- Housing Design Guide (2010);
- London Planning Statement (May 2014);
- Play and Informal Recreation SPG (2012);
- Planning for Equality and Diversity in London (October 2007);
- Sustainable design and construction SPG (April 2014); and,
- The control of dust and emissions during construction and demolition (July 2014);

Local Guidance

- Sustainable design and construction SPD (2016);
- Planning Contributions SPD (2015);
- Public Realm SPD (2012);

4.9 National Planning Policies and Guidance

National Planning Policy Framework (NPPF)

The NPPF was revised and published on 24 July 2018 and superseded previous national planning guidance. The NPPF sets out the Government's approach to planning matters.

National Planning Policy Guidance (NPPG)

The NPPG was published in March 2014 (with subsequent updates). It is a simplified source of national guidance on planning matters.

4.10 Emerging Planning Policy

There is currently a suite of emerging policy documents. The GLA consulted upon a draft new London Plan between December 2017 and March 2018, with the intention of replacing the previous versions of the existing London Plan. The Council has also published the Draft Local Plan 2033 (LP33) for consultation (Regulation 18) between October and December 2017. This was the first draft of the LP33 to be published, with the Regulation 19 draft subsequently considered by Cabinet and Council in late October 2018 ahead of future consultation and submission to the Secretary of State in 2019. The emerging LP33 therefore still carries extremely little weight in material

planning terms, although none of its emerging content would change the recommendations set out in this report.

The NPPF sets out that decision takers may also give weight to relevant policies in emerging plans according to their stage in preparation, the extent of unresolved objections and degree of consistency with the NPPF. It is considered by Officer's that neither of the draft plans referenced above are at a stage where they carry anything more than limited material weight in decision making.

5. COMMENT

5.1 Proposal

5.1.1 Planning permission is being sought for:

Partial demolition of existing buildings, retention of 3 storey building and former industrial chimney and redevelopment of the site to provide a mixed use scheme comprising blocks of 2 to 7 storeys and accommodating 5644 sq. m, of commercial floorspace at basement, ground, part first, second, third, fourth and fifth floor level, 50 residential units at part first, part second, third, fourth, fifth and sixth floor levels (23 X 1 bed, 17 X 2 bed, 8 X 3 bed, 2 X 4 bed) as well as 127 sq. m. cafe floorspace (A3) at ground floor level, landscaped communal gardens, pedestrian link route to the Regents Canal and other associated works.

5.1.2 The proposal would demolish all existing buildings on site, except for a 3 storey L shaped block fronting onto the canal and the chimney. The new build elements are three new blocks, which will be from 2 to 7 storeys in height with basement, and adjoin the retained building at two points to the south.

5.1.3 The proposal would comprise of 5644sqm GIA/4554sqm NIA of employment space (B1 use class), 127sqm GIA/116sqm NIA of restaurant and café space (A3 use class) and 50 new dwelling houses (C3 use class) (4609sqm) provided in the following mix:

- 23x 1 bed (46%);
- 17x 2 bed (34%);
- 8x 3 bed (16%) ; and,
- 2x 4 bed (4%).

5.1.4 Of these, 5 wheelchair adaptable dwelling houses are proposed (4x 2 bed 3 person, and 1x 1bed 2 person). This represents 10% of the overall residential units.

5.1.5 Private amenity space is provided by balconies to the majority of the residential units. Shared amenity space is provided by the creation of courtyards and landscaped space around the development.

5.1.6 The proposed development will be car free except for three blue badge parking spaces and a total of 168 cycle storage spaces will be provided; 90 of these spaces will be provided for residents, with the remaining 78 spaces provided for users of the B1 and A3 space.

Comparison with quashed scheme

5.1.7 In summary, there are the following differences between this application and application reference 2015/2956 (i) additional payment of £757, 076 to affordable housing, (ii)

additional payment of £47, 592 to carbon offsetting and (iii) provision of 24% affordable workspace on site only (removal of previous payment). There are no differences between this application and application reference 2015/2596 in terms of land uses, their quantum, mass, design and layout. The application proposes no works to EWM.

5.2 Considerations

5.2.1 The principal material planning considerations relevant to this application are as follows:

- Principle of Development;
- Design and Heritage Considerations;
- Quality of accommodation: Residential
- Impact to Amenity;
- Biodiversity;
- Traffic and Transportation;
- Energy and Sustainability;
- Landscaping;
- Waste and Refuse;
- Air and Land Contamination;
- Drainage and Flooding;
- Community Infrastructure Levy; and,
- Planning Contributions.

5.2.2 Each of these considerations is discussed in turn below.

5.3 Principle of Development

Employment

5.3.1 The site is located within the Wenlock Priority Employment Area (PEA) and the Core Growth Area of the City Fringe Opportunity Area (CFOA).

5.3.2 The London Plan identifies that the CFOA as having an indicative employment capacity of 70,000 jobs and a minimum of 8,700 new homes.

5.3.3 The Core Strategy sets out that the main purpose of PEAs is to protect and promote business locations in the borough, especially in areas where clusters are well established. As a reflection of this they are exempt from permitted development rights allowing a change from office to residential uses.

5.3.4 Policies CS17, CS18 and DM17 confirm that residential uses (C3) may be acceptable in PEA's, as long as such uses are auxiliary to business and do not undermine the primary and long term function of PEA's as employment areas. There is no specific ratio given in any policy as an acceptable split in employment to residential uses. There is no specific preference given to a single employment use class. Specifically for Wenlock PEA, policy DM17 states that development must result in an increase of office floorspace compared to the existing amount.

5.3.5 The evidence base upon which LP33 is being prepared was published in 2017. The evidence base, specifically the Employment Land Study, concludes that there is a shortfall in the delivery of employment space and there will be demand for 117, 000sqm of B1a in the borough across the plan period to 2033.

- 5.3.6 Consequently, it is concluded that the primary function of sites within these designations is to support and promote commercial opportunities, but there may be opportunities to supplement this with other uses including residential.
- 5.3.7 Policy DM14 of the DMLP sets out a prescriptive set of criteria that proposals for the redevelopment of sites containing employment land and floorspace, and where the loss of employment land and floorspace must meet to be considered compliant. DM17 states that applicants must first consider the commercial opportunities and potential of that land and floorspace, and demonstrate in the first instance that the maximum economically feasible amount of employment land and floorspace is provided. New A Class and residential (C3) uses may be acceptable in PEAs, as long as auxiliary to business, and where not considered to draw trade away from existing identified retail centres to the detriment of their vitality and viability.
- 5.3.8 The existing development provides 4,784sqm GIA / 3387sqm NIA of B1 floorspace. This floorspace is provided within buildings that have been developed and amended over time. The space provided has a light industrial feel to it as it is provided in a mixture of period structures with high ceilings, narrow corridors, multiple cores and stepped access.
- 5.3.9 The proposal seeks to provide 5,644sqm GIA / 4,554sqm NIA of B1 floorspace. This represents an uplift of 860sqm GIA / 1,167sqm NIA. As a percentage of the land uses proposed, the GIA of B1 floorspace is about 54% of the total.
- 5.3.10 The proposal was supported by a viability assessment, which was independently assessed, and it is accepted that the proposed amount of B1 floorspace represents the maximum economically feasible amount.
- 5.3.11 The proposal also seeks to provide 50 dwelling houses (C3 use class) which equates to 4609sqm GIA and 116sqm NIA/ 127sqm GIA of café and restaurant (A3 use class) floorspace. As a percentage of the land uses proposed, the GIA of C3 floorspace is about 45% and the GIA of A3 floorspace is about 1%.
- 5.3.12 Despite the introduction of residential use and café/restaurant use the development remains employment led in terms of overall floorspace.
- 5.3.13 The amount of retail type floorspace reprovided on site is less than that currently operational. It is therefore considered that this level of provision is auxiliary to the employment floorspace provided and will not draw any additional trade from existing identified retail centres which is acceptable.
- 5.3.14 Surrounding employment uses are within B1 use class. There are no significant uses within close proximity to the site within B2 use class. B1 use class allows for employment appropriate in residential areas. Consequently, the proposed residential use is not considered to undermine the operation of the PEA in this location.
- 5.3.15 The CFOA asserts that there is capacity for 70,000 jobs in the opportunity area. An up to date evidence base concludes there is an existing shortfall of employment space, and sets out a borough target of 117, 000sqm to inform forthcoming policy preparation and decision making. Existing policy does not set out a preference for a specific employment use class, nor does it prefer a specific type of use.

5.3.16 The proposed development will deliver over 1000sqm NIA of additional B1 floorspace in the PEA, which has been assessed as the maximum feasible amount, and results in an employment led development; an element of which will also be affordable (as discussed below). The additional space will be capable of supporting a wide range of employment generating uses and generate employment opportunities, supporting the PEA, helping to meet economic objectives of the borough, address existing shortfalls and accommodate forecasted demand overall supporting the strategic functions of the CFOA.

Affordable Workspace

5.3.17 DM16 seeks 10% of new floorspace within major commercial schemes to be provided as affordable and in the first instance, this provision should be on site. As set out in supporting text, the Council consider affordable workspace to be 20% less than comparable market rates in perpetuity.

5.3.18 The Core Strategy notes that the main purpose of PEAs is to protect and promote affordable business locations in the borough as this provides employment opportunities and supports Hackney's economy.

5.3.19 The Tech City/City Fringe OAPF outlines that the role played by affordable employment space and the importance this will have in future are particularly recognised.

5.3.20 It is understood from consultation that the current operation of the Holborn Studio lease allows for the hiring out space at 'below market rent' to various occupiers. It is understood that the amount of space provided fluctuates subject to the Holborn Studios space requirements, the level of rent is not known, but nevertheless cannot be controlled.

5.3.21 Given their continued operation, this hiring out of space is considered to have led to a successful business model for the tenants, and based on consultation comments benefitted numerous businesses. However, the quantum of space, the rent level and the process of its allocation to potential occupiers is not secure.

5.3.22 The applicant has proposed 24% of the total employment floorspace to be provided as affordable workspace. This would equate to 1,354.5sqm GIA. The workspace would be provided at 80% of market rent and be let on such rents in perpetuity. In effect, the offer means that all of the 860sqm GIA uplift in B1 space and a further 494.5sqm GIA of the existing B1 space will be secured as affordable workspace on site at policy compliant levels of rent. This reflects the previous offer proposed in 2015/2596.

5.3.23 It has been confirmed that the space will be provided in the south west corner of the site from ground to fifth floor. This arrangement of the space allows for it to be contained within a specific block of the development, whilst also being flexible to be split and accommodate various occupiers including small businesses. This is considered to be beneficial to the operation, management and market resilience of the space. The space is accessible, served by two cores, dual aspect, served by private external space and therefore considered to be good quality.

5.3.24 The proposed affordable workspace has been reviewed by the Council's Economic Regeneration team and is deemed to be an acceptable and '*significant*' offer.

- 5.3.25 The level of proposed affordable workspace exceeds the 10% which is sought by policy and satisfies the expectation for this to be on site. The policy does not preclude securing a higher level of affordable workspace, subject to viability. Notwithstanding this however given the quantum of residential units proposed as part of the development, which cross subsidises the redevelopment of employment space, policy CS20 requiring affordable housing is triggered. The policy requires 50% of all units subject to site characteristics, location and overall scheme viability. The matter is discussed further in section 5.3.58 below. Both the delivery of affordable workspace and affordable housing are noted as strategic issues for the borough.
- 5.3.26 This matter has been discussed between the Applicant and the Officers. Consequently, the proposed affordable workspace has been driven by balancing two factors; seeking the delivery of 10% or more of affordable workspace on site; and, the successful operation and management of the space as part of the wider development, which would not undermine its potential to address other strategic needs.
- 5.3.27 The proposed level of onsite affordable workspace is considered to exceed policy, offering more than double sought. It is considered that this will support the applicable land use designations, whilst being deemed flexible and manageable for workspace providers. In addition, it does not undermine the wider operation and viability of the scheme and therefore, its ability to deliver wider benefits, specifically towards affordable housing. It is considered that, based on the viability appraisal, further onsite provision would require changes to the layout, cores and overall operation which could undermine the viability of the scheme and therefore the balanced delivery of wider benefits.
- 5.3.28 The legal acquisition of a fixed quantum of affordable space in perpetuity and supported by a binding fair process open to various local creative businesses is considered to be a wider benefit of the proposed workspace.
- 5.3.29 Overall the affordable workspace provision is considered to be, on balance, acceptable. This will need to be secured via a legal agreement.

Quality of accommodation: Employment

- 5.3.30 Core Strategy policy 18 sets out that employment floorspace provided should be high quality, flexible and easily adaptable to the modern needs of business. This is reflected in policy DM15 which requires all new B1 floorspace to be well designed and high quality incorporating a range of units sizes and types that are flexible, with good natural light, suitable for sub-division and reconfigurations for various uses and activities, which should be supported by a marketing strategy.
- 5.3.31 As discussed, policy DM14 seeks for applicants to consider the commercial opportunities and potential of employment land and floorspace and ensure the maximum economically feasible amount of floorspace is being provided; and, PEAs represent the core portfolio of employment land in the borough.
- 5.3.32 The application is supported by a Viability Report Relating to Employment Floorspace (VREF). The application argues that the existing B1 space on site is substandard in that it provides basic and dated employment space, characterised by inefficient employment floorplates. It is also set out that the existing space is not compliant with the Disability Discrimination Act (DDA). Consequently, the application sets out that the existing space

comprises an unattractive offer for commercial tenants. Beyond this the VREF outlines that the quality of the proposed space will be attractive to the current market.

- 5.3.33 It is accepted that the existing B1 floorspace is not compliant with the DDA, and is considered to have comparatively dated and inefficient floorplates to typical modern development, however it is not accepted that this results in the space being an unattractive offer. The space provides and has provided an acceptable standard for both Holborn Studios and Stonemanor to operate for reasons inherent to the physical nature of the building. It is considered more accurate to conclude that the space does not meet the modern standards that would be reasonably expected by some of the broad range of businesses that could occupy B1 space in planning terms, and therefore could comprise an unattractive offer for them.
- 5.3.34 The space proposed is considered to provide a good range of unit sizes and floorplates which, given the layout, are flexible and sub dividable. The space is also supported by the provision of landscaped amenity space and an on site café/restaurant. It is considered that the majority of space will benefit from a comparatively better outlook and better levels of natural light than the existing space.
- 5.3.35 The application sets out that the space provided at basement level has been designed for an intended photographic and film use. This includes a proposed floor to ceiling height of 5m together with the arrangement of structural columns to provide the free space needed for photographic white infinity spaces or ‘coves’ – where photos are taken of subjects. The level of light to this space is consummate with an operation that isn’t reliant on natural daylight.
- 5.3.36 On assessment of the proposed space, in the basement and throughout, it is considered by Officers that the specific operational needs of Holborn Studios, as set out in their consultation comments, would not be accommodated. It is therefore logical to assume that if the proposed development is approved, this user may likely vacate the site as it could no longer operate from this space. Beyond this, Holborn Studios have also stated that the studio space proposed would be unsuitable for any ‘*photographic and moving image studio*’ and ‘*in their professional opinion would be unviable*’. Officers do not contend this opinion and consider that it may not be useable for the quality of work which is presently carried out there, but Officers consider that the proposed development is capable of providing for a wide range of occupiers within the B1 use being applied for, including those within the photographic studio trade.
- 5.3.37 Other businesses operating under licence from Holborn Studios in the existing buildings have also commented that they would be forced to vacate the space if the application was approved. Based on visual inspection of the existing buildings and space in which they operate, Officers believe that this is not due to their operational needs and more the relationship they have with Holborn Studios and requirement to vacate during construction. On this assessment, it is considered that the proposed floorspace could meet their operational needs.
- 5.3.38 Policy DM14 does not seek to protect specific types of employment floorspace, merely the quantum. Further to this, CS Policy 18 and DM15 seek to provide flexible employment floorspace, suitable for various uses and no specific or existing use.

- 5.3.39 In strictly policy terms, the development provides the maximum economically feasible amount of employment floorspace, which is an uplift against the existing provision in line with DM14.
- 5.3.40 Overall, there is a clear policy objective for new business floorspace to be designed to respond to changing economic conditions and support economic growth. The space is considered to be meet modern standards, be flexible, suitable for a range of sizes, suitable for a range of uses within B1 in line with CS Policy 18 and DM15.
- 5.3.41 The proposed development may lead to the loss of Holborn Studios. Given the number of consultation comments in support of its retention the loss of Holborn Studios is regrettable, however it is considered that there is no Development Plan policy requirement to retain the specific type of floorspace that Holborn Studios desire within the broader B1 use class.

Employment Generation

- 5.3.42 The proposed development, based on consultation comments, provides 350+ jobs across the various operations on site. It is not doubted that there is a significant amount of existing employment generation from the site, but without an actual head count, which is considered unreasonable, it is hard to clarify.
- 5.3.43 The applicant has provided an assumption of the employment generation of the site for the existing and proposed development. This assumption is based on the Homes and Communities Agency's Employment Density Guide 3rd Edition (2015) (HCA guide). The use of this document is considered to be acceptable by Officers.
- 5.3.44 The HCA guide sets out an approach to calculating employment generation, based on the employment density – that being the average floorspace in sqm per full time equivalent member of staff (FTE) of specific uses and operations in certain configurations – telemarketing operation in a modern office space.
- 5.3.45 The calculation of employment generation for the proposed development is 329 FTE. This is based on medians between the thresholds of FTE's per A3 and B1 uses as set out in the HCA and the best and worst case scenarios for possible operators within the B1 use given that such use can accommodate various operations.
- 5.3.46 Applying the same calculations to the employment generation for the existing site is 254 FTE's.
- 5.3.47 Employment generation is subject to the specific employment use on site. The current use on site reflects the existing space provided. The proposed development will result in an increase in the amount of employment space, and this space is considered to be flexible and suitable for a range of uses within B1, supported by good amenity.
- 5.3.48 Consequently, whilst there is a scope for a fluctuation in employment generation given the uses that could be accommodated by the space over time, the proposed development will result in the delivery of flexible employment floorspace with good amenity. This is considered to result in space that is adaptable and therefore resilient to market forces, which is assumed may likely lead to sustained employment generation which is preferable in regards to this matter.

Cultural Matters

- 5.3.49 Comments made during consultation raised the issue of culture and the loss of a 'cultural asset' in Holborn Studios.
- 5.3.50 Holborn Studios operates within the B1 use class as discussed. The wider space licenced by businesses also operates within the B1 use class. Arts, culture and tourism are defined by the core strategy as activities which include the following uses - hotels, theatres, museums, galleries, concert halls and conference facilities. These uses would typically fall in other use classes outside of B1.
- 5.3.51 As discussed, the development provides for an uplift in B1 space, securing a policy compliant element as affordable in perpetuity operated to support creative businesses. Whilst there is no policy requirement to retain specific types of floorspace within a B1 use class (beyond affordable workspace objectives), the new space provided could operate as a photography studio, albeit not necessarily by Holborn Studios'. There are a number of photographic studios located within Hackney and they occupy a wide variety of accommodation including space of the same character as that currently proposed.

Residential Mix

- 5.3.52 The London Plan target for residential development in Hackney, as set out in table 3.1 of the London Plan, is 1,599 new residential units per year (15, 988 total to 2025). The OAPF seeks a minimum of 8,700 new homes to be delivered. The proposed development will provide 50 dwelling houses, which is considered to assist in meeting these targets.
- 5.3.53 The proposed dwelling mix is as follows:
- 23x 1 bed (46%);
 - 17x 2 bed (34%);
 - 8x 3 bed (16%) ; and,
 - 2x 4 bed (4%).
- 5.3.54 London Plan policies 3.8, 3.9 and 3.11 and the Mayor's Housing SPG promote housing choice and seek a balanced mix of unit sizes and tenures in new residential developments with priority given to affordable family housing (those of 3 bedrooms or more).
- 5.3.55 Core Strategy policy 19 and Policy DM22 of the DMLP reflect the London Plan policies and seek to provide a mix of dwellings. Policy DM22 sets out a preferred dwelling mix which reflects borough needs. The preferred mix seeks to deliver a higher proportion of 2-bed (3 person) and 3+ (5+ person) bed units than 1 bed (2 person) units. However, the policy notes that variations to this size mix may be considered dependant on site, area, location and characteristics and scheme viability.
- 5.3.56 The proposed dwelling mix is not in line with the preferred dwelling mix. Notwithstanding this, given the relevant policy designations and the subsequent prioritised land uses applicable to the site, employment floorspace generation and its operation is considered to be a significant factor in assessing the application. In effect, residential development is secondary to employment development in PEAs and the principle that A and C3 uses may be acceptable if they function in a 'supporting capacity' for redevelopment to assist with the viability and quality of the replacement employment floorspace generally is acceptable.

5.3.57 The proposed mix, whilst not in line with the preferred dwelling mix, is not considered to significantly depart from the preferred mix and supports the viable delivery of an uplift of employment floorspace which will support the operation of the PEA by generating employment opportunities. Consequently, given the flexibility offered in the policy, on balance, the housing mix is considered acceptable in this instance.

Housing Affordability

5.3.58 In reflection of London Plan policies, Hackney Core Strategy policy 20 sets a target of 50% of new residential development to be affordable within developments of 10 or more units, with a tenure split of 60% affordable/social rent and 40% intermediate, subject to site characteristics, location and scheme viability. CS Policy 20 sets out a sequence that affordable housing should be delivered on-site in the first instance, where off-site provision and in-lieu contributions may only be considered in exceptional circumstances. Policy DM21 sets out the requirement to comply with CS Policy 20, and outlines criteria to which on site provision of affordable housing will apply to, subject to the content of supporting paragraphs 5.3.5, 5.3.6 and 5.3.7 of the DMLP.

5.3.59 The content of the policies' supporting paragraphs details the instances where in lieu contributions are acceptable, and how such should be ring fenced for the delivery of affordable housing.

5.3.60 The application proposes no on site affordable housing. The application was supported by a viability assessment that outlined it would be unviable to provide any affordable housing.

5.3.61 It is acknowledged that the proposal reflects that of application reference 2015/2596. This proposal also did not provide any affordable housing offer. However, since this 2015 application the context and data upon which viability assessments are undertaken has changed.

5.3.62 The table below provides the summary of the key differences in the appraisals between the respective assessors:

Assumption	Applicant's Agent	Independent Assessors
Residential Sales Value	£35,295,000	£33,855,000
Commercial GDV	£24,227,429	£26,925,000
Costs	£28,743,884	£25,837,747
Benchmark Land Value	£12,840,000	£12,000,000
Profit on GDV	16.64%	16.90%
Professional Fees	10%	10%
Planning Contributions	£1,421,100	£1,421,100
Finance Rate	7%	6.75%

5.3.63 The largest areas of difference between the Applicant's Agent and Independent Assessors were:

- Benchmark Land Value;
- Construction Costs;
- Sales Values;
- Commercial Values; and

- Finance.

- 5.3.64 Through negotiations with Officers the conclusions provided by independent assessors were accepted by the applicant. Consequently, the applicant agreed to the provision of £757, 076 beyond that of other financial contributions and non-financial obligations to satisfy policy requirements.
- 5.3.65 As discussed, there is a policy emphasis on maximising employment led development on this site in the first instance. The proposed development is considered to be acceptable with regards to these policies, specifically the affordable workspace offer. On this basis, it was considered that the £757, 076 viability surplus should be attributed towards meeting or mitigating a further policy issue or material concern. It was concluded by Officers that housing delivery, and specifically affordable housing delivery is a primary strategic issue in the wider borough, (and it was raised during consultation), therefore on this basis the surplus should be provided towards this matter, in line with affordable housing policy.
- 5.3.66 Officers therefore consider that the affordable housing provision represents the maximum reasonable amount once other policies have been fully satisfied.
- 5.3.67 The affordable housing provision is offered as a financial contribution, and consequently, this is therefore a contribution in lieu of affordable housing provision on site or on an alternative site within the vicinity.
- 5.3.68 The provision of affordable housing on site reflecting £757, 076 was assessed internally. There is an identified borough wide need for social rented units, and the most pressing need in the borough within this tenure is for 3 bed social rented units. Given land values it is considered unlikely that the surplus amount would secure more than two of such units on site. This level of provision alone is not preferred by Registered Providers (RPs) in general, and it could be difficult to secure an RP to manage them in isolation. Further to this, layout design changes to accommodate the units and access, are considered to undermine the delivery of the maximum feasible amount of employment and affordable employment workspace, and the maximum reasonable amount of affordable housing.
- 5.3.69 In comparison, the off-site contribution could be secured, ring fenced and used within the Council's affordable housing supply programme, which would ensure the delivery of the maximum amount of affordable housing within the borough, in more predominantly residential areas that can better support family housing.
- 5.3.70 Overall, the contribution of £757, 076 towards affordable housing delivery does not undermine the policy compliant employment element and its benefits, represents a betterment against the previous application reference 2015/2596 and will ensure the delivery of the maximum amount of affordable delivery for this amount.

5.4 **Design and Heritage Considerations**

- 5.4.1 London Plan policy 7.4 requires new development to respect its context; policy 7.6 seeks to ensure that buildings and structures are of the highest architectural quality; and, policy 7.8 sets out that development should identify, conserve, restore, re-use and incorporate heritage assets, where appropriate, being sympathetic to asset's form, scale, materials and architectural detail where they affect them and their setting.

London Plan policy 7.8 also states that all new development should protect, enhance and promote archaeological heritage and where required, archaeological fieldwork will be required.

5.4.2 Core Strategy policy 24 seeks to adopt a rigorous design approach and ensuring a good and optimum arrangement of the site in terms of form, mass and scale. Core Strategy policy 25 sets out that all development should make a positive contribution to the character of Hackney's historic and built environment.

5.4.3 Hackney's Policy DM 1 also seeks to ensure that all new development achieves a high standard of design and layout, in which buildings and their contexts are respected. Hackney's Policy DM 28 sets out how the borough will manage its historic environment prescribing criteria that development shall meet and how considerations shall be balanced.

Overall Site Layout

5.4.4 The site layout provides for the retention of the C19th elements and opens up the canal frontage by pulling back the building line which is currently hard up against the canal.

5.4.5 There is a further standalone new build facing the canal of six storeys and a five to seven storey building that wraps around the eastern and southern boundary of the site, providing a street frontage to Eagle Wharf Road. The five to seven storey building is reduced to two storeys where it meets the canal.

5.4.6 The layout of the buildings create three landscaped areas. The first is the landscaped area within the northern part of the site created by removing the existing building adjacent to the canal and opening it up; the second, the main square within the eastern part of the site created in the space between the wrap around building and standalone; and, the third, is the courtyard in the western part of the site created between the retained canal buildings and the wrap around.

5.4.7 Ground floor uses are split between employment (B1 use class) and café/restaurant (A3 use class), with residential units above served by four cores. The café/restaurant occupies the ground floor of the standalone building and has a landscaped seating area spilling out north towards the canal.

5.4.8 The orientation of the site has sought to open up the canal, open up the C19th elements on site, increase views of these elements from the canal and place massing which maximises the use of the site away from these elements and to create a legible street frontage.

5.4.9 Overall this approach works well in the surrounding context, opening up key assets on site, activating the ground floor and logically and sensitively positioning massing given the site's constraints.

Form, massing and height

5.4.10 The scheme proposes the retention of the 3 storey 19th century ranges facing the canal; and proposes a range of new buildings with varying heights, reduced where adjacent the canal. The height and massing is considered consistent with more recent development along the canal and the relationship in scale with the retained heritage buildings is considered to be acceptable. The retained chimney is considered to remain

significantly taller than all of the other buildings on the site and remains as a landscape feature when seen from the canal.

- 5.4.11 Development proposed on Eagle Wharf Road undulates between 5 and 7 storeys, though for its majority is 5. This is taller than the existing 3 storey building, but is consistent with adjacent development at Angel Wharf, and more generally with the emerging canalside development. The scale change between the 6 storey Eagle Wharf Road buildings and the three storey modern terrace to the south of the site is considered an acceptable transition in design terms given the overall character of the area.
- 5.4.12 The opening up of the canal is considered beneficial. Distances provided between buildings do not raise any significant amenity concerns as later discussed, and allow for policy compliant landscaped and public areas. The overall massing strategy is considered sound.

Architecture and materials

- 5.4.13 It is considered that the retained canalside ranges will be refurbished sympathetically in matching materials. A condition seeking the detail of these materials and on site mock ups to assess the quality will be required. In line with previous considerations, no balconies are provided on the northern elevation of the ranges to allow them to be read in their original form, providing more distinction from new build elements.
- 5.4.14 The new development is contemporary but has distinct features such as large vertically proportioned windows and brick facings to reflect the historic vernacular of canalside setting. Development facing Eagle Wharf Road follows a simple elevational rhythm with a vertical split in the design to demarcate the employment at ground and first floor and residential above. The proposed material is predominately brick, with framing around set back elements and balconies. A different material treatment to the tallest element in the elevation signifies the principle and public access to the development. The eastern elevation is blank so that adjacent development is not compromised.
- 5.4.15 The material palette proposed consists of two styles of contemporary brick and, dark aluminium finishes and fenestration to accentuate these features.
- 5.4.16 The design will be controlled with various conditions relating to materials, details and brickwork, including mock ups; and, conditions ensuring no brick slips, pipework, shutters and roof plant.
- 5.4.17 Overall, the design is considered acceptable given the retention and sympathetic refurbishment of buildings of key heritage interest and bringing forward new build elements of an appropriate scale and massing. The proposed architecture of the new build elements is well composed, with gridded elevations and a high quality, restrained palette of materials that is considered to complement the retained heritage buildings and wider vernacular of the immediate area.

Landscape, Public Realm and Access

- 5.4.18 Landscape amenity and public realm will be provided on site. The spaces will be provided by hard landscape areas, with seating and lighting and limited urban greening to reflect the industrial character of the site. This approach is understood. The spaces provided are considered to be generous for an inner London development and meet

policy standards. The arrangement is considered to be appropriate with playspace and private parking separated from public areas and proposed café seating. The opening up of a publically accessible area from Eagle Wharf Road extending towards the canalside is considered beneficial and will be secured by way of legal agreement.

- 5.4.19 Access to the development from Eagle Wharf Road will be gated. Of the two proposed access points, the western gate will provide access for residential and commercial occupants only, whilst the east gate will provide time restricted access to the public to access the canal side area during set hours.
- 5.4.20 The proposed design allows for access to be provided to the canalside by a landscaped area. The boundary between the site and the canal, and consequently, the pontoon of Eagle Wharf Marina is marked by intermittent planters on site. Overall, passive provision is provided by the development for access between the site and the pontoon to replicate the current arrangement. This arrangement is reliant on both parties maintaining this access. It is considered possible, especially given the context, that Eagle Wharf Marina could erect a boundary up to 2m without the need for planning permission, which would remove access to the pontoon and close off the site from the canal. Such an erection is beyond the control of this application, and it is not considered prejudicial to the determination of this application, and recommendation of this report.
- 5.4.21 Should consent be granted, a full landscaping plan including maintenance will be required and the Council's Landscape Officer has requested that the applicants explore the potential to use the retained chimney as a bird and bat nesting tower and for vertical greening along the canal edge. Further to this, the access details and operation of the landscaped spaces given the proposal will be requested by way of condition as part of an overall management plan.

Impact on designated Heritage Assets

Context

- 5.4.22 The site is located within the Regents Canal Conservation Area (RCCA). The RCCA was first designated in 2007 and extended in 2011. The CA is a designated heritage asset. Within the appraisal to the CA, the application site's history from the C19th alongside wider development along Eagle Wharf Road is noted in the text. Specific reference is made to Holborn Studios and The Commissary, which is considered an attractive and sensitive conversion of an industrial building. The existing buildings are noted as Buildings of Townscape Merit in the Regents Conservation Area Appraisal. This means they have been identified as positive buildings which contribute to the significance of the conservation area.
- 5.4.23 The land immediately north of the borough boundary with LBI is designated as the *Arlington Square Conservation Area (ASCA)*. There are also Grade II listed buildings to the west of the site.

Demolition

- 5.4.24 The application was supported by a full Heritage Statement, which provided an assessment of the historic environment, and provided conclusions on the significance of the various elements on site.

- 5.4.25 A site visit was undertaken in 2015 by the LBH Planning Service's Conservation team and Historic England, during the assessment of application reference 2015/2596. The conclusion of this site visit was that the elements of most significance were the 19th Century ranges present on the north of the site, though some had been heavily altered which had lessened their significance. The later ad hoc additions that currently face the canal and are on the south of the site are of lesser significance.
- 5.4.26 Both parties were satisfied that the proposed development sought in application reference 2015/2596 retained the buildings of key significance and the removal of the later ad hoc additions facing the canal allows the buildings to be more readily understood in their original form.
- 5.4.27 A further site visit has been carried out by the Conservation team in May 2018. The visit confirmed that the site and buildings have not been significantly altered since the site visit in 2015.
- 5.4.28 The proposed development seeks to retain the existing intact 19th century elements which are the brick warehouses facing canal and the chimney. The proposal would strip away heavily altered sections of these elements and later additions considered to be of lesser significance. The further wider development to the south of the site from later periods are of less significance will also be removed. It is considered that this approach reflects that of 2015/2596 proposals.
- 5.4.29 Concern has been raised over the loss of wrought iron trusses inside one of the buildings due to their associations with the former ironworks on the site and the Foundryman, Henry Grissell.
- 5.4.30 The value of the trusses has been considered by both the Conservation Team and Historic England. The trusses are not considered to be important enough to justify their retention. Instead, a recording condition is proposed. This approach is supported by Historic England – GLAAS. Opportunities for features to reflect previous uses will be explored in the detailed development of the landscaping, which will be conditioned.
- 5.4.31 On this basis, it is considered that the proposed extent of demolition is acceptable in the context of an otherwise acceptable proposal.
- Impact on the Regents Canal Conservation Area (RCCA)*
- 5.4.32 The RCCA is a designated heritage asset and the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council is required to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 5.4.33 The site is located in the west of the RCCA. The RCCA appraisal sets out that it was designated as it constitutes a well-used public space with an important environmental landscape and it also represents a unique industrial heritage both along the canal (including the locks, bridges, moorings) and in the industrial buildings beside the canal and in the canal basins.
- 5.4.34 The site contains a complex of buildings, including a collection of 19th Century gabled ranges, which are reminiscent of the Canal's industrial past. The buildings are noted of being Buildings of Townscape Merit. It was concluded by both LBH and HE that overall

the existing buildings are of varying date and character with differing levels of significance within and across the site

- 5.4.35 The proposed development seeks to retain the ranges that date from C19th that are considered of most significance and removes elements that have been heavily altered and more modern ad hoc development that are considered of less significance.
- 5.4.36 The proposed new build elements follow the emerging context of canalside development in the area, whilst being sympathetically stepped back from the canalside. This allows the retained chimney to maintain its landmark status along the canal by virtue of height and increased visual presence.
- 5.4.37 Officers consider that there is an impact to the conservation area as buildings of townscape merit are being demolished. However, it is considered that the existing buildings have varying significance, and the later additions that are being demolished are of lesser significance. Officers also note that this approach may likely result in the loss of Holborn Studios as a business from the site.
- 5.4.38 Overall, this impact is considered to result in less than substantial harm to the RCCA. Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal discussed in the conclusion at 5.4.53.
- 5.4.39 The Council have therefore paid the special regard required by Section 72 and the scheme is therefore considered to preserve and enhance the Conservation Area.

Impact on the Arlington Square Conservation Area (ASCA) (LBI)

- 5.4.40 The ASCA adjoins the RCCA to the north of the site within the London Borough of Islington (LBI). It is a designated heritage asset first designated in 1969 and later extended in 1994. Paragraph 194 of the NPPF requires the Council to consider the impact proposals may have on the setting of designated heritage assets. In the case of the Arlington Square Conservation Area, the special architectural and historic interest derives from the strong visual unity of its Georgian terraces. As the proposed development follows the emerging context along this part of the canal, its scale, massing and detailed design is considered appropriate for the site and will not adversely affect the setting of the ASCA.

107-133 Shepherdess Walk

- 5.4.41 107 -133 Shepherdess Walk is Grade II listed Georgian terrace, and the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is required to pay special regard to the desirability of preserving the building or its setting in determining planning applications.
- 5.4.42 The property is located 73m west (as the crow flies) of the site. On the basis of distance and scale of the proposed development, and having paid special regard in line with Section 66, it is considered that there is no adverse impact or harm to the setting of this heritage asset.

Impact on Non-Designated Heritage Assets

49-50 *Eagle Wharf Road (the site) (Locally Listed Building)*

- 5.4.43 In 2012, the Council locally listed the whole Holborn Studios complex for its historical and architectural interest. Officers consider the interest to primarily derive from the surviving remnants of the early Victorian ironworks and later gabled ranges and distinctive chimney which are considered collectively a good example of an historic canalside complex.
- 5.4.44 Paragraph 197 of the NPPF indicates that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.4.45 The approach is to retain elements considered to be more significant, and remove those of lesser significance.
- 5.4.46 With regards to the chimney there would be a restriction of views to it from the east. However, given the wider context and views, and likely redevelopment of the adjacent sites to the east, this change is not considered to be harmful. The chimney would remain a landscape feature as the tallest structure within the development. Historic England have raised low level concerns that the chimney will lose meaning and context as a standalone structure. However, the applicants in their Heritage Statement have argued that the chimney has already lost some of its meaning as the ad-hoc buildings attached to it are piecemeal and unlikely to be associated with its original use. Officers are persuaded by this argument. Removal of these later structures increases the visual prominence of the chimney when viewed from the canal.
- 5.4.47 With regards to the retained ranges, it is agreed that they are of more significance than the later ad hoc buildings. The removal of the later structures again increases the visual prominence of these elements when viewed from the canal. Officers also note that this approach may likely result in the loss of Holborn Studios from the site.
- 5.4.48 Paragraph 197 of the NPPF requires a balanced judgement between the wider planning benefits and having regard to the scale of any harm and also the significance of the non-designated heritage asset.
- 5.4.49 Applying paragraph 197, Officers conclude that the proposal retains the elements identified as having the most significance; and, the elements of lesser significance are lost, but this allows the more significant elements to be better appreciated visually within the RCCA. Further to this are the wider planning benefits discussed in the report. Therefore on balance, in line with the Paragraph 197 test the proposal is considered acceptable in this regard.
- 5.4.50 Full details of the chimney's repair, retention and ongoing maintenance will be secured through condition and the Section 106 agreement.

Archaeology

- 5.4.51 The site is not located within a designated archaeological priority area. The application was supported by an Archaeological Assessment. This was reviewed by Historic England - Greater London Archaeological Advisory Service (GLAAS). GLAAS considered that the application lay within an area of archaeological interest and potential archaeological significance connected with the industrial heritage of the site, Wenlock Manor and prehistoric potential. Consequently, a two-stage condition will be

added comprising of a process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Conclusion

- 5.4.52 Overall, in design terms the proposals are considered to respond positively to the site and its heritage context and delivers new build elements which are of an appropriate scale and massing, filling the urban block, opening up the canal and defining its edge on Eagle Wharf Road.
- 5.4.53 Whilst there will be some change to the built fabric identified by the loss of later ad-hoc additions and the proximity and scale of the new build elements to the retained, this change is not considered to harm the significance of the heritage assets.
- 5.4.54 Although “less than substantial harm” is found in terms of the impact on the non-designated heritage assets forming part of the Conservation Area, in terms of the NPPF Paragraph 197 test it is considered that on balance the harm is outweighed by the public benefits delivered by the scheme, which are considered to include:
- Provision of additional employment floorspace, that would assist in meeting an identified need locally and support the strategic objectives of the Opportunity Area, and therefore the London Plan.
 - Provision of affordable workspace that exceeds the required amount by policy and supports the PEA designation, strategic objectives of the Opportunity Area, and therefore the London Plan.
 - Provision of 50 residential units that will assist in meeting an identified need for housing in the borough.
 - Payment of financial contribution to affordable housing is: £757, 076
 - Public access to landscaped canalside courtyards to be secured in perpetuity;
 - Retention, preservation and ongoing maintenance of chimney considered to be significant and add to the RCCA secured by legal agreement; and,
 - Payment of £35000 towards the maintenance and enhancement of canalside towpath.
- 5.4.55 On the basis of the considerations set out in this section and the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 the design of the proposal and its heritage impacts are acceptable.

5.5 Quality of Accommodation: Residential (C3)

- 5.5.1 Hackney’s policy DM1 seeks to ensure that all new development achieves a high standard of design and layout. New residential developments are expected to provide a good standard of amenity for future occupiers and policy DM2 outlines that new residential development should not lead to substandard private amenity space. New residential units are expected to comply with London Plan policy 3.5 and the requirements of the Mayor’s Housing SPG.
- 5.5.2 Residential units are located on upper floors and accessed via four cores. Eight residential dwellings are provided in the retained C19th building and these are all 1bd2p and 2bd3p units. The remaining 42 residential dwellings are provided in the new buildings.

- 5.5.3 In terms of overall unit size, the proposed units would meet the nationally prescribed space standards, and the layouts of the units are acceptable with adequate circulation and storage provided.
- 5.5.4 There are no windows proposed on the eastern boundary of the site. Consequently, the internal corridor to the eastern wrap around block is windowless. It is windowless so that development isn't compromised on the adjacent site. The units in this block are served by two cores and as such the maximum length of travel to access a flat is 10-12m.

Inclusive Design

- 5.5.5 London Plan policy 7.5 seeks to achieve the highest standards of accessible and inclusive design. London Plan policy 3.8 seeks to ensure housing with the highest possible standard of environment.
- 5.5.6 Residential units above fourth floor level are served by a lift, and level access is provided from the street and landscaped areas. Lifts are not provided in the retained warehouse to ensure the integrity of the building is not compromised.
- 5.5.7 Of the 50 residential units proposed five units (10%) will be provided to meet Part M(3) - wheelchair user dwellings and are therefore considered to be wheelchair accessible. The wheelchair units are located on second third fourth and fifth floors and the new buildings. The units proposed are both 3bd3p and 2bd2p sizes. This will be secured by way of condition. The remaining 90% will be conditioned to meet the provisions of Part M(2) 'accessible and adaptable dwellings'.
- 5.5.8 Conditions will be attached to secure these elements. Subject to conditions, the development is considered to meet the requirements of London Plan policy 3.8 and 7.2.

Daylight, Sunlight, Outlook and Privacy

- 5.5.9 London Plan policy 3.5 requires residential units to be provided with a good standard of internal amenity by appropriate levels of light, ventilation and outlook. Policy DM1 requires proposals to demonstrate that they have addressed certain criteria, including ensuring sunlight, daylight and good aspects to all parts of the development.
- 5.5.10 A report by Dixon Payne was provided in support of the application. This report (DSR) assessed the levels of daylight, sunlight and overshadowing experienced by the development. The assessments were carried out in accordance with the Building Research Establishment Report document entitled "Site Layout planning for daylight and sunlight: A guide to good practice" Second Edition by Paul Littlefair (2011) (the BRE guidance). This publication is accepted as a standard basis for such assessments.
- 5.5.11 BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.

- 5.5.12 The GLA's Housing SPG defines dual aspect as a dwelling with openable windows on two external walls, which may be either on opposite sides of a dwelling or on adjacent sides of a dwelling where the external walls wrap around the corner of a building.
- 5.5.13 Standard 29 of the SPG seeks to minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided.
- 5.5.14 The majority of proposed residential dwellings (28 units or 54%) would be dual aspect with all habitable rooms benefitting from vertical openable windows.
- 5.5.15 On review of the submitted DSR, whilst not all of the units would meet the BRE guidance it is considered that these units will still experience an acceptable level of internal illuminance when consideration is given to the balconies as per the BRE guidance.
- 5.5.16 The remaining 22 units are considered to be single aspect, again all habitable rooms benefit from vertical openable windows.
- 5.5.17 Of these units only 3 units (6%) are north facing. None of these north facing units contain three or more bedrooms. Being north facing, at this site they all enjoy good outlook across the canal. Two of the units are located within the retained warehouse and given the weight towards protection the building's fabric the provision is considered on balance acceptable. The one further single aspect unit is B16 which is a 1bd2p at fourth floor level within the wraparound building. The unit's layout is considered to be sufficiently shallow and therefore the habitable rooms with windows ensure good light levels. Nevertheless the applicant has offered to provide a rooflight above unit B16 – fourth level. The delivery of this element will be conditioned.
- 5.5.18 On review of the submitted DSR, all of the units would meet the BRE guidance and are considered to benefit from acceptable levels of internal illuminance.
- 5.5.19 Of 19 remaining units, 16 units are located in the eastern block. These units have been designed to maximise views of the canal and across landscaped amenity area whilst not compromising the development potential of the adjacent site. The remaining three units contain three or more bedrooms. These units benefit from being south facing, have a wide elevation with multiple windows to all habitable rooms and policy compliant level of external private amenity space which would offer a second aspect.
- 5.5.20 On review of the submitted DSR, whilst not all of the units would meet guidelines set out in the BRE guidance it is considered that these units will still experience an acceptable level of internal illuminance especially when consideration is given to the balconies as per the BRE guidance. Where shortfalls exist, they are considered to be minimal and nevertheless acceptable given the urban context of the site and level of amenity that would still be achieved.
- 5.5.21 Overall, the single aspect units when assessed in context are deemed to be acceptable on balance.

5.5.22 In terms of privacy the residential units are located at first floor or above. A general yardstick applied previously in local policy has been 18-21 metres between homes, however flexibility is now accepted in policy and guidance as a means to not unnecessarily restrict development whilst minimising overlooking and protecting privacy. The smallest distance between two residential windowed elevations is 11m. It is considered, in general, that sufficient distance is provided between units with the only exception being between pinch points where elevations meet. This is considered an issue on the wrap around building and the relationships between B03 and B04 and as they are duplicated up the development. Consequently, a condition will be added to explore screening and privacy options at this location and Officers are satisfied that there are a number of methods which could mitigate any potential overlooking impacts.

External Amenity Space

5.5.23 The Mayor's Housing SPG specifies that a minimum of 5sqm of private outdoor space is required for all 2 person dwellings and an extra 1sqm should be provided for each additional occupant. The SPG further stipulates that all private balconies are required to have a minimum depth of 1.5m.

5.5.24 Six units (those facing north towards the canal) within the retained C19th warehouse have not been provided any amenity space. These six units comprise of four 2bd3p and two 1bd2p. The balconies were removed due to the impacts to the visual and architectural appearance of the C19th century warehouse. Such is provided for in London Plan policy 3.5 part D. Furthermore, there is also 1,335sqm which has been designed as being open, shared communal amenity space for both the residential and commercial elements.

5.5.25 The remaining 44 units are all served by private amenity space in the form of terraces and balconies in line with the SPG.

5.5.26 A door step child's play area for under 5 olds with an area of 95sqm would be provided within the northern half of the western (separated) communal courtyard which would comply with the Mayor's Playspace SPG requirements for doorstep play for such age groups. Details of the makeup of this play space will be required by way of condition.

Overshadowing

5.5.27 The BRE guidance is a minimum standard insofar as overshadowing is concerned, and states that the centre of an amenity area should receive at least two hours of sunlight on March 21st. Within the DSR it outlines how on March 21st only limited areas of the amenity space would receive direct sunlight and BRE guidance would not be achieved.

5.5.28 Given the restrictions provided by the site's orientation and the intention to maximise views of and accessibility to the canal, the overshadowing to the external amenity space is not considered to be significantly harmful to the scheme to warrant refusal. Overall, the standard of shared and external amenity space and the general landscaping is considered to be of an acceptable standard.

Internal Noise Levels

5.5.29 The proposed development would provide a mix of uses vertically and horizontally adjacent to each other so double glazing and specifically designed ventilation has been proposed to ensure acceptable internal noise levels.

- 5.5.30 In response to comments made by the Council's Noise Officers, to ensure noise levels are acceptable within the proposed residential units beyond the features outlined above, conditions will require details to be submitted which demonstrate that internal noise transmission between the commercial units when experienced in the adjoining residential units are maintained at acceptable levels. There are a number of tried and tested methods of achieving this. As such, noise levels within the proposed residential units are anticipated to be acceptable, as secured by condition.
- 5.5.31 In summary, the quality of proposed residential accommodation is deemed to be broadly in line with the Mayor's Housing SPG and London Plan policy 3.5 and acceptable level of amenity would be provided for residential occupiers across the site. The development is therefore considered to be compliant with Policy DM2 in regards to the quality of residential accommodation proposed.

5.6 Impact to Amenity

- 5.6.1 London Plan policy 7.4 states development should have regard to the form, character and function of an area and the scale, mass and orientation of surrounding buildings. Policy DM2 states that development proposals should be appropriate to their location and should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours.

Daylight/Sunlight/Overshadowing

- 5.6.2 As discussed a report by Dixon Payne was provided in support of the application. This report (DSR) assessed the levels of daylight, sunlight and overshadowing experienced by the surrounding residential development given the proposed development.
- 5.6.3 To reiterate, the assessments were carried out in accordance with the Building Research Establishment Report document entitled "Site Layout planning for daylight and sunlight: A guide to good practice" Second Edition by Paul Littlefair (2011) (the BRE guidance). This publication is accepted as a standard basis for such assessments, and its guidance should be assessed in context and not applied as a matter of course, as discussed.
- 5.6.4 Having regard to the preliminary 25 degrees line test and orientation test recommended in the BRE, it is considered that the nearest residential developments which have the potential to be affected are:
- 14-27 Eagle Wharf Road
 - 12A/B Eagle Wharf Road
 - Bletsoe Walk
- 5.6.5 The submitted D/S report provides information on the methods of assessment. The report utilised the Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH) assessments as set out in the BRE Guidance. VSC assess impacts to daylight and APSH assess impacts to sunlight.
- 5.6.6 The VSC assessment of daylight is based on the calculation of the vertical sky component (VSC) to an affected window in both the existing and proposed condition. The VSC, simply put, is the amount of light received at the centre of a window. If the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. The guidance states that if the vertical sky component with the

new development in place is both less than 27% and 0.8 times its former value (less than a 20% reduction) then the occupants of the existing building will notice the reduction in the amount of skylight. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed.

- 5.6.7 The ASPH assessment of sunlight is based on the probable sunlight hours taking into account the total number of hours a year that the sun is expected to shine, also taking into account average levels of cloud cover for the geographical location. The guidance states that a good level of sunlight will be achieved where a window achieves at least 25% of annual probable sunlight hours with at least 5% of winter probable sunlight hours, but no less than 0.8 times the former if the sunlight is originally below these levels. The BRE guidelines also limit the extent of testing for sunlight to those windows which face within 90 degrees of due south.
- 5.6.8 Further to this, additional information was submitted on the 19th April 2018 providing clarification on daylight, sunlight and overshadowing to the moorings, towpath and canal and Waterfront Mews (London Borough of Islington) in response to consultation comments.

14-27 Eagle Wharf Road

- 5.6.9 14-27 Eagle Wharf Road are modern 3 storey residential properties to the south of the proposed development across and orientated towards Eagle Wharf Road.
- 5.6.10 The DSR demonstrates that there will be a discernible effect to the windows on the front (northern) elevation facing the site, with the resultant VSC levels representing a change of up to 0.5 (50% reduction) times the former value.
- 5.6.11 As discussed, the proposed massing follows that of adjacent development alongside the canal and the levels of daylight retained are not considered to be out of context with inner city levels.

12A/B Eagle Wharf Road and Bletsoe Walk

- 5.6.12 12A/B Eagle Wharf Road are three storey residential properties to the south of the proposed development across Eagle Wharf Road. In terms of daylight, all of the windows assessed to this property meet BRE guidance with regards to the VSC assessment and retain at least 0.83 (17% reduction) their former value. This is again not considered to be out of context with inner city levels.

Further assessment

- 5.6.13 Further information was also provided on the Regents canal, canal moorings, towpath, Waterfront Mews in response to consultation comments.
- 5.6.14 Given the orientation of the canal, moorings and towpath they will all receive overshadowing. But the proposed development has removed massing immediately adjacent to the canal on site. Consequently, this has reduced the overall amount of overshadowing to these elements.
- 5.6.15 Waterfront Mews is immediately north of the site across the Regents Canal and located within LBI. Despite not subtending the 25 degree line, further information was provided to demonstrate that the lowest level windows serving Waterfront Mews all had resultant VSC's in excess of 29%, and APSH in excess of guidance.

Conclusion

- 5.6.16 For the reasons outlined above, the sunlight, daylight and shading levels of the proposed development are considered to be acceptable. While it is noted that there are transgressions and in some cases impacts will be discernible to neighbouring occupiers, in general the massing is considered reasonable and matches that of adjacent development and retained light levels would be in keeping with those expected in such an inner city, urban location.

Privacy and Outlook

- 5.6.17 Given the proposed arrangement of the development and its uses, and its location to existing identified neighbouring residential development, the proposed development is not anticipated to compromise neighbouring privacy and outlook.

Noise and Odours

- 5.6.18 The proposed development provides for residential uses alongside commercial uses and a time limited publically accessible landscaped area. It is considered that the majority of the employment uses and public access to the landscaped areas will operate during daytime hours, rather than into the night which could be harmful to residential amenity. The operation of the café/restaurant however would have the potential to impact on neighbouring amenity.

- 5.6.19 Consequently, in line policy DM11, to ensure the site is adequately managed and the operation of the various uses do not cause unreasonable impacts to other uses conditions requiring the following will be required to be submitted for approval:

- ventilation and extraction details and
- operational hours of any proposed B1 and A3 uses
- management plan for public/private landscaping and overall site; and,
- noise levels emitted from the proposed Air Source Heat Pump

- 5.6.20 The noise assessment undertaken also recommends acoustic glazing and acoustic trickle vents are to be installed in the dwellings identified overlooking Eagle Wharf Road given the noise levels recorded. Consequently, details on these elements will be requested, and how these elements could impact the proposed sustainable strategy of natural ventilation (opening windows at night for cooling).

5.7 Impact to Canal Users

- 5.7.1 Impact to canal uses and the blue ribbon network has been raised during consultation. The Blue Ribbon Network is a strategically important series of linked open spaces where, according to Policy 7.24 of the London Plan, uses of the waterspaces and land alongside for water related uses should be prioritised. The text explains that the starting point for consideration of development and use of land alongside the network “must be the water”. Policy 7.27 provides that development proposals should protect and improve existing access points to the Network and should protect and enhance waterway support infrastructure such as moorings. Policy 7.28 provides that development proposals should protect the open character of the Network. Policy 7.30 provides that development proposals along London’s canal network should respect their local character and contribute to their accessibility and active water related uses where these are possible. Policy 2.18E(b) also provides that development proposals should encourage the linkage of the Blue Ribbon Network to the wider public realm to improve

accessibility for all. This will assist to promote healthy living (as paragraph 2.88 notes) by increasing recreational opportunities, access to and enjoyment of the Blue Ribbon network.

- 5.7.2 The policy seeks the consideration of the unique aspect of the water, and seeks consideration of how it can be used, maintained and improved. Canal users are considered to be those who occupy the moorings at EWM, users of canal boats and members of the public who use the towpath.
- 5.7.3 The proposed development is adjacent to the canal, but has no direct access to the water given the location and operation of EWM. No development is proposed to EWM. EWM can continue to be accessed from the Packington Street bridge. The access has recently been improved in line with the built out development of application reference 2013/0843.
- 5.7.4 In line with policy, it is considered that the design of the development, maximises the asset of the canal through its orientation, providing publically landscaped courtyards adjacent to the canal and removing massing adjacent to the canal which reduces the overshadowing to the moorings, canal and towpath. The landscaping discussed below would provide for improved levels of vegetation at the site all of which would contribute positively toward the green link / corridor along the canal and support its designation as a SINC.
- 5.7.5 In addition to the above, the proposals retain elements related to the industrial legacy of the canal, and allows for increased views and appreciation of these elements. A contribution OF £35,000 will be secured for the Canal and Rivers Trust to improve the canal towpath at this location and further conditions will ensure that impacts to canal users during construction and operation are acceptable.
- 5.7.6 With regards to the provision of public access to the site, this could allow for public access to the EWM moorings, subject to agreement between parties. Examples of public access adjacent to moorings can be seen along the Regents Canal towpath and no significant concern is raised. In addition, the application will be conditioned to meet secure by design as requested during consultation.

5.8 **Biodiversity and Landscaping**

Biodiversity

- 5.8.1 Policy CS27 seeks to ensure that nature conservation areas protect, preserve and enhance biodiversity. CS27 goes on to explain that “*development will be encouraged to include measures that contribute to the borough's natural environment and biodiversity and where appropriate, a biodiversity survey of the site must be carried out, with actions to enhance the biodiversity value, mitigate or compensate for any harm to habitats and / or species.*”
- 5.8.2 Policy CS28 seeks to protect and enhance the natural habitat and setting of waterways and their riparian areas. Where appropriate, CS28 seeks to ensure that public access, continuous green links, towpaths and heritage value along the waterfront are maintained, improved and extended for the purposes of nature conservation, leisure, recreation, education and economic activity.

- 5.8.3 Policy DM32 seeks to ensure that development adjacent to Sites of Important Nature Conservation (SINC) must not have a significant detrimental impact on the nature conservation value, geodiversity value and biodiversity of these sites and mitigation and/or compensatory measures will be considered in assessing the impact on nature conservation, biodiversity and geodiversity.
- 5.8.4 Policy DM32 seeks to protect and enhance existing open space and amenity green space by inter alia not having a detrimental impact on nature conservation and biodiversity, and should seek to improve such.
- 5.8.5 The site is not afforded any designations based on its ecological value. On the basis of the site visits, it was observed that there was little opportunity for flora given the hard standing and buildings styles with no capacity for greenroofs.
- 5.8.6 The application is adjacent to the Regents Canal which is designated as a Site of Importance for Nature Conservation (SINC), is identified within the council's proposals map as being a Green Corridor, Green Link and Open Space Excluding Amenity Space within Hackney. Given the proximity of the Regents Canal and older styles of building on site, it was concluded that there were opportunities for fauna to be present, specifically bats and birds.
- 5.8.7 In response to Officer Concerns about the accuracy of the Ecological Appraisal submitted initially, a further Preliminary Ecological Appraisal (EA) was prepared and submitted.
- 5.8.8 The EA recorded existing habitats on site, determined the ecological importance of the site, makes recommendations for possible further ecological surveys and mitigation and identifies enhancements measures to improve the ecological value of the site. The EA was informed by a site visit on the 7th February 2018 and a desk study.
- 5.8.9 The EA considers that the existing site is unlikely to support protected flora, development includes sections that are moderate suitability for roosting bats, provides opportunities for bird nesting.
- 5.8.10 The EA recognises that the Regents Canal is a Habitat of Principal Importance (HPI) and notes the SINC designation is afforded protection through the planning system. The EA notes that development's ecological impacts can extend beyond the site known as the Zone of Influence (Zol), and the Canal is noted as being within the Zol for the site.
- 5.8.11 Consequently, the EA makes multiple recommendations for ecological enhancements and mitigation measures, including; pollution prevention measures to be included in the construction stage to minimise the risk of adverse impacts to the Canal; minimisation of light pollution during construction and operation of the site, bat emergence surveys; intrusive checks prior to demolition for bird nests and roosting bats in accordance with legislation and appropriate seasons, provide opportunities for ecological enhancements such as additional roosting aligned to compensate with the level of activity found from further surveys and checks. These recommended mitigation measures will be secured by way of condition and subsequently existing levels of biodiversity will be protected and where possible enhanced in line with policies.

Landscaping

- 5.8.12 London Plan policy 5.10 states proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening and increase biodiversity. Policy CS27 seeks to encourage development to include measures that contribute to the borough's natural environment and biodiversity and where appropriate. Policy DM31 expects communal amenity open space which is high quality and clearly integrated into the proposed development, maximising bio-diversity benefits and living roofs. Policy DM35 sets out that landscaping plans include environmentally appropriate planting, with appropriate irrigation plans and ensure such does not negatively impact on the structure of nearby buildings or hinder accessibility.
- 5.8.13 Currently on site, there is limited flora and no green roofs are provided. As part of the proposed development, there will be the creation of a landscaped courtyard, providing trees and planting, ecology features, and the introduction of living roofs, with a varied mix of green and brown styles, again incorporating ecology features. The proposed courtyard has been in discussion as part of the development since pre-application stages and is considered to represent a benefit of the proposal, complimenting and supporting the proposed uses, providing new publically accessible open space, introduction of trees and planting and increasing the bio-diversity and ecology on site. This is considered to be in line with policy.
- 5.8.14 The details of the landscaping and living roofs will be secured by condition as well as further exploration of locations for bat and bird boxes and the feasibility of including these on the retained chimney.

5.9 Traffic and Transportation

- 5.9.1 The site has a Public Transport Accessibility Level (PTAL) of 2, though this rises to a PTAL of 5 within 100m. The site is within 1000m of both Angel and Old Street and principal red routes of the TLRN served by multiple bus services.
- 5.9.2 The site is currently accessed via three vehicle crossovers from Eagle Wharf Road. The main crossover is provided in the middle and provides access to the courtyard which provides vehicle parking as discussed providing informal parking for 10 vehicles. The remaining two provide service access.
- 5.9.3 The site is located within a CPZ Zone A Wenlock – with controls in place Monday to Friday from 8:30 to 18:30 and there are Traffic Regulation Orders (TRO's) in place along the site frontage on Eagle Wharf Road. Pay bays are provided across Eagle Wharf Road to the south of the site.
- 5.9.4 Eagle Wharf road is traffic calmed with two speed bumps provided on the section of road immediately adjacent the site.
- 5.9.5 Within the vicinity of the site there are Cycle Hire Docking stations (including a 45 space docking station on Eagle Wharf Road itself) and a number of car club parking spaces. Eagle Wharf Road is currently a sign posted cycle route and is aligned to the Central London Cycle grid at this location. The site is considered to have good cycle accessibility.
- 5.9.6 The site lies within the Crossrail 2 safeguarding area.

5.9.7 The layout and proposed management of the site allows for a pedestrian link from Eagle Wharf Road to the canalside and also to Eagle Wharf Marina, which in turn can be accessed (controlled) from Packington Gate House Bridge.

5.9.8 The application was supported by a Transport Statement and Travel Plan.

Trip Generation

5.9.9 The Transport Statement outlines that there are currently about 979 two way trips generated by the site a day. The modal split highlights that the majority of trips are associated with public transport, which is considered to be representative of the access to such transport methods.

5.9.10 The TRICS database has been used to establish the trip generation from the proposed residential element of the proposal. The parameters used are considered acceptable. The in/out survey has been used to factor the trips generated for the employment element.

5.9.11 The proposed development is expected to generate approximately 1300 two way trips a day. This is a net increase of approximately 35% against existing levels. To support the trips generated it is proposed to secure financial contributions to highway works to the surrounding public footpath under Section 278 and secured by legal agreement. Subject to this work, it is considered that the development would not have a harmful impact upon the local transport network. These have been costed at £100,130 and accepted by the applicant.

Car Parking

5.9.12 The proposed development involves the removal of the existing informal parking provided within the courtyard. The applicant has agreed to enter into a car free agreement save for three blue badge parking supported by electric charging points. This will be secured by legal agreement. This level of provision is considered acceptable and in line with policy.

5.9.13 Given the proposed layout the subsequent changes to vehicle access will require the reorganisation of vehicle crossovers and existing parking bays. Evidence has been submitted that this can be accommodated on Eagle Wharf Road without having detrimental impacts to the existing on street parking provision, which has been accepted, and consequently, this will be delivered through financial contributions under Section 278 and secured by legal agreement.

Cycle Parking

5.9.14 The development is proposing to provide a total of 163 cycle spaces, comprising of:

- 90 spaces in support of the residential element; and,
- 73 spaces in support of the commercial element.

5.9.15 This provision accords with current Development Plan (London Plan) cycle standards, although is not in line with those set out in Hackney Transport Strategy (2015 – 2025). The residential spaces will be provided in two secure, covered stores using the Josta 2 tier system, with the remaining provision via Sheffield stands.

5.9.16 Information has been submitted to show how compliancy with the Hackney Transport Strategy would impact on the amount and function of the landscaped amenity areas.

The impact is to such an extent it is considered preferable, on balance and given the context of surrounding cycle infrastructure, not to comply with cycle storage provision outlined in the Hackney Transport Strategy in this instance. Consequently, the level of cycle provision is considered acceptable on balance and in any case is in line with Development Plan policy.

Deliveries and Servicing

- 5.9.17 It is proposed that two residential and two commercial refuse stores would be provided on the ground floor of the development. The proposed plans indicate that the refuse stores are located within a suitable location, with an acceptable drag distance to the public highway.
- 5.9.18 A loading / delivery bay is proposed within the site, to be accessed from Eagle Wharf Road. The applicant has demonstrated that a 7.5 box van can access the space using a reversing manoeuvre and this is considered acceptable. A Delivery and Servicing Plan has been provided as an appendix to the submitted Transport Assessment and this provides some detail on the servicing arrangements, management and the information on the expected number of servicing trips. A final detailed Delivery and Servicing Plan will need to be agreed and this would be secured by a condition.

Crossrail

- 5.9.19 The site is located within the limits of land affected by the Crossrail 2 Safeguarding Direction. Subsequently, Transport for London's Crossrail 2 Safeguarding were consulted and requested conditions which will be added.

Construction Impacts

- 5.9.20 Subject to the submission of a Construction Management / Logistics Plan, including CLOCS as stipulated in consultation, it is anticipated that the temporary impacts of any construction activity in relation to the transport and the highway network would be acceptable. Given this should be approved before construction and demolition works commence, it is considered appropriate to require this as a pre-commencement condition.
- 5.9.21 Damage to the highway as a result of development and construction activities on land adjacent to the highway has become an increasing cause of concern to the Council. To address these concerns a pre and post construction conditional highway survey will be required and any impacts agreed and rectified. This will be secured in a legal agreement.

Travel Plan

- 5.9.22 A Full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the legal agreement inclusive of a £3,500 contribution towards monitoring of the Travel Plan and has been agreed too.

Section 278 Contributions

- 5.9.23 Council's Highways department have assessed the site and considered that works would be required for the following:
- Reconstruction of the footway along the front of the site on Eagle Wharf Road using new ASP slabs and new kerb;

- The conversion of the crossover at the western end of the site to footway, reconstruction of the two remaining crossovers and provision of a dropped kerb for the proposed goods lift;
- The resurfacing of the carriageway between Shepherdess Walk and Cropley Street; and
- The refitting of the lamp columns along the same stretch of road with LED lanterns.

The estimated costs of the above works is £100,130 and this will be secured through the section 106 legal agreement.

5.9.24 Overall, the proposal is considered to be in a sustainable location in transport terms in accordance with pertinent policies.

5.10 **Energy and sustainability**

1.1.1 London Plan policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions. This involves the implementation of the energy hierarchy, meeting a carbon dioxide target of zero carbon for residential buildings and 35% beyond Part L 2013 to non-residential developments. Policy 5.7 states major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. Policy 5.9 seeks to mitigate the impact of the Urban Heat Island and addresses the risk of overheating and reliance on active systems for cooling in accordance with the cooling hierarchy. Policy DM37 sets out requirements in sustainability standards for residential development including improvements in the efficiency standards of existing buildings. Policy DM38 sets the requirement for a BREEAM assessment with an excellent rating for non-residential developments, and Policy 39 sets the carbon off-setting payments with a cash in lieu payment. This will include any remaining regulated carbon emissions to 100% for major residential developments and any specified level to 35% for non-residential. Policy 40 sets out measures to avoid and mitigate overheating. Major developments must demonstrate that the heating, cooling and power systems have been selected to minimise carbon dioxide emissions, in line with the London Plan targets and opportunities. They should be designed to connect to existing or proposed decentralised heat and energy networks and where none exists commit to future proofing.

1.1.2 The proposed development is supported by an Energy Statement (ES) and Sustainability Assessment (SA) which have been reviewed by the Planning Service's Sustainability Officer. The ES outlines that due to the adoption of energy efficiency measures and renewable technologies, the CO2 emissions will be reduced by 48.5% given the proposed energy efficiency measures proposed. Consequently, the remaining emissions will be subject to a cash in lieu offsetting payment which amounts to 793.2 tonnes over the period of 30 Years. This is estimated at a value of £60 per Tonne to amount to £47,592. This will be secured by way of a legal agreement.

1.1.3 The employment and retail elements of the scheme will achieve 73.2 credits and 72.4 credits respectively through a range of measures. Subsequently, this means that these elements will be of BREEAM excellent standard in line with policy.

1.1.4 To ensure that the development is constructed in line with these forecasts, conditions will be added to require the details of the following measures and technologies proposed:

- Green roof with a minimum substrate depth of 80mm
- Application of external and internal shading and openable windows to promote natural ventilation to KLDs and bedroom in residential development to mitigate overheating
- Passive provision for connection to a wider DHN
- Solar PV installation with a capacity of at least 22.5kWp
- Full air permeability test confirming less than 5 m³/h/m²@50pa
- BREEAM post completion report and certification
- Air Source Heat Pump installation and certification report

1.1.5 Subject to conditions and securing an obligation for carbon offsetting as discussed, the development is deemed to meet London Plan policies 5.2, 5.7, 5.9, 7.6 along with Core Strategy policies 29 and 30, and DM37, DM38, DM39 and DM40.

1.2 Air and Land Contamination

1.2.1 A preliminary ground contamination investigation has been undertaken. Subsequent investigation, monitoring and appropriate mitigation will be secured by way of condition.

1.2.2 In terms of air quality, the developer has submitted an Air Quality Impact Assessment. Suitable conditions have been identified to ensure that the development is undertaken in an appropriate manner, including both construction impacts, and in terms of the CHP and boiler system emissions and maintenance.

1.3 Waste and Refuse

1.3.1 Core Strategy policy 32 seeks to ensure new development in Hackney supports the objectives of sustainable waste management.

1.3.2 The proposed development provides for two separate residential and commercial waste stores. The stores are located adjacent to the egress points from the site to Eagle Wharf Road and all are within approximately 12m drag distance of the public highway. The proposed waste and refuse provision has been reviewed and is considered acceptable.

1.3.3 Full details of the management and collection of waste will be conditioned alongside an assessment of the potential for a waste and recycling scheme seeking to explore co-ordination between commercial units to minimise collections.

1.4 Drainage

1.4.1 The site is shown to have a 'medium' risk of surface water flooding and increased potential for elevated groundwater. The development proposes a basement and residential uses. Consequently, a drainage strategy was requested and provided.

1.4.2 The report was consulted upon and the Council's Drainage Officers raised no objection subject to conditions relating to:

- Detailed specification of proposed SuD's and their maintenance
- Post completion SuD's certification and report

1.5 Community Infrastructure Levy

- 1.5.1 The development is liable to the Community Infrastructure Levy (CIL), and both the Mayor and Council have an adopted charging schedule.
- 1.5.2 The Mayoral charging schedule has a flat rate charge of £35per sqm which would be applied to all chargeable development.
- 1.5.3 The Hackney charging schedule has a different charge depending on the different area of the borough the development is located. The site is located in Zone A ‘City Fringe’ which will mean the following charges will be levied:
Residential – Zone A £190 per sqm
Office – City Fringe £50per sqm
Other Retail – City Fringe £65per sqm
- 1.5.4 All other development has a nil charge.

The chargeable amount for the Hackney CIL will be: £545, 493.75

The chargeable amount for the Mayoral CIL will be: £269, 280. 08

- 1.5.5 Overall the total amount the proposed development is liable for based on both charging schedules is: £814, 773.83 (excluding indexation).
- 1.5.6 This calculation is based on the building evidently being in use for six of the previous 12 months, given site visits and correspondence, prior to the date of this report. This calculation is also based on current levels of indexation and floor areas provided by the applicant.
- 1.5.7 These figures could be subject to change, given indexation at the time of the notice, which is in line with legislation, and will be confirmed within a demand notice upon commencement of the development.
- 1.5.8 In respect of local finance considerations other than CIL, whilst the proposed development would contribute towards the aggregate number of homes for the purposes of calculating Hackney’s New Homes Bonus and the dwellings would be rateable for Council Tax Purposes, the economic benefit of the additional dwellings is negligible in the context of the overall total of new homes, and this does not represent a material consideration of any substantial weight in the consideration of the application, which should be determined in accordance with the relevant Development Plan policies.

1.6 Planning Obligations

- 1.6.1 The details of the likely financial contributions and legal obligations have been prepared in line with the Council’s SPD on Planning Contributions (2015), and the relevant legislation. The resulting level of contributions and Heads of Terms for the legal agreement are detailed in Recommendation B below.
- 1.6.2 The financial contributions are as follows:
- Improvements to the Towpath – £35, 000
 - Highway Improvements – £100, 130
 - Employment and training contribution (construction phase) – £50, 625*
 - Employment and training contribution (operational phase) – £175, 879*

- o *Total Employment and Training Contribution - £226, 504
 - Travel Plan Monitoring – £3, 500
 - Sustainability Offsetting - £47,592
 - Monitoring – £15, 425 (£3500 non-financial and £11, 925 for financial)
- 1.6.3 The total amount of non-affordable housing related financial contributions is £428,151
- 1.6.4 The financial contribution for affordable housing is: £757, 076
- 1.6.5 The total amount of all financial contributions is therefore: £1,185,226m
- 1.6.6 As discussed, the total CIL liability is assumed to be: £814, 774m
- 1.6.7 The total amount of financial contributions and CIL liability is: £2, 000, 000m
- 1.6.8 In addition to these financial contributions, there are the following further legal obligations:
- On site provision of 1,354.5 sqm GIA as affordable workspace in perpetuity
 - Car Free Development restricting the take up of CPZ permits by residents
 - Employment and Skills Plan to secure benefits to local employers and employees
 - Considerate Contractors Scheme
- Public Access to the site towards the pontoon.

2. CONCLUSION

- 2.1** Section 38 (6) of the Planning Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2** The proposed development is considered to be employment led and offer the most economically feasible amount of such floorspace which will be an uplift on the existing quantum; provide a format of employment space which is considered to be of a modern standard, cater for and sustain a wider range of B1 uses in line with policy designations and their supporting evidence base, generating possibly more employment opportunities; secure the provision of 1,355m² (24%) affordable workspace with a defined rent, quantum and fair process that exceeds policy requirements; provide further uses with additional benefits of their own, which will support the employment use, whilst not undermining the wider operation of the PEA, and secure the viable delivery of the employment element; all of which is considered to support and sustain the PEA and is in line with pertinent employment policy.
- 2.3** The residential element of the proposed development will deliver 50 units deemed to be of a high standard of accommodation, supporting the borough in meeting its housing targets, and offers the contribution of £757, 076 to the provision of affordable housing.
- 2.4** The proposed development adopts an approach to heritage conservation which is considered, on balance, acceptable. This is achieved through the retention of the most significant elements of the site, removing later adhoc structures, careful massing, vernacular design and high quality materials. Impacts have been assessed in line with the

pertinent policy, legislation and considerations, and are considered to be, on balance, acceptable.

2.5 The likely loss of Holborn Studios and the impacts of this as a result of the proposed development have been considered, and on balance this is considered to be acceptable when assessed against all Development Plan policies.

2.6 Overall, the proposal is considered to comply with the pertinent policies in the development plan for the reasons set out above, there would be compliance with the adopted development plan viewed as a whole and other material considerations do not indicate that the plan should not be followed. Accordingly the application for full planning permission reference 2017/3511 is recommended for approval, subject to conditions and the completion of a legal agreement.

3. RECOMMENDATION

3.1 RECOMMENDATION A: That Planning Permission be GRANTED, subject to the following conditions:

3.2 Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

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

3.3 Commencement within three years

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

REASON: In order to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 as amended.

Prior to commencement

3.4 Approval of Materials & Mock Ups

Full details, including samples, and 1:1 mock ups where deemed by Officers as necessary, of the materials to be used on all external surfaces of all buildings, including glazing, shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

3.5 Details to be approved

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Façade details and typical façade sections at 1:20
- Typical window and door details/sections at 1:20
- Typical ground floor/entrance details/sections at 1:20
- Typical balcony and balustrade details/sections at 1:20

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

3.6 Brickwork Detail

Sample panels of brickwork, indicating the colour, texture, facebond and pointing shall be resubmitted to and approved by the Local Planning Authority before the relevant parts of the work are commenced.

REASON: In order that the works approved are carried out in a satisfactory manner which safeguards the special historic and architectural interest of the building.

3.7 Bird and Bat intrusive surveys

Prior to any works commencing further bird and bat surveys shall be undertaken by a professionally accredited person in line with the submitted Ecology Appraisal. The results shall be recorded, relevant measures according to pertinent legislation shall be taken to protect any wildlife found and this data shall inform the provision and level of bird and bat boxes across the proposed development.

Reason: To ensure that suitable protection is provided for any fauna that reside on the site.

3.8 Archaeological Assessment

1. No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

2. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure any archaeological remains on the site are treated appropriately.

3.9 Historic Building Recording

All historic fabric removed from the retained buildings and those to be demolished shall be subject to a full photographic and textual recording of the standard indicated in the Historic England guidance document Understanding Historic Buildings: A Guide to Good Recording Practice (English Heritage, 2006). The recording should be at Level 2 as described in Paragraph 5.3 and the record preserved as described in Paragraphs 7.1 to 7.3 of that document. The completed record shall be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of development and shall then be submitted to the Greater London Historic Environment Record. The removal of historic fabric shall not be carried out otherwise than in accordance with the recording thus approved.

REASON: Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.

3.10 Scheme of Balcony Screening & Obscure Glazing details

Prior to occupation of the development hereby approved, a scheme relating to the details of privacy measures and obscure glazing treatment to be installed to balconies or to windows potentially affected by direct or close proximity overlooking from balconies shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be carried out only in accordance with the approved scheme with approved privacy measures being installed prior to occupation of the relevant units and the approved screens and obscure glazing shall be maintained for the lifetime of the development.

REASON: To mitigate potential impact of overlooking from and dwellings.

3.11 Demolition and Construction Management Plan

Before any works associated with the application hereby approved begin, a detailed Demolition and Construction Management Plan, including CLOCS monitoring covering all phases of the development and the matters set out below shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and the approved measures shall be maintained throughout the entire demolition and construction period.

This shall include (but not limited to);

- a) Details of measures to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) Details setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to:
 - details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete);
 - the location of any mobile plant machinery;

- explore the use of the canal for transport of materials and in support of the construction of the development;
 - details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means; and,
 - details of measures to handle contaminants such as asbestos;
- c) A risk assessment and method statement outlining all works to be carried out adjacent to the water to be prepared in consultation with adjacent development and to be approved in consultation with The Canal and River Trust; and,
- d) Compliance with NRMM regulations.

REASON: To avoid hazard and obstruction being caused to the Regents Canal, adjacent development, users of the public highway and in the interest of public safety and amenity.

3.12 **Construction Logistics Plan**

A Demolition and Construction Logistics Plan to include the following; the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; and, any temporary road/ footway closures during the construction period (including those to adjacent pontoons); shall be prepared in consultation with TfL, adjacent development and the Canal and Rivers Trust and submitted to and approved in writing by the Local Planning Authority, in consultation with TfL and Canal and Rivers Trust. The development shall only be implemented in accordance with these details as approved and shall be maintained throughout the entire demolition and construction period. The potential use of the canal for transportation of waste and goods shall be investigated as part of the construction logistics plan.

REASON: To avoid hazard and obstruction being caused to adjacent development, users of the public highway and in the interest of public safety and amenity.

3.13 **Drainage Strategy**

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

3.14 **Sustainable Urban Drainage**

Notwithstanding the details shown on the plans and documents hereby approved, prior to commencement of the development, the applicant shall submit full details of a sustainable drainage system supported by appropriate drawings, hydraulic modelling, calculations, construction details, for approval by the Local Planning Authority in consultation with the SuDS Officer.

Full details should include but not limited to the following; sustainable drainage systems, blue roof (with substrate depth of at least 80mm not including vegetative mats), SuDS, tree pits, subsurface storage and, the flow control system.

The development shall not commence until written confirmation has been received from the Local Planning Authority, confirming approval of the surface water drainage measures.

REASON: To ensure that the proposals do not increase flood risk in the surrounding area.

3.15 Crossrail 2 Safe Guarding

No works associated with the development hereby approved shall commence until detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate that the development would:

- i. Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works;
- ii. Accommodate ground movement arising from the construction thereof; and
- iii. Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures.

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs (i), (ii) and (iii) of this condition shall be completed, in their entirety, before any part of the buildings hereby approved are occupied.

REASON: To safeguard the future construction of Crossrail 2.

3.16 Impact Piling

No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

3.17 Landscaping Details

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, prior to the commencement of

development (excluding works of demolition and site clearance). The landscaping scheme shall include the following:

- Planting of trees and shrubs showing species
- Depth of planting and explicit reasons if planters are used with substrate that does not feed into the ground
- Type of stock
- Number of trees
- Areas of seeding and turf
- Lighting details and measure to minimise impacts to fauna and the canal
- Details of CCTV and how it will be relate to the overall landscaping
- Exploration of locations for and details of bat and bird boxes, including on the chimney, reflecting the results and level of activity of the intrusive surveys.
- Exploration of potential for vertical greening poles along the canal edge.
- Exploration for design features reflecting the historic uses of the site.

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

3.18 **Flood Resilience**

Prior to the commencement of development, a scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site and in the basement against surface water and groundwater flood risk shall be submitted to and agreed, in writing with the Local Planning Authority. The scheme shall be carried out in its entirety before the basement is occupied and; constructed and completed in accordance with the approved plans in line with BS 8102:2009 code of practice for "protection of below ground structures against water from the ground" and BS 8582:2013 code of practice for "surface water management for development sites".

REASON: To ensure that the proposals do not increase flood risk in the surrounding area.

3.19 **Contaminated Land: Assessment**

No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall

include: a survey of the extent, scale and nature of contamination; the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

3.20 Contaminated Land: Remediation Scheme

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part II of the Environmental Protection Act 1990 in relation to its intended use.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

3.21 Contaminated Land: Implementation of Remediation Scheme

The approved remediation scheme shall be carried out [and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority] before the development [or relevant phase of development] is occupied.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

3.22 Reporting unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

3.23 Secure by Design

Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers. Once approved, the development shall be carried out in accordance with the agreed details.

REASON: To ensure the safety of both future and neighbouring occupiers and users of the site and surrounds is protected by ensuring adequate Secure by Design measures are implemented.

3.24 Bio Diverse Roof Details

Full details (plan drawing and section at 1/20 scale) of a green / brown roof with a minimum of 80mm substrate depth (not including the proposed vegetative mat), including a detailed maintenance plan and relationship to Solar PV installation, shall be submitted to and approved by the Local Planning Authority, before development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage, and to enhance the performance and efficiency of the proposed building, and does not compromise the proposed PV installation.

3.25 Wind Microclimate

An assessment of the microclimate produced by the proposed development shall be provided for the approval of the Council in writing and any mitigation measures required shall be implemented in full prior to commencement of above grade works.

REASON: To protect the immediate and surrounding micro climate in the area.

3.26 Public art

Full detail of the proposed public art to be commissioned and located at the access and egress points to the public courtyard shall be provided to and approved in writing by the local planning authority prior to the commencement of landscaping works. The approved pieces shall be implemented and maintained in perpetuity.

REASON: To ensure the delivery of a high quality public realm in support of the development and enhance the amenity of the public.

3.27 CCTV Details

Full details of CCTV shall be provided to and approved in writing by the local planning authority in consultation with its emergency planning department prior to the commencement of landscaping works. The CCTV shall be capable of linking to the borough wide system.

REASON: To protect the safety and security of the development and its users.

Prior to occupation

3.28 Children's Play Facility

Before the occupation of the development hereby approved, details of the proposed doorstep play provision for under 5 year olds shall be submitted to the Local Planning Authority for approval in writing. The details shall include measures to be incorporated to minimise the potential conflict between the proposed play area and the adjacent 3 car parking spaces. The approved details shall be installed before occupation of the development.

REASON: To ensure suitable provision for doorstep play is provided for onsite as proposed within the application documents.

3.29 Roof Light

Notwithstanding the submitted plans, prior to occupation, a roof light shall be installed into the roof of unit B16 above the shared living/kitchen/dining area.

REASON: To mitigate potential impacts of this unit being a single aspect unit with northerly orientation by providing it with some direct sunlight through the provision of a rooflight.

3.30 Cycle Parking

The cycle storage facilities for the residential and commercial units as shown on the approved plans shall be installed prior to the first occupation of the development hereby approved. Provision shall be made for a minimum 163 spaces as follows:

90 for the residential element; and,

73 for the employment element

These spaces shall be implemented before the use is first commenced and thereafter retained permanently.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles and in the interest of promoting sustainable transport.

3.31 Blue Badge Parking

Prior to the occupation of the development, the three blue badge parking spaces shall be installed as proposed and then retained permanently for exclusive use by blue badge holders only, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed provision for blue badge holders is retained onsite.

3.32 Refuse and Recycling Strategy coordination of commercial users

Prior to occupation of the development hereby approved, a refuse and recycling strategy, including measures for the coordination of waste and recycling between the various premises, for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Refuse collection shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is satisfactorily served in terms of refuse collection and safeguard against the build-up of pollution.

3.33 Delivery and Servicing Management Plan

Prior to occupation of the development hereby approved, A Delivery and Servicing Management Plan, including measures to minimise noise generated from the servicing areas and safe operation of the courtyard, shall be submitted to and approved by the Local Planning Authority. Thereafter, deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: In order to ensure that delivery and servicing does not impact the amenity of neighbouring occupiers and the safe and efficient operation of the highway.

3.34 Sustainable Drainage Review

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

REASON: In order to ensure suitable sustainable drainage measures are delivered as part of the development.

3.35 Air Quality – Operational Phase

An Air Quality Management Plan shall be submitted for approval by the Local Planning Authority prior to occupation of the development and the measures identified within the submitted plan shall be implemented in full prior to first occupation of the development.

REASON: To protect air quality and people's health by ensuring that pollutants such as Nitrogen Dioxide and particulate matter are kept to a minimum during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

3.36 Plant Noise

Noise from any plant and machinery shall at all times remain 5dB(A) below background level when measured at any nearby residential unit

REASON: To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise nuisance from equipment and machinery.

3.37 **Site Management Plan**

Prior to occupation of the development hereby approved, a detailed Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall set out measures to ensure the security of the site is maintained and provide measures to mitigate any noise and disturbance including (but not limited to):

- Hours of operation including opening hours of the Café/Restaurant and commercial areas;
- Details of servicing times and noise mitigation measures;
- Details of maintenance of sustainable energy technologies, including the green roof;
- Details of all external lighting;
- Details of CCTV;
- Details of cleaning and maintenance of the landscaped spaces and features;
- Details of access arrangements and measures of control; and
- Details of all other measures required by secure by design approval.

The operation of the approved uses and the use of the public realm shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the safety of the application site and neighbouring sites is secured and ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of general disturbance.

3.38 **BREEAM**

Within 10 weeks of occupation of the development hereby approved, a BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming an 'Excellent' rating (or another scheme target of equivalent or better environmental performance) has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the as built development achieves the relevant sustainability targets.

3.39 **Energy Requirements**

Before Occupation of the development the applicant is to submit the following information to the Local Planning Authority for Approval in writing:

- a) Air permeability: full air permeability test certificates confirming that the whole development, including the commercial units achieves an average air permeability of 5m³/m²@50pa;

- b) Application of external and internal shading and openable windows to promote natural ventilation to KLDs and bedroom in residential development to mitigate overheating
- c) Passive provision for connection to a wider DHN
- b) PV Solar array: certification by an accredited PV installer confirming that an array with an overall capacity of at least 22.5kWp has been installed on the roof of the development; and,
- c) ASHP: full commissioning certificates carried out by an MCS registered installer of the installed ASHP system, and confirmation that the specified system is registered on the governments Energy Technology List.

REASON: To ensure that the proposed sustainability measures are implemented to a satisfactory standard as proposed.

3.40 **Ventilation and Extraction Details – A3**

Prior to the operation of any space as A3 use, details of suitable mechanical ventilation and/or flue extraction shall be submitted to and agreed by the local planning authority. The hereby approved equipment shall be installed, retained and maintained thereafter prior to the occupation of the relevant part of the development.

REASON: In order to safeguard the amenity of nearby occupiers and the surrounding area.

3.41 **Internal Ambient Noise Levels - Good Standard**

All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

- Good resting conditions: Living rooms 35 dB (day: T =16 hours 07:00 – 23:00)
- Good sleeping conditions: Bedrooms 35 dB (night: T = 8 hours 23:00 – 07:00)
L_{Amax} 45 dB (night 23:00 – 07:00)

A test shall be carried out prior to occupation of the residential units to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources

3.42 **Party Wall Noise Insulation**

Dwelling houses sharing a party wall element with a commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The minimum airborne sound insulation of the party element shall be $D_{nT,w}$ of 60dB. The approved scheme is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

Details of testing to be carried out demonstrating that the required standard of sound insulation has been met shall be submitted to the Local Planning Authority for approval prior to the occupation of the buildings hereby approved.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises.

3.43 Signage

Details of proposed signage to commercial units shall be submitted to and approved in writing by the Local Planning Authority before the unit(s) are occupied, notwithstanding any additional need for advertisement consent.

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

3.44 Electric Vehicle Charging

Prior to the occupation of the development hereby proposed, the details, including charging rates, of 3 electric charging points to serve the 3 parking spaces within the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Following this, they shall be installed as approved and shall be retained permanently for use, unless otherwise approved in writing by the Local Planning Authority.

REASON: To promote sustainable modes of transport and reduce pollution, in line with London Plan 6.13.

3.45 Secure by Design Certification

The proposed development, hereby approved shall achieve Secure by Design accreditation, prior to occupation of the residential units.

REASON: To ensure satisfactory living standards and safeguard against potential crime and anti-social behaviour.

Compliance Conditions

3.46 Accessible and Wheelchair Housing

As illustrated on the submitted drawings, units B03, B07, B14, B18 and B20 shall be delivered to meet the standard of Building Regulation Part M 4(3). The remaining units shall be delivered to this standard unless materially affected.

Reason: To ensure that a suitable provision of fully accessible housing is made.

3.47 No Roof Plant

No further roof plant (including all external enclosures, machinery and other installations) other than that set out within the approved drawings, or having been the subject of approval by condition attached to this permission, shall be placed upon or attached to the roof or other external surfaces of the building.

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

3.48 Perforated roller shutters

No externally fixed roller shutters shall be installed to the building hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

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

3.49 External Ductwork

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

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

3.50 Brick Slips

No panelised brick slip systems requiring vertical or horizontal expansion joints shall be used on any of the building facades.

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

RECOMMENDATION B

That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a legal agreement under relevant legislation in order to secure the following matters to the satisfaction of Head of Planning and the Director of Legal:

Highways and Transportation:

- A survey to review and agree the condition of the highway and public realm within the proximity to the site pre commencement, in order to manage and repair any impacts to this land post completion.
- Full Travel Plan and associated monitoring fee prior to occupation - £3500
- Car free Agreement (no residential, other than blue badge, or business parking permits)
- Future residents provided with free car club membership and driving credit to the figure of £60
- The provision of timed public access to the courtyard in perpetuity
- S278 works for the following:

- o Reconstruction of the footway along the front of the site on Eagle Wharf Road using new ASP slabs and new kerb;
- o The conversion of the redundant crossovers to footway,
- o Provision of new crossovers as required reconstruction of the two remaining crossovers and provision of a dropped kerb for the proposed goods lift;
- o The resurfacing of the carriageway between Shepherdess Walk and Cropley Street;
- o the refitting of the lamp columns along the same stretch of road with LED
- o relocation of any street furniture as required to accommodate the development
- o amendments to parking, loading and other traffic regulation orders to accommodate the revised street design and access arrangements

Amounting to the sum of £100, 130

Canal Towpath

- Contribution of £35, 000 to be paid to the Canal and Rivers Trust (CRT) for improvements to the Regents Canal Towpath between Wharf Road and New North Road

Chimney

- Schedule of repair and ongoing maintenance of chimney.

Affordable Housing

- Financial contribution for affordable housing is: £757, 076

Climate Change

- Payment of carbon offset monies totalling £47,592

Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Ways into work financial contribution
 - o Employment and training contribution (construction phase) – £50, 625*
 - o Employment and training contribution (operational phase) – £175, 879*
 - *Total Employment and Training Contribution - £226, 504
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council;
- Commitment to the Council's local labour and construction initiatives (30% on site employment and 30% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period
- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.

- Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme.

Affordable Workspace

- Provision of affordable workspace totalling 1,354.5 sqm GIA (24%) at a rent of 80% of market in perpetuity, and monitoring to be clarified between the applicant and the Council.
- Creative Affordable workspace provider

Other

- Contribution towards monitoring of legal agreement and its obligations - £15,425 (£3500 non-financial and £11,925 for financial)
- Public access to site
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement prior to completion.

RECOMMENDATION C

That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manger) to make any minor alterations, additions or deletions to the recommended heads of terms and recommended conditions as set out in this report (and if applicable to authorise any such changes requested by the GLA) provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

4. INFORMATIVES

It is recommended that the following informatives should be added:

- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- NSI Prior notification for construction from the Local Authority regarding highway works.
- NSI Surface water drainage and ground water discharge responsibility.
- NSI Existing refuse collection times
- NSI WSI preparation and implementation in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.
- NSI Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the

receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

- NSI Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- NSI There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- NSI A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
- NSI A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- NSI Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- NSI Transport for London is prepared to provide to information about the proposed location of the Crossrail 2 tunnels and structures. It will supply guidelines about the design and location of third party structures in relation to the proposed tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the construction and use of the tunnels. Applicants are encouraged to discuss these guidelines with the Crossrail 2 engineer in the course of preparing detailed design and method statements.

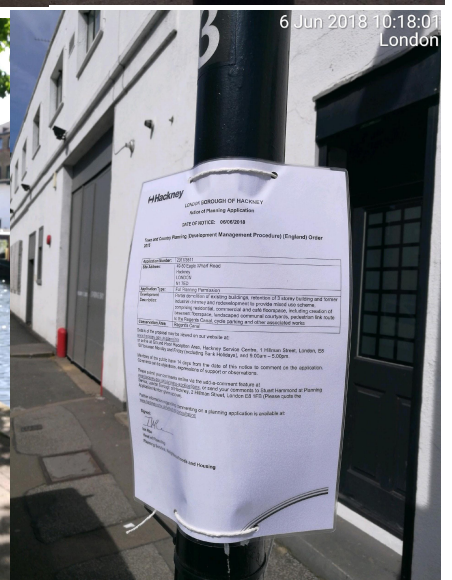
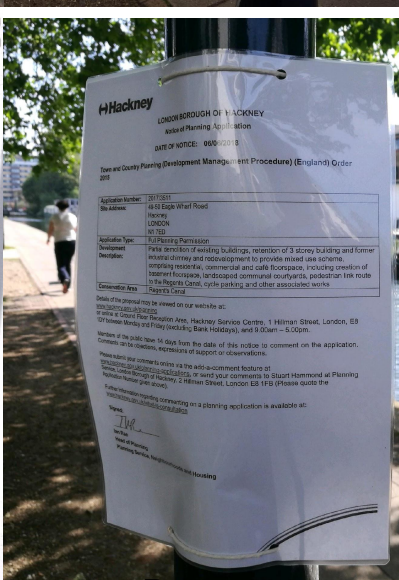
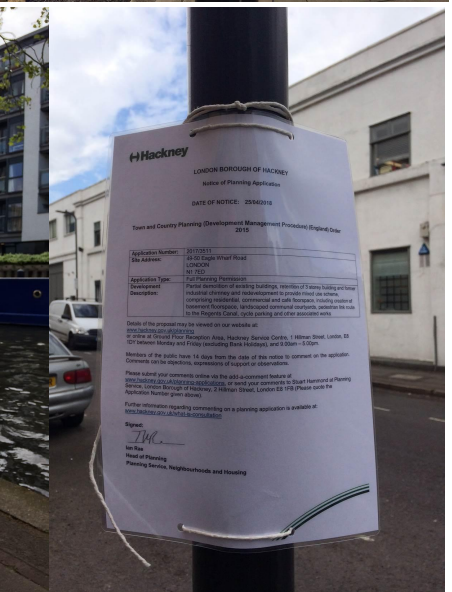
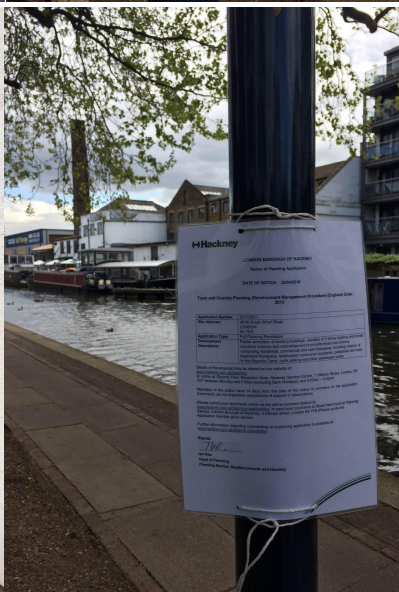
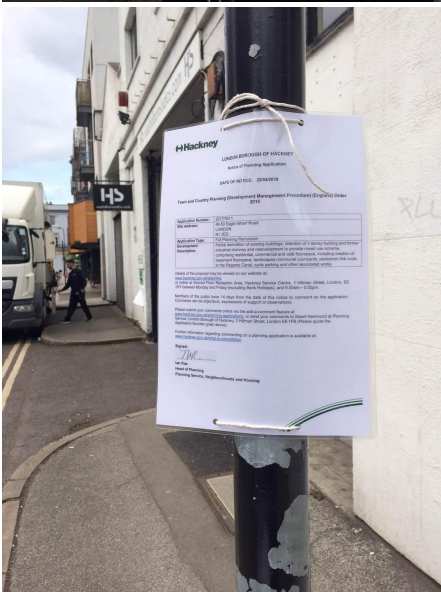
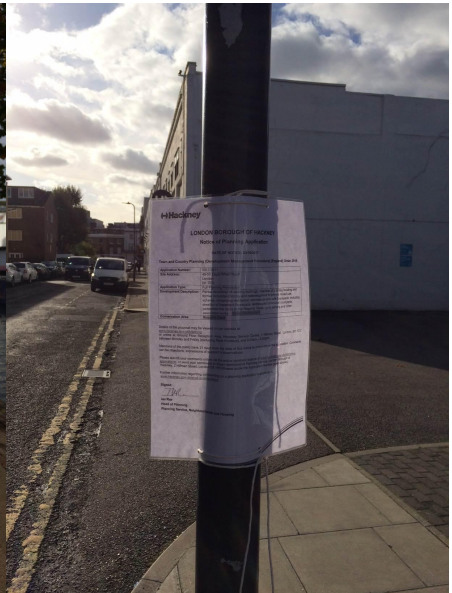
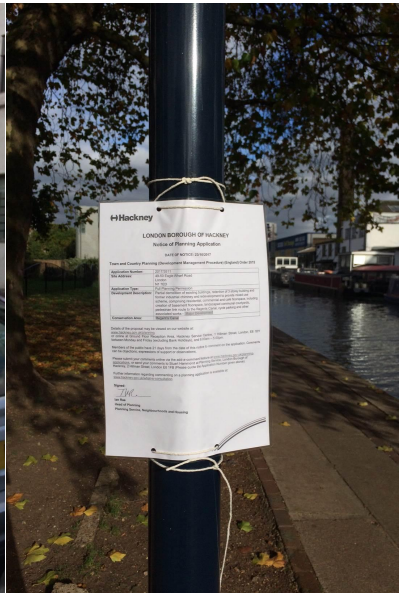
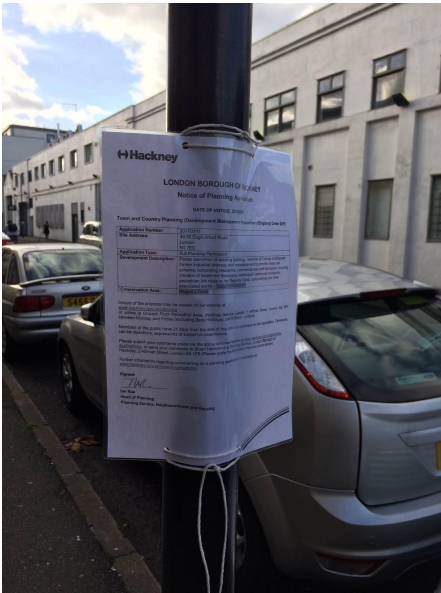
- NSI The best practical means available in accordance with British Standard Code of Practice B.S. 5228:1997 shall be employed at all times to minimise the emission of noise from the site;
- NSI The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 0800 – 1800 Mondays - Fridays, 0800 - 1300 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- NSI No waste or other material shall be burnt on application site.
- NSI A barrier shall be constructed around the site, to be erected prior to demolition.
- NSI A suitable and sufficient means of suppressing dust must be provided and maintained.
- NSI Please note that the Highways department must be advised when payment of the section 278 monies has been made and a minimum of six months' notice is to be given by the developer before highway works are expected to start on site.
- NSI The back edge of footway will remain at its current level (height). It is the developer's responsibility to incorporate this into their design as this is essential in ensuring the thresholds to the premises are level and DDA compliant and that surface water falling on the public footway can drain onto the carriageway.
- NSI In aiming to satisfy the relevant SBD condition, the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via: DOCOMailbox.NE@met.police.uk or telephone 0208 217 3813.
- NSI The applicant / development should refer to the current "Code of Practice for Works affecting the Canal and River Trust" to ensure any necessary consents are obtained. Please visit <http://canalrivertrust.org.uk/about-us/forbusinesses/undertaking-works-on-our-property>
- NSI The applicant/development is advised that any oversail, encroachment or access to the waterway or towpath requires written consent from the Canal and River Trust, and they should contact the Canal and River Trust regarding the required access agreement.
- NSI The applicant is advised that surface water discharge to the waterway will require prior consent from the Canal and River Trust. Please contact Nick Pogson from the Canal and River Trust Utilities team (nick.pogson@canalrivertrust.org.uk)

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

ALED RICHARDS
Director, Public Realm

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney Development Plan (2015) and the London Plan (2016)	Stuart Hammond, Planning Officer, ext6739	2 Hillman Street, Hackney, E8 1FB

Site Notices –



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Holborn Studios Site Photos

View from Canal



View from Eagle Wharf Road





Courtyard View





Interior







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LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE
10 March 2022

ADDENDUM SHEET

ITEM 5: 49-50 Eagle Wharf Road

Consultation Responses

Neighbour Objections

17 additional objections have been received at the time of writing the addendum. The matters raised are summarised below:

- The current proposal is worse than that previously presented to members in terms of public benefits
- The previous court cases were costly to the council
- The scheme does not comply with policy in terms of being employment led or the loss of the existing low cost space
- The loss of the cultural use should be resisted
- The existing buildings on site are of heritage value and should be retained.
- The proposal would have an adverse effect on neighbouring privacy
- New London Plan policies relating to the canal have not been taken into consideration.
- The proposal would adversely impact the amenity of the canal including microclimate. OFFICER COMMENT: A condition is recommended requiring the submission and approval of a wind study which would include means of mitigating any adverse impacts.
- The proposal does not make sufficient provision for wildlife.
- There is no longer the same demand for office space following Covid. OFFICER COMMENT: The long term impacts of the pandemic are as yet unknown and would not be reasonable grounds to refuse an employment-led scheme in a designated employment area.
- Concern regarding loss of restaurant.
- Concern regarding loss of community functions on site.

The matters raised above are considered to have been addressed in the main report unless otherwise stated above.

Representation from Holborn Studios

A further letter of objection has been received from Icenl, the planning consultants representing Holborn Studios. The matters raised can be summarised as follows:

- The proposal is worse than previous iterations and delivers no public benefits
- The proposals are not employment-led

- The replacement space is not of a suitable quality to replace the existing.
- The proposal does not comply with policy in terms of the proportion of employment floorspace and does not optimise business floorspace.
- The loss of the cultural use is contrary to policy.
- The proposed space is not suitable for a studio use as it is Use Class E(g)[i] and studios are in a different use class. OFFICER COMMENT: It is considered that a studio can occupy Use Class E(g)[i] space.
- There is no condition protecting the use of the space within Class E. OFFICER COMMENT: This is addressed in an amendment to para 5.3.7 below.
- The proposal would reduce the amount of affordable workspace and would not re-provide existing low cost floorspace.
- The proposed employment space is of a substandard quality, has limited natural light and low floor-to-ceiling heights.
- The basement level would not have adequate natural light. OFFICER COMMENT: This is addressed in an amendment to 5.3.5 below.
- The affordable housing offer is contrary to the council's key housing objectives.
- The application does not provide any justification for the environmental and embodied energy impact associated with the substantial demolition of the existing buildings, the embodied carbon within the existing building and its structure and the impact the demolition has on the overall ability of the scheme to comply with key policy standards in relation to reuse and carbon efficiency.
- The applicant's analysis shows that more than half the dwellings will overheat in short, intense warm spells (DSY2) and long, less intense warm spells (DSY3). Air conditioning is also required in the new non-domestic spaces. OFFICER COMMENT: The proposal is considered policy compliant in terms of overheating.
- The background papers listed in the officers' report have not been available on the council's website and have not been subject to public consultation. OFFICER COMMENT: It is officers' judgement that requirements in relation to the publication of application documents and the listing of background papers have been satisfied. A request was made by Icenl to view the listed background papers and this has been complied with.
- Members are requested to attend the site. OFFICER COMMENT: This request was forwarded to members for consideration.

The matters raised above are considered to have been addressed in the main report unless otherwise stated above.

External Consultees

Secure By Design (SBD) – Metropolitan Police

Response now received confirming the same position as summarised in the 2019 committee report with the same recommended condition.

GLA - Culture at Risk Team

Further response received which highlights the protection afforded to cultural uses in the London Plan and states that 'it is the view of the Culture & Community Spaces at Risk programme that the proposed development risks a loss of cultural infrastructure.'

OFFICER COMMENT: This is considered to have been addressed in the officers report.

The London Forum of Amenity and Civic Societies

Raise concern about the potential loss of the Holborn Studios and support the objections of The Hackney Society as expressed in the officer's report.

OFFICER COMMENT: This is considered to have been addressed in the officers report.

Corrections/Clarifications

1.4 The third bullet point incorrectly states the length of the current lease. The current lease is between 1 September 2021 and 31 August 2022.

1.5 This paragraph states that the other businesses in the building operate in similar fields to the studios. This is not correct in all cases. Other businesses operating from the site include a security and recruitment company.

3.12.5 The following sentence should be added to this paragraph: 'The matters raised above are otherwise considered to have been addressed in the report below.'

4.7 The following policies should be added at 4.7:

Local Plan Policy

- North London Waste Plan (2022)

Emerging Regional Guidance

- Draft Fire Safety LPG (Feb 2022)
- Draft Housing Design Standards LPG (Feb 2022)

5.3.5 This paragraph incorrectly states that residential space is provided at ground floor level. The final sentence of this paragraph should therefore be removed.

5.3.5 The following sentence should be added to this paragraph: 'Whilst it is noted that the supporting text of Local Plan policy LP27 seeks to avoid basement office space without access to natural light, in this case, the provision of employment space at basement level would be appropriate to the demands of studio occupiers where natural light is often not a requirement. The floor to ceiling heights of these spaces and the overall standard of provision are considered to be of an acceptable quality for this component of the scheme which comprises approximately 20% of the overall commercial provision. It is noted that a similar policy in relation to basement office space was in place when the scheme was last presented to members (DMLP policy DM15).'

5.3.7 The following sentence should be added to this paragraph: 'In order to ensure that the proposed E(g)[i] space will remain in this use class and not benefit from permitted development rights to other uses, a condition is recommended below restricting the use accordingly.'

5.3.14 The following footnote, which provides a supporting quote from the 2020 judgement, should be added to the sentence beginning ‘this is supported by the judgement on the 2020 judicial review...’

1. *‘...it is important to observe that nowhere in any of the policies relied upon by the claimant does the need to protect the specific and bespoke use operated by the claimant, and its particular requirements in relation to accommodation, arise. To that extent, therefore, in my view the officer’s observation in paragraph 5.3.41 was not misleading, nor did it omit or misinterpret the relevant policies which were rehearsed in the committee report. The officers were not suggesting that there was no policy relevant to the claimant’s use of the premises as an employment use, but that there was no policy specific to the claimant’s use specifically.’*

5.3.15 The following sentence should be added to this paragraph: ‘It is noted that when calculating the median figures based on the final proposed floorspace this produces a median number of 321 jobs. When the same calculation is applied to the existing floorspace yields 254 jobs.’

5.2.23 The table at this paragraph incorrectly includes two figures for ‘commercial letting agent fee’. This was a clerical error where the second figure was not correctly stated. The input was correctly identified in the summary report prepared by Savills. For clarity, the correct figures are as follows:

- Commercial Letting Agent Fee 10%
- Commercial Letting Legal Fee 5%

6.2.2 The following paragraph should be added: ‘It is noted that the North London Waste Plan has been adopted by Hackney Council since the Jan 2019 committee (although it has not been fully adopted by all constituent boroughs). The proposal is considered to broadly comply with the principles and aims of the policy in terms of waste hierarchy and circular economy, which will be addressed in further detail through the discharge of condition process.

8.2 The affordable workspace figure is incorrectly stated as 647sqm. This should be 643sqm.

Conditions

The following condition should be added:

9.1.51 Restriction on E(g)[i] use

The parts of the development hereby approved within part G[i] of Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall only operate within that use class and shall not benefit from changes of use granted by the General Permitted Development Order (2015) (as amended)

REASON: To ensure that the development remains in office use as per the objectives of local plan policy in relation to development within Priority Office Areas.

Signed.....

Date.....

ALED RICHARDS
Director, Public Realm

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Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2022/0208	Myddleton Avenue, Hackney, London, N4 2FJ	Works to a Tree in Conservation Area Notification	Removal of trees identified to enable Thames Water to refurbish large diameter assets in the area. Trees will be reinstated to the satisfaction of the estate manager on completion of the water works.	Leif Mortensen	Brownswood Ward	No Objection	01/03/2022
2022/0095	80 Queens Drive, Hackney, London, N4 2HW	Works to a Tree in Conservation Area Notification	Front Garden: T1 Prunus sp. (Cherry) - Height 10m, multi-stem - Crown reduce by 20%, crown thin by 20%	Leif Mortensen	Brownswood Ward	No Objection	28/02/2022
2021/3399	84 Wilberforce Road, Hackney, London, N4 2SR	Works to a Tree in Conservation Area Notification	Limes (T1, T2) -reduce back to previous points of reduction (2-3m reduction). Retain furnishing growth. These trees are low pollards		Brownswood Ward	No Objection	18/02/2022
2020/3747	108 Finsbury Park Road, London, N4 2JT	Full Planning Permission	Erection of replacement single storey ground floor side extension, creation of a lightwell, insertion of rooflights, repositioning of rear wall and elevational alterations to facilitate change of use from storage (B8 use class) to a 3 bed dwelling (C3 use class)	Danny Huber	Brownswood Ward	Granted - Extra Conditions	01/03/2022
2022/0262	74 Cazenove Road, Hackney, London, N16 6AA	Works to a Tree in Conservation Area Notification	Rear Garden: Plum trees (T1, T2) - reduce crowns by 30%/3m	Leif Mortensen	Cazenove Ward	No Objection	01/03/2022
2022/0153	May Court Fountayne Road, Hackney, London, N16 7EB	Works to a Tree in Conservation Area Notification	T1 - Ash tree - crown reduce by 30-40% T2 - Plum tree - crown reduce by 30-40% T3 - Sycamore tree - crown reduce by 30-40% T4 - Plum tree - crown reduce by 30-40% T5 - Ash tree - crown reduce by 30-40%	Leif Mortensen	Cazenove Ward	No Objection	28/02/2022
2022/0002	69 Alkham Road, Hackney, London, N16 6XE	Householder Planning	Construction of a rear roof and outrigger roof extension together with the installation of two front rooflights.	James Clark	Cazenove Ward	Grant	28/02/2022
2021/3720	106 Osbaldeston Road, Hackney, London, N16 6NL	Full Planning Permission	Erection of a rear dormer extension and the installation of two rooflights to the front roof slope.	James Clark	Cazenove Ward	Grant	18/02/2022
2021/3544	58 Chardmore Road, London, N16 6JH	Householder Planning	Erection of single storey ground floor rear extension.	Alix Hauser	Cazenove Ward	Grant	21/02/2022
2021/2537	58 Kyverdale Road, Hackney, London, N16 7AJ	Full Planning Permission	Erection of a part one-, part two- storey extension over lower ground and upper ground floors and erection of rear roof dormer extension to facilitate conversion of dwellinghouse to create 4x self-contained residential units with associated bike and bin storage	Louise Prew	Cazenove Ward	Refuse	22/02/2022
2021/1988	93 Geldeston Road, Hackney, London, E5 8RS	Householder Planning	Erection of a single-storey side and rear extension at ground floor level	Gerard Livett	Cazenove Ward	Granted - Extra Conditions	17/02/2022
2021/3758	61 Hawksley Road, London, N16 0TL	Certificate of Lawful Development Existing/Proposed	Proposed erection of a rear roof extension above the existing outrigger.	Danny Huber	Clissold Ward	Grant	24/02/2022
2021/3384	14 Queen Elizabeths Walk, Hackney, London, N16 0HX	Works to a Tree in Conservation Area Notification	Rear Garden : T1 - Ash, Removal of deadwood as a result of dieback and 'growth stress', reduce back to sound wood crown balance to a natural shape and let to regrow.	Leif Mortensen	Clissold Ward	No Objection	18/02/2022
2022/0150	Unit 10, Stamford Works Gillett Street, Hackney, London, N16 8JH	Discharge of Condition	Submission of details pursuant to condition 3 (External Materials) attached to planning permission 2021/2940 dated 25/11/2021.	James Clark	Dalston Ward	Grant	28/02/2022
2021/3731	85 Forest Road, Hackney, London, E8 3BT	Certificate of Lawful Development Existing/Proposed	Existing operation (hard surface area) in the front of the property; Replacement hard surfacing associated with the path leading to the front door; Hard surfaced area to rear garden; Improvement and alterations to front wall and front side wall (retrospective)	Raymond Okot	Dalston Ward	Grant	01/03/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3712	85 Forest Road, Hackney, London, E8 3BT	Householder Planning	Refuse storage unit - retrospective consent.	Erin Glancy	Dalston Ward	Granted - Standard Conditions	25/02/2022
2021/3468	18 Parkholme Road, Hackney, London, E8 3AG	Householder Planning	Erection of rear dormer roof extension and insertion of rooflights in rear roofslope; removal of window railings on front and rear elevations	Gerard Livett	Dalston Ward	Granted - Extra Conditions	24/02/2022
2021/3390	18 Parkholme Road, Hackney, London, E8 3AG	Householder Planning	Erection of single-storey rear extension at lower ground floor level; replacement windows; removal of paint; changes to front garden landscaping including cycle and refuse store	Gerard Livett	Dalston Ward	Granted - Extra Conditions	24/02/2022
2021/3372	19 Elrington Road, Hackney, London, E8 3BJ	Works to a Tree in Conservation Area Notification	T1 Eucalyptus, reduce to previous points, approx. 1m T2 Acer, reduce to previous points, approx. 1m T3 Fig, reduce to previous points, approx. 0.5m T4 Ash, reduce to previous points, approx. 1m	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3371	Flat A, 49 Dalston Lane, Hackney, London, E8 2NG	Works to a Tree in Conservation Area Notification	T1 Ailanthus, pollard to 6m - as per tree report	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3365	27 Parkholme Road, Hackney, London, E8 3AG	Works to a Tree in Conservation Area Notification	T1 Bay, reduce by 0.5m T2 Willow, reduce by 1m T3 Prunus, reduce by 1m G1 Birch reduce lateral branches by 0.5m	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3299	Flat B, 23 Graham Road, Hackney, London, E8 1DA	Full Planning Permission	Installation of replacement windows on the front, side and rear elevations.	James Clark	Dalston Ward	Grant	28/02/2022
2021/3226	9 St Marks Rise, Hackney, London, E8 2NJ	Works to a Tree in Conservation Area Notification	T1 - rear garden - Sorbus - reduce by 30% 1-2m from branch ends - remove waste	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3221	67 Sandringham Road, Hackney, London, E8 2LL	Works to a Tree in Conservation Area Notification	Tree located in the car park area: We inspected this site & advise: T1 - Medium Self-set multi-stem Sycamore & adjacent Saplings -Fell as close as possible to ground level & apply herbicide	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3122	16 Parkholme Road, Hackney, London, E8 3AG	Works to a Tree in Conservation Area Notification	T1 Apple reduce crown by 0.5m Green Gage reduce crown by 1m Damson thin by 20%	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3065	2 Lansdowne Drive, Hackney, London, E8 3EZ	Works to a Tree in Conservation Area Notification	T1: Eucalyptus - Previous tree management has left no suitable growth points. Tree is showing signs of decline and dieback. Suggestion is for tree to be felled to ground level. T2: Cherry - Thin by 20%, remove deadwood. T3: Lime - reduce height by 2m, back to previous pruning points, remove deadwood and thin by 20%. T4: Cherry - reduce height by 2m, reduce back from building by approx 1.5m. T5: Robinia/False Acacia - reduce by 1.5-2m, lift crown by 2.5m on roadside to height of street ligh	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3036	49 Parkholme Road, Hackney, London, E8 3AQ	Works to a Tree in Conservation Area Notification	2 x Lime - Crown reduce height and spread by 25% (approx. 1.2-1.5m) Maintenance works in line with good Arboricultural practice	Leif Mortensen	Dalston Ward	No Objection	18/02/2022
2021/3029	380a Queensbridge Road, Hackney, London, E8 3AR	Works to a Tree in Conservation Area Notification	2 x Lime - Reduce the extremities of the branches growing towards and over the studio roof by 1.5-2m Maintenance works in line with good Arboricultural practice	Leif Mortensen	Dalston Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2022/0268	Dover Court, 104 - 108 Southgate Road, Hackney, London, N1 3JA	Works to a Tree in Conservation Area Notification	Front Garden: Willow (T1) - Re-pollard to previous cuts. T2- Crab apple - Reduce crown back to previous cuts (1.5m reduction). To let more light into all the flats in the block	Leif Mortensen	De Beauvoir Ward	No Objection	01/03/2022
2022/0106	102 Downham Road, Hackney, London, N1 5BE	Householder Planning	Construction of a single storey rear extension together with alterations to the rear fenestration.	James Clark	De Beauvoir Ward	Grant	28/02/2022
2022/0029	1 De Beauvoir Square, Hackney, London, N1 4LG	Works to Tree with Preservation Order	Front Garden: (TPO 2 2010) T1 - Lime tree (Linden / Tiliaceae) - Crown Reduce by 3 Metres crown thinning by removing of crossing and rubbing branches (25%) , removal of epicormic growth to crown break, reduce slightly away from the street light. Rear Garden: T2 - (TPO 2 2010) :Sycamore (Acer pseudoplatanus) Crown Reduce by 3 metres and thinning by removing crossing and rubbing branches (25%) - Rear Garden - T3 - Tree of Heaven (Ailanthus altissima), Crown reduce by 3 metres and thinning by removal of crossing and rubbing branches(25%)	Leif Mortensen	De Beauvoir Ward	Granted - Standard Conditions	28/02/2022
2022/0001	104 De Beauvoir Road, Hackney, London, N1 4DJ	Works to a Tree in Conservation Area Notification	Front Garden : T1-Magnolia -the tree is overgrown and following the advice of a professional tree surgeon should be pruned by an overall crown reduction by 2 metres reshape the crown to a natural shape , reduce back overhanging branches to the neighboring property to boundary crown thinning by removal of all deadwood and rubbing and crossing branches,(10-15%) crown lift over footpath to 2 metres	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3559	160 Southgate Road, Hackney, London, N1 3HX	Works to a Tree in Conservation Area Notification	T1 lime tree in the front garden. Routine maintenance: re-pollard, i.e. remove about 2-3m regrowth, so reducing the height from about 12m to 9m. T2 bay tree in back garden. Light trim to reshape, reducing by about 1m all round reducing height from 8m to 7m.	Eugene McGee	De Beauvoir Ward	No Objection	01/03/2022
2021/3546	23 De Beauvoir Square, Hackney, London, N1 4LE	Works to a Tree in Conservation Area Notification	1 x Gelditsia - Reduce the unruly sections left from past pruning to balance and shape Reduce the crown spread to balance and shape 1 x Large Tulip - Remove the low branch on the left side which has been damaged by squirrels 2 x Birches - Reduce the height by 1-1.2m to shape from past poor pruning Reduce the crown spread to balance and shape Maintenance works in line with good Arboricultural practice	Eugene McGee	De Beauvoir Ward	No Objection	01/03/2022
2021/3504	58 De Beauvoir Road, Hackney, London, N1 5AT	Works to a Tree in Conservation Area Notification	Front Garden: Sycamore T1 - reduce the crown of the tree back to the most recent points of reduction (4 metres)	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3495	60 Ufton Road, Hackney, London, N1 4HH	Works to a Tree in Conservation Area Notification	Rear Garden : Birch (T1) - reduce crown by 1-2m to create uniform shape, thin crown by 15-20% Front Garden : Medlar (T2) - reduce by 1-2m	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3479	59 Buckingham Road, Hackney, London, N1 4JG	Works to a Tree in Conservation Area Notification	Rear Garden: T1-Mimosa Reduce in height by 4-5m and laterally by 1-2m from branch tips to create a more compact and manageable shape	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3466	4 Ufton Grove, Hackney, London, N1 4HG	Works to a Tree in Conservation Area Notification	Cherry tree- Fell Reason: interfering with telephone lines, pushing against boundary wall, creating slip hazard due to over shading of the flag stones	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3331	26 De Beauvoir Square, Hackney, London, N1 4LE	Works to a Tree in Conservation Area Notification	Ailanthus (T3) - remove/crown lift branches on East side of tree (overhanging 25 De Beauvoir Square) to a height of 7m from ground level	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3297	35 Northchurch Terrace, London, N1 4EB	Discharge of Condition	Submission of details pursuant to condition 5 (Details of windows, doors, railings, front steps, internal staircase, bike store and fanlights) attached to planning permission 2020/3790 dated 08/02/2021.	Alix Hauser	De Beauvoir Ward	Grant	25/02/2022
2021/3291	25 De Beauvoir Square, Hackney, London, N1 4LE	Works to a Tree in Conservation Area Notification	Beech (T2) - crown lift to 6m from ground level, crown thin by 25-30%	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3288	24 De Beauvoir Square, Hackney, London, N1 4LE	Works to a Tree in Conservation Area Notification	Cherry Plum (T1) - Reduce branches growing over garden of 25 De Beauvoir Square (West side of tree) by approx. 2m, or back to boundary fence.	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3275	3 Buckingham Road, Hackney, London, N1 4DG	Works to a Tree in Conservation Area Notification	Sycamore tree in back garden: Raise lower canopy to approximately 4 meters, shorten back limbs overhanging neighbouring property by approximately 1.5meters. Remove dead wood. Hawthorn in front garden: Raise lower canopy to approximately 4 meters, reduce remaining crown by 20%.	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3110	St Peters Vicarage, 86 De Beauvoir Road, Hackney, London, N1 5AT	Works to a Tree in Conservation Area Notification	2 x London Plane - Crown reduce height and spread back to the most recent reduction points (approx. 2-2.5m) leaving small furnishing growth where possible Maintenance works in line with good Arboricultural practice 1 x Large Elderberry - Cut the entire tree down to ground level This tree is a very poor specimen 1 X Birch - Remove 2 low branches Maintenance works in line with good Arboricultural practice 1 x Oak - Remove 3 low branches Maintenance works in line with good Arboricultural practice 3 x Large Leylandii Cypress - Cut the entire tree to ground level Plant and grown as a hedge and they have now outgrown their usefulness. The trees are blocking out light to neighbouring properties	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3093	Our Lady And St Joseph Primary School Buckingham Road, Hackney, London, N1 4JB	Works to a Tree in Conservation Area Notification	Alder - This tree is dead Cut the entire tree to ground level Ailanthus - Crown reduce the height by 3-3.5m Reduce the crown spread to balance and shape Thin throughout the crown by 10% Maintenance works in line with good Arboricultural practice	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3073	3 Culford Grove, Hackney, London, N1 4HR	Works to a Tree in Conservation Area Notification	Robinia (T1) - reduce crown by approx. 3m (not beyond previous points of reduction), whilst retaining furnishing growth. Thin crown by removal of 25-30% of epicormic growth. Prune clear of property by 2m, and crown lift to 5m from ground level	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/3047	14 Southgate Grove, Hackney, London, N1 5BP	Works to a Tree in Conservation Area Notification	T1 (front of 14) Lime, reduce to previous points, approx. 1.5m T2 (front of 16) Lime, repollard.	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2021/2993	5 Orchard Mews, Hackney, London, N1 5BS	Works to a Tree in Conservation Area Notification	Malus Tschonoskii - Crown reduce the height back to the previous reduction points (approx. 1.5-2m), leaving small furnishing growth where possible Reduce the crown spread to balance and shape Remove selective low branches Maintenance works in line with good Arboricultural practice	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/1357	134 Tottenham Road, London, N1 4DY	Householder Planning	Replacement of existing front boundary treatment and alterations to front landscaping	Danny Huber	De Beauvoir Ward	Granted - Standard Conditions	01/03/2022
2021/3125	35 Northchurch Road, Hackney, London, N1 4EB	Works to a Tree in Conservation Area Notification	Large Lime (Front) - Crown reduce the height and spread by 25% (approx. 2.5-3.5m) Thin throughout the crown by 15% Remove the low branches overhanging the pavement and road to give a clearance of 3m and 6m respectively Sycamore - Crown reduce the height and spread by 20% (approx. 2-2.5m) Reduce the branches growing towards the house to give a clearance of 2-3m Thin throughout the crown by 10% Lime (Rear) - Crown reduce the height and spread by 33% (approx. 3-3.5m) Reduce the extremities of the branches growing towards and over the neighbouring property to give a clearance of 1.5-2m Thin throughout the crown by 10% Maintenance works in line with good Arboricultural practice	Leif Mortensen	De Beauvoir Ward	No Objection	18/02/2022
2022/0255	16 Navarino Road, Hackney, London, E8 1AD	Works to a Tree in Conservation Area Notification	Rear Garden: T1 - Large Beech (ivy clad) - Reduce crown height & spread by 2-3 meters. Sever & shave off excess Ivy.	Leif Mortensen	Hackney Central Ward	No Objection	01/03/2022
2022/0143	62 Amhurst Road, Hackney, London, E8 1JH	Works to a Tree in Conservation Area Notification	Rear Garden - T1 - Bay, Fell, tree is dominating 2 gardens and was never intended to be such a gigantic tree so close to properties causing so much detritus		Hackney Central Ward	No Objection	28/02/2022
2021/3626	234 Dalston Lane, Hackney, London, E8 1LA	Works to Tree with Preservation Order	2 x Limes Left hand tree - Remove basal and epicormic growth up to crown break. Remove lowest branch on the northeast side overhanging neighbouring property. Right hand tree - Remove basal and epicormic growth up to crown break. Remove dead branch SW side. Reason - tree maintenance	Leif Mortensen	Hackney Central Ward	Granted - Standard Conditions	18/02/2022
2021/3541	76a Downs Park Road, Hackney, London, E8 2HZ	Works to a Tree in Conservation Area Notification	London Plane (T1) - Re-Pollard to most recent pruning points, removing dead and diseased branches.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3513	74 Navarino Road, Hackney, London, E8 1AQ	Works to a Tree in Conservation Area Notification	Front Garden: T1 - Lime - Remove tree as it has pushed over the wall, grows into the pavement every single year, and interferes with the railway. Replace with Amelanchier or Liquidambar.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3337	48 Navarino Road, Hackney, London, E8 1AD	Works to a Tree in Conservation Area Notification	Trees located at the front garden: We inspected this site & advise: T1 & T2 - X2 Large Limes -Remove all regrowth formed since last works (approx. 2-3meters) back to original pruning points to leave a bare framework for future management. -Remove trunk & basal growth.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3247	42 Greenwood Road, Hackney, London, E8 1AB	Works to a Tree in Conservation Area Notification	T1: Lime x 2: Remove new growth back to previous points of reduction, retaining 50% of shortened growth for a natural flowing canopy outline.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3235	133 Richmond Road, Hackney, London, E8 3NJ	Works to a Tree in Conservation Area Notification	Trees located in the rear garden: We inspected this site & advise: T1 & T2 - X2 Large Cedars -Selectively reduce crown laterals, elongated limbs by 2-3 metres where required to ease weight. -Remove damaged limb, remove major deadwood.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3133	Victoria Mews Dalston Lane, Hackney, London, E8 1GP	Works to a Tree in Conservation Area Notification	Sycamore T1(16M high, 600mm dia.) - overhanging Dalston lane. Reduce the crown of the tree back to the the previous points of reduction (4 to 6 metres)	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3098	58 Wilton Way, Hackney, London, E8 1BL	Works to a Tree in Conservation Area Notification	T681 Monterey cypress - reduce lateral limbs by 3m on lower crown to clear property. Crown raise to 4m above ground level T683 Elder - reduce crown by 2m in height and spread to manage in proximity to property	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3090	2, Wyles House Prodigal Square, Hackney, London, E8 1FU	Works to a Tree in Conservation Area Notification	T1 - Beech tree - rear garden - Ariel inspection light reduction of tips growing toward building and neighbouring garden 1 - 2 m from branch ends. Remove dead wood and rubbing and crossing limbs. removal of waste.	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/3041	147 Graham Road, Hackney, London, E8 1PD	Works to a Tree in Conservation Area Notification	Limes (T1, T2) - reduce crowns to points of previous reduction, (2-3m branch removal. 15-20% reduction) Thin by removal of 25-30% of epicormic growth, crown lift to 5m from ground level Juniper (T3) - fell due to poor form and low amenity value	Leif Mortensen	Hackney Central Ward	No Objection	18/02/2022
2021/2650	Flat A, 61 Greenwood Road, Hackney, London, E8 1NT	Full Planning Permission	Construction of a single-storey rear outbuilding following the demolition of an existing outbuilding.	Danny Huber	Hackney Central Ward	Refuse	18/02/2022
2022/0263	63 Benthall Road, Hackney, London, N16 7AR	Works to a Tree in Conservation Area Notification	Rear Garden: T1 - Large Lime - Reduce crown height by 3meters (1meter beyond old pruning points) - Reduce laterals by 2meters (regrowth) back to original pruning points.	Leif Mortensen	Hackney Downs Ward	No Objection	01/03/2022
2022/0217	96 Brooke Road, Hackney, London, N16 7RT	Works to a Tree in Conservation Area Notification	Cherry Tree located in front garden of 96 Brooke Road reduce & reshape by 25% to maintain suitable size/shape for the garden. 1 - 2 m from branch ends - ensure crown is clear of foot path	Leif Mortensen	Hackney Downs Ward	No Objection	01/03/2022
2021/3465	14 Ickburgh Road, Hackney, London, E5 8AD	Works to a Tree in Conservation Area Notification	T1 - Cherry Tree - Fell Tree - Trunk Decay due to fire damage and the tree is liable to fail at the crown break point T2 - Sycamore Tree - Fell Tree - Decay in trunk and poor structure T3 - Apple Tree - Fell Tree - Poor Structural form and low vigour T4 - Sycamore Tree - Remove - Embedded tire and potential failure points could cause damage to neighbouring properties.	Leif Mortensen	Hackney Downs Ward	No Objection	18/02/2022
2021/3442	113 Brooke Road, Hackney, London, N16 7RJ	Full Planning Permission	Replacement of all windows with double glazed timber windows.	Danny Huber	Hackney Downs Ward	Granted - Standard Conditions	01/03/2022
2021/3409	Flat A, 92 Brooke Road, Hackney, London, N16 7RT	Works to a Tree in Conservation Area Notification	T1 Acer Reduce crown to clear building by maximum 3m reducing back to appropriate pruning points. Reduce remaining crown by maximum 3m to balance canopy Crown raise to 3m above ground level	Leif Mortensen	Hackney Downs Ward	No Objection	18/02/2022
2021/3392	117 Evering Road, Hackney, London, N16 7SL	Works to a Tree in Conservation Area Notification	All four trees have grown too large for the garden, and need to be crown reduced to allow more light and space into garden. T1- large sycamore, two metre crown reduction. T2- large sycamore, two metre crown reduction. T3- large sycamore, two metre crown reduction. T4- large sycamore, two metre crown reduction.	Leif Mortensen	Hackney Downs Ward	No Objection	18/02/2022
2021/3203	17 Stoke Newington Common, Hackney, London, N16 7ER	Works to a Tree in Conservation Area Notification	Prune sycamore tree within our boundary wall back to previous reduction points	Leif Mortensen	Hackney Downs Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3108	209 Evering Road, Hackney, London, E5 8AL	Works to a Tree in Conservation Area Notification	T1 Populus nigra (Black Poplar) - Height 24m, Diameter 1.4m - Re-pollard back to 10-11m T2 Laurus nobilis (Bay) - Height 6m, Diameter 10cm - Trim and shape to previous points	Leif Mortensen	Hackney Downs Ward	No Objection	18/02/2022
2021/3070	47 Walsingham Road, Hackney, London, E5 8NE	Householder Planning	Increasing the roof height of existing conservatory by 500 mm	Louise Prew	Hackney Downs Ward	Granted - Standard Conditions	22/02/2022
2021/3018	141 Evering Road, London, N16 7BU	Non-Material Amendment	Non-material amendment to planning permission 2020/3363 granted on 12/04/2021. The amendment seeks to make alterations to the design and number of approved windows, install a wood burner flue and reposition the bin store to accommodate a fixed ladder as means of escape from the basement front light well.	Alix Hauser	Hackney Downs Ward	Withdrawn Decision	24/02/2022
2021/2445	Flats 1-4 Joshua House, 40b Evering Road, Hackney, London, N16 7SR	Full Planning Permission	Replace communal front entrance door with steel alternative.	James Clark	Hackney Downs Ward	Withdrawn Decision	18/02/2022
2021/2236	143 Evering Road, Hackney, London, N16 7BL	Full Planning Permission	Erection of lower and upper ground floor rear extensions, erection of a rear dormer roof extension, installation of rooflights in the front and side roof slopes, excavation at the front of the property to increase the size of the lightwell and a door provided, cycle stands in the front garden, landscaping at the rear of the property, internal reconfiguration to enable the conversion from 6 residential units into 5 residential units.	Raymond Okot	Hackney Downs Ward	Granted - Standard Conditions	28/02/2022
2021/2011	Flat 3, 66 Reighton Road, Hackney, London, E5 8SG	Full Planning Permission	Proposed loft conversion with front and rear mansard roof, floor plan redesign and all associated works.	Erin Glancy	Hackney Downs Ward	Granted - Extra Conditions	25/02/2022
2021/1672	40 Ickburgh Road, Hackney, London, E5 8AD	Householder Planning	Demolition and reconstruction of a rear extension and outbuilding. Insertion of two rear and two front rooflights. Replacement of windows in front and rear with double glazed timber framed windows. Removal of front door to reinstate original porch and installation of new front door. Erection of new front boundary treatment with bike store to the front garden.	Raymond Okot	Hackney Downs Ward	Granted - Standard Conditions	25/02/2022
2020/3396	58 Rectory Road, Hackney, London, N16 7SH	Full Planning Permission	Extension of the existing basement, creation of lightwells to the front and rear of the property and internal alterations of the existing flats.	Raymond Okot	Hackney Downs Ward	Granted - Standard Conditions	18/02/2022
2022/0050	23 Danesdale Road, Hackney, London, E9 5DB	Works to a Tree in Conservation Area Notification	Front Garden : T1 - Large Ailanthus --Reduce crown height & sides by 2 metres. -Pruning back to a suitable selective secondary growth to leave a smaller & neater canopy growth Rear Garden : T2 - Extra Large Sycamore --Reduce crown height & sides by 1-2 metres. -Pruning back to a suitable selective secondary growth to leave a smaller & neater canopy growth.	Leif Mortensen	Hackney Wick Ward	No Objection	28/02/2022
2021/3597	35 Cassland Road, Hackney, London, E9 7AL	Works to a Tree in Conservation Area Notification	T1 Bay - reduce & shape crown by 1-2m, 10-20% T2 - Sycamore - Thin crown by 15-20%	Eugene McGee	Hackney Wick Ward	No Objection	01/03/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3505	25 Meynell Crescent, Hackney, London, E9 7AS	Works to a Tree in Conservation Area Notification	Reduction : To crown reduce mature Himalayan Birch located on the rear boundary by 2-2.5m . All branches will be pruned to appropriate growth points. All works will be carried out to British Standard 3998: 2010 Tree work recommendations. Reduction : To selectively reduce mature Acer Palmatum located on the left hand rear boundary by 1-1.5m . All branches will be pruned to appropriate growth points. All works will be carried out to British Standard 3998: 2010 Tree work recommendations.	Leif Mortensen	Hackney Wick Ward	No Objection	18/02/2022
2020/3922	27 and 28 Cadogan Terrace, Hackney, London, E9 5EG	Full Planning Permission	Erection of single storey lower ground floor side and rear extensions and conversion of existing 10x bed HMO into 6x self contained residential units. Creation of new cycle, refuse and recycling storage in front garden.	Micheal Garvey	Hackney Wick Ward	Refuse	21/02/2022
2022/0057	129 Pritchard's Road, London, E2 9AP	Full Planning Permission	Erection of two additional storeys at fourth and fifth floor level to the rear of the existing building to provide 10 x 1-bed residential units.	Alix Hauser	Haggerston Ward	Withdrawn Decision	24/02/2022
2022/0036	Haggerston Secondary School Weymouth Terrace, Hackney, London, E2 8LS	Listed Building Consent	The proposal is to replace the existing CCTV cameras with new cameras to suit the requirements all concerned parties and duty holders.	Timothy Walder	Haggerston Ward	Grant	18/02/2022
2021/3433	31 Brownlow Road, Hackney, London, E8 4NS	Works to a Tree in Conservation Area Notification	Hornbeam. Routine maintenance: reduce back to previous reduction points, maintaining shorter branches. This will mean removing regrowth about 1m long, reducing the height of the tree from 6m to 5m.	Eugene McGee	Haggerston Ward	No Objection	28/02/2022
2021/3397	201 - 203 Hackney Road, Hackney, London, E2 8JL	Non-Material Amendment	Non-material amendment to planning permission 2018/0079 for the demolition of the existing building and erection of a 4 storey plus basement building with a reconstructed front facade to accommodate offices (b1 Use Class) at ground and basement floor levels, and 7 self contained dwellings (C3 Use Class)) on the upper floors, including terraces to the rear at 1st, 2nd and 3rd floor level granted 31/08/2018. The amendment would add a shutter to close off the recessed porch and retain the shopfront at 201-203.	Erin Glancy	Haggerston Ward	Withdrawn Decision	25/02/2022
2021/3408	1-3 Chatsworth Road London E5 0LH	Removal/Variation of Condition(s)	Variation of condition 2 (development according to the approved plans) of planning permission 2018/3247 granted on 31/10/2018. The variation would involve the enlargement of the approved outbuilding, alteration to entrance door and installation of skylights to the approved outbuilding.	Raymond Okot	Homerton Ward	Granted - Standard Conditions	18/02/2022
2021/3195	Flat 2, 22 Sutton Place, Hackney, London, E9 6EH	Works to a Tree in Conservation Area Notification	GI = To Reduce 1 X Laurel by 1.5/2.0Mtrs & Shape Light Access General Maintenance	Leif Mortensen	Homerton Ward	No Objection	17/02/2022
2021/3192	49 Sutton Square, Urswick, Hackney, London, E9 6EQ	Works to a Tree in Conservation Area Notification	a) 1 x Bay Tree at back right of house and marked 2 on the map. We have had a tree surgeon round who has given us two options: OPTION 1: Reduce by 2 metres and re-shape OPTION 2: Remove one main stem and reduce and re-shape remaining crown We are seeking consent to both options. b) 1 x Cherry Tree at the right hand side of the house and marked 1 on the map- we would like to remove one limb away from house.	Leif Mortensen	Homerton Ward	No Objection	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3119	9 Isabella Road, Hackney, London, E9 6DX	Works to a Tree in Conservation Area Notification	T1 Privet , T2 Buddleja, T3 Elder Reduce height by 2 Meters and lateral spread by 1 Meter	Leif Mortensen	Homerton Ward	No Objection	18/02/2022
2021/2879	59 Lyme Grove, Hackney, London, E9 6PX	Householder Planning	Refurbishment of external facade of building, refurbishment to existing windows: replacement of existing balustrade at first floor level, replace existing with new rainwater goods; removal and replacement of existing boundary wall (Brenthouse Road); replacement of timber fence (Lyme Grove) with new wall; new gate to rear garden; replacement of an existing roof and erection of new balustrade at roof level to create roof terrace.	Micheal Garvey	Homerton Ward	Granted - Extra Conditions	23/02/2022
2022/0016	4 Kingsland Road, Hackney, London, E2 8DA	Certificate of Lawful Development Existing/Proposed	Certificate of lawful proposed use as Class E virtual reality gaming centre at 4, 4a Kingsland Rd, London E2 8DA.	Jonathan Bainbridge	Hoxton East and Shoreditch Ward	Grant	01/03/2022
2022/0009	Kayam House, 6 Paul Street, Hackney, London, EC2A 4JH	Advertisement Consent	Display of 1 non-illuminated fascia sign.	Raymond Okot	Hoxton East and Shoreditch Ward	Grant	01/03/2022
2021/3743	43 Hackney Road, Hackney, London E2 7NX	Advertisement Consent	Advertisement Consent for the retrospective installation of internally illuminated hanging sign and fascia.	Erin Glancy	Hoxton East and Shoreditch Ward	Refuse	17/02/2022
2021/3564	198 Hoxton Street, Hackney, London, N1 5LH	Full Planning Permission	Conversion of existing unit on first to third floors to three self-contained studio flats, refurbishment of first floor rear terrace and replacement of windows and rooflights.	Alix Hauser	Hoxton East and Shoreditch Ward	Withdrawn Decision	24/02/2022
2021/3191	5 - 9 Great Eastern Street, Hackney, London, EC2A 3EJ	Advertisement Consent	Installation of externally illuminated fascia and projecting signs	Raymond Okot	Hoxton East and Shoreditch Ward	Grant	17/02/2022
2021/3040	Gainsborough Wharf, Gainsborough Wharf Wiltshire Row, Hackney, London, N1 5EZ	Works to a Tree in Conservation Area Notification	T1 - Large leaning Elder by stairs - Remove dead sections over canal retaining branches with live growth of over 50%. This will leave the tree looking very bare as most of the tree has died back but it hopefully will regenerate when it gets more light onto the stems. T2 - X2 Elders - Raise crowns over river to give a lift to the height of bridge (approx 6m). Remove dead wood over 2" in diameter. Raise crown over footpath to give clearance of approx 3m.	Leif Mortensen	Hoxton East and Shoreditch Ward	No Objection	18/02/2022
2021/2967	84 - 86 Great Eastern Street and 1 - 3 Rivington Street	Discharge of Condition	Submission of partial details pursuant to condition 9 (detailed design - excluding signage) attached to planning permission 2018/4549 dated 29/03/2019	Louise Prew	Hoxton East and Shoreditch Ward	Grant	18/02/2022
2021/3050	17-33 Westland Place, Hackney, London, Hackney, N1 7LP	Discharge of Condition	Submission of details pursuant to condition 10 (Cycle storage) of planning permission 2019/1733 dated 14/02/2020	Louise Prew	Hoxton West Ward	Grant	18/02/2022
2021/3589	103a Glyn Road, London, E5 0JA	Householder Planning	Erection of a replacement single-storey ground floor side extension; rear elevational alterations comprising replacement window and doors, timber decking and replacement balustrade to terrace and insertion of window to second floor rear	Danny Huber	Kings Park Ward	Granted - Standard Conditions	21/02/2022
2021/3310	Colne House, 40 Colne Road, London, E5 0HR	Discharge of Condition	Submission of details pursuant to condition 3 (details of dormer windows and materials) attached to permission ref 2021/2468 dated 06/10/2021	Danny Huber	Kings Park Ward	Grant	23/02/2022
2022/0006	49 Thistlewaite Road, Hackney, London, E5 0QG	Certificate of Lawful Development Existing/Proposed	Certificate of Lawful Development (Proposed) rear dormer roof extension and rooflights.	Erin Glancy	Lea Bridge Ward	Grant	01/03/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3657	88 Mildenhall Road, Hackney, London, E5 0RU	Full Planning Permission	Construction of a ground floor single-storey rear extension together with the reconstruction of the infill extension. Demolition of existing rear mono pitched addition and creation of a rear lightwell. The proposal will also amalgamate the existing flats into a single dwellinghouse.	James Clark	Lea Bridge Ward	Grant	24/02/2022
2021/3424	Flat B, 123 Chatsworth Road, Hackney, London, E5 0LA	Full Planning Permission	Erection of a roof extension; formation of a roof terrace to the front; raising of party walls at roof level	Danny Huber	Lea Bridge Ward	Granted - Standard Conditions	18/02/2022
2021/3241	Flat A, 92 Rushmore Road, Hackney, London, E5 0EX	Full Planning Permission	Single storey side-return rear extension together with the removal of a tree and landscaping to the rear garden.	James Clark	Lea Bridge Ward	Grant	23/02/2022
2021/3236	Flat A, 92 Rushmore Road, Hackney, London, E5 0EX	Full Planning Permission	Erection of single-storey garden studio, together with the removal of a tree and rear garden landscaping works.	James Clark	Lea Bridge Ward	Grant	23/02/2022
2021/2850	69 Chatsworth Road, Hackney, London, E5 0LH	Full Planning Permission	Reconfiguration of basement and ground floor together with the demolition of part of the rear extension to create a lightwell to the rear.	James Clark	Lea Bridge Ward	Granted - Extra Conditions	17/02/2022
2022/0168	102 Middleton Road, Hackney, London, E8 4LN	Works to a Tree in Conservation Area Notification	Front Garden: T1. Stags-horn Sumach (Rhus typhina - fell because front garden is being redesigned as per approved Hackney planning application Reference:2021/2894. Will be replaced by multiple shrubs and bushes. Rear Garden: T2. Wild Cherry (Prunus Avium) - fell due to rear garden redesign and the cherry tree is planted in a raised concrete bed which is c.60 cm above the level of the garden - hence the tree is providing excessive shade to both our property and the neighbouring property. It will be replaced by 6 apple fruit trees. Please see attached documents explaining more details	Leif Mortensen	London Fields Ward	No Objection	28/02/2022
2022/0078	160 Richmond Road, Hackney, London, E8 3HN	Works to a Tree in Conservation Area Notification	Rear Garden: T2 Robinia - Fell to ground level - Shading of retained trees T1 and T3 T3 Apple - Crown reduction by up to 1 meter T4 Robinia - Fell to ground level - Shading of retained trees T1 and T3 T5 Cypress - Fell to ground level T6 Pine - Fell to ground level (May be under 100mm DBH) T7 Magnolia - Crown reduction by up to 1 meter, 10% thin. T8 Dead, Ivy covered species unknown - Fell to ground level T9 Twin stem Cherry - Fell to ground level (Historic stem failure, very poor condition). All trees are of low amenity value and are subject to complaints from neighbours. Once landscaping is complete, the client will look to replace with 2 x Cherry species, Standard form, 8-10cm dbh minimum.	Leif Mortensen	London Fields Ward	No Objection	28/02/2022
2021/3652	116 Mapledene Road, Hackney, London, E8 3LL	Works to a Tree in Conservation Area Notification	T1 Bay, overall crown reduction by 0.5m	Eugene McGee	London Fields Ward	No Objection	28/02/2022
2021/3644	46 Albion Drive, Hackney, London, E8 4LX	Works to a Tree in Conservation Area Notification	Cherry plum: dismantle and remove tree, grind stump to 40mm below ground level	Eugene McGee	London Fields Ward	No Objection	01/03/2022
2021/3623	8 Rochford Walk, Hackney, London, E8 3HG	Full Planning Permission	Erection of a single-storey rear extension at lower ground floor level	Danny Huber	London Fields Ward	Granted - Standard Conditions	22/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3601	220 Richmond Road, Hackney, London, E8 3QN	Works to a Tree in Conservation Area Notification	Eucalyptus (T1) - fell. The tree is leaning on the boundary wall and hangs most of the way over the neighbour's garden. It has grown too big for the space.	Eugene McGee	London Fields Ward	No Objection	28/02/2022
2021/3596	218 Richmond Road, Hackney, London, E8 3QN	Works to a Tree in Conservation Area Notification	Birch (T1) - fell. The tree is blocking light to the adjacent garden. Removal will allow for planting of various shrubs.	Eugene McGee	London Fields Ward	No Objection	01/03/2022
2021/3591	Flat A, 142 Richmond Road, Hackney, London, E8 3HN	Works to a Tree in Conservation Area Notification	Sycamore (T1) - reduce crown by 2-3m/15-20% (not beyond previous points of reduction)	Eugene McGee	London Fields Ward	No Objection	01/03/2022
2021/3572	23 Gayhurst Road, London, E8 3EH	Householder Planning	Erection of single storey rear extension and excavation of basement and front lightwell.	Alix Hauser	London Fields Ward	Granted - Standard Conditions	17/02/2022
2021/3511	23 Gayhurst Road, Hackney, London, E8 3EH	Works to a Tree in Conservation Area Notification	The tree is an apricot tree. 'T1' on the attached plan. We intend to remove the tree and grind the stump in to the ground. As much as we love gardens and greenery this tree has been left by the previous owners as a 7 foot stump with a few spindly branches on top as you will see from the pictures. The previous planning application submitted in 2017 described the tree as a 6ft 'habitat pole'. The tree in its current form will be attracting no habitat and is not even working to suck in any CO2 due to its lack of branches	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3453	9 Parkholme Road, Hackney, London, E8 3AD	Works to a Tree in Conservation Area Notification	Front Garden: T1 Magnolia, crown reduce by 1m	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3277	54 Gayhurst Road, Hackney, London, E8 3EL	Works to a Tree in Conservation Area Notification	T1 - Rear garden - Prunus species (purple plum) -30% reduction - part of staged reduction, 1m beyond most recent pruning points (3 - 4 m from branch ends)	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3225	5 Albion Square, Hackney, London, E8 4ES	Works to a Tree in Conservation Area Notification	T1) Cotoneaster – Prune to previous pruning points by reducing height by 2.0m and lateral growth by 1.5m T2) Cotoneaster (leaning) – Fell to near ground level and treat stump T3) Magnolia grandiflora – Light prune by reducing height by 0.5m and lateral growth by 0.5m T4) Cotoneaster (back right) – Reduce height by 2.0m (previous pruning points) and reduce front growth by 1.0m (retain back growth for screening) T5) Cotoneaster (back left) – Reduce height by 2.0m (previous pruning points) and reduce front growth by up to 2.0m (retain back growth for screening)	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3223	116 Albion Drive, Hackney, London, E8 4LY	Works to a Tree in Conservation Area Notification	Front and rear garden with access via the flats T1 - Medium self-sown Sycamore, that is growing out of the brick wall -Fell as close as possible to the brick wall and treat the stump to prevent regrowth. T2 - Large Ash that is lifting the pathway and surrounding services -Fell as close as possible to ground level and treat the stump to prevent regrowth.	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3153	All Saints Church Haggerston Road, Hackney, London, E8 4EP	Works to Tree with Preservation Order	London Plane - Crown reduce the height by 12-14m Reduce the remaining crown spread to balance and shape- this is based on the tree report.	Leif Mortensen	London Fields Ward	Granted - Standard Conditions	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3148	178 Richmond Road, Hackney, London, E8 3HN	Works to a Tree in Conservation Area Notification	T1 Rowan - Fell to ground level (Failed root plate). Replant with 1 x Full standard 8-10cm girth 2.5m tall Rowan/Mountain Ash T2 Sycamore - Repollard back to previous established knuckles (Most recent). T3 Fig - Crown reduction by 1 meter T4 Purple Plum - Crown reduction by 2 meters (20%) T5 Whitebeam - Crown reduction by 1.5 meters and 10% thinning of crown. TG1 - Leylandii (Conifer group/Hedge) made up of approx 12 trees. Reduce height by 2.5 meters. Current height 11 meters, proposed final height 8.5 meters. Hedge trim front/sides without breaching final foliage layer. 0.5 meters to be removed.	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3126	68 Forest Road, Hackney, London, E8 3BT	Works to a Tree in Conservation Area Notification	T1 - Acer negundo/climbing rose - remove to ground level T2 - dogwood - 25% reduction of foliage mass - removing end weight (1-2m from branch ends) to eliminate future failures, maintaining internal growth.	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3052	21 Lavender Grove, Hackney, London, E8 3LU	Works to a Tree in Conservation Area Notification	Sycamore (T1) - Fell. The tree is growing out of a wall on the boundary line. It has very little long term retainability.	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/3051	82 Mapledene Road, Hackney, London, E8 3JW	Works to a Tree in Conservation Area Notification	Lime in rear garden - pollard to regular pollard points	Leif Mortensen	London Fields Ward	No Objection	18/02/2022
2021/2085	43 Malvern Road, Hackney, London, E8 3LP	Householder Planning	Construction of a ground floor, single-storey rear extension together with a first floor rear extension, a rear dormer and an outbuilding in the rear garden as well as the extension of the existing basement to create front and side lightwells. The proposal would also install rooflights, remove and reapply the pink paint on the front, side and rear elevations, alter the fenestration, undertake minor alterations to elevations as well as landscaping works to the rear garden.	James Clark	London Fields Ward	Grant	22/02/2022
2021/1964	28 Gransden Avenue, London, E8 3QA	Householder Planning	Erection of fencing, decking and a single storey rear outbuilding adjoining the house at second floor (roof) level	Danny Huber	London Fields Ward	Refuse	23/02/2022
2021/1757	294 Queensbridge Road, Hackney, London, E8 3NH	Discharge of Condition	Submission of details pursuant to condition 8 (materials/details) attached to planning permission 2019/1849 dated 07/08/2019.	Raymond Okot	London Fields Ward	Grant	01/03/2022
2021/1095	294 Queensbridge Road, Hackney, London, E8 3NH	Discharge of Condition	Submission of details of conditions 6 (front boundary details) and 7 (green roof) of planning permission 2019/1839 granted on 07/08/2019	Raymond Okot	London Fields Ward	Grant	01/03/2022
2021/3756	Flat 6, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for use as existing flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022
2021/3755	Flat 7, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for use as existing flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022
2021/3754	Flat 8, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful Development Certificate for use as existing flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3753	Flat 9, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for existing use as flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022
2021/3752	Flat 10, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for existing flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022
2021/3751	Flat 11, 2 Somerford Grove, Hackney, London, N16 7TX	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for an existing flat	Jonathan Bainbridge	Shacklewell Ward	Grant	18/02/2022
2021/3672	72 Shacklewell Lane, Hackney, London, E8 2EY	Works to a Tree in Conservation Area Notification	Rear Garden with no side access: T4 – Large Sycamore -Lift crown to 5 meters all round, thin canopy to 25% removing deadwood.	Eugene McGee	Shacklewell Ward	No Objection	01/03/2022
2021/3667	72 Shacklewell Lane, Hackney, London, E8 2EY	Works to a Tree in Conservation Area Notification	Front Garden: T1 & T2 – X2 Limes -Remove regrowth formed since last reductions by approx. 1-2m, sever lvy at base allowing the remainder to die off naturally. T3 - Small Lime -Remove regrowth formed since last reduction by approx. 1-2m, remove epicormic and basal growth	Eugene McGee	Shacklewell Ward	No Objection	28/02/2022
2021/3530	13, Milton House Mansions Shacklewell Lane, Hackney, London, E8 2EH	Works to a Tree in Conservation Area Notification	Crown reduction work (30%<) on 7-8m tall cherry tree within front garden; situated 1.5m from bay windows. Pruning of 2m approximately - balanced true to form reduction. Tree Work operations in accord to BS3998:2010 Work required to manage poorly developed co-dominant stem and preserve tree size within the shelter of existing structures.	Eugene McGee	Shacklewell Ward	No Objection	28/02/2022
2021/3762	101 Mount Pleasant Lane, Hackney, London, E5 9EW	Discharge of Condition	Submission of details pursuant to condition 3 (Flood resilience) attached to planning permission 2021/2856 dated 12/11/2021.	Erin Glancy	Springfield Ward	Grant	22/02/2022
2021/3323	11 Muston Road, Hackney, London, E5 9LH	Prior Notification - Larger Home Extension	Proposed erection of a single storey rear extension measuring 6m deep x 3m high	Raymond Okot	Springfield Ward	Grant	17/02/2022
2021/3322	54 Clapton Common, Hackney, London, E5 9AL	Discharge of Condition	Submission of details pursuant to conditions 13 (Landscaping) and 21 (External Lighting) of planning permission 2020/4064 dated 23/06/2021	Nick Bovaird	Springfield Ward	Grant	24/02/2022
2021/3138	Springfield Court Springfield, Hackney, London, E5 9EH	Works to Tree with Preservation Order	Cedar Tree Raise canopy to give 5.5m clearance, remove deadwood and cut back to give 3m clearance from building,	Leif Mortensen	Springfield Ward	Grant	18/02/2022
2021/3087	11 Leadale Road, Hackney, London, N16 6BZ	Householder Planning	The formation of a single storey rear extension.	Erin Glancy	Springfield Ward	Granted - Extra Conditions	17/02/2022
2021/2221	54a Clapton Common, Hackney, London, E5 9AL	Discharge of Condition	Submission of details pursuant to condition 11 (mock up panel, external materials) of planning permission 2020/4064 dated 21/12/20 for S73 variation of condition application in relation to application 2018/0494 for demolition of existing buildings and erection of a 7 storey building comprising a study centre and 16 residential units.	Nick Bovaird	Springfield Ward	Grant	24/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/1731	54a Clapton Common, Hackney, London, E5 9AL	Discharge of Condition	Submission of details pursuant to condition 12 (Samples and Mock Ups) of planning permission 2018/0494 dated 25/09/19 for demolition of existing buildings and erection of a seven-storey building at lower ground, ground and first to fifth floor levels to accommodate 16 self-contained residential units, adult Jewish Study Centre (D1 Use Class).	Nick Bovaird	Springfield Ward	Grant	24/02/2022
2020/3440	7 Spring Hill, Hackney, London, E5 9BE	Householder Planning	Ground floor and first rear and side extension	Micheal Garvey	Springfield Ward	Withdrawn Decision	17/02/2022
2021/3748	25 St Andrews Grove, Hackney, London, N16 5NF	Prior Notification - Larger Home Extension	Ground floor rear extension	Jonathan Bainbridge	Stamford Hill West Ward	Prior Approval Not Required	18/02/2022
2021/3746	46 Fairholt Road, Hackney, London, N16 5HW	Householder Planning	Construction of a single storey, ground floor, rear extension.	James Clark	Stamford Hill West Ward	Grant	18/02/2022
2021/3582	35 Heathland Road, Hackney, London, N16 5PG	Householder Planning	The construction of a new first floor rear extension and the installation of a new front access door.	Jonathan Bainbridge	Stamford Hill West Ward	Grant	28/02/2022
2021/3579	63 Queen Elizabeths Walk, Hackney, London, N16 5UG	Full Planning Permission	Excavation of basement including installation of front and rear lightwells, erection of single-storey ground floor rear and side extension and erection of a rear dormer window and installation of roof lights in front roof slope.	Alix Hauser	Stamford Hill West Ward	Grant	25/02/2022
2021/3127	11, New Court, 210 - 212 Lordship Road, Hackney, London, N16 5HJ	Works to Tree with Preservation Order	T1 London Plane Very Large Reduce to previous pruning points to contain trees within the garden area and retain amenity value. T2 London Plane Very Large Reduce to previous pruning points to contain trees within the garden area and retain amenity value.	Leif Mortensen	Stamford Hill West Ward	Granted - Standard Conditions	18/02/2022
2021/0290	Rock House, 63 St Kildas Road, Hackney, London, N16 5BU	Prior approval - new dwellings	Prior approval for the erection of two storeys above an existing block of flats to provide 4 additional residential units.	Louise Prew	Stamford Hill West Ward	Refuse	18/02/2022
2020/4138	53 Stamford Hill, Hackney, London, N16 5SR	Full Planning Permission	Amalgamation of two flats into one four bed residential unit, inclusive of internal and external alterations	Gerard Livett	Stamford Hill West Ward	Withdrawn Decision	17/02/2022
2022/0079	72 Nevill Road, Hackney, London, N16 0SX	Householder Planning	Construction of a mansard roof extension.	James Clark	Stoke Newington Ward	Grant	28/02/2022
2022/0027	31 Grayling Road, Hackney, London, N16 0BL	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for the construction of rear roof dormer and the insertion of three front roof lights.	Jonathan Bainbridge	Stoke Newington Ward	Granted - Standard Conditions	23/02/2022
2022/0005	12a Beatty Road, Hackney, London, N16 8EB	Householder Planning	Erection of a rear dormer roof extension and removal of the sloping roof to the rear outrigger and replacement with a roof terrace.	James Clark	Stoke Newington Ward	Withdrawn Decision	17/02/2022
2021/3717	19 Victorian Grove, Hackney, London, N16 8EN	Householder Planning	Replacement with new to match existing 4 no. sash windows to front elevation, and replacement glazing to existing first floor greenhouse.	Jonathan Bainbridge	Stoke Newington Ward	Grant	25/02/2022
2021/3635	49 Sydner Road, Hackney, London, N16 7UF	Householder Planning	Proposed front and rear mansard loft conversion to the main roof with 2 dormer windows to the front and 2 to the rear.	Jonathan Bainbridge	Stoke Newington Ward	Grant	24/02/2022
2021/3632	15 Victorian Grove, Hackney, London, N16 8EN	Householder Planning	Installation of replacement windows on the front, side and rear elevation.	James Clark	Stoke Newington Ward	Grant	21/02/2022
2021/3471	Flat A, 76 Nevill Road, London, N16 0SX	Householder Planning	Erection of a single storey lower ground floor rear/side extension; elevational alterations; alterations to boundary treatment and front steps	Danny Huber	Stoke Newington Ward	Granted - Standard Conditions	23/02/2022

Application Reference	Location Description	Application Type	Proposal	Officer Name	Ward	Decision	Decision Issued Date
2021/3327	First Floor Flat, 48 Foulden Road, Hackney, London, N16 7UR	Discharge of Condition	Submission of details pursuant to condition 3 (Roof terrace perimeter) attached to planning permission ref 2018/0358 allowed at appeal ref:APP/U5360/W/18/3204460 dated 31/01/2019.	Danny Huber	Stoke Newington Ward	Grant	23/02/2022
2021/3278	58 Lordship Road, Hackney, London, N16 0QT	Householder Planning	Erection of a single storey in-fill extension to the rear with rooflights and replacement of the entrance door to the front elevation.	Raymond Okot	Stoke Newington Ward	Granted - Standard Conditions	23/02/2022
2021/3184	46 Defoe Road, Hackney, London, N16 0EH	Householder Planning	Erection of Mansard design roof extension	Micheal Garvey	Stoke Newington Ward	Granted - Standard Conditions	23/02/2022
2021/3130	1, Fleetwood Apartments, 2 Northwold Road, Hackney, London, N16 7HG	Works to a Tree in Conservation Area Notification	T1 - T6 - 6 X Tilia species - repollard back to most recent points. NOT BEYOND 2 m from branch ends	Leif Mortensen	Stoke Newington Ward	No Objection	18/02/2022
2021/0070	67 Darville Road, Hackney, London, N16 7PT	Householder Planning	Demolition of existing rear additions to end of terrace double fronted dwelling house; Construction of replacement two storey rear outrigger. Addition of new window into rear existing elevation first floor level. Construction of new second floor mansard extension as previous consent.	Raymond Okot	Stoke Newington Ward	Granted - Standard Conditions	23/02/2022
2021/3647	Flat 1, 86 Lauriston Road, Hackney, London, E9 7HA	Works to a Tree in Conservation Area Notification	T1 - Lime - Sectional felling, T2 - Lime - Pollard/reduction	Eugene McGee	Victoria Ward	No Objection	01/03/2022
2021/3360	39 Well Street, Hackney, London, E9 7QX	Works to a Tree in Conservation Area Notification	Rear Garden - Middle T1 - Sycamore Reduce length of all branches by 2 metres ensuring natural shape and balance typical of species is maintained where possible. Remove dead and diseased wood. Remove 3x lowest epicormic Stems. •The tree is located to the middle of the rear garden. •Reduction as part of a maintenance program to maintain the tree at a suitable size for its location. •To allow more suitable light levels in to the garden are rear elevation of the building •To reduce the encroachment on to the lawn area	Leif Mortensen	Victoria Ward	No Objection	18/02/2022
2020/4258	Flat D, 11 King Edwards Road, Hackney, London, E9 7SF	Full Planning Permission	Installation of new window at upper ground floor rear elevation and blocking up of existing window at upper ground floor rear elevation.	Raymond Okot	Victoria Ward	Granted - Standard Conditions	18/02/2022
2021/1133	59 Cranwich Road, Hackney, London, N16 5JA	Full Planning Permission	Conversion of two terraced houses to form a single building comprising two, four bedroom maisonettes, two, two bedroom flats and three, one bedroom flats including the removal of the rear parts of the original upper storeys and their replacement with a new three storey structure over the retained lower two storeys.	Danny Huber	Woodberry Down Ward	Refuse	01/03/2022

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