



PLANNING SUB - COMMITTEE

Wednesday 8 May 2024 at 6.30pm
Council Chamber, Hackney Town Hall

Live stream link: <https://youtube.com/live/msWNhrUST2s>
Back up link: <https://youtube.com/live/uPjFV-WWN78>

Members of the Sub-Committee:

Cllr Jessica Webb (Vice Chair),
Cllr Michael Desmond, Cllr Clare Joseph, Cllr Michael Levy,
Cllr Richard Lufkin, Cllr Jon Narcross, Cllr Clare Potter, Cllr Ali
Sadek, and Cllr Sarah Young.
One vacancy currently.

Substitute Sub-Committee Members:

Cllr Eluzer Goldberg, Cllr Shaul Krautwirt, Cllr M Can Ozen,
Cllr Benzion Papier, Cllr Sheila Suso-Runge, and Cllr Claudia
Turbet-Delof

Dawn Carter-McDonald
Interim Chief Executive
Published on: Monday 29 April 2024
www.hackney.gov.uk

Contact: Gareth Sykes
Governance Officer
governance@hackney.gov.uk

Planning Sub-Committee

Wednesday 8 May 2024

Order of Business

- 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** (Pages 9 - 24)

The Planning Sub-Committee to consider and approve the minutes for its following meetings: 6 March and 12 March 2024 (pre-app).

- 5 **2023/2371: Site known as Phase 4 — Land bounded by Seven Sisters Road, rear of St. Olave's Church, Woodberry Down and Woodberry Grove, N4** (Pages 25 - 111)
- 6 **2023/2683: The West Reservoir Centre Green Lanes, Hackney, London, N4 2HA** (Pages 113 -151)
- 7 **2023/0971 & 2023/0973: 53 Northchurch Road, Hackney, N1 4EE** (Pages 153 - 209)
- 8 **2021/1181: 364 Mare Street, Hackney, London, E8 1HR** (Pages 211 - 245)
- 9 **Delegated decisions** (Pages 247 - 261)
- 10 **Any Other Business the Chair Considers to be Urgent**

Future meeting dates:

2024

3 July

31 July

4 September

9 October

6 November

20 November (pre-app)

4 December

2025

15 January

5 February

5 March

2 April

7 May

Public Attendance

The Town Hall is open. Information on forthcoming Council meetings can be obtained from the Town Hall Reception.

Members of the public and representatives of the press are entitled to attend Council meetings and remain and hear discussions on matters within the public part of the meeting. They are not, however, entitled to participate in any discussions. Council meetings can also be observed via the live-stream facility, the link for which appears on the agenda front sheet of each committee meeting.

On occasions part of the meeting may be held in private and will not be open to the public. This is if an item being considered is likely to lead to the disclosure of exempt or confidential information in accordance with Schedule 12A of the Local Government Act 1972 (as amended). Reasons for exemption will be specified for each respective agenda item.

For further information, including public participation, please visit our website <https://hackney.gov.uk/menu#get-involved-council-decisions> or contact: governance@hackney.gov.uk

Rights of Press and Public to Report on Meetings

The Openness of Local Government Bodies Regulations 2014 give the public the right to film, record audio, take photographs, and use social media and the internet at meetings to report on any meetings that are open to the public.

By attending a public meeting of the Council, Executive, any committee or sub-committee, any Panel or Commission, or any Board you are agreeing to these guidelines as a whole and in particular the stipulations listed below:

- Anyone planning to record meetings of the Council and its public meetings through any audio, visual or written methods they find appropriate can do so providing they do not disturb the conduct of the meeting;
- You are welcome to attend a public meeting to report proceedings, either in 'real time' or after conclusion of the meeting, on a blog, social networking site, news forum or other online media;
- You may use a laptop, tablet device, smartphone or portable camera to record a written or audio transcript of proceedings during the meeting;
- Facilities within the Town Hall and Council Chamber are limited and recording equipment must be of a reasonable size and nature to be easily accommodated.
- You are asked to contact the Officer whose name appears at the beginning of this Agenda if you have any large or complex recording equipment to see whether this can be accommodated within the existing facilities;
- You must not interrupt proceedings and digital equipment must be set to 'silent' mode;
- You should focus any recording equipment on 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 to respect the wishes of those who do not want to be filmed and photographed may result in the Chair instructing you to cease reporting or recording and you may potentially be excluded from the meeting if you fail to comply;

- Any person whose behaviour threatens to disrupt orderly conduct will be asked to leave;
- Be aware that libellous comments against the council, individual Councillors or officers could result in legal action being taken against you;
- The recorded images must not be edited in a way in which there is a clear aim to distort the truth or misrepresent those taking part in the proceedings;
- Personal attacks of any kind or offensive comments that target or disparage any ethnic, racial, age, religion, gender, sexual orientation or disability status could also result in legal action being taken against you.

Failure to comply with the above requirements may result in the support and assistance of the Council in the recording of proceedings being withdrawn. The Council regards violation of any of the points above as a risk to the orderly conduct of a meeting. The Council therefore reserves the right to exclude any person from the current meeting and refuse entry to any further council meetings, where a breach of these requirements occurs. The Chair of the meeting will ensure that the meeting runs in an effective manner and has the power to ensure that the meeting is not disturbed through the use of flash photography, intrusive camera equipment or the person recording the meeting moving around the room.

Advice to Members on Declaring Interests

If you require advice on declarations of interests, this can be obtained from:

- The Monitoring Officer;
- The Deputy Monitoring Officer; or
- The legal adviser to the meeting.

It is recommended that any advice be sought in advance of, rather than at, the meeting.

Disclosable Pecuniary Interests (DPIs)

You will have a Disclosable Pecuniary Interest (*DPI) if it:

- Relates to your employment, sponsorship, contracts as well as wider financial interests and assets including land, property, licenses and corporate tenancies.
- Relates to an interest which you have registered in that part of the Register of Interests form relating to DPIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner.
- Relates to an interest which should be registered in that part of the Register of Interests form relating to DPIs, but you have not yet done so.

If you are present at any meeting of the Council and you have a DPI relating to any business that will be considered at the meeting, you **must**:

- Not seek to improperly influence decision-making on that matter;
- Make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent; and
- Leave the room whilst the matter is under consideration

You **must not**:

- Participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business; or
- Participate in any vote or further vote taken on the matter at the meeting.

If you have obtained a dispensation from the Monitoring Officer or Standards Committee prior to the matter being considered, then you should make a verbal declaration of the existence and nature of the DPI and that you have obtained a dispensation. The dispensation granted will explain the extent to which you are able to participate.

Other Registrable Interests

You will have an 'Other Registrable Interest' (ORI) in a matter if it

- Relates to appointments made by the authority to any outside bodies, membership of: charities, trade unions, lobbying or campaign groups,

voluntary organisations in the borough or governorships at any educational institution within the borough.

- Relates to an interest which you have registered in that part of the Register of Interests form relating to ORIs as being an interest of you, your spouse or civil partner, or anyone living with you as if they were your spouse or civil partner; or
- Relates to an interest which should be registered in that part of the Register of Interests form relating to ORIs, but you have not yet done so.

Where a matter arises at any meeting of the Council which affects a body or organisation you have named in that part of the Register of Interests Form relating to ORIs, **you must** make a verbal declaration of the existence and nature of the DPI at or before the consideration of the item of business or as soon as the interest becomes apparent. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Disclosure of Other Interests

Where a matter arises at any meeting of the Council which **directly relates** to your financial interest or well-being or a financial interest or well-being of a relative or close associate, you **must** disclose the interest. **You may** speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

Where a matter arises at any meeting of the Council which **affects** your financial interest or well-being, or a financial interest or well-being of a relative or close associate to a greater extent than it affects the financial interest or wellbeing of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you **must** declare the interest. **You may** only speak on the matter if members of the public are able to speak. Otherwise you must not take part in any discussion or voting on the matter and must not remain in the room unless you have been granted a dispensation.

In all cases, where the Monitoring Officer has agreed that the interest in question is a **sensitive interest**, you do not have to disclose the nature of the interest itself.

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 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;
- The Committee is to consider any proposal/questions referred to the Sub-committee by the Council's Monitoring Officer;
- 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 Subcommittee 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 that 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;
- Delegated decisions;
- Any other business that the chair considers to be urgent.

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. 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 Governance Services at governance@hackney.gov.uk by 4.00pm on the working day before the meeting and its inclusion is agreed to by all parties attending the meeting on this particular matter. In all cases, the Chair of the Sub-Committee Chair will retain their discretion to refuse the use of such illustrative material.

MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY 6 MARCH 2024

Councillors Present:	Cllr Steve Race in the Chair
	Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Jessica Webb (Vice-Chair) and Cllr Sarah Young.
Apologies:	Cllr Clare Joseph
Absent:	Cllr Michael Levy, Cllr Richard Lufkin and Cllr Ali Sadek
Officers in Attendance:	Nick Bovaird, Deputy Team Leader, Major Projects Robert Brew, Major Applications Team Leader Natalie Broughton, Assistant Director Planning and Building Control Seonaird Carr, Team Leader Development & Enforcement Graham Callam, Growth Team Manager Jessica Feeney, Governance Officer Luciana Grave, Conservation, Urban, Design and Sustainability Manager Danny Huber, Planning Officer Mario Kahraman, ICT Support Officer Peter Kelly, Principal Urban Design Officer Qasim Shafi, Principal Transportation Planner Christine Stephenson, Specialist Planning Lawyer Gareth Sykes, Governance Officer John Tsang, Development Management and Enforcement Manager

1 Apologies for Absence

- 1.1 Apologies for absence were received from Cllr Clare Joseph. Cllrs Michael Levy, Richard Lufkin and Ali Sadek were recorded as being absent from the meeting.

2 Declarations of Interest

- 2.1 The Chair of the Sub-Committee declared an interest; he reported that he had received a generic email regarding agenda item 5.

3 To consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer

- 3.1 None.

4 Minutes of the Previous Meeting

- 4.1 The Planning Sub-Committee to considered and approved the minutes of meetings held on 11 January 2024 and 6 December 2023.

RESOLVED:

The minutes of the previous Planning Sub-Committee meetings, held on 11 January 2024 and 6 December 2023., be approved as an accurate record of those meetings 'proceedings.

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

- 5.1 PROPOSAL: Demolition of the existing buildings and part retention of the façade at 1 Earl Street to enable redevelopment of the site with a mixed-use development ranging in height from 5-20 storeys above ground level, an upper ground floor mezzanine, and 2 full basement floors and 3rd part basement floor, to accommodate office (Class E), flexible retail, cafe (Class E), ancillary space, back of house areas, cycle storage, plant, landscaping, and all associated works.

POST SUBMISSION REVISIONS:

- retained facade at SW of site
 - reduction in massing in NW corner
 - Increase in massing above retained facade
 - additional information on sustainability
- These changes were subject to reconsultation.

A revised drainage strategy was also submitted which was not subject to reconsultation due to the minor nature of the changes proposed. An improved Affordable Workspace offer, with a higher discount was also received, which has not been consulted upon as it represents an internal change with positive results. An overshadowing survey has been produced, which shows no significant additional overshadowing, in line with the findings of the extant scheme, and has not been consulted upon. Similarly, correspondence on wind to the terraces of Crown Place shows no significant additional impacts and has not been consulted upon.

- 5.2 The designated Planning Officer introduced the planning application report as published. During the their presentation reference was made to the addendum and the following amendments to the published report;

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

- 8.1.8a and 8.1.18b Embodied carbon targets
- 8.1.9a Circular Economy
- 8.1.22a and 8.1.22b Energy Statement
- 8.1.23 Overheating

- 8.1.24a and 8.1.24b MVHR - Ventilation with heat recovery
 - 8.1.25 Be Clean
 - 8.1.26a and 8.1.26b Heat pump – Heating
 - 8.1.27 BREEAM
 - 8.1.39 PV panels
 - 8.1.40 NABERS
- Amendments were also made to Heads of Terms Paragraph 8.2; paragraphs 1,2,3 and 18.
- 5.3 A Mr Yilin Ye addressed the Sub-Committee, speaking in objection to the application.
- 5.4 A Mr Bernard Heersche, Executive Development Director of EDGE Technologies, addressed the Sub-Committee, speaking in support of the application.
- 5.5 During a discussion on the application a number of points were raised including the following:
- On the loss of light of the neighbouring 1 Crown Place, the designated Planning Officer explained that a loss of light was to be expected but the Building Research Establishment (BRE) guidelines were targets designed more for outer rather than inner London boroughs. Taking into account the extant planning permission the Planning Service had concluded, also factoring in the figures in the daylight/sunlight report, that the impact was acceptable;
 - On quantifying the 88.5 percent loss of light, as set out in the published application report, the designated Planning Officer explained that the specific site circumstances must be considered. If approved construction would start at the beginning of 2025 with completion expected by the end of 2028;
 - Several of the objections received related to the historic building frontages that were not retained in the originally submitted scheme. As a result of those objections and the advice of Officers the historic frontages had been retained;
 - In answer to a question from members, the officer agreed that the plans had been developed as such that the site could not be turned into a residential scheme. The applicant was seeking to design a building that would respond to future office needs;
 - On the retention of the façade, compromises had been made on office floor space in order for it to fit at the location and how it related to the existing levels of the retaining façade;
 - The applicant explained that they were seeking to build a building that was inspirational and would allow its occupants to connect with one another. They had found that there was a strong demand for this type of building;
 - On the issue of the 'internal street'/passage, the Planning Service assumed that it would not be accessible by the public. The applicant understood that until it was clear who the tenants would be, it could not be confirmed that the public would have access. Certain occupants, such as a bank for example, may seek to put in restrictions because of the need to protect sensitive material.A

condition had been included that if the passage was to become publicly accessible then the Planning Service would consider any public signage for example;

- The applicant had proposed defensive planting at the boundary edge with some areas having fencing in place;
- A condition on overlooking was included as part of the proposals. There was a number of terraces located around the building and the majority of them would not create any issues of overlooking;
- On the proposed building's energy performance the applicant's Energy Consultant was of the view that it was best in class in London currently being worked on by the applicant. With the scheme before the Sub-Committee the applicant was achieving a 13.7% improvement compared to the current market rate of 2 percent that office buildings were achieving. This was significantly more than the rate that had been consulted on with the Greater London Authority (GLA);
- On the proposals' Building Research Establishment Environmental Assessment Method (BREEAM) rating, the Planning Service clarified that an excellent rating was required as part of the retail element of the proposals. The office element of the proposals had an outstanding rating as per condition and would come back to the Planning Service should the proposals be approved;
- On the matter of the National Australian Built Environment Rating System (NABERS), the Planning Service would work with the applicant and a third party to look at the scheme as it progresses. to replicate the element of external oversight that NABERS would have provided. As set out in the addendum a NABERS condition was no longer required, since a third party review report of the as designed TM54 calculation has been agreed in condition 8.1.22 (Energy Statement). This also reflected uncertainty as to the continued existence of NABERS as an applicable standard at this time;
- On the matter of the embodied carbon footprint being higher than best practice would recommend, The condition included would allow the Planning Service to examine the standards that had been put in place and whether they could be achieved at the next stage of the planning process;
- The applicant explained that the measurement of the carbon footprint was an expanding field and they were keen to squeeze as much carbon out of the proposals as possible. This had been achieved so far in the area of design, however the applicant acknowledged that there was further work to be undertaken. The applicant explained that they were aiming to stick to strict targets to push the carbon footprint down. Conditions were in place to ensure that the applicant hit minimal targets as well as setting out the requirements in order for them to do that. There was a reporting process in place right up to occupation of the building;
- The applicant had not chosen Passivehaus certification because it was focussed on residential buildings;
- In relation to post-occupancy the applicant would follow GLA policy;

- On the proposed site's connection to the district heating network, the applicant had contacted three suppliers and one had already confirmed that they did not have enough capacity. Currently those suppliers were using gas so their carbon factor was higher than the applicant would want;
- The carbon offset of £549,480 would go into a fund and there was an expectation that the amount would then be used on various projects locally;
- The affordable work space offer was across three floors on site; below ground, ground floor and at level one. Two thirds of affordable workspace were above ground;
- On the matter of affordable workspace, the Planning Service confirmed that the applicants had agreed to exceed policy requirements over the discount of the floorspace in lieu of requiring full policy requirements over the quantum of floorspace. This was in line with the approved scheme . A lot of space was being created and it may have been hard to rent that amount of space at 40 percent with this location at 25 percent and was still considered the best way forward;
- It was agreed that materials would come back to the Sub-Committee;
- The Planning Service confirmed that they were satisfied with the integrated façade as part of the proposals;
- The Chair voiced concerns about the proposed 83 percent of cycle parking being two tier. The Planning Service confirmed that horizontal cycle spaces in the report meant Sheffield stands.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Steve Race (Chair), Cllr Jessica Webb (Vice Chair) and Cllr Sarah Young.

Against: None

Abstained: None.

RESOLVED:

Conditional planning permission was granted, subject to completion of a Legal Agreement and a stage II approval from the Greater London Authority (GLA).

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

6.1 PROPOSAL: Erection of a two-storey roof extension; elevational alterations; excavation of basement; creation of 4 x 2 bed dwellings.

POST SUBMISSION REVISIONS:

- Revision to layouts of the proposed units,
- Omission of roof terrace and glazed balustrade,
- Obscure glazing to the flank windows,
- Alteration to the roof form to the north of the plan,
- Capping added to the walls,
- Amendments to cycle and waste storage.

Revisions did not receive further consultation as they are all considered to result in a reduction of the impact of the scheme or resolve issues identified during consultation.

- 6.2 The designated Planning Officer presented the planning application as published. During the course of the presentation reference was made to the addendum and the following amendments to the application report:

Wording for the following paragraphs were to be changed in the application report:

- Paragraph 5.1.2
- Paragraph 7.1.3 Details of materials, windows and doors
- Paragraph 7.1.16 Green/Brown Roof

- 6.3 A Mr Andrew Kanter spoke to the Sub-Committee in objection to the application.

- 6.4 A Mr Alfie Yeatman of Hgh Consulting and a Mr Chris Dyson, of Chris Dyson Architects, spoke to the Sub-Committee in support of the application.

- 6.5 During a discussion a number of points were raised including the following:

- In relation to the use of materials, specifically the use of corten steel, the Council's Conservation, Urban, Design and Sustainability (CUDS) Officer explained that it was a lighter and more robust material and was of a high quality and related well to the industrial character and appearance of the south Shoreditch conservation area. It would also provide warmth and a softer character and it weathered really well. It was noted that the material was carbon intensive but was highly recyclable;
- The Council's CUDS Officer explained that the design approach was such that it created a mirroring effect on top of the existing building. The vertical theme of the proposals created an illusion of a stretching of the structure but discussions during the design phase had addressed those concerns about the design;
- The Planning Service, considering current policy, felt that the development preserved the appearance and character of the site through a successful and contemporary design;
- The Sub-Committee noted with the proposals that there was a link element that had been stepped down and it had been decided to have a sheer flush between the two elements. The setback and reduction in height created a positive transition between the two buildings. The step down, as identified on the A3 plans, was internal and was part of the proposed dwellings;
- There were windows on the sides of the proposed dwellings, however some of them would be fixed shut with living spaces to the south also being served by windows and also some of the bedrooms. The Planning Service had concluded that, on balance, the accommodation was acceptable given its layout;
- In terms of those dwellings with fixed closed windows a mechanical ventilation system would be used;
- Some of the windows in some of the kitchen areas would be fixed shut. The applicants confirmed that this was the case and it was only the first floor flat that would have a fixed closed window;
- Explaining the rationale behind the installation of fixed windows on the first floor flat's kitchen, the applicant explained that it was to protect the amenity of both the flat occupants as well as the neighbouring building. It was to stop someone opening the

windows and circumventing the obscure glazing and also to protect from noise impact. There were also potential sustainability benefits as it would create a more sealed environment controlled by air flow through the mechanical ventilation system;

- The applicant explained that the only French doors on site were in the original loading bay;
- On the west facing elevation, facing the railway viaduct, windows were fixed shut for safety reasons. The windows on the east-facing elevation were also fixed shut and obscured glazed because of the amenity impact to the neighbouring building. The remaining windows on the south elevation would receive a good amount of light;
- In relation to the proposed top apartment, situated on the third floor, it had large windows on the south facing side serving both the bedroom and the living space. The applicant added that those windows would be clear glass on the south elevation which in that case would be floor to ceiling and would inward opening;
- On the airflow strategy, the applicant explained that there would easily be cross ventilation across each floor;
- Access to the roof was for maintenance purposes only;
- Some mechanical ventilation would be present on site in the kitchen area to extract smells;
- The ground floor unit had south facing windows that served the living space and one of the bedrooms which currently had openable and clear glazed windows. On the ground floor and going up to the first floor there were existing windows which would be maintained. The first floor unit had east and south facing windows with clear glazed and openable windows;
- In relation to the housing mix on site, the planning policy was seeking a higher proportion of three bedroom units compared to two bedroom or one bedroom units. However, due to the constraints of the site, there would not be much of a mix of units. The Planning Service was satisfied with what was proposed. It was noted that there was not available on site any outdoor amenity space;
- The Council's independent assessors had assessed the financial viability of the proposals and had concluded that there would be a deficit of £824,000. This could not be used however as a reason to refuse the application;
- The Planning Service acknowledged the objections raised but they had assessed that the development would preserve the appearance and character of the south Shoreditch conservation area;
- The Planning Service had requested a draft Construction Management Plan (CMP) which would include details that loading and unloading would not take place on French Place and would instead take place on Batemans Row. The Planning Service would add a formal condition to seek a formal CMP. The Planning Service understood that French Place would not be closed off and would require agreement with the Council's Highways Team;
- On the proposed site the windows on the third floor of the east elevation would have obscured glazed windows fixed shut to a height of two metres. The two metres was from the internal

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finished floor level. The applicant added that above the two metres the windows could be opened;

- On the west facing side of the proposed site the bedrooms were located with fixed shut windows.

Vote:

For: Cllr Michael Desmond, Cllr Jon Narcross, Cllr Clare Potter, Cllr Steve Race (Chair) and Cllr Sarah Young

Against: Cllr Jessica Webb (vice chair)

Abstained: None.

RESOLVED:

Planning permission was granted subject to conditions and a Section 106 legal agreement.

7 Delegated decisions

7.1 The delegated decisions document was noted.

RESOLVED:

The delegated decisions document was noted.

8 Any Other Business the Chair Considers to be Urgent

8.1 The Sub-Committee noted that there was a Planning Pre-Application meeting on 12 March and the next Planning Sub-Committee meeting was on 3 April.

END OF MEETING

Duration of the meeting: 6.33pm - 9.06pm

Date of the next meetings: 12 March 2024 (pre-application) and 3 April 2024.

Cllr Steve Race, Chair of the Planning Sub-Committee

Contact:

Gareth Sykes, Governance Officer

Email: governance@hackney.gov.uk

**MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE -
PRE-APPLICATION**

TUESDAY 12 MARCH 2024

Councillors Present:	Cllr Steve Race in the Chair
	Cllr Michael Desmond, Cllr Jon Narcross, Cllr Ali Sadek and Cllr Jessica Webb (Vice-Chair)
Absent	Cllr Michael Levy, Cllr Richard Lufkin and Cllr Clare Joseph
Officers in Attendance:	Nick Bovaird, Major Projects Planner Robert Brew, Major Applications Team Leader Natalie Broughton, Assistant Director Planning and Building Control Mario Kahraman, ICT Officer Christine Stephenson, Legal Officer Gareth Sykes, Governance Officer
Joined virtually	Cllr Clare Potter and Cllr Sarah Young

1 Apologies for absence

- 1.1 No apologies were given in advance of the meeting.
- 1.2 Cllr Michael Levy, Cllr Richard Lufkin and Cllr Clare Joseph were recorded as being absent.
- 1.3 Cllr Clare Potter and Cllr Sarah Young joined the meeting virtually.

2 Declarations of Interest - Members to declare as appropriate

- 2.1 None.

3 To consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer

- 3.1 None.

4 Minutes of the previous meeting

- 4.1 There were no minutes submitted for consideration and approval at the meeting.

5 2022/0150/PA: Shoreditch Works (Site Allocation 125), Land bounded by Curtain Road, Worship Street, Holywell Row and Scrutton Street EC2A

- 5.1 The designated Planning Officer introduced the report as published. The proposals before the Sub-Committee involved the redevelopment of a 1.3 ha site and represents one of the largest opportunities for comprehensive

employment led development in the borough, with opportunities to provide a full range of uses on an underdeveloped site. It represents an employment-led, mixed-use redevelopment of most of the urban block and allows for some retention of the superstructure of the existing buildings to be demolished. The new floorspace would be predominantly in office use but with active frontages at ground floor level, set around a new public realm within the interior of the block.

5.2 The Sub-Committee heard from various representatives for the developers about the proposals, including from TEOS and ING, the private real estate investment and development business HDG, the strategic real estate consultancy firm Kaufmanns, the architectural practice Kohn Pedersen Fox Associates (KPF) and chartered surveyors Montague Evans LLP.

5.3 During a discussion with Sub-Committee members the following points were made:

- The proposals were seen as an opportunity for the developer to make an active contribution to the local community and for all the various parties to work together. There had been extensive modelling with the aim to place 508 people into jobs during the construction phase which would be a contractual commitment. Additionally, the developers would seek to employ 1500 young people. The developers had embedded this approach into the proposals, above and beyond the S106 agreement and working closely with the Council;
- With the proposals the representatives for the developers stated that they would ensure on site working with the future tenants. Though still in the early stages it was understood that one occupier, who was socially conscious, was already interested in occupying the main part of the proposed site;
- The representatives for the developers cited the example of how they had been working with Southwark Council on various planning projects through 'Southwark Works'. The Sub-Committee understood that a similar type of project would be undertaken in Hackney;
- On ensuring the quality of the work placements for young people, particularly in relation when subcontractors, work would be undertaken to work closely with the developers to ensure that the commitments that were made were followed through. The representatives for the developers explained that the key was to embed the commitment into the tendering process with the contractor being made accountable and made contractually committed. The developers would then manage that relationship. The types of developments before the Sub-Committee were of the type that educational institutions wanted to take a more active role in helping young adults gain meaningful work placements and to open up opportunities with various contractors;
- The proposals before the Sub-Committee could see a site which could be occupied by both large and small companies and both could be accommodated by the plans. There would be a range of floor plates with a range of pricing. The representatives for the developers stated that a superior building was needed that would attract a key tenant who wanted to be carbon zero, platinum

scored. The representatives for the developers explained that in order to have the best talent there needed to be the best building for them to work in and would attract the best tech occupier;

- The proposed site already had an existing electric infrastructure to enable technology to work in the buildings. The representatives for the developers explained that the proposals would seek to simplify the site making it more flexible. Similar projects had been undertaken in London, such as in Covent Garden. One key benefit of the proposals, in particular for those residential properties, was the steps to be taken in decarbonisation with the removal of all the gas and instead the installation of a district heat network, which would be fully electrified and would pump hot water around all of the flats;
- The representatives for the developers stated that the proposed design would allow for small SME or start-ups to grow and allow them move around the development for bigger and more tailored floorspace;
- The representatives for the developers stated that the 30 businesses currently on site would be consulted and steps would be taken to retain them;
- The representatives for the developers stated that the residential element of the proposals would be built to Passivhaus standards
- Regarding the inclusion of a tower as part of the proposals, one of the current issues with real estate there had to be viability in the scheme in order to make it work. The representatives for the developers stated that the site had existing use value and in order to deliver all the proposals value had to be generated and that only the large building, building A, was of any scale. The representatives for the developers considered the design of the building very carefully but they recognised that there would be some harm but they considered it to not be substantial. On balance they felt the benefits of the scheme far outweighed the harm. The representatives for the developers felt that they had to be one large building that generated sufficient income, and was able to be pre-let, which would be the catalyst to make the entire scheme work
- With the design of the proposals, specifically the tower, the representatives for the developers were aiming to make the conservation area better. They saw it as a rare opportunity in a strategic location with a building that would never be in the city. The design was such that it would make a large tech or creative employer feel at home. The architects spoke of how they wanted to enhance the conservation area and they felt that the current open spaces on site were not working to their full potential and that the definition of the conservation area would be improved all around the perimeter of the site. The scale and granularity of the site would make it clear that someone was leaving the city. As well as the work on the conservation area the architects had also spent a lot of time working on the design of the tower but also respect the local views. It would not be in the heritage and local views. The tower would be finely poised and would work with the buildings around it;

- The architects emphasised the proposals were not a maximisation scheme it was an optimisation scheme. The historic buildings would be seen as they were intended;
- On a point of clarification, the representatives for the developer explained that the open space referred to the urban room. In the summer months it would be opened up and obligations would be included to ensure that area was properly curated;
- The representatives for the developers spoke of the proposals being a flagship scheme which brought together commercial, creative, civic and community uses but with a very strong focus on sustainability;
- The site was a city fringe location; it was in a conservation and office-priority area as well as being a part of the Opportunity Area Planning Frameworks (OAPFs). Contrary to the officer's report the representatives for the developers stated that the quantum of floor space would align with the site allocation which was included as part of the Council's Site Allocation Plan;
- The representatives for the developers explained that the concept of the Regenerative Business Hub was not a marketing tool. It was about celebrating the history of the proposed site. The scheme was cementing a flagship site and destination with an ideology and a brand which would be embedded from day one and which come through the tenant, the partners that the developers would be working with;
- Warehouse and terracotta bricks would be used in the construction of the tower. The use of glass blocks was modern looking but it would be a combination of old and new materials. The building would grow from the street gradually with a recognisable address and then would climb in gradual steps. Referring to the Computer Generated Images (CGI) for Plot A (The Tower) behind Plot B (the Flat Iron), the representatives for the developers explained that they were attempting to draw inspiration from the buildings of the past. From the townscape views the design would step back and was recessive and would carefully define Curtain Road. According the representatives for the developer the tower would not be viewed from Luke Street and would merge with the neighbouring townscape;
- Despite concerns raised by the Officer's report the representatives for the developers were of the opinion that the Hackney Design Review Panel (DRP) had stated that the proposals were respectful of the conservation area;
- The representatives for the Developer were of the view that the scale of the tower would not set a precedent for the conservation area and the driver for the proposals was to provide a range of different types of spaces to accommodate different types of tenants;
- The Planning Service had been in discussions with the developers for some time over the proposals and the central massing of the tower had remained the same for a while. The site allocation suggested that taller buildings in the centre, up to 12 storeys might be considered acceptable but that the proposed tower was 19 storeys. As such the Planning Service was not quite

there yet with the developers in reaching an acceptable design. Discussions were continuing;

- The representatives for the Developer included Greenlab, who stated that they worked with businesses to find sustainable and innovative ways of working and they had seeded a lot of companies to help them grow. Two examples were cited of the type of work that Greenlab did, such as helping to create a paint that did not contain as much petrochemicals as normal paint or working with companies to reduce food waste. The other representatives for the developers saw Greenlab as a part of the social element of the proposals and how social value was created and it was felt that there were spaces in the proposals to allow those types of businesses to flourish at ground floor, first floor and also being part of the affordable workspace offer. Partners in the project would be embedded and engaged early and also allow other businesses to realise how they could be supported so that they do relocate to other London Boroughs;
- The representatives for the Developer recognised that they had struggled to explain Greenlab's involvement in the project to the Planning Service, as it sat outside policy, and it was hoped with time this could be overcome. Officers did not comment on whether this was an appropriate representation of the discussions that had taken place so far. The representatives for the Developer were keen not to create a boring and sterile office campus, a vibrant space had to be created in order to make it work;
- For the representatives for the developers regenerative business meant doing no harm and being sustainable and innovative and how circularity was embedded on the entire site across a number of areas such as recycling and sourcing locally for example. They stated that this was felt to be the right thing to do and also good practice for future tenants but it was recognised that any development had to be commercially viable;
- In terms of developing the smaller buildings using innovative materials, the representatives for the Developer explained that they had a building by building strategy and that they were looking at a range of possibilities. The Sub-Committee noted that currently the proposed scheme had in excess of 40k+ kilos of embodied carbon. The representatives for the developers stated that were going through each building to lower the embodied carbon;
- The representatives for the developers stated that the public space on site would be open 24 hours, seven days a week and would not be gated. Work was currently underway to look at different types of seating to place in the area;
- The representatives for the developers stated that there would be a cultural programme for the proposed Urban Room working with the community and the various different groups such as colleges, charities and interest groups. It would be a flexible and openable space capable of many different uses and configurations. An Operational Management Plan, secured by S106 agreement, would secure this space;
- Currently the existing quantum of residential units was 38, the proposals would see an increase up to 78 units. The affordable

housing offer was aimed at 35 percent with a tenure mix that was in line with Greater London Authority (GLA) policy;

- The Sub-Committee welcomed that the heritage assets were being retained as part of the proposals. The representatives for the Developer were hoping to keep to the original historic intention behind Worship Street with workshops on the ground floor and family accommodation above. The architects involved with the project specialised in listed buildings. The Sub-Committee noted that the existing heritage building at 52-56 Scrutton Street would be incorporated into a big building;
- Though the site was in an office priority area there was an opportunity to include residential units compared to other sites in Shoreditch. It was understood that the 84 percent of the scheme would be office floorspace and would be taken into account when looking at the benefits of the scheme;
- Some of the Sub-Committee were surprised at the small increase in residential units included as part of the proposals. The representatives for the developers stated that they had worked hard to place as many residential proposals as possible on site, however, any more could limit the amount of commercial space, which they were not prepared to do;
- The Sub-Committee noted as part of the proposed scheme 44k+ square feet would be affordable office space, which was Hackney Council policy compliant. The representatives for the Developer explained that their proposals were still evolving and they were open to discussion on how to curate the affordable workspace and that there was not necessarily one way to deliver it and they were keen to work with the Council's Planning Service to shape it that was acceptable to both parties;
- The representatives for the developers stated that the tenure mix of the proposed units would include social rent and other forms of accommodation. It was proposed that 40 percent would be social rent and 60 percent would be intermediate housing. Currently it was proposed that the housing facing Worship Street would be earmarked for social rent housing (plot F) and duplex to the rear of plot L. Levels one and two of plot L would be allocated to intermediate housing. None of the town housing would be allocated to social rent. Every residential unit would be dual aspect;
- On the issue of energy efficiency, all the refurbished buildings would have to have significant insulation added internally which had to be undertaken by building by building basis whilst at the same time retaining the original architecture.

5.4 The Sub-Committee noted that at the next Planning Sub-Committee meeting was scheduled for 3 April 2024. The next Pre-Application meeting was scheduled for 20 November 2024.

CLOSE OF MEETING

Date of the next meetings: 3 April 2024 (Planning Sub-Committee meeting)

20 November 2024 (Pre-Application meeting)

Duration of the meeting: 6.30pm - 8.30pm

Cllr Steve Race, Chair of the Planning Sub-Committee

Contact:

Gareth Sykes, Governance Officer

Email: governance@hackney.gov.uk

DRAFT

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ADDRESS: Site known as Phase 4 — Land bounded by Seven Sisters Road, rear of St. Olave's Church, Woodberry Down and Woodberry Grove, N4	
WARD: Woodberry Down	CASE OFFICER: James Bellis
APPLICATION NUMBER: 2023/2371	VALID DATE: 23/10/2023
<p>DRAWING NUMBERS:</p> <ul style="list-style-type: none"> ● Phase 4 Existing Location Plan Dwg No. X001 Date 11/22 Rev - ● Phase 4 Application Site Plan Dwg No. PL0001 Date 10/11 Rev - ● GA Plans Phase 4 Ground Floor Plan Dwg No. PL0101 Date 09/23 Rev - ● GA Plans Phase 4 - 1st Floor Plan Dwg No. PL0102 Date 08/23 Rev A Dated 04/10/23 ● GA Plans Phase 4 - 2nd to 5th Floor Plan Dwg No. PL0103 Date 08/23 Rev A Dated 04/10/23 ● GA Plans Phase 4-6th and 7th Floor Plan Dwg No. PL0104 Date 06/23 Rev A Date 04/10/23 ● GA Plans Phase 4th - 8th Floor Plan Dwg No. PL0105 Date 09/23 Rev A Dated 04/10/23 ● GA Plans Phase 4 9th-10th Floor Plan Dwg No. PL0106 Date 09/23 Rev - ● GA Plans Phase 4 11th-12th Floor Plan Dwg No. PL0107 Date 09/23 Rev - ● GA Plans Phase 4 13th to 24th Floor Plan Dwg No. PL0108 Date 09/23 Rev - ● GA Plans Phase 4 25th Floor Plan Dwg No. PL0109 Date 09/23 Rev - ● GA Plans Phase 4 Roof Plan Dwg No. PL0110 Date 09/23 Rev - ● Phase 4 Section A-A Dwg No. PL0151 Date 09/22 Rev - ● Phase 4 Section B-B Dwg No. PL0152 Date 09/22 Rev - ● Phase 4 Seven Sisters Road North Elevation Dwg No. PL0161 Date 09/23 Rev - ● Phase 4 Woodberry Down South Elevation Dwg No. PL0162 Date 08/23 Rev - ● Phase 4 Woodberry Down East Elevation Dwg No. PL0163 Date 09/23 Rev - ● Phase 4 Mews Site West Elevation Dwg No. PL0164 Date 09/23 Rev - ● Phase 4 Podium Garden North Elevation Dwg No. PL0165 Date 09/23 Rev - ● Phase 4 Podium Garden South Elevation Dwg No. PL0166 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) Ground Floor Dwg No. PL0201 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 1st Floor Dwg No. PL0202 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 2nd-7th Floor Dwg No. PL0203 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 8th Floor Dwg No. PL0204 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) 9th-10th Floor Dwg No. PL0205 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A1 (Shared Ownership) Dwg No. PL0206 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) Ground Floor Dwg No. PL0211 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 1st Floor Dwg No. PL0212 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 2nd - 8th Floor Dwg No. PL0213 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) 9th -12th Floors Dwg No. PL0214 Date 09/23 Rev - ● Phase 4 A Block Typology Plans Building A2 (Shared Ownership) Roof Plans Dwg No. PL0215 Date 09/23 Rev - 	

- Phase 4 A Block Typology Plans Building A3 (Market) Ground Floor Dwg No. PL0221 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) Ground Floor Dwg No. PL0221 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 1st Floor Dwg No. PL0222 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 2nd-8th Floor Dwg No. PL0223 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) 9th-12th Floors Dwg No. PL0224 09/23 Rev -
- Phase 4 A Block Typology Plans Building A3 (Market) Roof Plan Dwg No. PL0225 Date 09/23 Rev -
- Phase 4 Block Typology Plans Building A4 (Market) Ground Floor Dwg No. PL0126 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) First Floor Dwg No. PL0232 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 2nd-7th Floor Dwg No. PL0233 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 8th Floor Dwg No. PL0234 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) 9th-10th Floor Dwg No. PL0235 Date 09/23 Rev -
- Phase 4 A Block Typology Plans Building A4 (Market) Roof Plan Dwg No. PL0236 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B1 (Social Rent) Ground Floor Dwg No. PL0241 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 1st Floor Dwg No. PL0242 Date 09/23 REv A Dated 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 2nd-5th Floors Dwg No. PL0243 Dated 09/23 Rev A Dated 04/10/23
- Phase 4 B Block Typology Plan Building B1 (Social Rent) 6th-7th Floors Dwg No. PL0244 Date 09/23 Rev A Dated 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) 8th Floors Dwg No. PL0245 Dated 09/23 Rev A 04/10/23
- Phase 4 B Block Typology Plans Building B1 (Social Rent) Roof Plan Dwg No. PL0246 Dated 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) Ground Floor Dwg No. PL0251 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 1st Floor Dwg No. PL0252 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 2nd - 5th Floors Dwg No. PL0253 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 6th-7th Floors Dwg No. PL0254 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) 8th Floor Dwg No. PL0255 Date 09/23 Rev -
- Phase 4 B Block Typology Plans Building B2 (Social Rent) Roof Plan Dwg No. PL0256 Dated 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) Ground Floor Plan Dwg No. PL0261 Date 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) 1st Floor Plan Dwg No. PL0262 Date 09/23 Rev -
- Phase 4 C Block Typology Plans Building C (Market) 2nd-24th Floor Dwg No. PL0263 Date 09/23 Rev -

- Phase 4 C Block Typology Plans Building C (Market) 25th Floor Dwg No. PL0264 Date 09/23 Rev -
- Phase 4 Typology Plans Building C Roof Plan Dwg No. PL0265 Date 09/23 Rev -
- Phase 4 Typology Elevation Building A1 North Elevation Dwg No. PL0601 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A1 South Elevation Dwg No. PL0602 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A1 West Elevation Dwg No. PL0603 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A2 North Elevation Dwg No. PL0611 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A2 South Elevation Dwg No. PL0612 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A3 North Elevation Dwg No. PL0621 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A3 South Elevation Dwg No. PL0622 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 North Elevation Dwg No. PL0631 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 South Elevation Dwg No. PL0632 Date 08/23 Rev -
- Phase 4 Typology Elevation Building A4 East Elevation Dwg No. PL0633 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 North Elevation Dwg No. PL0641 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 South Elevation Dwg No. PL0642 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 South Elevation Dwg No. PL0642 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B1 East Elevation Dwg No. PL0643 Date 06/09/23 Rev -
- Phase 4 Typology Elevation Building B1 West Elevation Dwg No. PL0644 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 North Elevation Dwg No. PL0561 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 South Elevation Dwg No. PL0652 Date 08/23 Rev -
- Phase 4 Typology Elevation Building B2 East Elevation Dwg No. PL0653 Date 09/23 Rev -
- Phase 4 Typology Elevation Building B2 West Elevation Dwg No. PL0654 Date 09/23 Rev -
- Block C North Elevation Dwg No. PL0661 Date 09/23 Rev A Dated 23/08/23
- Block C South Elevation Dwg No. PL0662 Date 09/23 Rev -
- Block C East Elevation Dwg No. PL0663 Date 09/23 Rev -
- Block C West Elevation Dwg No. PL0664 Date 09/23 Rev -
- Phase 4 Market Flat Layouts Studio Types S1 & S2 Dwg No. PL1001 Date 06/23 Rev -
- Phase 4 Market Flats Layouts 1B2P Type P1 & P2 Dwg No. PL1002 Date 06/23 Rev -
- Phase 4 Market Flats Layouts 1B2P Type P3 & Type P3A Dwg No. PL1003 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 1B2P Type P10 Dwg No. PL1004 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 2B4P Type P4 & P12 Dwg No. PL1021 Date 06/23 Rev -

- Phase 4 Market Flat Layouts 2B4P Type P9 & P9A Dwg No. PL022 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 2B4P Type P13 & P13A WCH Dwg No. PL1023 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 3B6P Type P7 & P14 Dwg No. PL1041 Date 06/23 Rev -
- Phase 4 Market Flat Layouts 3B6P Type P14 Dwg No. PL1042 Date 6/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 1B2P Type 1 & Type 2 Dwg No. PL1101 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 1B2P Type 3 Dwg No. PL1102 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B4P Type 4 & Type 5 Dwg No. PL1121 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B3P Type 6 WCH & Type 8 WCH Dwg No. PL1122 Dated 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B4P Type 9 & Type 9A Dwg No. 1123 Date 06/23 Rev -
- Phase 4 Shared Ownership Flat Layouts 2B3P Type 10 Dwg No. PL1124 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 1B2P Type SR1 & SR1A WCH Dwg No. PL1201 Dated 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 1B2P Type SR2 & SR3 WCH Dwg No. PL1202 Date 06/23 Rev A Dated 04/10/23
- Phase 4 Social Rent Flat Layouts 2B3P Phase 4 Social Rent Flat Layouts 2B3P Type SR4 & SR4A Dwg No. PL1221 Date 06/23 Rev A 04/10/23
- Phase 4 Social Rent Flat Layouts 2B4P Type SR5&SR5A Dwg No. PL1222 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P SR6 WCH Dwg No. PL1223 Dated 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P Type SR7 & SR7A Dwg No. 1224 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 2B4P Type SR8A & SR8B Dwg No. PL1225 Date 06/23 Rev A Dated 04/10/23
- Phase 4 Social Rent Flat Layouts 3B6P Type SR9 Dwg No. PL1241 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 3B6P Type SR9 Dwg No. PL1241 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 3B5P Type SR10 & SR10A Dwg No. PL1242 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 4B6P Type SR111 Dwg No. PL1261 Date 06/23 Rev -
- Phase 4 Social Rent Flat Layouts 5B8P Duplex Type SR12 Dwg No. PL1281 Date 06/23 Rev - Phase 4 Social Rent Layouts 5B9P Duplex Type SR13 Dwg No. PL1282 Date 06/23 Rev -
- Phase 4 Social Rent Layouts 5B7P Duplex Type SR14 Dwg No. PL1283 Date 06/23 Rev -
- Phase 4 Social Rent Layouts 4B7P Duplex Type SR15 Dwg No. PL1284 Date 06/23 Rev A Dated 04/10/23

Also:

- Environmental Statement by LDS, Berkeley Homes & Temple V4 dated 27/9/23 (plus appendices)
- Design and Access Statement by LDS & Berkeley Homes Oct 2023
- Planning Statement by LDS, Berkeley Homes & Rolfe Judd ref EC/ST/P7621

- Landscape Design Statement by Fabrik & Berkeley Homes Oct 2023 V2
- Circular Economy Statement Oct 2023 by LDS, Berkeley Homes & Hodkinson Rev V4 Dated 6/9/23
- Heritage, Townscape and Visual Impact Assessment Oct 2023 by LDS, Berkeley Homes & Smith Jenkins dated Sept 2023
- Transport Assessment Oct 2023 by LDS, Berkeley Homes and Arup ref. 282836-00-TA
- Waste Management Strategy Oct 2023 by LDS, Berkeley Homes and WSP ref. 70084603 Rev 02
- Air Quality Positive Statement Oct 2023 by LDS, Berkeley Homes and Temple V1
- Trees: Demolition Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Site Specific Financial Viability Assessment Oct 2023 by Gerald Eve
- Health Impact Assessment Oct 2023 by LDS, Berkeley Homes & Temple V3 dated 6/9/2023
- Whole Life Carbon Emissions Assessment Oct 2023 by LDS, Berkeley Homes & Hodkinson V4 dated 4/9/23
- Heritage Statement Oct 2023 by LDS, Berkeley Homes and Smith Jenkins dated Sept 2023
- Energy Report 'Be Seen' Entry by LDS, Berkeley Homes & Hodkinson V2 dated 6/9/23
- Demolition Environmental Management Plan Oct 2023 by LDS and Berkeley Homes
- Biodiversity Net Gain Assessment Oct 2023 by LDS, Berkeley Homes & Temple V2
- Affordable Housing Statement Oct 2023 by LDS & Berkeley Homes
- Internal Daylight and Sunlight Report Oct 2023 by LDS, Berkeley Homes and Avison Young dated Sept 2023
- Demolition Management and Logistics Plan Oct 2023 by LDS & Berkeley Homes
- Construction Environmental Management Plan Oct 2023 by LDS and Berkeley Homes
- Digital Connectivity Statement Oct 2023 by LDS and Berkeley Homes
- Sustainability Statement Oct 2023 by LDS, Berkeley Homes & Hodkinson V5 dated 6/9/23
- Fire Statement Form
- Existing Buildings Policy H8 Report Oct 2023 by LDS, Berkeley Homes & Rolfe Judd ref. OC/ST/P7621 dated Sept 2023
- Retail Planning Statement Oct 2023 by LDS, Berkeley Homes & Alder King ref JT/RR/TH/97515
- Trees: Removal Plan Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Trees: Construction Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR/69518/4
- Trees Landscaping Phase Oct 2023 by Berkeley Homes & The Mayhew Consultancy Ltd ref. AR69518/4
- Utilities Statement Oct 2023 by Berkeley Homes & Hoare Lee Rev 01
- CIL Additional Information Requirement Form by QUOD date 11/9/23
- Planning Application Form PP-12428548
- Flood Risk Assessment (inc SUDS Strat and Proforma, Foul Sewage and Utilities Assessment) Oct 2023 by LDS, Berkeley Homes & Fairhurst ref. 135305-FAH-ZZ-XX-RP-C-01-06
- Bat Survey Report by Temple V01 dated 16/6/22
- Overheating Report Oct 2023 by LDS, Berkeley Homes & Hodkinson V4 dated 6/9/23

- Pre-demolition Waste Audit Oct 2023 by Berkeley Homes dated Nov 2022
- Statement of Community Involvement Oct 2023 by Berkeley Homes

APPLICANT:

Berkeley Homes (North East London) Ltd
Woodberry Down Regeneration Office
Units A and B
Riverside Apartments
Goodchild Road
LONDON
N4 2BA

AGENT:

Oliver Coleman
Rolfe Judd Ltd
Old Church Court
Claylands Road
The Oval
LONDON
SW8 1NZ

PROPOSAL: The proposal to which this application relates is for a mixed use development that is predominantly residential, this includes the redevelopment of the 200 dwellings on site, and replacement with 511 new dwellings, with associated non residential uses, which are detailed below.

The application proposes 1,215 sqm (GIA) of non-residential uses. This is sought on a flexible/alternative basis as permitted under Schedule 2, Part 3, Class V of the General Permitted Development Order. The two uses sought are either Use Class E (a, b, c) or Use Class F1 or a mix of those uses. The applicant does not seek the full range of uses permissible under Use Class E, just those under parts a), b) and c), namely:

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

E(c) Provision of:

E(c)(i) Financial services,

E(c)(ii) Professional services (other than health or medical services), or

E(c)(iii) Other appropriate services in a commercial, business or service locality

The Use Class F1 is sought for the purposes of providing a public library, although limitation within the use class is not proposed / deemed necessary.

(THIS APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT).

Claritative Notes:

The reason for seeking these two uses (E class uses and F1) is that the London Borough of Hackney has expressed a potential interest in providing a library service at the site; but that this would be subject to a feasibility study. Should the Council as a service provider not be able to pursue the library service, then the floorspace would be utilised for commercial operations, as described, under Use Class E or other F1 use. The Use Class E operations could be provided on a singular or multiple store basis.

The development comprises 7 blocks, labelled A1, A2, A3, A4, B1, B2 and C. Blocks B1 and B2 house the social rented accommodation. Blocks A1 and A2 house the intermediate (Shared Ownership) accommodation. Blocks A3, A4 and C house the market accommodation.

Build heights range from 1-26 storeys. There are four typologies to the application scheme: Fronting Seven Sisters is a terraced mansion block design with shoulder heights and peaks. From west-to-east the heights comprise 8, 11, 9, 13, 9, 13, 9, 11, 8 storeys. Fronting Woodberry Down, will be two detached mansion blocks of 6 and 9 storeys of accommodation. On the corner of Woodberry Down and Central Square will be a tall building of 26 storeys of accommodation. On the mews to the west of the site are a limited number of single storey mews homes fronting an attractive green space.

All blocks are centrally linked by a single storey podium, which below houses plant equipment, waste and cycle storage, car parking and servicing and above houses the Resident's Podium. The non-residential floorspace faces eastwards towards Woodberry Grove and is housed over a single storey. 67% of the residential frontages will be active (meaning the extent of façade where passive observation is possible), and 100% of the non-residential frontage will be active.

The proposed social rented units are a re-provision of secured social housing present in Phase 6 and 7. The uplift in affordable housing provided for in this proposal is the intermediate housing (132 homes). The application is part of an estate regeneration scheme.

POST SUBMISSION REVISIONS:

Additional and amended information has been submitted by the applicants to demonstrate compliance with relevant planning policy.

- Quality Design Review - Introba (Version 01 – 5th December 23)
- Stage 2 Fire Strategy - Introba (Version 01 – 5th December 23)
- Revised Air Quality Neutral ES Chapter 8 and Appendices
- Updated Flood Risk Assessment - 135305-FAH-ZZ-XX-RP-C-01-07
- Environmental Statement Review Response
- GLA WLC Memo
- Revised CIL Form and CIL Covering Letter
- Stage 1 Road Safety Audit
- Applicant response on the crown and base detail of Block C - P7621
- FVA Addendum - U0020545
- Highways and Transport Additional Information - 15th February 24
- Sustainability and Climate Change Additional Information - 21st February 24
- Amended Circular Economy Statement - Version 6 (20th March 2024)
- GLA Circular Economy Memo - Latest Versions 28th February 24
- GLA Carbon Emission Reporting Spreadsheet - Latest Versions 28th February 24
- Additional FVA Clarifications - 8th March 24 & 15th March 24

RECOMMENDATION SUMMARY:

Grant conditional planning permission subject to completion of a Legal Agreement and referral to the Mayor of London.

NOTE TO MEMBERS: None.

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	Zone G This restricts parking by non-permit holders between 08:30 and 18:30 Monday to Friday and during events at the Emirates Stadium. The event restrictions operate between 18:30 and 20:30 Monday to Friday and 12:00 to 16:30 Saturday, Sunday and Bank Holidays.	
Conservation Area		X
Statutory Listed Building		X
Locally Listed Building		X

Priority Employment Area (PEA)		X
City Fringe Opportunity Area		X
Central Activities Zone		X

EXISTING LAND USE DETAILS

USE CLASS	DESCRIPTION	GIA (SQM)
C3	Residential	12,660
TOTAL		

PROPOSED LAND USE DETAILS

USE CLASS	USE DESCRIPTION	GIA (SQM)
C3	Residential	50,214
E and/or F1	Flexible commercial and community, and retail and community floorspace	1,215
TOTAL		

PROPOSED RESIDENTIAL MIX

PROPOSED RESIDENTIAL MIX BY TENURE	NO OF UNITS	TENURE SPLIT	RESIDENTIAL MIX WITHIN TENURE GROUP (%)
Private			
1	158	57%	55%
2	106		37%
3	25		9%
4	0		0%
Total:	289		-
Social Rented			
1	23	18%	26%
2	40		44%
3	18		20%
4	7		8%
5	2		2%
Total:	90	-	
Intermediate/ Shared Ownership			
1	81	26%	61%
2	51		39%
3	0		0%
4	0		0%
Total:	132	-	
Overall Total:	511		-

PARKING DETAILS:

	PARKING SPACES (OFF STREET)	PARKING SPACES (ON STREET)	PARKING SPACES (DISABLED)	BICYCLE STORAGE
Proposed	48	0	16	890

1. SITE CONTEXT

- 1.1 The site to which this application relates is known as phase 4 of Woodberry Down. The Woodberry Down Estate itself is entirely covered by Local Plan (LP33) strategic site allocation MH1 which supports comprehensive regeneration of the existing housing stock. The site being dealt with as Phase 4 is bound by Woodberry Grove, Seven Sisters Road, Woodberry Down (road) and St Olave’s Church, Vicarage and Gardens.
- 1.2 The site itself is currently occupied by an estate formed by 200 flats, constructed as social housing. The estate is formed by 6 linear brick clad buildings, running from Woodberry Down to Seven Sisters Road, interspersed with service areas and communal gardens. The site has a number of existing mature trees, including a green border on Seven Sisters Road and a number of high quality trees in the open space adjacent to Woodberry Grove.
- 1.3 The site is not within a conservation area but the wider estate is visible in long views from Lordship Park Conservation Area, Clissold Park Conservation Area and St Ann’s Conservation Area (in Haringey). The site is immediately adjacent to St Olave’s Church (Grade II listed).

1. CONSERVATION IMPLICATIONS

- 2.1 The proposal has the potential to impact on the following heritage assets.

Asset. Church of St Olave, Woodberry Down. Grade II listed. English Heritage listing entry: Built 1893 to designs of Ewan Christian.

MATERIALS: Red brick exterior and interior. Bath stone dressings. Slate roof.

PLAN: Wide, high nave with lower passage aisles; low transepts and prominent chancel with apse; tower with small spire; south porch.

SUMMARY OF IMPORTANCE: Attractive red brick church of 1894 in C13 style by notable church architect Ewan Christian, that was built with the proceeds of a demolished City Church of the same name, and that possesses a strikingly spacious interior with a number of furnishings brought from there.

3. RELEVANT HISTORY

- 3.1 The redevelopment of Woodberry Down has a long and complex planning history.

Extent	Applications	Notes
Entirety of site	2008/1050 - To demolish all existing buildings on the Woodberry Down Estate, with the exception of St. Olaves Church, the Beis Chinuch Lebonos Girls School, Reservoir Centre, Primary school and Health Centre. Redevelop the site with 4,684 homes (including 41% affordable), comprising 1-bed, 2-bed, 3-bed, 4-bed flats, and 5-bed flats, 5-bed and 6-bed houses with associated car parking at an overall site provision rate of 50%; approximately 38,500m2 of non-residential buildings and associated car parking, including 5194m2 of retail buildings within classes A1-A5,	

	3144m2 of class B1 Business use, 30,000m2 of class C1, D1 and D2 use including education, health centre, childrens centre, community centres, youth centre; provision of new civic space, public parks, open space, landscaping of the edges of the New River and the East and West Reservoirs, construction of bridges across the New river; reduce width of Seven Sisters Road from 6 to 4 lanes and related improvements to the public realm; formation of new access points to the new Woodberry Down Neighbourhood, the creation of new and improvement of existing cycle and pedestrian routes to and within the estate (Outline Application matters for determination siting, design and means of access). Revisions include increase in education floor space; repositioning of cycle/pedestrian bridge between west reservoir and Haringey; re configuration of Woodberry Circus; relocation of two bridges over New River; increase in footprints and heights of various buildings; provision of a new Health Centre and increase in residential units from 4664 to 4684.	
KSS1	2010/2500 - Section 73 application to vary condition 2 (Development implemented in accordance with approved plans) of planning permission reference 2009/0488 to provide a mixed use scheme comprising 498 residential units (Class C3), 730 sqm for a community hall and related facilities (Class D1), 1240 sqm retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), ground and basement car parking (169 spaces). The development comprises seven blocks of four to twenty seven storeys in height, a new access road running between Woodberry Grove and Towncourt Path, a re-aligned junction at Woodberry Grove/Woodberry Down, a new linear public open space and new Doorstep Play Space.	S73 application to vary standalone full planning permission 2009/0488
KSS2	2009/2754 - Redevelopment to provide 220 affordable (social rented and intermediate) dwellings and associated amenity space, car parking and cycle parking, and creation of new park to the east of the site (known as Rowley Gardens within the Master Plan). The scheme comprises the erection of three blocks ranging in height from 7 storeys to 10 storeys. (Conditions 5, 6, 14, 25, 38, 40, 43 and 45 refer).	Reserved matters pertaining to 2008/1050
KSS3	2013/1987 - Variation of Condition 1 (Development in accordance with approved plans) of planning permission reference No. 2012/3693 dated 10 May 2013 to provide a revised mix of accommodation (16 X studio, 156 X 1-bed, 142 X 2-bed and 87 X 3-bed) and revisions to unit sizes and layouts, reductions and increases in private amenity spaces to flats, increase in height and massing of the 31-storey tower (Block 1A), extension to 8th storey of Block 1A, additions and extensions to 5th, 6th, 7th, 8th, 9th & 10th storey of Block 2, redesign of elevations to Blocks 1A, 1B & 2 including altered entrances and materials, and a reduction in the size of the basement.	S73 application to vary standalone full planning permission 2011/2930 (which had previously been subject to S73 application 2012/3693)
KSS4 and MP Block 21	2010/2427 - (A) Approval of Reserved Matters in respect of site at 7 Newnton Close (KSS4) to provide 170 residential units comprising a mix of affordable intermediate) and private units and associated amenity space, car parking and cycle parking as well as the retention and enhancement of the Metropolitan Open land (MOL) to the south of the site. The scheme comprises the erection of a block ranging in height from 4 storeys to 18 storeys. (B) Partial Approval of Reserved Matters in respect of Block 21 relating to condition 5 (part): namely the redevelopment of the site with the erection of a new building ranging in height from 5 to 6 storeys comprising 95 social rented residential flats with associated car parking and amenity space and enhancement of the Metropolitan Open Land (MOL) to the south of the site.	Reserved matters pertaining to 2008/1050; MP Block 21 not delivered (falls within Phase 5)
KSS5	2011/3014 - Section 73 application to vary the wording of Conditions 3 (Detailed Drawings), 4 (Materials), 5 (Landscaping Scheme), 6 (Ground Surface Treatment), 7 (Parking and Access details), 8 (Car Parking Spaces), 11 (Parking Facilities), 16 (Construction Management Plan), 20 (Landscape Management Plan), 21 (Noise and Vibration), 22 (Sound Insulation), 25 (Kitchen Extract System), 30 (Tree Survey), 31 (Tree Protection Measures), 32 (Lighting Strategy) and 33 (Lighting Details) of planning permission reference No. 2010/2460 dated 12 May 2011 to allow for the phasing of the redevelopment of the site to provide 176 affordable (social rented and intermediate) and private units and 835sqm of commercial floorspace (comprising Class A1, A2, A3, A4, A5, B1 and D1) with associated amenity space, car parking and cycle parking; the scheme comprises the erection of three blocks ranging in height from 2 storeys to 9 storeys.	S73 application to vary standalone full planning permission 2010/2460; Block 1 (of 3) not delivered

Phase 2 Block E	<p>2010/2982 - The redevelopment of the site to provide a mix of 724 affordable and private residential units, a 2,250sqm health facility, 980sqm commercial floorspace, associated amenity space including a new park, underground car parking and cycle parking. The scheme comprises the erection of six blocks ranging in height from 3 storeys to 9 storeys.</p>	<p>Reserved matters pertaining to 2008/1050; Blocks B, D and F granted full planning permission under 2013/3223, Blocks A and C omitted from development through redesign</p>
Phase 2 Blocks B, D and F (full); Phases 3-8 (outline)	<p>2013/3223 - Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level.</p>	<p>Supersedes 2008/1050</p>
Phase 2 Block B	<p>2018/2681 - Variation of Condition 1 of the hybrid planning permission reference 2013/3223 (dated 20 August 2014) and subsequently updated by application 2017/5001 dated 01 November 2018 to allow the substitution of drawings for the Phase 2 detailed component of the Woodberry Down Masterplan, namely to facilitate alterations to Block B within Phase 2 comprising amendments to the facades, omission of the car park at podium level, removal of the podium, an increase of 34 units from 241 (consented) to 275 (proposed) and minor layout alterations.</p>	<p>S73 application to vary 2013/3223</p>
Phase 2 Block D	<p>2017/5001 - Application under S73 of the Town Country Planning Act 1990, to vary condition 1 (Approved Plans) and removal of condition 42 (Art Strategy) of planning permission 2013/3223 (Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level) dated 20/08/2014 for amendments to the ancillary accommodation to provide an additional 769sqm of floorspace, amendments to standardise the residential layouts and amendments to the facade reflecting layout changes and reduction in parking spaces from 77 to 64 in Block D Phase 2.</p>	<p>S73 application to vary 2013/3223</p>
Phase 3	<p>2019/2514 - Demolition of the existing buildings, and construction of 4 residential blocks, ranging in height from 6 to 20 storeys, to provide 584 residential units and 1,045 sqm (GEA) of flexible floorspace (Use Class A1, A2, A3, D1, D2), a new energy centre (sui generis) and a new public park; together with ancillary hard and soft landscaping, public realm, cycle and associated car parking, highway works including access road and all other works associated with the development.</p>	<p>Supersedes reserved matters planning permission 2015/2967 pertaining to 2013/3223</p>

4. CONSULTATION AND PUBLICITY PROCEDURE

4.1 Notices, Notifications and Consultations

- Date Statutory Consultation Period Started: 27th October 2023
- Date Statutory Consultation Period Ended: 26th November 2023
- Site Notices: Yes
- Press Advertisement: Yes

NEIGHBOURS AND INTERESTED GROUPS

4.2 In addition to site notices and press advertisements, 5,171 letters were sent to the occupiers of nearby properties notifying them of the application.

4.3 3 individual representations have been received in relation to this application from nearby occupiers. Of these 3 were objections. To summarise, these raise the following issues

- Increased Densification
- Quantum of Affordable Housing
- Lack of Planning Policy Compliance
- Impact of Carbon Emissions from scheme
- Reliance on Fossil Fuels for Power Generation
- Loss of Trees
- Excessive Height of the Blocks
- Poor Housing Mix
- Impact of the Podiums
- Lack of Public Realm within site
- Privatisation of Public Space
- Overlooking and Loss of Privacy
- Single Aspect Flats within the scheme
- Lack of Sunlight to North Facing Flats
- Potential for Overheating
- Landscape Design
- Loss of 'Town Square'
- Future plans for Seven Sisters Road
- Format of Central Square
- The requirement/need for onsite parking

4.4 The Stoke Newington Conservation Area Advisory Committee (CAAC) have commented with the following

“The Stoke Newington Conservation Areas Advisory Committee (C-CAAC) makes the following observations:

Excessive height of blocks - The developer has added significantly to the heights of a number of the blocks. This is a departure from earlier successful schemes where blocks were staggered and efforts were made to connect with surrounding landscape and urban realm. In this scheme the landscape is on a privatised podium, which is a device for adding extra height to the already high blocks.

Poor Mix of Unit sizes - does not meet local need There is a poor mix of dwellings, driven in part by market for investment from international capital rather than local need. Only 8.6% of the private housing for sale is family size (over 3 bed) . This is not in line with Hackney's Local Plan LP33.

Podium - a lost opportunity to add to the public realm .The podium is presented as a garden. It is 5.5 m above ground level and is a shared space that also functions as a large light well. It will have a large area of paving that will act as a heat island in the middle of the blocks. The landscape will be a poorly maintained, echo chamber if it follows previous schemes such as Phase 2.

Overlooking and lack of Privacy - There will be a complete lack of privacy, flats will overlook each other across the Podium. It is 25m at its widest and 8m at its narrowest. It breaks Hackney's own guidance in the Local Plan for permitted distance between dwellings of 18-22m

Single aspect flats - The developer admits that there are over 76 flats with single aspect 15%. (Many other flats may be dual aspect no a technicality but don't allow a flow through of air). Single aspect flats are considered unacceptable by most current design criteria. This includes the London housing design guide 2023.

Sunlight and North Facing Flats - The daylight and sunlight survey has no executive summary, however a large number of the flats are north facing so unlikely to meet the minimum standard of receiving 25% sunlight in winter months.

Overheating due to climate change - The elevations have no provision for shading. There already are claims in previous phases of residents suffering from overheating. The scheme is designed to meet overheating problems by providing an enhanced ventilation system through a mechanical ventilation and heat recovery system MVHR, however many on previous phases have broken and been switched off. There will be no protection for the vulnerable and elderly it times of extreme heat.

Landscape Design and Loss of the Town Square – now called the 'High St' and domineering 88.6 m high tower The 88.6 me high 27 storey tower block is located at the south of the development a departure from the 2014 Masterplan. It will overshadow and dominate the shared space on the podium . The ambition for a well landscaped urban centre is lost . It will be a dark overshadowed windy space.

Furthermore, the departure from permeability of the landscape through the scheme, a characteristic of the Woodberry Down estate is driving poor design in particular the use of podiums on this scheme and also on proposed future phases set out in

the 2023 Masterplan. This approach will affect the setting of the Stoke Newington Reservoirs and New River Conservation Area

In conclusion, the scheme does not stand up to it's stated ambitions, it is too tall, too dense , adds nothing to the public realm and does not deliver the promised social housing or affordable shared housing and lacks vision to meet the challenge of Climate Change. We have seen the comments of architect Barbara McFarlane, a member of this group, though her comments were made in a personal capacity we support them."

4.4 The Hackney Society Planning Group have also commented and have stated

"We have seen the comments of the Stoke Newington CAAC, and those written in the personal capacity by its Chair, Barbara McFarlane. We support both submissions.

Furthermore and by way of conveying our own emphasis:

We have concerns about the effectiveness of the podium both in principle and execution. The delivery of public space is now off the podium, which apparently

recognises the difficulty of providing public realm on a raised podium where no permeability is provided.

The podium planting is unlikely to be deep enough to provide satisfactory landscaping opportunities.

We're unclear how active the frontage along Seven Sisters Road is going to be. The materials and architecture on this elevation are, in the words of one member, "both weird and boring".

The provision of genuine dual-aspect flats is disappointing. A number may be dual aspect on a technicality but don't offer the benefits dual aspect units are supposed to provide of varying light and through-flow of air. The plan is awkward and is driving poor design. The facade to plan ratio is high which will be costly but seems to be necessary to deliver technical dual-aspect conformity. Overall the plans (flat layouts) need reconfiguring and the facade simplifying.

Overall the application feels like a technical response to a difficult brief."

4.5 The Hackney Swifts Group have also commented with the following

In summary, the development should install swift bricks in accordance with best-practice guidance, to meet Hackney Council requirements (Local Plan LP47 (D), and Local Nature Recovery Plan). Photographic evidence of installation should be provided prior to completion.

This is especially important here because swifts are a species recorded in regionally significant numbers at Woodberry Wetlands nature reserve which is adjacent to the site, which does not seem to be clearly acknowledged by the submission.

In more detail, the Environmental Statement Ecology section (Volume 2, Chapter 13) makes numerous reference to "swifts" in local guidance but only mentions that "bat & bird boxes" will be installed with no further detail (paragraphs 13.8.1, and 13.8.4). The Preliminary Ecological Appraisal assessment in Environmental Statement Volume 4, Appendix F1, only requires "sparrow boxes" for bird nesting opportunities (no number of boxes stated)(paragraph 4.50, page 40), which is an unusually minimal requirement for a large development of 511 dwellings.

Swift bricks are a universal nest brick suitable for sparrows and other small bird species in addition to swifts, as advised by CIEEM, NHBC Foundation and others.

We therefore request that a significant number of integrated swift nestbox bricks, reflecting the large size of the development, are installed near roof level in accordance with best-practice guidance, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and ensure a gain for local biodiversity, in line with Hackney Council's requirements for this issue (Local Plan LP47 (D), and Local Nature Recovery Plan).

CIEEM provide best-practice guidance on numbers of swift bricks (<https://cieem.net/resource/the-swift-a-bird-you-need-to-help/>).

An ecologist can provide guidance on the best locations for these measures.

Photographic evidence of installation should be provided prior to completion, to confirm suitable locations and numbers."

CONSULTATION RESPONSES - STATUTORY, LOCAL AND OTHER

4.5 The following comments have been received in response to the current application

Transport for London

4.6 Included as part of the Stage 1 response from GLA.

Metropolitan Police

4.7 We can confirm that our office has been in discussion with the applicants appointed representatives, prior to this planning application. We have been able to give initial local crime prevention advice and have discussed how incorporating the principles of secured by design, within the design, layout and build can help reduce opportunities for crime and Anti-Social Behaviour (ASB) within the proposed development.

4.8 Having reviewed the information listed on the planning portal we have no objections regarding the general placement of the residential or commercial units taking into context the original hybrid design proposal for the area. We would recommend that oversized single door sets on communal accessible areas be used to assist with usability, reduce closure failures and increase sustainability.

4.9 We would like it noted that residential cores with shared communal spaces designed to facilitate a high number of residents with nearby large open public spaces are often linked to generating Anti-social behaviour (ASB) and promoting criminal activity. Physical security elements and active management within residential developments are proven to reduce unwanted criminal activities and reduce the fear of crime promoting sustainable diverse and integrated communities. The Secured by Design (SBD) police endorsed scheme works to reduce the likelihood of ASB/criminal behaviour and promotes a sustainable safe and inclusive environment for residents and visitors to the area. Creating a sense of place where residents and legitimate users are able to go about their daily routine without unduly fearing crime or insecurity is a key element of the Secured by Design initiative, as is long term sustainability.

4.10 Secured by Design condition suggested.

Health and Safety Executive

4.11 No objection, subject to compliance at later regulatory stages e.g. Building Regulations.

Environment Agency

4.12 No objection. Advice given to LPA and Applicant.

Historic England (GLAAS - Archaeology)

4.13 Recommend - No Archaeological Requirement

4.14 The planning application is not within an Archaeological Priority Area, and lies within an area impacted by successive episodes of construction and clearance during the 19th and 20th centuries. No further assessment or conditions are therefore necessary.

Historic England

4.15 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as a comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

Thames Water

4.16 No objection, subject to condition.

Woodberry Down Community Organisation

4.17 *The proposal on Phase 4 of the regeneration cannot be supported as it stands. We call upon the Planning Committee to put conditions on or refer back the proposals on the following basis.*

1. *The loss of social homes in the phase: there are 144 social homes planned for demolition and only 90 social homes to be built. The percentage of social homes has now dropped to a new low of 17.58 percent. The recently produced masterplan for later phases contains no evidence that the loss of social homes in both Phase 4 and a similar loss Phase 3 will be made up.*
2. *The privatisation of previous public space in the private podium garden. This will now be open to surrounding residents only. Previous suggestions that part of this may have public access have not materialised.*
3. *The erection of the podium “as big as a football pitch”, which will have a significant impact on service charges for residents.*
4. *The lack of clarity over what will be in the central square. The aspiration that a new library here has not been firmed up. At the moment, residents are being asked to accept a central hub, with no confirmed details relating to what will be in there.*
5. *The proposal to increase the height of the main tower. This breaks a previous promise not to build above nine stories in this phase, contained in the second masterplan.*

For avoidance of doubt, Matters of continuous importance are:

- i) the numbers of social homes. This will need to be clarified in the Masterplan for the later phases if not addressed now, or at least firm and binding undertakings to do so given.*
- ii) the use or possibly over-use of podium gardens and lack of public access thereto, especially when taken together with the number intended to be introduced in Phase 5 as well.*
- iii) Loss of amenity – especially affordable amenity: the aspiration to have a new library. There is a lack of affordable public meeting space in the development as a whole. This was previously provided by the local library at the corner of Woodberry Grove and Seven Sisters Road. The Redmond Centre is not an affordable facility for many.*
- iv) Heights: the proposal to increase the height of the main tower. If granted, this and the existence of 22 storey towers, makes nonsense of the claims in the new Masterplan to have no towers over 21 stories.*
- v) Overbearing walls of development along Seven Sisters Road and the New River path: taken together the density of development along Seven Sisters Road resulting from Phase 3 and planned for Phase 4 plus the podium gardens planned for Phase 4 and Phase 5 and in particular the 14-storey tower opposite the swan's nest, gives the impression that overbearing development could result. This makes it imperative for Phase 4 and Phase 5 and the later phases to be looked at together.”*

Natural England

4.18 No objection, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

National Planning Casework Unit

4.19 No comments received to date

LBH Environmental Protection - Land, Noise, Air

4.20 No Objection, Subject to Conditions and Informatives

LBH Drainage

4.21 The site exhibits varying flood risks, particularly in the north-eastern corner along Severn Sisters and Woodberry Grove roads, and the south-eastern border adjoining Woodberry Down, where a 'high' risk of surface water flooding is identified. Additionally, Knaresborough House within the site is a focal point for a 'high' risk of surface water ponding. This assessment is derived from the Environment Agency's Risk of Flooding from Surface Water mapping. LBH Drainage have reviewed the Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) and Construction Environmental Management Plan (CEMP) (ref.: WDP4CEMP, dated October 2023).

4.22 LBH Drainage have no objection, subject to conditions.

LBH Housing Regeneration (Woodberry Down)

4.23 The application is supported by the Woodberry Down Regeneration Team. Berkeley Homes has consulted with the Design Committee whose members are drawn from the Woodberry Down Community Organisation which represents residents, the Woodberry Down Regeneration Service and Notting Hill Genesis Housing Association, and the design has been shaped through their comments. The Woodberry Down Team welcomes the delivery of further affordable homes in Phase 4 which allows potentially for Secure Tenants in both Phases 6 and 7 to be rehoused in Phase 4. The Regeneration Team also welcomes the delivery of a Cultural Strategy that will help embed the central square as the 'heart' of Woodberry Down.

LBH Transport, Highways and Streetscene

4.24 No objection, subject to conditions and legal agreement including the following contributions.

- Travel Plan Monitoring - £25,000
- Construction Management - £17,500
- Delivery and Servicing - £2,000
- Car Club Residential - £60 per resident
- Car Club EV - £20,000
- Seven Sisters Road scheme - £125,714
- Crossings - TBC with TfL
- Bus contribution - £7,304
- P4 Smarter travel on Estates initiative - £50,000
- Wayfinding - £10,000
- Essential Highways - £581,781
- S38 agreement and works - £TBC

LBH Waste Management

4.25 No objection in principle, concerns raised regarding the 'drag' distances from the 4 mews houses to the waste collection areas, and from the waste collection areas to the loading bays for the mews houses and central waste presentation area. Some of the waste carrying distances to the bin stores for the social rented properties are considered lengthy.

Design Review Panel

4.26 The Design Review Panel reviewed the application prior to the submission of the application. In terms of massing and layout, the Panel expressed concerns about the generally deep blocks and the resulting amount of single aspect flats. The Panel considered the layouts aiming to achieve dual aspect tokenistic and was concerned that they would not meet the London Plan definition of dual aspect. These would result in various issues, including poor cross-ventilation and overheating.

4.28 Along Seven Sisters Road (SSR), the recommendation to keep windows closed due to noise and

air pollution could further add to a lack of passive ventilation. Further cross-ventilation is needed. The Panel suggested duplex units for the ground floor, with a dual aspect at first floor to the podium.

- 4.29 The Panel identified that sustainability targets need to influence the design and layout and that the buildings and form do not show the sustainability principles.
- 4.30 The Panel felt that the tower along SSR was less successful and would blur the line between the avenue and the central cluster. It felt that it should be a continuation of the lower 'avenue' buildings. The relationship with the corner building on the opposite side of Woodbury Grove in Phase 3 should also be considered as together they form an important gateway from SSR.
- 4.31 In terms of Architecture and Facade Design, The Panel expressed concern about using a standard layout and facade design, and recommended that orientation should heavily influence their design and look (glass or solid), in order to address daylight and overheating. Some of the SSR facing units are considered problematic and passive design is not reflected in the façade design. Overshadowing by balconies is a concern along SSR.
- 4.32 The Panel considered elevations have improved generally but found the block facing SSR relentless and homogenic. While the reference images show typical 5-storey buildings, the ones proposed are much more than double the height, very long and have much less detailing. The Panel thought the SSR facades need more character, contrast, and subtle differentiation to reduce the sameness. It recommended adding a next level or layer of detailing, including brick bonding, brick types, etc.
- 4.33 The Panel considered that the incorporation of curved elements would be beneficial to the design and would reference the existing buildings on the site.
- 4.34 In terms of Landscape and Public Realm, the Panel questioned the triangular design of the podium and whether there is an under-provision of play space. The Panel felt that the podium layout needed further detailed explanation. The Panel highlighted the lack of visibility and public accessibility of the play space provided on the podium. It also highlighted that the wind levels are too high for the play area to be comfortable and well-used.
- 4.35 The Panel highlighted the importance of soil volume in order to facilitate meaningful trees on the podium. This would require further detail at the earliest opportunity to show how this would work. The Panel suggested connecting the tree pits to the ground level by using large soil columns.
- 4.36 The Panel questioned the level of hard surfacing on the square and whether it was permeable. The current proposals were not considered to result in a successful green urban plaza and further greening is recommended. The Panel was not convinced by the proposed long benches, in relation to the natural planting and desire lines.
- 4.37 The pocket park was felt to be disconnected from the development and the inactive frontages around it are considered problematic and likely to invite anti-social behaviour.
- 4.38 In terms of Sustainable Development, the Panel considered that in many aspects the sustainability elements appeared to be an afterthought. It identified that the argument for demolishing to rebuild instead of retention has still not been made. The Panel considered it difficult to meet net zero in terms of embodied carbon. The whole-life circular economy needs to be investigated further, including the potential to re-use materials of demolished buildings.
- 4.39 The Panel questioned whether other renewables apart from ASHPs can be used. It also queried the green roofs and competing uses for ASHP, PV cells, heat pumps, biodiversity and amenity space and the way this space would be represented in the Urban Greening Factor calculations.

- 4.40 The Panel highlighted risks of overheating for various blocks and orientation and stressed the need to focus more on sustainability early to inform the design and layout.
- 4.41 In summary, the Panel welcomed the opportunity to see the design development for phase 4. It was noted that designs have moved on in a positive way, but some fundamental concerns remain with some areas.
- 4.42 A wide range of concerns were raised, including in relation to height and massing, building layouts, open space design and sustainability. The Panel encouraged the development team to make the necessary changes and progress detailed design as discussed. The Panel would like to see the scheme come back again for a further design review before submission.

Officers response: These comments are addressed as part of the relevant sections of the report.

5. POLICIES

5.1 LBH Local Plan 2033 (2020)

- PP1 - Public Realm
- PP9 - Manor House
- LP1 - Design Quality and Local Character
- LP2 - Development and Amenity
- LP3 - Designated heritage assets
- LP6 Archaeology
- LP8 Social and Community Infrastructure
- LP9 - Health and Wellbeing
- LP11 - Utilities and Digital Connectivity
- LP12 - Meeting Housing Needs and Locations for New Homes
- L13 - Affordable Housing
- LP14 - Dwelling Size Mix
- LP17 - Housing Design
- PL18 - Housing Older and Vulnerable People
- LP24 - Preventing the loss of housing
- LP26 - Employment Land and Floor Space
- LP27 - Protecting and Promoting Office Floor Space in the Borough
- LP31 - Local Jobs, Skills and Training
- LP36 - Shops Outside Designated Centres
- LP37 - Small and Independent Shops
- LP41 - Liveable Neighbourhoods
- LP42 - Walking and Cycling
- LP43 - Transport and Development
- LP44 - Public Transport and Infrastructure
- LP46 - Protection and Enhancement of Green Infrastructure
- LP47 - Biodiversity and Sites of Nature Conservation
- LP48 - New Open Space
- LP49 - Green Chains and Green Corridors
- LP50 - Play Space
- LP51 - Tree Management and Landscaping
- LP53 - Water and Flooding
- LP54 - Overheating and Adapting to Climate Change

- LP55 - Water and Flooding
- LP56 - Decentralised Energy Network (DEN)
- LP57 - Waste
- LP58 - Improving the Environment - Pollution
- MH1 - Woodberry Down

5.2 London Plan (2016)

- 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
- SD10 - Strategic and Local Regeneration
- 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
- D9 Tall Buildings
- D11 - Safety, Security and Resilience to Emergency
- D12 - Fire Safety
- D13 Agent of Change
- D14 - Noise
- H1 - Increasing Housing
- H4 - Delivering Affordable Housing
- H5 - Threshold approach to applications
- H6 - Affordable Housing
- H8 Loss of Existing Housing and Estate Redevelopment
- H9 - Ensuring the best use of stock
- H10 - Housing Size, Mix
- S1 - Developing London's Social Infrastructure
- S2 - Health and Social Care Facilities
- S3 - Education and Childcare Facilities
- S4 - Play and Informal Recreation
- E1 - Offices
- E2 - Providing Suitable Business Space
- E3 - Affordable Workspace
- E9 - Retail, Markets and Hot Food Takeaways
- E11 - Skills and Opportunities for all
- HC1 - Heritage Conservation and Growth
- HC3 - Strategic and Local Views
- HC4 - London View Management Framework
- G1 - Green Infrastructure
- G4 - Open Space
- G5 - Urban Greening
- G6 - Biodiversity and Access to Nature

- G7 - Trees and Woodlands
- G9 - Geodiversity
- 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 12 - Flood Risk Management
- SI 13 - Sustainable Drainage
- T1 - Strategic Approach to Transport
- T2 - Healthy Streets
- T3 - Transport Capacity, Connectivity and Safeguarding
- T4 - Assessing and Mitigating Transport Impacts
- T5 - Cycling
- T6 - Car Parking
- T6.1 Residential Parking
- T6.2 Office Parking
- T6.5 - Non-residential disabled person Parking
- T7 - Deliveries, Servicing and Construction
- T9 - Funding Transport Infrastructure Through Planning
- DF1 - Delivery of the plan and planning obligations

5.3

SPD/SPG/Other

- London Borough Of Hackney Community Infrastructure Levy Charging Schedule (2015)
- London Borough Of Hackney Planning Contributions SPD (2020)
- London Borough Of Hackney Sustainable Design and Construction SPD (2016)
- Mayor of London's Accessible London - Achieving an Inclusive Environment SPG (2014)
- Mayor of London's Affordable Housing and Viability SPG (2017)
- Mayor of London's All London Green Grid SPG (2012)
- Mayor of London's Character and Context SPG (2014)
- Mayor of London's Community Infrastructure Levy Charging Schedule 2
- Mayor of London's Control of Dust and Emissions During Construction and Demolition SPG (2014)
- Mayor of London's Crossrail Funding SPG (2016)
- Mayor of London's Good Practice Guidance for Estate Regeneration (2018)
- Mayor of London's Housing SPG (2016)
- Mayor of London's Planning for Equality and Diversity in London SPG (2012)
- Mayor of London's Play and Informal Recreation SPG (2012)
- Mayor of London's Social Infrastructure SPG (2015)
- Mayor of London's Air Quality Positive SPG
- Mayor of London's Air Quality Neutral SPG
- Mayor of London's Be Seen Monitoring SPG
- Mayor of London's Circular Economy Statement SPG
- Mayor of London's Energy Planning SPG
- Mayor of London's Sustainable Transport, Walking and Cycling SPG
- Mayor of London's Characterisation and Growth SPG

5.4 National Planning Policies

National Planning Policy Framework (2023), Planning Practice Guidance and National Design Guide (2019)

6. COMMENT

6.1 Introduction

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

6.1.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

6.1.3 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The key planning issues raised by the proposal include:-

- Environmental Statement;
- The Principle of the Development (land use);
- Housing Mix (including Affordable Housing (Reprovision and Additional)
- Non-Residential Uses;
- Quality of Accommodation;
- Amenity Impacts;
- Heritage
- Design;
- Public Realm, Open Space and Play;
- Sustainability, Climate Change and Energy;
- Highway Safety and Transportation;
- Flood Risk and Drainage;
- Ecology and Biodiversity Matters (on and off site);
- Arboricultural Matters (trees);
- Waste Management;
- Contamination;
- Planning Obligations.

6.2 Environmental Statement

6.2.1 The Environmental Impact Assessment Regulations 2017 ("the EIA Regulations") set out in Schedule 4 the general requirements for the content of Environmental Statements. These comprise information on the nature of the development; consideration of alternatives; relevant aspects of the environment; likely environmental impacts arising; proposed mitigation measures; and an indication of any difficulties in compiling the information needed. A non-technical summary of the contents of the Environmental Statement is also required.

- 6.2.2 The submitted Environmental Statement (“ES”), subject to the satisfactory receipt of additional information, satisfies these requirements and can be used as a basis for determination of the application.
- 6.2.3 Regulation 18(5) of the EIA Regulations requires an applicant to ensure that the (“ES”) is prepared by competent experts and provide a statement from the developer outlining the relevant expertise or qualifications of such experts. A statement of expertise has been submitted. The qualifications of each assessor have been included at the start of each technical chapter of the (“ES”). Following receipt of additional information and clarification, it was confirmed that the Environmental Statement (including the additional details/information and clarification) adequately identified all of the potential environmental effects of the proposed scheme and that the proposed mitigation measures are appropriate, subject to the imposition of appropriate planning conditions.

6.3 Principle of Development (land use)

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

6.3.2 In specific regard to proposals for estate regeneration, such as that currently under construction elsewhere at Woodberry Down, paragraph 98 of the NPPF states *“that planning policies and decision should consider the social, economic and environmental benefits of estate regeneration, and requires Local Planning Authorities to use their planning powers to help deliver estate regeneration to a high standard.”*

6.3.3 The principle of regenerating the post war Woodberry Down Estate was established through the granting of outline planning permission for a masterplan for the redevelopment of the estate, and had subsequently been reconfirmed through the granting of successive outline, hybrid and full planning permissions, as well as an allocation in the local plan.

6.3.4 The regeneration of Woodberry Down has been a corporate and political objective of the Council for a number of years, and it is recognised that the overall process is partially underway, as is recognised in LP33 place making policy PP9 (Manor House) and site allocation policy MH1 (Woodberry Down). The principle of a high quality, residential led redevelopment of the site is therefore acceptable and in accordance with long established principles of adopted Development Plan policy as well as more general local, regional and national planning objectives of delivering sustainable development. Therefore the principle of development in land use terms is acceptable.

6.4 Housing Matters

Housing Delivery

6.4.1 The proposed development seeks full planning permission for the redevelopment of 200 dwellings which are at the end of their functional and operational life. The 6 residential blocks currently standing on the Phase 4 site have been previously assessed through structural evaluation surveys to be beyond reasonable economic repair and, by virtue of the previous planning permissions, their redevelopment has been previously considered and confirmed as being acceptable in principle.

6.4.2 The current application proposes their replacement with 511 new homes of a range of unit sizes and tenures. A summary of the housing mix proposed is shown in table 1 below.

Overall Total	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed	Total	%
Social Rent	23	40	18	7	2	90	18%
Intermediate	81	51	0	0	0	132	26%
Open Market	158	106	25	0	0	289	57%
Total	262	197	43	7	2	511	
%	51%	39%	8%	1%	0.4%		

Table 1: Proposed Tenure and Mix

6.4.3 The delivery of high quality affordable housing is recognised as an important planning objective in the adopted Development Plan and the National Planning Policy Framework. The proposed development would make a significant contribution to that delivery within Hackney.

6.4.4 The current London Plan sets a minimum target of 1,328 net homes per annum for Hackney (13,280 over ten years). Woodberry Down is a site that is considered to come forward during the gestation period of the current London Plan.. PP9, which sets the strategic direction for this area of the borough, references 2,000 additional homes within this area, with LP12 requiring around 3,000 dwellings in the Woodberry Down/Stamford Hill area. Policy MH1 provides the site allocation for Woodberry Down and sets a gross target of 4,045 dwellings and 2,915 dwellings (net).

6.4.5 It is recognised that the quantum of housing proposed under the scope of the current application (and therefore density of the scheme) exceeds that previously approved under the revised masterplan. However, in national and current Development Plan policy there is a general presumption in favour of sustainable development, including (and in particular) affordable housing (both social/affordable rented and intermediate housing), and a requirement to make efficient use of land, particularly in highly sustainable locations, such as the proposal site. Concerns relating to the increased density are noted, however an increase in density in this location is deemed to be acceptable in principle.

Housing Mix

6.4.6 London Plan Policy H10 seeks to promote housing choice and a balanced mix of unit sizes in new development. Local Plan policy LP14 seeks that for: Social Rent/London Affordable Rent properties 30-34% should be 1 bed, 30-34% should be 2 bed, 33-36% should be 3+ beds; 1 bed Intermediate properties should be a lower proportion than than the 2 bed proportion of dwellings, 2 bed intermediate properties should be a higher proportion than the 1 bed properties, and 15-25% of the intermediate dwellings in a scheme, 3+ bed dwellings should form 15-25%; The proportion of 1 bed market properties

should be a lower proportion than 2 bed market properties, with 2 bed market properties forming a higher proportion than 1 bed properties, and 3+ bed properties should make up 33% of the market properties within a scheme.

6.4.7 The proposed housing mix as shown in table 1 diverges from the Council's evidenced policy requirement in terms of housing mix. The applicant states that the proposed mix of homes responds to some predetermined factors for the site. There is a defined requirement for a specific mix of affordable housing units, in terms of size and tenure, which is determined by the needs of households who will be rehomed in Phase 4 to allow the progression of phases 5-8 in due course, the intermediate homes being available under two tenure types: shared equity for existing residents who own their current home; and shared ownership for residents new to Woodberry Down.

6.4.8 Secondly, with regard to the intermediate tenure provision, the mix has been determined by the Registered Provider (RP) and development partner (Notting Hill Genesis). Finally, the open market housing mix has been determined by Berkeley Homes, in line with the substantial volume of sales data available from previous phases in the wider Woodberry Down Estate Redevelopment. This gives rise to the proposed mix, set out in the following table comparing it to the target housing mix set out in the Development Specification approved under 2013/2332, which confirms compliance with the previously established principles for the development.

	Private		Intermediate		Social Rented	
	Target %	Actual %	Target %	Actual %	Target %	Actual %
1 Bed	40-50%	42%	35-45%	61%	22-28%	26%
2 Bed	40-50%	43%	35-45%	39%	33-42%	44%
3+ Bed	10-20%	14%	10-20%	0%	20-22%(3B) 16-18%(4B) 0-5%(5H)	30%

Table 2 Compliance of housing mix with previously approved (2013/3223) Development Specification

6.4.9 It is recognised that the current application is a standalone application for full planning permission which cannot rely on historic permissions, however the Financial Viability Assessment (FVA) that forms part of the application documents includes information on residential sales values that indicated that 1 bed private sales flats have a higher value by floor area than the larger private sales flats. The provision of more private flats with more than 1 bed would both reduce the number of flats with more than 1 bed would reduce the number of flats and reduce the overall value by floor area. It is understood that the scheme is difficult from a viability standpoint, so that provision of a greater proportion of 1 bed private flats than is preferred in this case and is considered acceptable.

6.4.10 For these reasons, on balance, the adoption of a more flexible approach in the application of the Local Planning Authority's preferred housing mix is considered acceptable in the circumstances of this case, particularly given that, due to the status of the application site as one single phase of a larger regeneration project with a further four phases to be delivered, it is not unreasonable to expect that a more policy compliant mix can potentially be achieved overall in the delivery of subsequent phases in the redevelopment of Woodberry Down.

Affordable Housing Provision

6.4.11 Development Plan policy (both regional and local) requires major residential proposals to provide a minimum of 50% affordable housing. The London Plan specifies the following in terms of tenure split: 30% should be Social Rented/London Affordable Rent; 30% should be intermediate tenure; and, the remainder (40%) to be low-cost rented homes or intermediate products subject to local need and viability. Local Plan Policy LP13 requires: 60% to be Social Rent/London Affordable Rent; and, 40% to be intermediate housing products.

6.4.12 The application, as submitted, proposes 43% affordable housing by unit numbers, and 47% by habitable room. Within this, the tenure split is 18% Social Rent by unit number (or 25% by habitable room), with 26% intermediate products by unit number (or 23% by habitable room). The remainder 57% by unit number are made up with market dwellings (53% by habitable room). To summarise, the proposal seeks to provide 222 affordable dwellings, 90 of which are social rent and 132 are to be made available as intermediate products. Therefore the overall affordable housing provision is 7% below the target level.

6.4.13 In terms of distribution through the development the A blocks comprise 275 dwellings set within a Mansion Block Typology, these range from 8 to 13 storeys in height. Of the 275 dwellings, there are 143 market homes within buildings A3 & A4, and 132 shared ownership homes within A1 & A2. The two B blocks comprise 90 homes within building B1 (6 to 9 storeys) and B2 (6 to 9 storeys). Both blocks accommodate social rented dwellings, this includes four duplex dwellings at ground floor level by the Mews Garden. Building C1 is 26 storeys and consists of solely market dwellings (146 dwellings). All shared ownership homes and social rented homes have been designed to meet Parker Morris Standards plus 10% (housing space standard - non mandatory), which exceed the GLA standards. Communal amenity space in phase 4 is provided at podium level and all dwellings have either a private terrace at ground floor level or a balcony, and thirty five car parking spaces have been allocated for use by the social rented residents, who benefit from a car parking permit, these are located at ground level within the podium.

6.4.14 The proposal will also enable the decant of existing social rented tenants within Phases 6 and 7, taking into account the needs of these households. The proposed development will form a mixed tenure scheme, with a range of dwelling sizes, which will contribute to the ongoing regeneration of Woodberry Down and Hackney. It is understood that rental levels for Social Rented Homes will be set between Notting Hill Genesis and the Council. The rental level, in accordance with the requirements for Social Rent, will be inclusive of all service charges.

6.4.15 It is understood that upon completion of the affordable dwellings Notting Hill Genesis will purchase the homes from Berkeley at an agreed price set out in the Principal Development Agreement (PDA). A leasehold of 299 years will be transferred to Notting Hill Genesis. This will be secured by way of a Build Legal Agreement as set out in the PDA, to be completed before the implementation on site. This application whilst falling 7% short of the affordable housing target, although not a planning consideration, should be viewed in the context of the PDA agreed between the developer and the Council's regeneration team secures at least 40% affordable housing within the Woodberry Down Estate itself, as well as viability evidence submitted.

6.4.16 As less than 50% affordable housing is proposed the application is required to be viability tested, and to that end the application is accompanied by a Financial Viability Assessment (FVA), which has been the subject of independent review.

6.4.17 The application is a standalone application independent of the masterplan, but the development still forms part of the wider estate redevelopment, which means there are components of the development that would not normally be included if it were a standalone, freestanding application. Also the wider PDA between the applicant and the council's regeneration team has implications for some of the inputs of the FVA submitted.

6.4.18 The development agreement for the site (includes an overage agreement which means that any additional profit above the developer's return of 20% is held to ensure the viability of future phases and to maximise the delivery of affordable housing. Elsewhere at Woodberry Down it is understood that Phase 2 is cross subsidising Phases 3 and 4, which reflect the variation in market conditions between the phases and the infrastructure delivered in them. It is therefore considered that should members approve this application the overage mechanism should feature in the S106 agreement for this phase, as it has in previous phases.

6.4.19 There are a number of reasons why a standard FVA does not work well with the individual phases of the Woodberry Down regeneration project. Some of the FVA inputs are very different for Woodberry Down than they would be for a standard commercial development. For example the Benchmark Land Value (BLV) for Woodberry Down is essentially zero as the land is not sold to the applicant for its market value. Instead the Compulsory Purchase Order (CPO) and associated costs are used in the FVA in place of the BLV. This is a reasonable alternative to using the BLV but is also a deviation from standard FVA practice.

6.4.20 Some FVA inputs are affected by the PDA between the applicant and the Council as Landowner, which are sometimes considered reasonable in planning terms and sometimes not. One reasonable instance would be the inclusion of additional costs associated with the extensive community liaison required by the PDA that goes beyond the applicants legal requirements but which is considered to be a good thing by both the Council as Landowner and the Council as Local Planning Authority (LPA). One unreasonable instance would be the inclusion of a blanket profit rate for the applicant of 20% which is included in the PDA but is in excess of profit rates accepted by the LPA in other FVA's.

6.4.21 Despite the difficulties in using the standard FVA method negotiations, with the input of BNP Paribas as the LPA's viability consultant (employed to appraise the viability assessment on our behalf), have resulted in an FVA that better reflects accepted market standards for the FVA inputs, as summarised below:

Sales values - Residential sales values originally put in as £965/ft² but increased to £978/ft² to reflect values achieved in phase 3. Commercial values originally put in at £17.50/ft² but increased to £22.50/ft² to reflect values achieved elsewhere in Woodberry Down.

Marketing costs - Costs for residential sales agents and for residential marketing is put in at 5.5% whereas a figure of 3% would be more typical, however, the applicants have made the point that the higher sales values in phase 3 were achieved with the same level of marketing and so a reduction in marketing costs would also result in a reduction in sales values. The higher marketing cost would be around £2m leading to a £3m increase in values, and so the additional marketing cost makes sense.

Construction costs - Originally put in at £262.84/ft² and now decreased to £259.56/ft² with the assistance of our costs consultant CDM Project Services.

Profit rates - Originally put in at 20% for all categories but now reduced to 17.5% for market housing, 6% for affordable housing and 15% for commercial, which is in line with market evidence. It is noted that the applicants consider that a 20% rate is appropriate for private market housing and so have also submitted an FVA with that rate included which raises overall profits from £39m to £44m. Officers remain of the view that 17.5% is a more accurate figure.

Disputed costs - There were some costs included that are not normally included such as for an Independent Tenant and Leasehold Advisor (ITLA), or for Build Warranties. Some of these, like the ITLA, have been moved to the professional fees section where they are more sensibly placed, and the professional fees have been increased from 10%, which is a typical figure, to 12%, the higher rate being justified by the additional liaison and consultation required of the applicants by the Council through the PDA. Some costs, like the Build Warranties, have been removed altogether but the FVA adjusted to include an allowance for contractors overheads and profit, as would be the case with an open market FVA.

6.4.22 As originally submitted the FVA indicated that the scheme would result in an overall deficit of £27m, and as revised the FVA indicates a £1.2m deficit. The applicants have said that a deficit would be countered by an overage payment from phase 2 towards phase 4. The same overage mechanism applies to phase 3 and would also apply to phase 4, if approved. It means that any profit for any phase achieved over that allowed in the PDA (ie 20%) is put towards future phases. It is this forward paying mechanism that has helped the regeneration programme to continue. A more conventional review mechanism would seek to plough excess profit back into the same phase to increase the affordable housing provision within that phase. This approach would have increased the affordable housing delivered in phases 2 and 3 but would have left phase 4 unviable.

6.4.23 The FVA process is a simple one in general terms but rapidly becomes complex when the different inputs play against each other. This is doubly so for a multi-phase estate regeneration scheme stretching over more than 30 years in which the Council as Landowner is a partner. We should not lose sight of the fact that the purpose of an FVA is to decide whether the amount of affordable housing in the scheme is acceptable. For phase 4 the offer is 43% by unit, or 47% by habitable room (which is the GLA's preferred measure). For phase 3 the offer was 42% by unit and for phase 2 it was 36%, so in comparison the offer of 43% for phase 4 seems a good one, however, it is not considered to be the maximum amount of affordable housing that phase 4 could deliver. Further negotiations could take place and it is possible that the current overall small FVA deficit could become a modest profit which could be used to increase the affordable housing offer in phase 4, but the size of the increase in affordable housing provision would be likely to be modest and it would prevent phase 4 from helping with the viability of future phases.

6.4.24 It is an important principle of the consideration of FVA's that it is a matter for the decision maker to decide how much weight to give to viability matters in the overall planning balance. In this instance the affordable housing offer is 43% which compares well to other developments, with the exception of the Council's own regeneration schemes which deliver a minimum 50% affordable, although those schemes are smaller in scale than Woodberry Down. The offer of 43% is considered to be acceptable and the FVA is now much closer to one reflecting a notional developer and landowner using more standardised inputs that reflect market evidence. There are some remaining drawbacks with the FVA but these are considered to be outweighed by the wider benefits of the overall regeneration programme including environmental improvements and delivery of increased numbers of new energy efficient homes.

6.4.25 The principle of current phases contributing towards future phases and thereby keeping the regeneration scheme going is a good one, though of course phase 8 will be the final phase and at the point of delivery of phase 8 there will be no future phases to contribute towards, which will need to be accounted for somehow to ensure the maximisation of affordable housing throughout the whole programme. Also, in dealing with phases 3 and 4 it has become clear that the standard FVA method is becoming less useful in helping to decide what levels of affordable housing are acceptable as the standard method does not take into account any issues associated with a complex multi-phase redevelopment where the delivery of the redevelopment overall is more important than that of any individual phase. It is possible that a more bespoke approach would be better, and a planning application for a new master plan is likely to be submitted soon which presents an opportunity to look again at how viability should be dealt with for phases 5 to 8.

6.4.26 The delivery of affordable housing will be secured via a legal agreement should planning permission be granted. The planning obligation should also include review mechanisms in line with those of previous phases in order to meet current GLA guidance.

6.5 Non-Residential Uses

6.5.1 The application proposes 1,215m² Gross Internal Area (GIA) of non-residential uses, with this space shown on the layout plans submitted with the application. This includes 1115m² (GIA) front of house/retail floor space, 41m² (GIA) of Bin Store and 59m² (GIA) of corridor, with plant located in the plant room serving the residential element of the development. This is sought on a flexible/alternative basis, with the uses sought as either Use Class E (a, b or c) or use Class F1 or a mix of these. The use Class F1 is sought for the purposes of providing a public library, although limitation within that use class is not considered necessary, with the library use will be secured via the S106 agreement. Should the Council not require the library use, the floorspace could be used for commercial operations under use Class E.

6.5.2 The application site is not located within a town or district centre, with the closest centre being Manor House (local shopping centre designation), however supporting uses including retail, employment education are other community/leisure facilities have been envisaged through the site allocation for Woodberry Down in the local plan. However, in accordance with policy LP32 a Sequential Impact Assessment has been undertaken which demonstrates that no harm to the vitality and viability of the centre at Manor House will occur. The final layout of the non-residential floorspace has not yet been established, and may be used as a single large unit or multiple smaller units. Policy LP37 seeks that smaller units are incorporated into major developments where there is no accessible provision within 400m, however there are already a number of smaller shops in the locality, and it is therefore considered that a singular commercial unit can be justified in policy terms. In reference to the potential Library use, Part E of LP8 supports the inclusion of community facilities in mixed use residential schemes where it meets an identified need, but should the library use not be feasible, an alternative use for the space can be sought under Use Class E.

6.5.3 It is therefore considered that the non-residential development elements of the proposal, subject to conditions, are compliant with the relevant policies in the Development Plan, relevant sections of the NPPF; and other material considerations, where these can be given weight.

6.6 Quality of Accommodation

6.6.1 All new residential developments are expected to provide a good standard of amenity for future occupiers, and to comply with policy requirements in both the London Plan and Local Plan.

6.6.2 The residential units proposed will all meet the requirements of the Nationally Described Space Standards, whilst all of the affordable housing has been designed to comply with Parker Morris Standards +10% above the statutory requirements. All units have access to either private external amenity space in the form of private terraces at ground floor and podium level, with balconies provided at upper levels. In addition to this 3,576m² of private shared amenity space is provided by way of communal gardens on the podium between the buildings. The Mews Gardens, Pocket Park and Central Square (4,273.5m²) are accessible to the general public.

6.6.3 In terms of internal layouts, The majority of flats are either dual aspect (91%) and a number are south facing single aspect which is positive.

6.6.4 Access to sunlight and daylight is important when assessing schemes such as this, and an internal daylight and sunlight assessment has been undertaken and submitted with this application. The report concluded that 84% of habitable rooms would achieve the guideline values for daylight, and 16% fall below the suggested criteria. Many of the rooms below the minimum target lux criteria relate to windows located beneath overhanging balconies, which inevitably reduce the ingress of light to the spaces below. Therefore there is a trade off between achieving good levels of internal daylight to all areas of proposed rooms, and the provision of external private amenity spaces in this form, which provide access to high levels of external daylight and in most cases sunlight amenity on the balconies themselves. This is usual in multi-storey developments of this nature.

6.6.5 A significant number of rooms below the standard for the whole space will nonetheless achieve higher levels of daylight to the living room portion of their area nearest the window at the front of the room. Residents will also have access to the balconies which will provide good levels of external daylight amenity. The proposed development represents a good level of daylight performance against the relevant criteria, considering the context of the site and proposal, in an urban context.

6.6.6 In terms of internal sunlight amenity, 75% of the habitable rooms within the scheme will meet the minimum recommended sunlight criteria. A closer inspection of the results also indicates that the minority of rooms falling below the criteria are either located on the northern elevations or positioned behind deep projecting/recessed balconies which restrict access to available sunlight hours as acknowledged by the BRE Guidelines. Those rooms which are affected by the provision of a balcony, will be able to enjoy sunlight on the balcony itself. This represents a reasonable level of internal sunlight overall within the context of the proposal. In terms of overshadowing, the analysis also demonstrates that all of the proposed amenity areas tested will comfortably exceed the criteria in the BRE Guidelines.

6.6.7 In terms of internal daylight, sunlight and overshadowing technical assessments, and given the constraints of the site, it is considered that levels of daylight and sunlight amenity within the proposed development area acceptable.

6.6.8 Concerns have been raised regarding the level of sunlight available to some of the properties within the scheme, particularly those facing north, however it is considered that the levels present are acceptable given the context in which they are located.

Noise Impacts

6.6.9 Seven Sisters Road represents a significant environmental challenge particularly regarding traffic-borne noise. Whilst TfL have plans to alter the road, potentially reducing the number of lanes, (and in which Phase 3 contributed funding for measures such as additional crossings) these plans have potentially been delayed due to funding constraints and it was advised at pre-application stage with TfL to assume a scenario where these works are not undertaken. Regardless of the works, it is still envisioned that the road serves as a major arterial road and the environmental considerations that therefore need to be accounted for.

6.6.10 All existing homes are exposed to noise levels registered as unacceptable, as detailed in the submitted Environmental Impact Assessment and Overheating Assessment. The fact that all existing homes are exposed to this unacceptable noise demonstrates a need to reconsider the orientation of the built form of the site; recreation of continued north-south linear blocks would not solve this issue. The opportunity to address this is an important benefit of the proposal.

6.6.11 The mansion block design fronting Seven Sisters Road acts as a noise barrier so that the noise conditions to all other facades, apart from a small corner of Block B1 which is also caught by the noise from Seven Sisters Road, are not exposed to high noise levels. It should be noted that the facades to Seven Sisters Road and the corner of Block B1 will be sufficiently insulated so that they are also not impacted by the noise; it is only if the windows are opened that the noise level would exceed limits.

6.6.12 There is the potential for conflict between neighbouring land uses, particularly with regards to noise. To avoid such situations arising, conditions restricting hours of operation, use of outside areas and uses within the permitted use Classes are proposed, as well as conditions requested by the Council's Environmental Protection Team, which will serve to mitigate potential disruption.

Overlooking and Privacy

6.6.13 The buildings within the development are in some cases quite tightly arranged, however in general the separation distances between are considered to be adequate to allow satisfactory actual and perceived spacing. However, there are a small number of cases where there are facing balconies at relatively short distances. In these circumstances, where there is direct overlooking at shorter separation distances, obscure and fixed glazing, as appropriate, will be required by condition to balconies to avoid mutual overlooking of future occupiers. Concerns regarding overlooking and privacy are noted, however as mentioned above, it is considered that the proposal is acceptable, subject to conditions suggested.

Accessible and Adaptable Homes

6.6.14 Of the 511 residential homes, 90% (460) of the homes will comply with Part M4(2) standards, meaning that these are accessible and adaptable, and the other 10% of the scheme will meet the more onerous requirements of M4(3) which are suitable for occupation by wheelchair users. This provision will be secured by way of condition.

Overheating and Ventilation Matters

6.6.15 Overheating and achieving suitable ventilation to reduce the impact of the

urban heat island effect is an important consideration, the London Plan encourages the design of places and spaces to avoid overheating and excessive heat generation, and to reduce overheating due to the impacts of climate change and the urban heat island effect. Major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy: 1 minimise internal heat generation through energy efficient design; 2 reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3 manage the heat within the building through exposed internal thermal mass and high ceilings; 4 passive ventilation; 5 mechanical ventilation; 6 active cooling systems (ensuring they are the lowest carbon options). Major development proposals should demonstrate how the design, materials, construction and operation of the development would minimise overheating and also meet its cooling needs. New development in London should also be designed to avoid the need for energy intensive air conditioning systems as much as possible.

6.6.16 The need to orientate the Seven Sisters Road mansion block (Blocks A1-A4) means some homes will have a frontage only on Seven Sisters Road; but which in terms of noise exposure is a reduction from the existing situation. All of these homes are 1bed units. They are dual aspect (as defined by Standard 29 of the Housing SPG) via a 3 metre return in the façade, but both aspects are exposed to Seven Sisters Road.

6.6.17 Due to the potential for noise exposure, the application scheme allows an occupier facing Seven Sisters Road the choice to either use mechanical ventilation or to open the window to naturally ventilate the home to prevent overheating. It should be noted that had the noise source of Seven Sisters Road not existed, then natural ventilation of these homes via opening the windows would have been possible, as being predominantly north facing units there is no solar gain, typically a cause of overheating. As detailed also in the Overheating Assessment, provision of acoustic louvres would have had a significant impact on the façade appearance thus rendering this option unavailable on architectural grounds. The noise impact from Seven Sisters Road is therefore a site-specific material consideration that supports the approach to the orientation of the proposed buildings as well as multiple environmental strategies

Microclimate Matters

6.6.18 The local wind microclimate has been carefully studied in informing the proposals by RWDI. The wind conditions along Woodberry Grove are presently detrimental for sitting and sometimes standing and strolling conditions. This has an impact on the existing open space on the eastern side of the site (where Central Square is proposed to be located). The proposed massing and layout will materially reduce this microclimate impact with the landscaping seeking to further reduce this effect to facilitate a greater sitting environment.

6.6.19 The quality of accommodation provided for both residential and other occupiers of the development as proposed is therefore considered to be acceptable subject to conditions.

6.7 Neighbour Amenity Matters

6.7.1 NPPF Paragraph 135 requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Chapter 12 of the NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all

development. The relevant local policies in relation to this are LP2 and LP17 of the Local Plan, and Policy D3 of the London Plan.

6.7.2 The NPPF (Chapter 12) requires that planning should always seek to secure high quality design and seek to secure better places in which to live and work. Paragraph 191 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 96 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places. The proposal site, by virtue of its position central to the wider Woodberry Down Estate, is surrounded by existing residential development, albeit this accommodation is separated from the site in most cases by public highways.

6.7.3 The closest residential properties are as follows: To the north, are Wensleydale House, Weardale House, Toxteth House and Groveley House which are in residential use and form part of the original Woodberry Down Estate, falling into future phase 6. All of these buildings are separated from the proposal site by Seven Sisters Road, a six lane carriageway forming part of the TfL strategic transport network; To the west of the site, is phase 3 of the redeveloped Woodberry Down Estate, which was approved under application 2019/2514; To the east of the proposal site is St Olave's Church and St Olave's Parish Hall; and, To the south of the site is Beis Chinuch Lebonos Girls School, the Woodberry Down Centre, the Residence Tower, Parkway Apartments, the Kingly Building, Hadleigh Apartments and Odell House.

6.7.4 Daylight, sunlight and overshadowing effects on the occupiers of neighbouring properties are addressed in the Environmental Statement. In relation to the Vertical Sky Component (VSC) analysis for all windows tested, 83% of the 3640 windows assessed would meet the BRE Guidelines and experience a negligible effect (non-significant). Furthermore 88% of the windows tested would either meet the BRE criteria for VSC or experience a minor adverse effect only, which is not considered significant. 6% of the windows would experience an alteration of between 30-40% (moderate adverse effect, significant), while 6% would experience an alteration in excess of 40% (major adverse effect, significant), based on the default values in the BRE Guidance. The small minority of windows with greater effects are generally either self inhibited by projecting balconies/walkways or adjacent projections or face low levels of obstruction in the existing baseline. Given these contextual factors, greater relative changes than the BRE default levels are considered inevitable with any meaningful redevelopment of the site.

6.7.5 421 of the windows in the scheme experience more than minor effects, these generally fit into one or more of the following categories: retain VSC levels of circa 20% and above (considered good for an urban context); relate to multi glazed rooms with at least one window that does meet the VSC criteria, and/or the No Sky Line (NSL) criteria for the associated room is satisfied; they are already blinkered by existing projections adjacent or above; or serve bedrooms, which the BRE recognise as less important than other uses.

6.7.6 In relation to the NSL analysis for all rooms tested 96% of the rooms assessed would meet the BRE criteria and experience a negligible effect (not significant); while 98% of rooms would either meet the BRE criteria for NSL or experience a minor adverse effect only, which is not considered significant. 1% of rooms would experience alterations of between 30-40% (moderate adverse effect, significant), while 1% would experience an alteration in excess of 40% (major adverse effect, significant) based on the default values in the BRE Guidance. Of the rooms that would experience a moderate adverse effect these generally either retain a direct view of the sky to approximately two-thirds of their total areas; relate to bedrooms; or are self inhibited by their own design constraints.

6.7.7 In respect of overshadowing, of the three areas of consideration (St Olave's Church,

Woodberry Down Phase 3 and the open space in Phase 6, only Phase 3 requires further consideration of the guidance as to the impacts from the proposed development. The analysis identifies that because of the low baseline, any change is sensitive and exaggerated in this area. The impact overall is concluded to be minor adverse (not significant impact). In respect of privacy and outlook, the proposal will result in the introduction of new built form from where there is currently none, however in most cases the separation distances are deemed acceptable.

6.7.8 The layout and scale of the development is deemed to be acceptable and demonstrates satisfactory separation distances can be achieved between the dwellings proposed, which ensure that residential amenity is protected, subject to conditions attached to this report. In the context of the above, the proposals are not considered to be in conflict with Section 12 of the NPPF.

6.7.9 It is therefore considered that the proposal, subject to conditions, is compliant with the relevant policies in the Development Plan, relevant sections of the NPPF; and other material considerations, where these can be given weight.

6.7.10 Concerns have been raised regarding the impact of the scheme on nearby occupiers, particularly in relation to the impact of the proposal. However, it is considered that the negative impact the proposal may have on amenity matters is not sufficient enough as to warrant refusal.

6.8 Heritage Matters

6.8.1 The Council is under statutory duties contained within sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area and Listed Buildings, or its setting or any features of special architectural or historic interest which it possesses.

6.8.2 The National Planning Policy Framework (2023) provides a range of policies relating to heritage protection at paragraphs 200 to 214 . The Council has considered the proposed development in relation to these policies and particularly Paras 205 to 214. Policy HC1 of the London Plan (2021) and Policy LP3 of LP33 require that development preserves or enhances the character of designated heritage assets.

6.8.3 The impacts of the proposed development on these heritage assets are considered as follows as required by the above identified legislation and policy.

Asset. Church of St Olave, Woodberry Down. Grade II listed.

English Heritage listing entry: Built 1893 to designs of Ewan Christian.

MATERIALS: Red brick exterior and interior. Bath stone dressings. Slate roof.

PLAN: Wide, high nave with lower passage aisles; low transepts and prominent chancel with apse; tower with small spire; south porch.

SUMMARY OF IMPORTANCE: Attractive red brick church of 1894 in C13 style by notable church architect Ewan Christian, that was built with the proceeds of a demolished City Church of the same name, and that possesses a strikingly spacious interior with a number of furnishings brought from there.

6.8.3 The proposal will run between the mature gardens around the unlisted Rectory to the rear of the church, and the eastern blocks of phase 4. The blocks are set back from

the site boundary to make space for the route. It is unlikely that the new route will allow for additional appreciation of the church and rectory given the number of trees around the buildings, but the route is not harmful to the setting of the church. The impact is neutral.

6.8.4 Viewed from the junction of Woodberry Down and Seven Sisters Road or from points on Seven Sisters Road, the church exterior is difficult to appreciate because of foreground buildings and mature trees. However, in some views from Seven Sisters Road, for example from the entrance to Finsbury Park, the development will appear in the backdrop - significantly from Finsbury Park entrance and moderately closer to the building. The backdrop is already affected by tall buildings from earlier phases of development and the foreground is concealed by trees and lower buildings adjacent to the church. The impact is likely to be minor adverse.

6.8.5 In views from Woodberry Down, the front elevation of the church can be appreciated despite the close proximity of foreground buildings. There will be some moderate backdropping in this view as demonstrated in part 3, page 140 of the Heritage and Townscape Impact Assessment the impact is likely to be minor adverse.

6.8.6 Overall the impact is likely to be minor adverse. A low level of less than substantial harm to Grade II Listed St Olave's Church is identified. The harm is to be weighed against the public benefits of the scheme. A number of public benefits of the scheme have been identified. These include, but are not limited to:

- The proposed development has been prepared in a holistic manner through a Masterplan for the delivery of the Phase 4 of Woodberry Down. This is a positive approach to planning and encouraged to ensure that the site is delivered in a holistic manner and all necessary and appropriate mitigation and public benefits are secured;
- The proposed development would deliver a high quality development with a range of public benefits including;
- The provision of a significant quantum of onsite affordable housing.

6.8.7 It is considered that these public benefits as set out above, outweigh the level of harm identified and comply with the relevant provisions of the development plan in relation to heritage assets, when balanced with the provisions of the NPPF.

6.8.8 The proposal is considered to accord with the provisions of Local Plan policy LP3, London Plan policy HC1 and the provisions and intentions of the NPPF; where this can be given weight.

6.9 Design Matters

6.9.1 The NPPF, the London Plan and the Local Plan seek to ensure that development is sited appropriately, without an unacceptable, adverse impact on the local environment. The NPPF's presumption in favour of sustainable development is based on securing a balance between its economic, social and environmental dimensions.

6.9.2 General design matters are covered locally by policy LP1 of the Local Plan; this states that all development will be expected to achieve a high standard of design, reflecting local character and distinctiveness in traditional or contemporary design and materials.

6.9.3 The proposal is for an urban block with outward facing frontages aligned to streets defining a private podium courtyard within. A pocket park is proposed at the western end of the site between new blocks and St Olave's Church, as part of a new 'green finger'

public route connecting Spring Park, across Seven Sisters Road to the north half of the estate regeneration. The main public square for the commercial and community core of the redevelopment is proposed as part of this development. It is located at the eastern edge of the site and is defined by an active frontage of the podium, by the tower and the side of the Seven Sisters Road block. Entrances are an important aspect of a development because they define the level of active frontage and character of ground floor frontages. The proposal has a good level of animated ground floor frontage. Facing west onto the communal route, front doors to homes are created which is positive. Facing Seven Sisters Road, communal entrances to the 4 joined blocks are flanked by living room windows of ground floor flats. .

6.9.4 The public square and the corner of Seven Sisters Road and Woodberry Down are defined by continuous active frontage. This active frontage continues beneath the tower in the SE corner. The tower entrance is via a pocket park facing south onto Woodberry Down. Half of this space is fronted by refuse stores and second stair exits which is less positive but has been demonstrated to be necessary. The two affordable blocks facing south have communal entrances flanked by living room and bedroom windows of ground floor flats, plus some plant and podium vehicle access.

6.9.5 The central servicing, storage and plant area has been shown to be essential for a scheme of this size where these uses cannot be accommodated in an active ground floor of a perimeter block or without compromising amenity space or frontage quality. A basement over this area is both costly in terms of development cost and carbon use. A podium has been proposed to accommodate the parking, servicing and storage requirements of the site as well as the provision of flexible open space facing the new public open space to the east. The podium has been well integrated into the development with little impact on the exterior of the development. It conceals numerous functions and allows for an uninterrupted expanse of amenity space at level 1 above.

6.9.6 The overall level of active frontage is adequate and the amount of inactive frontage is minimised. The late inclusion of secondary emergency exit routes from second stairs have unavoidably added less active elements to the frontage although doors will appear less inactive than the bin stores which also face the street. Bin stores to the street are largely unavoidable and have been justified as being in the most usable locations adjacent to communal entrances. The purpose of areas of plant facing Seven Sisters Road are unclear but subject to good design are likely to have minimal negative impact on an otherwise reasonably active frontage. All ground level doors from main entrance doors to refuse stores will need to be carefully and attractively designed and a condition should be attached to ensure this.

6.9.7 With regards to form and massing, additional height has been added to compensate for the addition of a second stairwell within blocks. A continuous block of 4x G+10 storey mansion blocks to Seven Sisters Road with 9 storey linking sections is proposed. The two central blocks rise to G+12 storeys. On the southern side facing Woodberry Down, two mansions blocks are separated allowing light to penetrate the central courtyard which is elevated above a single storey podium. A tower of G+25 storeys is proposed on the SE corner of the site adjacent to existing tall buildings and adjacent to a large area of public realm

6.9.8 The scheme addresses its varied surrounding context positively. The height and massing facing Seven Sisters Road has been partly influenced by a strategy for height, being developed by the applicant, which will likely define that street going forward. The public space to the east is defined by an active frontage of the podium and by the tower and G+10 storey block. To the south the street is defined by blocks of a similar scale and mass to existing adjacent blocks. The location of the tower relates to the existing towers

identifying the focal point of the estate. Wind testing produced as part of the application suggests improvements to the microclimate as a result of the development and no evidence is available to suggest that wind will increase although tall buildings rarely reduce wind in their vicinity.

6.9.9 The architectural expression of the proposal has been designed to respond to the varied context surrounding the development site. The appearance of the Seven Sisters Road frontage is 4, regularly spaced ‘mansion blocks’ in red brick linked by lower massing elements in yellow brick. Blocks have a regular grid of large windows and projecting ‘bay windows’. Each of the four blocks has a formal central entrance and landscaped frontage which reflects the character of typical London mansion blocks (as explained in Part 7 of the Design and Access Statement). Also reflecting mansion-block design, the proposed lower height buildings will have horizontal white masonry banding between floors to add interest to the red brick frontages and balance the vertical emphasis with horizontal. The asymmetrical frontages to the tall mansion block frontages have been justified as maximising daylight and sunlight to flats and as a way to improve privacy.

6.9.10 Facing South onto Woodberry Down, affordable housing blocks step down in height to reflect the emerging prevailing scale. The character of the blocks also reflects mansion block typologies with red and yellow brick, white banding, symmetrical frontages including projecting ‘bay windows’ and semi recessed balconies.

6.9.11 The tower is rectilinear and the concept behind its form is ‘extruded intersecting rectangular volumes’. The yellow brick sections define the lower massing and the red brick defines the taller elements. Regular windows and semi recessed balconies (with robust and taller wind baffles) reflect the character of the lower blocks. The top of the tower is defined by a step between the yellow and red sections. Elongated vertical openings surrounding plant screens create a modest crown to the top of the building and the stepped character reflects similar steps at the tops of the adjacent tall buildings.

6.9.12 Overall, the design of the proposal has a relatively calm and timeless ‘background’ character using typical London materials, creating balance with the adjacent towers which are clad in more metallic and glassy materials.

6.9.13 The Design Review Panel advised another layer of detailing to the materiality including brick bond and brick types which has been included in recent plans. Elevation drawings (in Part 8 of the Design and Access Statement) show how patterned bricks, brick bonds, soldier courses and white masonry banding will be used to give interest to frontages. It also shows how tiles will be used to define communal entrances as an acknowledgement of historic details on the site. The detail of all materials will be required as a condition of any planning permission.

6.9.14 In terms of internal layouts, The majority of flats are either dual aspect and a number are south facing single aspect which is positive. All flats meet minimum space standards and have logical usable layouts, However, the DRP suggestion of separating kitchen and living areas, which is often important to keep cooking fumes and smells away from other parts of the home, hasn’t been directly addressed.

6.9.15 All flats have adequately sized balconies. The DRP requested that high level balconies be inset. While the balconies have not been fully inset, street-facing balconies benefit from being located in corners and so will feel more robust and secure than fully projecting balconies. The majority of balconies facing onto the internal courtyard are fully projecting. Given the relatively low height of these buildings the projecting balconies are likely to feel safe enough to be used comfortably. Balconies on the tower are mostly tucked into corners and include wind baffles (more solid and taller side panels) which

should also help them feel safer and more usable particularly at height.

6.9.16 Communal corridors in north and south facing private sale and affordable blocks have windows allowing natural light and views out which is positive. The tower has communal landings with minimal direct access to natural light. Internal doors to stairwells here are intended to be glazed to allow access to borrowed light. This detail should be conditioned to ensure natural light reaches the communal spaces.

Landscaping

6.9.17 The development provides a mix of amenity spaces and landscaped areas. The primary amenity area for residents of the development is at podium level, as well as the provision of terraces or balconies to all homes. It is understood that the podium is not accessible to the general public to enable the scheme to meet Secured by Design certification. Within the scheme there are three main areas available to the general public; Mews Gardens, Pocket Park and Central Square. The Seven Sisters Road and Woodberry Down frontages will also be landscaped with buffer planting around the base of the building. Mews Gardens is located on the western side of the development, adjacent to St. Olaves. It is part of a 'green finger' as part of the wider Masterplan. This green finger location has been moved from the anticipated alignment, seen in earlier masterplans, through the middle of phase 4 to this location as part of a wider strategy to create a chain of green spaces up through later phases connecting north and south sections of the New River. Pocket Park is along Woodberry Down, facing Beis Chinuch Lebanos School and fronted principally by the concierge and non-residential spaces. Central Square is designed as a "civic hub" for Woodberry Down, a central meeting place where events for the community could take place.

6.9.18 Substantial meaningful public landscaping is proposed at street level and appears to have been carefully designed to provide a balance of green spaces, seating and hard surface. Desire lines appear to have informed walkable routes in most cases. Some indirect routes through the western open space may give rise to shortcutting across green areas. The public open square to the east is generous and green and incorporates retained trees. Some benches appear to have been drawn on plans blocking paths through green areas. As such a detailed landscape plan will be required as a condition of planning permission which should show all minor issues addressed.

6.9.19 The podium garden is generous in size and has been designed to accommodate a range of users and uses. It has a good balance of character areas, open spaces and green spaces. Above all it is shared between all residents of the affordable and private sale blocks which is good practice.

6.9.20 It is understood that a planting strategy for the landscaping, to include a mixture of native woodland and ornamental trees, within this application site has been put together with reference to the London Wildlife Trust with appointed ecologists to ensure that the planting is suitable and offers habitat opportunities. To make the development acceptable in planning terms, It is appropriate to condition the detailed landscaping plan, along with biodiversity net gain, urban greening, and relevant arboricultural conditions.

6.9.21 The DRP drew attention to the importance of soil depth on the podium and details on how a suitable volume of soil will be provided and supported, as have other interested parties. Suitably worded conditions on landscaping & trees are appended to this application.

Children and young people

6.9.22 The scheme is likely to be a good place for children and young people to live and many aspects of the scheme are compatible with the Child-Friendly Places SPD. There is easy access from all homes to generous, safe, secure doorstep open space which will be shared by all children in the development. The podium should receive adequate direct sunlight through the gaps in south-facing blocks. Direct access from the podium to street level could have been included, however this is not included. Ideally family sized units will be concentrated in the lower levels of the scheme as recommended in the SPD. The wider development provides good access across lightly trafficked streets, to areas of wildlife, play, sport, allotment, MUGA etc.

6.9.23 There is a mix of formal and informal play types provided in the proposed development, accessible to all residents of Phase 4. Play within Central Square and Mews Garden's will also be accessible to the wider public, designed as 'play-on-the-way'. There is a high level of passive observation of the playspace. Play provision has therefore been carefully considered against London Plan Policy S4 and LP50. The application has also been assessed against the playspace checklist from the Council's Child-Friendly Places SPD, and scores well against this.

Design Conclusion

6.9.24 The scheme has had a long period of development and a pre-application process lasting a number of years. Suggestions by Hackney officers, Design Review Panel and GLA have been incorporated to a reasonable degree, although conditions will need to be applied to ensure that built quality, detailing and landscaping is high and that any measures are included to allow occupants to prevent overheating etc. Overall the scheme will complement the existing and future phases of redevelopment of Woodberry Down with suitably scaled and arranged blocks of good architectural and material quality, and with good landscape design including delivery of a significant and much needed well-defined public open space in the core of the redevelopment. While the scheme is taller and more dense than anticipated in earlier masterplans, development has dealt with this increased scale acceptably and it is likely to provide homes of good quality within a good quality residential environment suitable for people of all ages.

6.9.25 It is therefore considered that the design of the proposal, and subject to conditions will respond appropriately to constraints and that it is compliant with the relevant policies of the NPPF, the London Plan and the Local Plan, where these can be apportioned weight.

6.9.26 Concerns have been raised by interested parties regarding the design of the proposal and changes from earlier iterations or masterplans, particularly with regards to the introduction of a podium and tower and the impact this has on the wider design. However it is considered that in this instance the podium and, other design changes involved are a suitable design solutions, given the need to bring a scheme of this quantum forward on the site, and the elements and facilities that need to be incorporated in the scheme.

6.10 Public Realm, Open Space and Play

6.10.1 The occupiers of new development, especially residential, will generate demand for open space provision and child place space, as well as impacts on the Public Realm. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies; there is therefore a requirement for open space provision and improvements to the public

realm to be secured with the proposal.

6.10.2 Policies LP46, LP48, LP49, PP1, LP1, LP9 and MH1 of the Local Plan, Policies G1, G4, D3, D8 of the London Plan and Chapter 8 of the NPPF are relevant to this section. A range of documents relating to open space and play have been submitted with this application including the Design and Access Statement, Landscape Design Statement.

6.10.3 Further to the above, London Plan Policy GG1 establishes design principles for public realm within new developments, ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety, creating places where everyone is welcome, which foster a sense of belonging, which encourage community buy-in, and where communities can develop and thrive. In respect of play space Policy S4 of the London Plan requires development proposals to increase opportunities for play and informal recreation and enable children and young people to be independently mobile. It goes on to emphasise that development proposals for residential development that are likely to be used by children and young people should incorporate good-quality, accessible play provision for all ages and not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand. Where published, a borough's play and informal recreation strategy should be used to identify ongoing or future demand for play provision.

6.10.4 The Open Space within the scheme is made up of a number of components: The Residents Podium; Mews Garden; Central Square; Woodberry Down Pocket Park; and, an element of street frontage along Seven Sisters Road. This is a multifunctional green/open space with an emphasis on leisure and play. The Urban Greening Factor of this development is 0.43, this is explained further later in this report. In terms of public realm, the Resident's podium will only be available to residents of phase 4, other external areas within the scheme are available for use as part of the public realm.

6.10.5 Local Plan Policy LP48 seeks where feasible that 14m² of communal open space is provided on site. The proposed development achieves 7.8m² per person based on the size of the Central Square. This figure does not include private amenity spaces, which would increase the average to 10.6m², this is considered to be high given Phase 4's location within the wider Woodberry Down development. Phase 2 and 3 have delivered large public parks (in excess of the needs of those phases) which would also be available to Phase 4 residents, and from the latest version of the Hackney Open Space Assessment (2018) there would appear to be a surplus of open space in the vicinity of Woodberry Down.

6.10.6 The Play Strategy within the site is concentrated on the residents podium, with areas in the Central Square and the Mews Garden, and is detailed in the Landscape Design Statement. These are to be finalised through the landscape design which is subject to additional conditional discharge, however it is identified that a total playspace requirement from the development would be 1,556m². It is understood that playspace across phase 4 would total 1,289m², with sufficient playspace identified onsite for 0-11 year olds, with sufficient 12+ year olds playspace provided across the Wider woodberry Down development. It is anticipated that 12+ year olds will primarily utilise Spring Park and Water Green Park for green open space play; a 2-3-minute walk away. Finsbury Park is less than 400m to the west.

6.10.7 The planting strategy for the open space has been developed with reference to the London Wildlife Trust and with appointed ecologists to ensure planting is suitable and offers habitat opportunities. A mixture of native woodland trees and ornamental trees give year round seasonal interest, shade and structure. Clipped hedge planting also

provides structure, with the dynamic naturalistic perennials and grasses adapting with the seasons a Landscape Management Plan will be secured via condition and will be required to include a management regime. Further details relevant to this are dealt within the Ecology and Biodiversity section of this report.

6.10.8 In terms of adoption and maintenance strategy Hackney Council will maintain adopted highway land along Woodberry Down and Woodberry Grove, Transport for London will maintain land up to their boundary on Seven Sisters Road; Hackney Council (Parks) will maintain areas of public realm (a large portion of Mews Garden and Central Square. A plan and strategy for maintenance of this will be secured within the S106 agreement.

6.10.9 Subject to suitable conditions to deliver required level of external communal open space and child place space, including the ongoing maintenance of play facilities, it is considered that a sufficient level of external communal open space (qualitative and not necessarily quantitative) and child play space would be delivered and ensure high quality living conditions are achieved for all age groups in accordance with the overarching aspirations of the Local Plan.

6.11 Climate Change and Sustainability

6.11.1 Hackney Council has declared their Climate Emergency in 2019 and pledged to become net zero carbon by 2040. In the context of the built environment, this means that all new developments must be net zero carbon and that demonstrate that their climate change, energy and carbon considerations have been embedded in their design.

6.11.2 Policies LP54, LP55, and LP56 of the Local Plan (LP33) are relevant to this section, as are policies SI2, SI3, SI4, SI5C and SI7 of the London Plan, as well as Chapter 14 of the NPPF. LETI Climate Emergency Design Guide and LETI Embodied Carbon Alignment form best practice. All developments must be net zero carbon which means both their embodied and operational carbon footprint have been minimised. They must:

- Minimise their upfront and whole life cycle carbon (Be Lean)
- Adopt a fabric first approach (Be Lean)
- Have an ultra low level of energy use (Be Clean and Be Green)
- Be fossil fuel free (Be Clean and Be Green)
- Use renewable energy for heating, water and electricity (Be Clean and Be Green)
- Maximise their energy generation and storage (Be Green)
- Mitigate overheating risk with no active cooling (Overheating)

6.11.4 Any energy assessment must clearly present both Hackney and London Plan targets, current London Plan Policy SI2 clearly targets major development to be net zero carbon and include a requirement for a detailed energy assessment to demonstrate how the zero carbon target will be met within the framework of the energy hierarchy. Policy SI2 also states that a minimum of 35% reduction beyond building regulations emissions targets must be achieved through major development, where this cannot be achieved on site, a financial contribution can be used to mitigate for the shortfall. Further to the above SI2 also states that major development proposals should calculate and minimise carbon emissions from any other part of the development. In addition to the above, SI2 also requires that development proposals that are referable to the Mayor should calculate whole life carbon emissions through a nationally recognised whole life carbon assessment and demonstrate actions taken to reduce life cycle carbon emissions.

6.11.5 Decentralised Energy is supported by the London Plan and major developments should explore opportunities to connect to these,. It also requires major development proposals to select energy systems in accordance with a specified hierarchy and where future network opportunities are identified, proposals should be designed to connect to these networks.

6.11.6 The London Plan seeks an increase in the proportion of energy generated from renewable sources, and states that major development proposals should provide a reduction in expected CO2 emissions through onsite renewable energy generation, where feasible.

6.11.7 Energy Assessments must demonstrate how the zero carbon target for both residential and non residential developments will be met with at least a 35% onsite reduction beyond Building Regulations Part L(2021) and proposal for making up the shortfall to achieve zero carbon, where required, which may include a financial contribution to off-setting. The London Plan and Local Plan require new residential developments to achieve 10% CO2 emission reductions over the baseline model at the 'be lean' stage alone and 15% for the new non residential developments.

6.11.8 An Energy Statement has been provided in support of the application. This document indicates that the proposal achieves the minimum 35% regulated carbon emission reductions beyond current Building Regulations approved document Part 2021, instead of zero carbon.

6.11.9 The applicant has provided the revised energy statement and corresponding spreadsheet confirming the final energy & carbon savings figures and confirmed that no revision to the WLC & CE statements were required by the GLA. Whilst the proposed development exceeds the minimum policy compliance threshold of 35%, it is noted that a number of opportunities which would have considerably lowered both embodied and operational carbon footprints have not been implemented. We do not currently have the policies in our local plan to secure further embodied & operational carbon savings - the scheme is compliant but does not align with the best industry practice and therefore can't be considered exemplary. Regardless of the policy landscape future update, the applicant is strongly encouraged to seek closer alignment with best practice for the future phases of the regeneration site. For instance, absolute metrics such as Energy Use Intensity and Space Heating Demand calculated through predictive modelling must be used as a baseline, LETI carbon alignment targets must be considered for the overall embodied carbon, and the opportunity to develop a Circular Economy platform on site must be explored. In addition, both the GLA and LBH have highlighted that the sample of units used for energy modelling and overheating risk assessment purpose is not reasonably representative (only 5 units out of 551 units and 48 unit types have been modelled) and the applicant will be expected to provide updated results with an increased sampling for the next stage of design, as well as using a more representative sampling for the future phases 5, 6, 7 & 8. Considering the above, approval can now be recommended for the present development subject to a number of conditions which are appended to this report, and a financial contribution for carbon offsetting of £650,778.50 (confirmed through figures in energy statement) to be secured within the S106 Legal Agreement.

6.11.10 Concerns have been raised by interested parties in relation to the merits of the proposal in climate change, energy and sustainability terms, however as mentioned above, the scheme is considered compliant when considered against current relevant policy.

6.12 Highway Safety and Transportation Matters

6.12.1 This section seeks to appraise the impacts that the proposal may have on the surrounding Highways and Transport Network. Typically, the key issues around Highways and Transport matters in relation to residential developments, such as this, are Highway Safety, Access, Car Parking and Sustainable Transport Options. Policies LP41, LP42, LP43, LP44 and LP45 of the Local Plan are relevant in relation to this section, as well as Chapter 10 of the London Plan and paragraphs 114-117 of the NPPF. Consultation has been undertaken with the Highways & Transport Team and Transport for London on this application. The application has been submitted with the following that relate to transport matters: Transport Assessment (TA); Framework Travel Plan; Design and Access Statement; and, Environmental Statement.

6.12.2 The site is bounded to the north by Seven Sisters Road, to the east by Woodberry Grove, to the south by Woodberry Down, and to the west by St Olave's Church. The existing Phase 4 site comprises circa 200 dwellings and 64 car parking spaces. The A503 Seven Sisters Road is the main road situated to the north of the site. This provides connections to the A105 Green Lanes to the west and the A107 Amhurst Park to the east.

6.12.3 The site has a Public Transport Accessibility Level (PTAL) of 6a (on a scale of 0 to 6b, with 0 being the lowest and 6b being the highest). This means the site has 'excellent' accessibility to the public transport network. The nearest bus stops to the site are located on Seven Sisters Road, Green Lanes, and Amhurst Park. The Piccadilly line can be joined at Manor House Underground Station which is located at approximately 500m from the site. There are four overground stations that are located slightly further afield from the site, accessible by the local walk, cycle and bus infrastructure.

6.12.4 In relation to road safety, the applicant has contacted Streetscene in reference to undertaking a Stage 1 Road Safety Audit. The audit extent covers Woodberry Down and Woodberry Grove which will be enhanced as part of the development proposals.

6.12.5 The development proposals include a new central square on the eastern edge of the site, adjacent to Woodberry Grove. This proposal includes a north-south route that will connect Woodberry Down and Seven Sisters Road. This proposal has been discussed at pre-application stage and has been agreed in principle. It is important to note that internal discussions are still ongoing in relation to the maintenance of the central square area and how the area will be maintained on an ongoing basis. This will need to be finalised as part of the legal agreement prior to the application being determined.

6.12.6 TfL and LBH Streetscene have been involved throughout the Woodberry Down Masterplan process, with both TfL and LBH Streetscene agreeing on the strategic importance of the Seven Sisters Road scheme to reduce road danger and community severance and improve active and sustainable transport uptake. Significant contributions have been sought toward these works in earlier phases.

6.12.7 In terms of trip generation, the assessment shows that the application site will have a significant impact on the local transport network and public highway. It is important to note that a number of assumptions have been made to generate the assessment that may actually underestimate the overall impact. These include the use of comparative data rather than onsite travel surveys and a reliance of 2011 Census data to generate modal share data. In relation to the census data, the applicant should update the trip generation assessment to also include the 2021 census data at the application stage. The assessment highlights the importance of the development providing a series of mitigations to offset the impact of the development on the local transport network. These are outlined below.

6.12.8 LP33 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). In housing estate development schemes, parking provision may be retained or re-provided where it can be demonstrated that existing occupiers with established parking spaces or permits are to return to the site once the development is completed and that the retained or re-provided parking is for those residents only. This is the case at Woodberry Down and a location for this parking has needed to be identified as part of the design solution for the redevelopment. It is recognised that concerns have been raised about this from interested parties and these comments are noted.

6.12.9 Owing to the nature of the Woodberry Down site, the TA outlines that in accordance with London Plan (2021) Policy T6, Phase 4 will be a 'car-light' development. Disabled car parking is proposed for new tenants, and car parking is proposed for existing social rented tenants who currently have a parking permit. This accords with the local plan policies outlined in this section.

6.12.10 There are a total of 48 marked car parking spaces within the existing Phase 4 site. The TA outlines that parking is also undertaken informally along the site's three access roads. There is also space for 15 cars to park along the site's frontage on Woodberry Down within formal inset parking bays. The onsite car parking is described as being well utilised throughout the day.

6.12.11 The proposed development will formalise the car parking into a single podium car park. This will provide 48 vehicle parking spaces. Of these, 35 spaces are re-provided which include 3 disabled person's parking bays. An additional 13 new disabled person's parking bays will be provided. It is important to note that the Council now has a strict car free policy. The onsite vehicle parking must be properly managed with the intention of gradually reducing the number of parking bays as and when returning residents no longer require a parking permit. This process should be managed through the car parking management plan and the travel plan (see below). In accordance with London Plan (2021) Policy T6 standards, 20% of spaces will be provided with an Electric Vehicle Charging Point (EVCP) from the outset, with all remaining spaces having passive provision for future use. Further clarification is sought in relation to the type of chargers that are proposed and how these will be allocated to the returning resident and Blue Badge bays. A CPZ exclusion to restrict parking permits being issued is recommended for all new users of the proposed site (except those with a blue badge). This should be done in the shape of a condition or secured in the legal agreement, and a suitable condition is appended to this report.

6.12.12 LP33 states that disabled parking should be provided in accordance with the London Plan. The London Plan states that all developments irrespective of their size must provide at least one disabled parking space. The TA outlines that the proposed development will provide a total of 16 disabled person's parking spaces. This is a total of 3 disabled bays for returning residents and 13 new spaces.

6.12.13 The TA states that the car parking podium will be situated away from the public realm and the residential entrances. This raises a concern about ensuring that Blue Badge bays are accessible for residents. The bays should be located as close as possible to the entrance areas as possible. This should be under 50 metres. A Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design.

Car Parking

6.12.14 Car Parking is located internal to the development. Access will be from Woodberry Down. The existing 63 car parking bays (onsite and along Woodberry Down) are removed as part of the redevelopment. 48 car parking spaces are re-provided in the development., meaning a reduction of 15 bays from the development.

6.12.15 The spaces comprise 35 car parking spaces (which includes 3 blue badge bays) for right of return bays (namely existing secured social rented tenants in Phases 6 and part Phase 7 who currently have a car parking permit that are to move into the phase). 13 Blue Badge Bays are provided for the residential accommodation (3% of the total unit non-social rented housing numbers). The residential accommodation is otherwise 'car-free' which will be secured in the S106 agreement. The bays along Woodberry Down are redesignated for servicing bays (both residential and non-residential) only. All bays will have electric charging, with 10 active (20%) and 38 passive (80%).

Cycle Parking

6.12.16 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 bicycles, tricycles and cargo bikes. Two-tier cycle parking is generally not supported.

6.12.17 The TA outlines that long stay cycle parking will be provided in line with the relevant London Plan (2021) standards. For the residential element, long stay cycle parking will be provided in secure and covered stores, located within the ground floor podium. A total of 890 long-stay cycle parking will be provided within cycle stores distributed between the cores, with level access provided to each core. The TA outlines that a small amount of long-stay cycle parking for staff of the commercial uses will be required which will be provided in line with the London Plan.

6.12.18 The TA outlines that the cycle parking stores and their access arrangements have been designed with consideration to the London Cycle Design Standards (LCDS) guidance.

6.12.19 The cycle parking provision comprises a mixture of two-tier cycle parking and Sheffield stands. 90 long stay residential cycle spaces will be provided. 89 (10%) will be provided via Sheffield stand and 43 (4.8%) via larger Sheffield cycles. 758 (85.2%) will be via two tier stands. The bays will be spaced in accordance with the London Cycle Design Standards. The cycle stores are located close to each core of the development with minimal doors required to access the storage facilities for ease of use. 74 short stay bays will be provided, comprised 53 (71.6%) standard Sheffield Bays and 21 Sheffield (28.4%) type stand. These will be provided externally, all of which will be Sheffield stands. Of this number, 72 spaces are standard Sheffield bays whilst 2 spaces are sized for larger bikes. As the exact configuration or final use of the non-residential floorspace is not presently known, no cycle bays are presently provided for internally but will be conditioned for when the occupier/arrangement of the space is known.

6.12.20 In relation to the quantum of the proposals, Streetscene provided pre-application advice to the applicant that stated cycle parking should be proposed in line with Hackney's Sustainable Transport SPD. This includes the stipulation that in schemes where more than 25 cycle parking spaces are provided, an additional accessible cycle

parking space should be provided for every 25 cycle parking spaces. Streetscene advised that two-tier cycle parking is generally not supported owing to the policies outlined above. They stated that the proposals must provide a high number of accessible cycle parking spaces. Single-tier spaces should be adequately spaced to ensure that a wide range of cycles can be stored. The current proposals do not appear to be policy compliant in terms of the proposed quantum or design. Streetscene have significant concerns that the proposals will not adequately enable all residents to cycle and use a range of cycles. Any element of two-tier cycle parking must meet the minimum space and quality requirements including: a minimum aisle width of 2500mm beyond the lowered frame is required to allow cycles to be turned and loaded. An overall aisle width of 3500mm should ideally be provided where there are racks on either side of the aisle, though this may limit the density advantages of two tier stands. The minimum height requirement is 2600mm (chapter 8, page 9). Two tier stands should be provided with mechanisms that help lifting such as springs or gas struts. It is essential that side bars or similar be incorporated in the design on both the lower and upper tiers to allow the frame and at least one wheel to be secured. As discussed at a number of meetings with the applicant, a strategy should be produced to manage and reallocate vehicle parking spaces over the longer term. A policy compliant cycle parking plan is required, for the above mentioned number of spaces, which shows details of layout, foundation, stand type and spacing. A suitable condition is appended to this report.

Travel Plan

6.12.21 As outlined above, Phase 4 will have a significant impact on the local transport network. It is imperative that these impacts are properly managed and that in line with the Council's strategic priorities, that active and sustainable transport are enabled throughout the development. 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. Owing to the size and scale, a contribution of £12,000 should also be secured through the s106 legal agreement towards the monitoring of the Travel Plan for the whole development.

Construction Management

6.12.22 Given the nature of the proposed development, a final Construction Management Plan (CMP) is required and must be conditioned to mitigate negative impact on the surrounding highway network.

6.12.23 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. To effectively monitor the final CLP the base fee of £17,500 is recommended to be secured via the s106 legal agreement.

Electric Vehicle Car Club and Car Club membership

6.12.24 Although a car free/car lite development is supported, it is recognised there may be some need for occasional vehicle use. The Council's Local Plan states that all major residential developments will be required to contribute towards the expansion of the local car club network including those using low-emission vehicles. To encourage occupants to travel by sustainable modes, a contribution towards the introduction of an Electric Vehicle Car Club (EVCC) is sought. The estimated cost of this is £20,000 and will be secured via the S106 Legal Agreement.

S106 Transport Mitigations

6.12.25 Hackney's Local Plan outlines that any significant negative impact on the operation of transport infrastructure, must be satisfactorily mitigated. As outlined above, the Phase 4 application will have a significant impact on the local transport network. In particular, the extensive transport movements through construction, delivery and servicing, residential and commercial travel has a major impact on the Council and TfL's highway network. This needs to be properly mitigated. Manor House Junction will see more cars, more cyclists, and pedestrians using it and so it is imperative that this junction is redesigned and laid out to reduce conflicts, improve safety and ease pedestrian, bus and cycle movements. Although a contribution is not being sought at this stage, it is important to note that Manor House junction improvements are a key Council priority. This is owing to the changing context of the 2014 Masterplan and the uplift in residential dwellings and the associated transport impacts on the local and regional (TfL) network. This is not just restricted to motor vehicle movements. There is a modal shift towards active and sustainable transport and vulnerable road users must be properly prioritised and protected.

6.12.26 The GLA/TfL have been consulted on the Phase 4 application. Their December 2023 response outlines that the application site has a direct frontage to the TLRN, where the 2014 Masterplan envisaged improvements including narrowing to reduce severance, an extension of bus lanes, improved crossings and increased urban greening. The original funding secured as part of the 2014 consent has, with indexation, increased to over £10m. Under the updated S106 obligations, its use must be agreed and approved by the Seven Sisters Road Steering Group which includes TfL, the Council, and the applicant. The GLA/TfL have stated that the Seven Sisters Road contribution should be further increased on a pro-rata basis, reflecting the uplift in floorspace of the current scheme proposals; a contribution of £125,714 is sought. This contribution request is not supported as it is considered that mitigation for this has already been provided.

6.12.27 The GLA/TfL response states that the proposals must include their own site specific highways works to the TLRN and adjacent local highways to facilitate safe access - especially for pedestrians and cyclists. This must be a separate contribution from the Seven Sisters Road scheme. It should be delivered via a S278 agreement. In response, the applicant has stated that phase 4 does not create any new desire lines that are not served by the existing situation. The applicant states that it is not until phase 6 where there will be an additional requirement for safe crossing facilities. In this instance, the Seven Sisters Road scheme including pedestrian crossings should have been delivered. This contribution request is not supported.

6.12.30 New major development must contribute towards improving rail infrastructure at local stations and travel interchange facilities and step free access. It must also contribute towards improvements to the bus network and associated infrastructure including new bus services, bus priority measures and frequency upgrades. The proposed housing mix includes over 50% of the proposed dwellings being suitable for families. Families will generally make trips on public transport at weekends which may indicate why Manor House has seen the biggest recovery on Saturdays and Sundays with entry and exit numbers now above pre-pandemic levels and continuing to rise.

6.12.31 As the nearest station to the development it can only be accessed by fixed stairs and is a barrier to families with pushchairs or those with mobility issues. Proposals for a lift to concourse level were drawn up over 20 years ago but as there was no funding and were never implemented. They are even more relevant today and a contribution to fund these should be sought. Owing to the importance of seeking contributions towards the Manor House junction scheme, it is recognised that rail station upgrades would not be

sought for Phase 4. This must be revisited for the Phase 5 - 8 Masterplan. It is very important to enable all residents to access the nearest station to the development.

6.12.32 In relation to bus improvements, the GLA/TfL advice has stated that the increase in residential floorspace should be reflected in an increased bus contribution secured in the S106 agreement. This must be confirmed and agreed prior to determination. Streetscene support this request for a contribution to be secured in the S106 Legal Agreement towards this.

6.12.33 New Development will be permitted where it contributes towards improved wayfinding including signposted links such as TFL's Legible London to key infrastructure, transport nodes, green spaces and canal towpaths where appropriate. Owing to the importance of providing high quality wayfinding for Phase 4, a contribution of £10,000 is sought. This should be secured as part of the S106 legal agreement.

Highways Works - S278 Matters

6.12.34 In accordance with Local Plan policies, new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London (see Local Plan 33 policies LP41 - 45 for further details).

6.12.35 Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users. They are expected to constrain car ownership and ensure that any motor vehicle trips that do occur are made using low-emission vehicle technologies as possible. Owing to the significant impact of the development on the public highway and surrounding transport network, contributions are sought for highways and urban realm improvements within the site vicinity. The estimated cost of work is £581,781 and will be secured via the Legal Agreement.

6.12.36 A Section 38 should be included as part of the S106 legal agreement to cover the area of Woodberry Down that is currently not public highway. The applicant will be required to complete the full works for this process to ensure that the highways can be adopted at a later stage.

Transport Conclusion

6.12.37 It is therefore considered that the proposal has been well thought out in highways and transport terms, and subject to conditions and obligations will respond appropriately to constraints. The proposal is therefore considered to be compliant with the relevant policies in the NPPF, the London Plan and the Local Plan, where these can be apportioned weight; subject to conditions and appropriate legal agreements being entered into.

6.12.38 Concerns have been raised regarding the requirement for the level of car parking, however this has been justified in the section above, with a condition appended to deal with a solution for the use of the parking should this no longer be required. Concerns have also been raised regarding the Seven Sisters Road works, these comments are noted and the delivery of this is reliant on external factors outwith the control of this application.

6.13 Flood Risk, Drainage and other water related matters

6.13.1 This section seeks to appraise the proposal in the context of flood risk and drainage matters. Chapter 14 of the NPPF forming the national planning policy context, Policy LP53 of the Local Plan, and Policies SI12 and SI13 of the London Plan are relevant to this section. The applicant has submitted the following: Environmental Statement; Flood Risk and Drainage Strategy; and, a Design and Access Statement that are relevant to Flood Risk and Drainage matters.

6.13.2 The National Design Guide is also relevant to this element of the report, particularly the section relating to 'resources. In relation to 'resources' the National Design Guide states "Well designed places: have a layout, form and mix of uses that reduces their resource requirement, including for land, energy and water; are fit for purpose and adaptable overtime, reducing the need for redevelopment and unnecessary waste; use materials adopt technologies to minimise their environmental impact"

6.13.3 Consultation has taken place in relation to surface water drainage with the Lead Local Flood Authority (LLFA) and, as well as consultation with the Environment Agency (EA), and Thames Water who have differing remits with regards to Flood Risk, Drainage and Water related matters.

6.13.4 It is understood that the site exhibits varying flood risks, particularly in the north-eastern corner along Severn Sisters and Woodberry Grove roads, and the south-eastern border adjoining Woodberry Down, where a 'high' risk of surface water flooding is identified. Additionally, Knaresborough House within the site is a focal point for a 'high' risk of surface water ponding. This assessment is derived from the Environment Agency's Risk of Flooding from Surface Water mapping. The Sustainable Urban Drainage System (SUDS) associated with the proposal is designed to delay the rate of water runoff into the main combined sewer. This is achieved by features such as green and blue roofs, soft landscaping, swales, rainwater harvesting, rain gardens and trees. After this, surface water will be discharged into a privately controlled attenuation tank before finally discharging into the combined sewer. Whilst attenuation and discharge into the sewer system is at the bottom of the drainage hierarchy, it is justified for the development due to the development being situated on clay.

6.13.5 The Lead Local Flood Authority have reviewed the documentation submitted with the application and do not object to the proposal, the LLFA have also suggested appropriate conditions to make the development acceptable in planning terms. Thames Water have commented on the application and advise that with regard to the Combined Wastewater network infrastructure capacity, they do not have any objection to the above planning application based on the information provided, and have suggested a condition to be appended to the decision notice, should the application be approved. Following initial investigations with regards to water supply, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal, Thames water have suggested a condition to overcome these concerns. In addition to the above, Thames Water have suggested a condition to ensure no building/construction takes place within 5m of Strategic Water Mains, which is appended to this report. The Environment Agency have also commented and have not objected to the proposal.

6.13.6 Following consideration of the responses of consultees, it is considered that the application has demonstrated that appropriate flood risk, drainage and water related matters can be successfully achieved on site. It is considered that sufficient evidence has been provided to show that the proposed development would not increase the risk of flooding to the area.

6.13.7 The proposal is therefore considered not to be in conflict with the NPPF, and

with those policies in the Development Plan in relation to surface water drainage and other water related matters e.g. water supply.

6.14 Ecology and Biodiversity Matters

6.14.1 This section seeks to appraise the proposal and protect and enhance the biodiversity and geodiversity of the borough, particularly in relation to its impact on habitats and protected species and, especially those areas designated as of national and local importance. Policies G5, G6 and G7 of the Local Plan (LP33) are relevant to this section, as is Section 15 of the NPPF. The following ecological information has been submitted in support of the planning application: Environmental Statement (ES); Preliminary Ecological Appraisal (PEA) and supplementary protected species surveys; Biodiversity Net Gain (BNG) Assessment; Landscape Design Statement; Demolition Environmental Management Plan; Construction Environmental Management Plan; and, Tree Removal Plan & Schedule, Tree Protection Landscape Phase Document; and, Tree Protection Construction Phase Document.

6.14.2 The ecological surveys which have been undertaken have been summarised within the submitted Environmental Statement (ES). The Ecological Impact Assessment (EclA) has been undertaken in accordance with the best practice methodology (e.g. CIEEM, 2018).

6.14.3 NPPF, Chapter 15, Paragraph 180 requires the planning system to contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. As of 2024 there is also a mandatory requirement for biodiversity net gains to be achieved on major applications.

6.14.4 Although a largely urban site within the urban fabric of London the application does contain some ecological habitats. The habitats present within the site were dominated by amenity grassland, hardstanding, buildings with smaller areas of scattered trees and shrub. Although these are locally common and widespread within the urban context, due to their location and extent near and between other areas of green space, the site is considered to be importance at the local level.

6.14.5 The site is not subject to any statutory or non-statutory nature conservation designations, however three internationally important wildlife sites are located within 10km of the site, the nearest of which is the Lee Valley Ramsar Site and the Special Protection Area approximately 1.8km from the site. There is a single Site of Special Scientific Interest (SSSI), Walthamstow Reservoirs SSSI, which is approximately 1.8km from the site. In addition there are five Local Nature Reserves located within 2km of the site.

6.14.6 There are 26 non-statutory sites designated as Sites of Importance to Nature Conservation within 2km of the site. The site is near to the New River Canal Site of Metropolitan Importance to Nature Conservation (SMINC), Stoke Newington Reservoirs SMINC and Finsbury Park Site of Borough Importance for Nature Conservation (SBINC). Mitigation is suggested in the PEA to avoid potential impacts on these sites. This can be secured by a condition. A Habitat Regulations Assessment Screening Request has been submitted with this application and it is the report that has considered potential impacts on Epping Forest SAC and the Lee Valley SPA/Ramsar, this concludes that no likely significant effects will result and that no further assessment is required. Further to this, Natural England have reviewed this and have raised no objection to the application.

6.14.7 In terms of Bats, all building within Phase 4 and Phases 5-7 of the site were assessed to have potential for roosting bats, and will be affected by the development. To

mitigate impacts of lighting on foraging and commuting bats using the adjacent SINC, a sensitive lighting scheme is proposed as mitigation. With regards to breeding birds, the introduced shrubs and trees on site have the potential to support common but declining species of breeding bird. Mitigation measures are suggested, and these can be secured by a condition. In terms of reptiles, unmanaged amenity grassland and scattered scrub along the northern boundaries of Phases 7 and 8, and within the wildlife garden of Phase 7 have potential to support widespread reptiles such as slow worm and current reptile. With regards to invertebrates, Stag Beetle is known to occur in the area and habitat features suitable for stag beetle are present on site, including a loggery and areas of dead wood nearby on phase 7. Suitable conditions to ensure the protection of these species should be appended to any grant of planning permission in relation to this proposal.

6.14.8 In terms of ecology it has been confirmed that there will be the following impacts due to the implementation of the proposal: loss of bat roosts; within existing buildings/structures; removal of trees which provide habitat for protected species; and, effects on nearby designated ecological sites, as well as impacts from lightspill. The applicant's mitigation package includes the following: Construction Environmental Management Plan (CEMP); Demolition Environmental Management Plan; Construction Environmental Management Plan; a suite of relevant arboricultural documents; and landscaping plans; restriction of potential habitats to spring/summer period; restrictions on the use of lighting within the scheme; legal requirement for bat mitigation licence; monitoring and management of habitats; enhancement of habitats and biodiversity value; lighting strategy to minimise light spill; bat and bird boxes to enhance wildlife; and, landscape and ecological management plan.

6.14.9 The ecology survey provided with the application suggests a range of ecological enhancements, which would form part of the mitigation package for the proposed development. It is suggested that the recommendations are followed, and a suitably worded condition is appended to this report to secure this.

Biodiversity Net Gain and Urban Greening Factor

6.14.9 The proposal is supported by a biodiversity net gain assessment, this states that development will provide a biodiversity net gain of 13.74%. In order to achieve this biodiversity net gain a Landscape Ecological Management Plan (LEMP) and maintenance regime would need to be secured, this can be secured via a condition.

6.14.10 London Plan Policy 5 requires all major development to include urban greening, it acts as a tool that 'evaluates and quantifies the amount and quality of urban greening that a scheme provides to inform decisions about appropriate levels of greening in new developments'. The Urban Greening Factor (UGF) set by the GLA for new developments is 0.4, and this has been achieved with a score of 0.43. This is considered policy compliant.

Ecological Conclusion

6.14.11 In conclusion, the on-site and off-site ecological & biodiversity impacts arising from the proposal can be suitably mitigated in accordance with relevant policies of the Local Plan, the London Plan, the NPPF, and other material considerations e.g. National Design Guide.

6.14.12 Concerns have been raised by interested parties in relation to ecological matters, however as mentioned above, the scheme is considered acceptable, subject to an appropriate scheme of mitigation.

6.15 Arboricultural Matters (trees)

6.15.1 Policy LP51 of the Local Plan seeks to protect trees which are considered to have amenity value. The loss of trees can be permissible in exceptional circumstances and where there are overriding planning benefits. The policy goes on to state that it will seek adequate replacement planting within developments where trees are to be lost.

6.15.2 London Plan Policy G7 states that: 'if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.'

6.15.3 The site hosts 1 Category A trees, 22 Category B trees and 54 individual and 1 group Category C trees, and 2 category U. In terms of the 43 and 1 group removals, 4 are category B, 38 are category C (including the group) and 2 trees are Category U.

6.15.4 The general approach of any landscaping strategy should be to retain as many existing trees as possible and to provide a net increase in the number of trees across the site. This development will require the removal of 43 trees and 1 group of trees, three of the trees in the group are required to be removed simply due to ill-health (they would need to be removed regardless of this development proposal). A further 12 trees would need to be removed regardless of the type of redevelopment proposal brought forward as they would not survive the demolition process. 28 trees would be removed to accommodate the proposed development, an improvement on the 2014 masterplan for Phase 4 which would have required the loss of more trees. 104 trees will be planted as part of the development proposal (net 60 trees), thereby more than doubling existing provision.

6.15.5 It is understood that a viable development of the site would require the loss of these trees due to their situation and therefore their removal is considered necessary to enable this proposal to come forward. 104 new trees will be planted however (net 60 trees), this is more than double the number of trees due to be lost throughout the development as both compensation and overall betterment of the site. Suitable re-provision and compensation has been identified and trees of amenity value have been retained in accordance with Local Plan Policy LP51. The comments of the Landscape and Tree Officer have been sought and they have confirmed that they agree with the findings of the tree survey submitted, and have confirmed they have no objection to the proposals subject to appropriate conditions and securing of a CAVAT contribution with regards to trees that will be lost through the development of the scheme (£414,735,39) relating to the following of the tree survey and its recommendations and guidance around the planting of landscape features within the podium.

6.15.6 Therefore, arboricultural impacts arising from the proposal can be suitably mitigated for in accordance with relevant policies of the Local Plan, the London Plan, the NPPF, and other material considerations e.g. National Design Guide.

6.15.7 Concerns have been raised regarding the removal of existing trees from the site, however given the CAVAT contribution, the biodiversity and landscaping merits of the proposal and the benefits of the design of the proposal this is deemed to be acceptable in this instance.

6.17 Waste Collection

6.17.1 Waste and recycling storage is located within each relevant core for residents and the non-residential uses. The capacity has been based on the Council's Refuse and Recycling Storage Requirements (2020) guidance. The Council's Waste Management and Servicing Planning Policy is Policy LP57 of the Local Plan.

6.17.2 Residential and non-residential deliveries and collections will be via servicing bays along Woodberry Down. 2 servicing bays will also be provided within the parking area to handle larger items, with access managed by the concierge.

6.17.3 The Waste Management team hold concerns with the proposed servicing in terms of the distances some of the Mews Houses will need to bring their bins to be collected, as well as the internal distances some of the occupants of these flats will need to bring their bins to be communal waste storage areas and some of the drag distances for the communal bins. Despite these concerns it is not considered that there is a design solution that is better than the existing in terms of servicing the Mews Houses, when taking all other design matters into consideration. Unfortunately, the residents of the Mews Houses as designed will need to bring their bins to the communal presentation area for the Mews Houses where they can be moved by the LBH crew for deposit into the Refuse Collection Vehicle (RCV). It is not considered appropriate to allow the RCV to access the pedestrian route in front of the Mews Houses, as this would take away from the other opportunities this area provides e.g. play, cultural space, landscaping, trees or ecological features, nor are we able to request a communal internal bin store for these properties due to their tenure. The issue with servicing these seems to stem from the lack of ability to service the site from Seven Sisters Rd, as well as the tenures involved and the benefit of having these larger family units on the ground floor. In terms of the distance from the Central Waste Presentation Area (where Block A's waste will be brought to by the onsite team), Main Waste Storage Area (Building B2), Main Waste Storage Area (Building B1), Main Waste Storage Area (Building C) to the loading bay would appear to be a short distance, but exceeding guidance, and it is not considered there is an acceptable solution without compromising on other design constraints, such as the landscaping in front of Building C and B2.

6.17.4 It is therefore understood that the scheme in its current form does not meet the guidelines set by the Waste Management Team, however it is considered that their are mitigating factors in the design of the proposal for not seeking an alternate design to make this fully compliant with the Waste Management Team's guidance at this stage e.g. ecology and biodiversity, urban greening, highway safety, play and amenity considerations. A suitable condition is attached to this report to ensure Waste Management matters are addressed appropriately when the scheme is built out.

6.18 Contamination

6.18.1 Paragraph 189 of the NPPF states "Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."

6.18.2 The proposal has been submitted with a tier 1 risk assessment on land

quality. It is understood that for the proposed development the site poses a moderate/low risk to human health receptors due to the potential for residual impacts from the historic land uses, and a low risk to controlled waters. Potential risks to controlled waters are limited by the general lack of shallow ground water at the site and the expected low transmissivity of the underlying deposits, reducing the potential migration pathways. The risk assessment and previous assessments of the site identify that there is potential for contaminants to occur within Made Ground at levels that exceed human health based criteria applicable to residential development. A targeted programme of remedial actions are suggested by the assessment, and a suitable condition can be appended to the grant of permission.

6.18.3 The Land, Water, Air Team have reviewed the relevant documents submitted with this report and have provided comment on the proposal and have advised that they agree with the recommendation of the risk assessment report, and have recommended suitable conditions, which are appended to this report. The Environment Agency have commented on this application and have not objected to the proposal however they have provided advice for the applicant.

6.18.4 Therefore from a Contamination perspective, the proposal is therefore considered to be compliant with the relevant policies in the Development Plan, the NPPF, and other material considerations where these can be apportioned weight.

6.19 Planning Obligations

6.19.1 When considering the potential content of a legal agreement regard must be had to the tests set out in the Community Infrastructure Levy Regulations. By law, the obligations can only constitute a reason for granting planning permission if they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is standard practice with applications where S106 contributions are likely to be required for the applicant/agent to provide a draft head of terms, with their submission. In relation to S106 matters, the Hackney Local Plan (LP33) and the London Plan, as well as the Hackney S106 Planning Contributions SPD are the most relevant documents. A draft S106 heads of terms has been provided. Contributions/Provisions for the following are sought:

- £231,431 towards employment training;
- £560,250 towards primary healthcare;
- £19,245 towards end use jobs through the operational phase; and
- £20,000 towards Electric Vehicle Car Club (and associated on street electric vehicle charging points); and £60 per resident towards the resident's Car Club scheme;
- £12,000 towards the monitoring of the travel plan;
- £17,500 towards the monitoring of the demolition and construction management plans;
- £2,000 towards the monitoring of the delivery and servicing plans;
- £581,781 towards the cost of highway works associated with the development;
- £54,615 Bus Contribution;
- £650,778.50 to the LBH Carbon Offset fund;
- £10,000 towards Wayfinding Scheme in Woodberry Down;
- £97,829.83 towards Early Years, Primary, Secondary and Post 16 Education;
- £20,362 contribution towards Public Art

- £414,735.39 CAVAT contribution
- Contributions towards monitoring fees (£50,000); and
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement.

Non-financial contributions:

Provision of a library space within the scheme (should the council as service provider require this)

Affordable housing provision (42%) and mix (52% shared ownership/48% social rent), including GLA compliant early and late stage review mechanism; and

Approved architects clause to ensure quality of design in delivery of the scheme; and

Securing a car free development (in respect of market occupiers and "new" affordable housing occupiers) and a car capped development in respect of "existing" affordable housing occupiers (with a falling away of car parking privileges over time); and

Participation in the LBH Hackney Works Scheme; and

Participation in the Considerate Constructors Scheme.

Employment and Skills Plan

25% Local Labour

Apprenticeships

Securing Connection to the Energy Network

Construction Management (such as Considerate Constructors Schemes)

Be Seen Monitoring

All Tenure Access to the Central Podium

Travel Plan

6.19.4 The expected Affordable Housing contribution is discussed elsewhere in this report, however, to summarise a contribution of 50% is required for the scheme to be policy compliant, however due to viability constraints only 43% Affordable Housing is sought on the scheme.

6.20 Other Matters

Local Finance Considerations

6.20.1 In respect of local finance considerations other than CIL and financial obligations secured by way of Legal Agreement to mitigate the impact of the proposed

development, whilst the proposed development would be rateable for Council Tax and Business Rates purposes, and the benefit of the additional units and commercial floorspace is not negligible in the context of the overall totals, 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 and any other material considerations.

Equalities Considerations

6.20.2 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having regard to the duty set out in the Equality Act 2010, the development proposals do not raise any equality issues.

7. CONCLUSION

7.1 The application in accordance with the provisions of the National Planning Policy Framework and the adopted Development Plan, concluding that the harm, which would largely be mitigated by way of conditions and contributions secured under a Legal Agreement, would be outweighed by the wider benefits of the scheme in terms of delivery of high quality housing and estate regeneration opportunity.

7.2 The application has now also been assessed in accordance with the relevant policies of the Development Plan and, on balance, the merits and benefits of the proposal, which include the provision of a substantial quantum of both affordable and market housing, high quality spaces and overall landscape and biodiversity enhancement local to the site, are considered to outweigh the harm caused by the development.

7.3 The proposal would have an acceptable impact in respect of all other material planning considerations as outlined above, subject to the recommended conditions and Legal Agreement provisions.

8. RECOMMENDATIONS

Recommendation A

8.1 That planning permission be GRANTED, subject to referral to the Greater London Authority and the following conditions

8.1.1 Time limit

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).

8.1.2 Development in accordance with plans

Except where modified by the conditions attached to this planning permission, the development

hereby approved relates to and shall be carried out in accordance with the following approved plan:

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

8.1.3 Travel Plan

Prior to occupation of the residential and non-residential accommodation of each phase of development, a Travel Plan (TP) shall be submitted to, and approved in writing by the Local Planning Authority. The TP shall:

Detail measures to encourage sustainable and active travel including the provision of local travel information and restrictions on car parking and vehicle use within the development to occupiers; and

Establish a long term management strategy with measurable targets and outcomes; and Include details of implementation, monitoring and regular review mechanisms; and Set out the measures to enforce the TP for the relevant block and/or building.

REASON: To promote sustainable transport and in the interests of highway safety, and in accordance with LP43 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.4 Parking & Design Management Plan

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

Demonstrate safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between use groups; and Appropriate provision of blue badge parking and electric vehicle charging points; and Include details of how additional blue badge car parking could be provided in future; and Permanent Mechanisms for prevention of non-car parking areas to be controlled for that purpose; and Ensure that use of car parking for the relevant block is actively controlled through measures to enforce the car parking arrangements for the relevant block

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

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with LP41, LP42, LP44 and LP45 of the Hackney Local Plan and Section 9 of the National Planning Policy Framework.

8.1.5 Off Street Parking Long Term Strategy

Prior to the first use of the off-street car parking bays, a long term management strategy for the car parking area shall be submitted to and approved by the Local Planning Authority. The strategy shall include detail on:

How car parking spaces are re-allocated when an occupier with a parking space right vacates the property

The review mechanism for converting standard bays into blue-badge bays; and, Alternative use of the car parking spaces for more sustainable modes (e.g. cycles spaces or car-clubs).

REASON: In the interests of highway safety, reducing reliance on private motor vehicles, and the

amenity of neighbouring occupiers, and in accordance with LP41, LP44, LP45 of the Hackney Local Plan and Section 9 of the National Planning Policy Framework.

8.1.6 Bike Storage

Prior to the occupation of the development hereby permitted, full details of secure, accessible, on site bicycle storage including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle spaces is made within the development in the interests of discouraging car use, relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan as well as Section 9 of the National Planning Policy Framework.

8.1.7 Changing Facilities

Prior to the occupation of each unit of commercial/community floorspace, full details of internal lockable space and associated facilities such as showers to be used in association with the commercial/community floorspace within each unit shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of each unit of commercial/community floorspace and shall thereafter be retained and maintained.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interest of relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.8 Visitor Bike Parking

Prior to the first occupation of the development hereby permitted, details of visitor bicycle parking spaces including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision for the parking of bicycles is made for future users and visitors of the development in the interest of relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general, and in accordance with LP42 and Appendix 2 (Cycle Parking Standards) of the Hackney Local Plan, as well as Section 9 of the National Planning Policy Framework.

8.1.9 Delivery & Servicing Management Plan

Prior to the occupation of each phase of development, details of the Delivery and Servicing Management Plan (DSMP) for both residential and commercial/community uses within that Block or Building shall be submitted to, and approved in writing by, the Local Planning Authority.

The DSMP(s) shall:

Seek to rationalise the number of delivery and servicing with the aim of reducing traffic impacts for the relevant block; and

Include, inter alia, details of the location and management of servicing areas; location, number and timings of deliveries and collections (which should avoid anti-social hours); the types of delivery

and collection vehicles; and

Ensure that delivery space and time for the relevant block is actively controlled through measures set out in the DSMP; and

Set out the measures to enforce the servicing arrangements for the relevant block.

The approved DSMP(s) shall be fully implemented for the life of the development.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers, and in accordance with LP43 of the Hackney Local Plan, Section 9 of the National Planning Policy Framework.

8.1.10 Demolition Environment Management Plan

Works shall be carried out in accordance with the Demolition Environmental Management Plan (DEMP). The DEMP for this scheme is as follows “Woodberry Down Phase 4 Demolition Environmental Management Plan, October 2023 by Berkeley Homes Rev 001 dated 11/09/22”, unless otherwise agreed in writing.

All demolition works associated with the development hereby permitted shall take place in full accordance with the approved DEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and in accordance with LP2 and LP58 of the Hackney Local Plan as well as Sections 12 and 15 of the National Planning Policy Framework.

8.1.11 Construction Environmental Management Plan

Works shall be carried out in accordance with the Construction Environmental Management Plan (CEMP). The CEMP for this scheme is as follows “Woodberry Down Phase 4 Construction Environmental Management Plan October 2023 by Berkeley Homes Rev 001 dated 01/09/23”, unless otherwise agreed in writing.

All construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 12 and 15 of the National Planning Policy Framework.

8.1.12 Demolition Management and Logistics Plan

Works shall be carried out in accordance with the Demolition Management and Logistics Plan (DMLP). The DMLP for this scheme is as follows “ Woodberry Down Phase 4 Demolition Management and Logistics Plan October 2023 by Berkeley Homes Rev 001 dated 11/09/22”, unless otherwise agreed in writing.

All demolition works associated with the development hereby permitted shall take place in full accordance with the approved DMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.13 Construction Management and Logistics Plan

Prior to Commencement of each phase of development (including foundations), a Construction Management and Logistics Plan (CMLP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CMLP(s) shall include the following details: Hours of works; and A programme of works; and a development phasing plan

Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures; Loading and unloading of plant and materials; and How materials will be managed efficiently and disposed of legally, and the re-use and recycling of materials maximised; and Storage of plant and materials; and Boundary hoardings behind any visibility zones; and Contact arrangements between residents and contractors.

All demolition and construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.14 Emissions - Non-Road Going Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards for the Central Activities Zone and Opportunity Areas of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at <https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/pollution-and-air-quality/nrmm>.

REASON: To comply with London Plan Policy SI 1 and to ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity, and in accordance with LP58 and LP of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.15 Part M4(2) Dwellings

10% of the dwellings hereby approved as shown on the approved plans shall be constructed and fitted out in compliance with Building Regulations Requirement Part M4(3) (or any subsequent replacement) prior to first occupation. The remaining dwellings shall be constructed and fitted out in compliance with and to a minimum of Building Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

REASON: To ensure that the development is adequately accessible for future occupiers and in accordance with Section 12 of the National Planning Policy Framework.

8.1.16 Level Access

Level access shall be provided to all residential flats and the ground floor uses hereby approved before the relevant part of the development is first occupied.

REASON: To ensure the development is fully accessible.

8.1.17 Secured by Design

Prior to occupation of each building or part of a building, a Certificate of Compliance shall be obtained that confirms achievement of the relevant Secured by Design Standard.

REASON: In the interest of amenity and creating safer, sustainable communities and residential amenity, and in accordance with Section 12 of the National Planning Policy Framework.

8.1.18 Externally Facing Materials

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

Prior to the installation of the windows, window frames, doors and door frames within the scheme, details (including plans, elevations) regarding windows, window frames, doors and door frames shall be submitted and approved in writing by the LPA. This should include details relating to their design, materials and colour. The proposal shall then be implemented and maintained thereafter in accordance with the approved details.

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

8.1.19 Antennas, Apparatus etc.

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the elevation or roof of any buildings hereby permitted unless or until details of their size and location have previously been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure a satisfactory standard of external appearance and to protect local amenity, and in accordance with LP1 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.20 Obscured Glazing Condition

Notwithstanding the approved details, prior to the commencement of construction of block B1 a scheme for obscured glazing and balcony balustrade details and arrangements on the shall be agreed with the Local Planning Authority in writing. The obscured glazing used shall be level 4 obscurity level or above, and maintained in situ throughout the lifetime of the development.

REASON: To protect the amenity of occupiers in Blocks A1 and B1 in terms of overlooking and privacy due to the short separation distances experienced between the buildings, and in accordance with LP1 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.21 Protected Species

No development shall commence until the LPA has been provided either a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specific development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity /development will require a licence.

REASON: to maintain the favourable conservation status of a European Protected Species and to ensure that the development can legally commence, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.22 Ecological Mitigation

No development shall take place unless in accordance with the mitigation and recommendations detailed within the report Woodberry Down Phase and Phases 5-8, London Preliminary Ecological Report by Temple, version 3.0 dated 10/06/2022.

REASON: To maintain the favourable conservation status of protected species, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.23 Vegetation Clearance

No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed. Netting of hedgerows, trees or buildings is only permitted in exceptional circumstances in accordance with Chartered Institute of Ecology and Environmental Management/Royal Society for the Protection of Birds advice. A methodology and management plan for the installation and maintenance of the netting will be agreed in writing with the Local Planning Authority prior to installation.

REASON: To protect nesting birds, all species of which are protected by law, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.24 Tree Works

No tree works on site will commence unless in strict accordance with the measures in the Mayhew Consultancy Arboricultural Report (Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan) dated October 2023, including the proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations', for the trees identified to be retained in Appendix B. A checking survey should be completed prior to the commencement of works affecting trees within the Site to determine whether any red squirrel dreys or bat roosts are present. If red squirrels are found to be present within the Site the qualified ecologist will liaise with the contractor to ensure that measures are adopted to avoid impacts on red squirrels and bats.

The barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas. In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To maintain the landscape and biodiversity value of the site and avoid harm to protected species, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.25 Podium Planting

Notwithstanding the approved plans in relation to the planting scheme on the podium, soil for the trees and plants that are appropriate for inclusion on concrete podiums shall be utilised within the

scheme. Plants that prefer ericaceous soils shall be separated into different beds and the soil be suited for the planting environment (if ericaceous plants are to be used - appropriate fertilizer shall be used) must be used. The use of container grown trees must be used, as the failure rate of container grown trees is significantly less than rootballed trees.

As with all newly planted trees and plants - watering during the first growing season is imperative - the trees/ plants should not be allowed to dry out in the first growing season. In addition to this, trees have a formative pruning before planting - this will ensure that the tree has several years growing before another pruning would be necessary, formative pruning might not be appropriate for all trees but, this should be considered where appropriate.

REASON: To ensure that the landscaping scheme posed is successful and enduring, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.26 Trenches

Any trenches or deep excavations are covered at the end of each working day or ramps installed to provide exit routes for any animals that fall in.

REASON: to ensure that protected species are not harmed during construction, and in accordance with LP47 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.27 Hard and Soft Landscaping

Prior to Occupation of the development phase, detailed design drawings of the hard and soft landscaping scheme for the development shall be submitted to and approved by the Local Planning Authority. The submission will be accompanied by confirmation of the final Biodiversity Net-Gain and Urban Greening Factor score.

The information shall include, where relevant, details on plant/tree species and location, play equipment, cycle stands, wayfinding, street furniture, street lighting, boundary treatment types, public art and any information required to comply with the requirements of the Volume 4 Appendix D Wind Microclimate of the Environmental Statement.

All planting, seeding or turfing shall be implemented in the first planting season following first occupation of the relevant phase, as defined by the approved phasing plan. Any plants or trees that die or are removed, damaged or diseased within a period of ten years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species.

All hard landscaping shall be carried out in full prior to occupation of the relevant phase of the development.

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

REASON: To ensure that the external appearance of the site is acceptable, provides acceptable formal and informal leisure facilities for all ages, and protects and enhances biodiversity, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.28 LEMP and Public Realm Management and Maintenance Scheme

Prior to Occupation of the development phase, a Landscape, Ecological Management and Public Realm Management and Maintenance Scheme (LPRMMS) shall be submitted to, and approved by,

the Local Planning Authority. The LPRMMS shall include the following details:

Details of how the landscaping should be managed to support and maintain habitat creation, and show how the scheme will demonstrate a biodiversity net gain.

A long term management plan which should include long-term ownership, responsibilities and maintenance schedules for all landscaped areas and public realm including leaching, weeding and mowing, irrigation and rain gardens, and vehicular access to the park.

The approved LPRMMS shall be implemented in full prior to occupation of the relevant part of the development, fully implemented for the life of the development and demonstrate a biodiversity net gain.

REASON: To protect, enhance and maintain the landscape features and character of the area, and in accordance with LP47 and LP51 of the Hackney Local Plan as well as Sections 15 of the National Planning Policy Framework.

8.1.29 Refuse & Recycling Management Plan

Notwithstanding the approved plans and submitted details, Prior to the occupation of each phase of development, details of the refuse/recyclables management plan (RRMP) for both residential and commercial/community uses within that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority.

The RRMP(s) shall include (a) details of the location and management of storage areas, details of the refuse and recyclables containers, quantum of storage provided, location, number and timings of deliveries and collections, and details of how the refuse/recyclables containers will be moved from the storage areas to collection points, and (b) set out the measures to enforce the servicing arrangements for the relevant phase of development. The approved RRMP(s) shall be fully implemented for the life of the development and all refuse/recycling shall be managed in accordance with the approved RRMP(s).

REASON: In the interests of highway safety and the amenity of neighbouring occupiers and to safeguard public health through the reduction of pollution and likelihood of vermin infestation, and in accordance with LP57 of the Hackney Local Plan as well as Sections 9 and 12 of the National Planning Policy Framework.

8.1.30 Commercial Waste Storage

Prior to the occupation of the commercial floor space hereby approved all commercial waste storage areas shown on the drawings hereby approved or as shall have been otherwise approved shall be provided. Thereafter commercial waste shall be managed in accordance with the details set out in the Waste Management Strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and to reduce the likelihood of infestation, and in accordance with LP57 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.31 SUDS

No development shall commence, other than works of demolition until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan of the sustainable drainage system has been provided. Details shall include but not limited to the proposed green roofs (with a substrate depth of at least 80mm not including vegetative mats), podium level blue roofs, swales, rain gardens, permeable paving, rainwater harvesting, 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 Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) by Fairhurst and limit the peak discharge rate to 5.8 l/s for all return periods up to the 1 in 100-year storm events plus an allowance for climate change.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.32 Levels (Land and Floor)

Prior to commencement of the superstructure works hereby permitted full details of the proposed land levels of the site (including along the adjacent carriageways) and ground floor finished floor levels, which shall comply with the recommendations of section 4 of the Woodberry Down – Phase 4 Flood Risk Assessment 135305-FAH-ZZ-XX-RP-C-01-07 (ref.: 135305, dated January 2024) by Fairhurst, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

REASON: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, and in accordance with LP53 of the Hackney Local Plan as well as Sections 12 and 14 of the National Planning Policy Framework.

8.1.33 Water Network Upgrades

No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.34 Water Main Avoidance

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure, and in accordance with LP53 of the Hackney Local Plan as well as Section 14 of the National Planning Policy Framework.

8.1.35 Remediation, verification etc.

Prior to commencing the works, for each section of the development or stage in the development -

as may be agreed in writing by the Local Planning Authority (LPA) - a scheme including the following components to address the risks associated with site contamination shall be submitted to, and approved in writing by, the LPA.

A generic and detailed quantitative risk assessment that identifies the risk to all receptors potentially affected, including those off site;

In the event that remediation measures are deemed necessary following the results of (a), an options appraisal identifying feasible remediation options, detailing evaluation of options, and selecting the most appropriate remediation option(s);

A remediation strategy focused on the remediation option(s) selected in (b) setting site specific monitoring objectives and criteria, providing details of monitoring and maintenance, and containing full details of the remediation measures required, and how they are to be undertaken.

A verification plan explaining how the effectiveness of the remediation works set out in (c) will be measured, and how data will be collected and assessed to demonstrate that the remediation objectives and criteria will be met.

A verification report demonstrating that remediation objectives and criteria identified in (d) have been met, assessing the remediation performance, and creating a final record of the land quality whilst providing a plan for long term monitoring and maintenance (if required).

Any investigation and risk assessment must be undertaken in strict accordance with the requirements of the Environment Agency's Land Contamination Risk Management (LCRM). If additional significant contamination is found at any time when carrying out the approved development, it must immediately be reported in writing to the LPA.

For the avoidance of doubt, this condition can be discharged on a section by section basis.

REASON: To protect human health and the environment by ensuring no harm is caused by land contamination, in line with paragraphs H, I and J, LP 58 of the Hackney Local Plan 2033 and the Hackney contaminated land strategy 2022/2030, and in accordance with LP58 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.36 Contamination

If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

REASON: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants, and in accordance with LP58 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.37 Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface 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 and Piling has the potential to impact on local underground water utility infrastructure, and in accordance with LP2 and LP53 of the Hackney Local Plan as well as Section 15 of the National Planning Policy Framework.

8.1.39 Non-Residential Uses Opening Hours

The non-residential uses shall only be open to the public between 07:00 hours and 23:00 hours on any day. Illuminated advertisements and signage shall not be illuminated between the hours of 23:00 and 07:00.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8, 12 and 15 of the National Planning Policy Framework.

8.1.40 External Lighting

The development shall not be occupied until details of the external lighting of the building(s) and external area(s), including streets and public realm, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development is occupied and retained as such thereafter.

The external lighting strategy, which shall be based on the recommendations of the Environmental Statement and its appendices as well as Secured by Design Principles, shall include, inter alia, the following details:

- i) Number and location of proposed luminaires, luminaire light distribution type, lamp type, lamp wattage and spectral distribution; stand type and mounting height, orientation/direction, beam angle (which should be as low as possible), projected light distribution maps of each lamp including light spillage on to any other features such as buildings, watercourses and trees, and details of any hoods or cowls, and type of control gear and lighting regime (timing and duration of illumination); and
- ii) A strategy for the long-term ownership, management and long term maintenance of the external lighting strategy for the lifetime of the development. The approved lighting strategy shall be implemented in full prior to occupation of the relevant phase of development, and maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting amenity, enhancing the character of the area, mitigating for ecological impacts on protected species, safeguarding public safety and highway safety, and in the interests of the prevention of crime and anti-social behaviour, and in accordance with LP2 and LP47 of the Hackney Local Plan as well as Sections 8, 9, 12 and 15 of the National Planning Policy Framework.

8.1.41 Temporary lighting (Construction & Demolition)

All temporary lighting used during the demolition and construction works associated with the development hereby permitted shall only be illuminated during hours of construction, unless required for matters of health and safety e.g. to illuminate construction cranes.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife, and ensure accordance with LP2 and LP47 of the Hackney Local Plan as well as Sections 8, 9, 12 and 15 of the National Planning Policy Framework.

8.1.42 Flues, Stacks etc.

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby permitted other than as shown on the drawings hereby approved, unless agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory appearance to the development and a high quality of design, and in accordance with LP2 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.43 Ventilation from cooking - non-resi uses

Prior to any commercial primary cooking within the non-residential uses taking place, full details of the routing of mechanical ventilation and the passive provision of associated ducting for that unit shall be submitted to and approved by the Local Planning Authority. The details shall include:

Manufacturers' specifications of all filtration, deodorising systems, noise, odour and vibration output and control, termination points and maintenance schedule;

The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time;

The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

The approved details shall be installed and commissioned prior to any commercial primary cooking within the non-residential uses at the site and shall be permanently maintained in proper working order thereafter.

REASON: To protect the amenity of future occupiers and the occupiers of neighbouring properties, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.44 No Smells or Odorous Emissions

Smells generated or emanating from the commercial premises shall be adequately controlled to ensure that surrounding premises are not subjected to smell and/or odour nuisance. Premises where cooking of hot foods is to be undertaken must install an odour control system and the proposed system shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be installed before commencement of the use of commercial premise.

The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

Reason: To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of odour/smell nuisance, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.45 Sound Insulation

All residential premises shall be designed in accordance with BS8233:1999 'Sound Insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

A noise assessment following the guidelines of the NPPF and a scheme for sound insulation and noise control measures shall be submitted to and approved in writing by: and implemented to the satisfaction of the Local Planning Authority prior to the first occupation of the rooms hereby approved. The sound insulation and noise control measures shall achieve the following internal noise targets: Bedrooms (23.00 - 07.00 hrs) 30 dB LAeq, and 45dB Lmax (fast), Living Rooms (07.00 - 23.00 hrs) 30 dB LAeq

A test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority.

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, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.46 Sound Insulation Details

Full particulars and details of a scheme for sound insulation between the proposed commercial and residential use of the building, shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be installed before commencement of the use of the relevant block as set out in the phasing plan within phase 3 hereby permitted and permanently retained thereafter. As a guide, to protect the amenity of neighbouring occupiers, it is expected the level of sound insulation provided by the separating walls and floors to be in the order of Rw 55dB.

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, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.47 Plant Noise Design Criteria

Noise arising from the use of the extractor fan, condensing units or any associated equipment shall not be a noise nuisance.

The applicant shall also ensure that vibration/structure borne noise derived from the use of the extractor fan does not cause noise nuisance within residential or noise sensitive premises.

The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with and be permanently maintained thereafter. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery from the commercial premises, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 12 of the National Planning Policy Framework.

8.1.48 Noise emission to internal areas

Prior to the commercial units being used for restaurant or café use, or if music is to be played in the unit at levels above 75 dB LAeq or with particularly high levels of bass content additional sound insulation treatment is required in the fit-out of the commercial unit to protect the amenity of the nearby residential premises.

Such treatments may include additional acoustic ceilings, wall liners and lobbied entrance doors and to significantly increase the sound insulation of the shell construction via the adoption of the following treatments:

Adding independent wall linings for all perimeter walls of the commercial units;

- Boxing in concrete columns within the unit;
- Adding acoustic ceilings

Or

Entertainment noise (LAeq) should be controlled to 10dB below the background noise level (LA90) without the entertainment noise present, in each octave band at the nearest noise sensitive location.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 15 of the National Planning Policy Framework.

8.1.49 Noise Levels - Fixed Plant

The total noise levels from any fixed plant at the site shall at all times be 10 dB(A) below the background noise level when measured at any nearby residential window in accordance with BS4142:1997.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, and in accordance with LP2 of the Hackney Local Plan as well as Sections 8 and 15 of the National Planning Policy Framework.

8.1.50 Roof Plant Enclosures

Full details of all the roof plant enclosures (plans, sections, front and rear elevations, etc.) shall be submitted and approved in writing by the Local Planning Authority before any building works commence. 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 in accordance with LP2 of the Hackney Local Plan as well as Section 12 of the National Planning Policy Framework.

8.1.51 Rooftop Solar PV & Living Roof

Prior to the first occupation of each phase of the development, full details of solar photovoltaic panels on each building, to be installed in conjunction with biodiverse roofs, shall be submitted to, and approved in writing by, the Local Planning Authority.

Full details including installation certificates by MSC registered installer must be submitted to and approved by the Local Authority providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024)

- a) Solar PV panels annual electricity peak generation of 80,465 kWp
- b) Solar PV panels array of 408 sqm

The living roofs details shall include the construction, planting regime, irrigation, and long term maintenance of bio-diverse, substrate-based extensive living roof (of variable depth of no less than 80mm, not including depth of vegetative mat), including sections at a scale of 1:20, of the living roof areas.

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

The approved equipment shall be installed in full accordance with the approved details prior to the first occupation of the relevant phase of the development and shall be retained in working order thereafter.

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet or improve upon the 'as designed' performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero and net zero carbon development and construction, and 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 in accordance with LP47 and LP55 of the Hackney Local Plan, SI2 of the London Plan as well as Sections 12, 14 and 15 of the National Planning Policy Framework.

8.1.52 Energy Statement

Prior to the commencement of the development hereby approved, a revised Energy Statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards and key metrics have been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Minimum carbon savings of 15% / 71.4 tonnes CO₂e for residential units and 16% / 0.8 tonnes CO₂e for non residential area against Part L 2021 through fabric efficiency
- B. Minimum overall carbon savings of 53 % / 255 tonnes CO₂e for residential units and 37% / 1.9 tonnes CO₂e for non residential areas against Part L 2021
- C. Maximum U-values (W/m²K): walls (residential 0.18/ non residential 0.18); floors (residential 0.1/ non residential 0.1); roof (residential 0.1/ non residential 0.1); windows and doors (residential 0.9/ non residential 0.9)
- D. Maximum G-values for windows and door: residential 0.5 / non residential 0.3
- E. Maximum Air permeability (m³/h/m²@50pa): residential 3 / non residential 3
- F. Maximum Space Heating demand of 14.4 kWh/sqm/yr using a predictive modelling calculation methodology such as PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the aspirational target of 15 kWh/sqm/yr
- G. Maximum Energy Use Intensity of 79 kWh/sqm/yr for the residential units and 64 kWh/sqm/yr for the residential units using a predictive modelling calculation methodology such as PHPP, TM54 or equivalent - the applicant will be expected to demonstrate and quantify how further design works have been carried out to seek to achieve the aspirational target of 35 kWh/sqm/yr for the residential units and 55 kWh/sqm/yr for the non residential area.
- H. A third party review report of the as-design predictive modelling calculations
- I. Updated GLA Carbon Emission Reporting Spreadsheet

The operational carbon emissions must be calculated using the appropriate for all the identified units - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- at least one unit for each identified flat type/area type, and
- any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a

single aspect, or (c) having limited opening windows

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

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

- A. As-built U-values: walls/cladding; walls/non cladding; floors; roof; windows and doors using 'through wall' calculations for each component and relevant datasheets
- B. As-built G-values for windows and doors using relevant datasheets
- C. As-built Space Heating demand in kWh/sqm/yr using as-built modelling calculations
- D. As-built Energy Use Intensity in kWh/sqm/yr using as-built modelling calculations
- E. Full air permeability test report confirming all units have achieved the as design air permeability figures
- F. Final GLA Carbon Emission Reporting Spreadsheet

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet or improve upon the 'as designed' performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

The final as-built GLA carbon Emission Reporting spreadsheet should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the relevant GLA guidance

<https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/pr-e-planning-application-meeting-service/energy-planning-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP54, LP55 and LP56 of the Hackney Local Plan, SI2, SI3, SI4 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.53 Embodied Carbon Targets

Prior to the commencement of the development hereby approved, a revised Whole Life Carbon Assessment (utilising RICS Whole Life Carbon Assessment First Edition methodology) shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate the design measures that have been explored to achieve the standards set out in the Whole Life Carbon assessment hereby approved (Revision 04 prepared by Hodkinson dated September 2023) subject to feasibility and the availability of materials:

- A. Upfront embodied carbon (modules A1-A5) 683 kg CO₂e/sqm - excluding sequestration - the developer will be expected to demonstrate and quantify how further design works have been carried out to align with the aspirational target of 300 kgCO₂e/sqm (LETI CA)
- B. Life embodied carbon (modules A1-A5, B1-B5, C1-C4) 882 kg CO₂e/sqm - excluding sequestration
- C. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) 1440 kg CO₂e/sqm - including sequestration
- D. Updated Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment spreadsheet

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

Prior to the occupation of the development, a Final “as-built” Whole Life Carbon assessment based on the actual materials, products and systems used shall be submitted to and approved in writing

by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- A. Upfront embodied carbon (modules A1-A5) in kg CO2e/sqm - excluding sequestration
- B. Life embodied carbon (modules A1-A5, B1-B5, C1-C4) in kg CO2e/sqm - excluding sequestration
- C. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO2e/sqm - excluding sequestration
- D. Whole embodied carbon (modules A1-A5, B1-B7, C1-C4) in kg CO2e/sqm - including sequestration
- E. Final as built Greater London Authority - Whole Life-Cycle Carbon (WLC) Assessment spreadsheet

The final as-built GLA WLC assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk , along with any supporting evidence as per the relevant GLA guidance - <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/whole-life-cycle-carbon-assessments-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 of the Hackney Local Plan SI2 and SI7 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.54 Circular Economy

Prior to the commencement of the development hereby approved, a revised Circular Economy statement shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate that, where feasible, steps and recommended actions have been taken to design for a circular economy, and the following actions have been undertaken, as set out in the hereby approved Circular Economy statement (Revision 04 by Hodkinson dated September 2023):

- A. Approaches as listed in Section 05
- B. Key demolition products quantity, re-use rate & waste as listed in section 6.0 of the Pre demolition Audit (Revision 01 by Berkeley Homes dated November 2022)
- C. Updated Greater London Authority - Circular Economy Statement spreadsheet
- D. Updated supporting reports: Pre-Redevelopment Audit, Pre-Demolition Audit, Operational Waste Management Plan, Construction Waste Management Plan, Bill of Material, Cradle to Cradle certification

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

Prior to the occupation of the development, a Final “as-built” Circular Economy statement based on the actual materials, products and systems used shall be submitted to and approved in writing by the Local Planning Authority confirming the following key metrics have been achieved or improved upon the pre-commencement figures:

- A. Final as built Greater London Authority - Circular Economy Statement spreadsheet
- B. Final as built supporting reports: Pre-Redevelopment Audit, Pre-Demolition Audit, Operational Waste Management Plan, Construction Waste Management Plan, Bill of Material, Cradle to Cradle certification

In addition, the final as-built Circular economy statement should be submitted to the GLA at ZeroCarbonPlanning@london.gov.uk , along with any supporting evidence as per the relevant GLA guidance. <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance>

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI7 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.55 Mechanical Ventilation with Heat Recovery (MVHR)

Prior to the construction of the proposal above damp proof course level, full details including ventilation system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Minimum MVRH efficiency of 91% for residential units and minimum MVRH efficiency of 90% for non residential units
- B. Details of summer by pass where applicable including provision and location across the development

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

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

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.56 Waste Water Heat Recovery System (WWHR)

Prior to the commencement of the development, the implementation of a Water Heat Recovery System must be explored and details including specifications and supporting drawings must be submitted to and approved by the Local Authority at least the following figures must be confirmed :

- A. Minimum heat recovery (%) for residential units and minimum heat recovery rate of (%) for non residential units
- B. Additional carbon savings achieved of (%) and tonnes CO₂e) against Part L 2021

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

Prior to the occupation of the development, full details including as built WWHR system specification and supporting drawings and installation certificates by an MSC registered installer must be submitted to and approved in writing by the Local Planning Authority confirming the ventilation system has achieved or improved upon the pre-commencement figures,

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

approved.

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.57 Overheating

Prior to the commencement of development a dynamic overheating risk assessment shall be submitted to and approved by the Local Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology.

The assessment must include design specific details of how each steps of the Cooling Hierarchy has been implemented, for reference

- A. Step 1: 1.Minimise internal heat generation through energy efficient design
- B. Step 2: Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls
- C. Step 3: Manage the heat within the building through exposed internal thermal mass and high ceilings
- D. Step 4: Passive ventilation
- E. Step 5: Mechanical ventilation
- F. Step 6:Active cooling systems

All report results of the dynamic modelling in line with the CIBSE TM52 and TM59 compliance criteria must clearly set out the pass rate (%) of each of the Cooling Hierarchy steps, using baseline scenario and additional modelled scenario to test all mitigations (passive first, active as last resort) measures required until all residential units and non residential areas pass the overheating risk assessment - as follow

- A. Step 1 mitigation measures description leading to pass rate of X%
- B. Step 2 mitigation measures description leading to pass rate of XX% etc

All units must be assessed against weather files CIBSE TM49 DSY1, DSY2 & DSY3, results should demonstrate a 100% pass rate for all units shown under weather file DSY1 - in the exceptional circumstances that all units can not be reasonably assessed, a representative sample must be used and include:

- A. at least one unit for each identified flat type/area type, and
- B. any unit subject to the following criteria: units (a) with large glazing areas, (b) on the topmost floor, (c) having limited shading, (d) having large, sun-facing windows, (e) having a single aspect, or (c) having limited opening windows

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

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

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

Prior to the occupation of the development, a final “as-built” overheating risk assessment shall be submitted and approved in writing by the Local Planning Authority, assessing all units and following the CIBSE TM52 (non residential) & TM59 (residential) methodology, confirming % pass rates for each TM49 weather file have or improved upon pre-commencement figures following the prospective retrofit measures.

REASON: In the interest of addressing climate change and securing sustainable and net zero carbon development and construction in accordance with LP54 and LP55 of the Hackney Local Plan SI2 and SI4 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.58 Be Clean

Provision of the DHN

Prior to occupation of the final residential block in the development, evidence of the development’s connection to the Phase 3 Energy Centre shall be submitted to and approved by the Local Planning Authority.

Connection to the DHN

Prior to the commencement of the development hereby approved, a revised set of information demonstrating the ability for future connection to the Woodberry Down Decentralised Heat Network (DHN) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include drawings drafted at the appropriate scale and full detailed specification of the following, but not be limited to:

- a) Confirmation of the DHN present and future capacity to serve the development, as well as supporting estimates of the CO2 emission factor to meet the limit set out in Part L 2021, installation cost and timescales for connection
- b) Layout of energy centre/plant room showing space for the heat exchanger
- c) Layout of obstacle free safeguarded route between heat exchanger and incoming DEN entry point
- d) Details of on-site connection
- e) Details of installed pipework connecting identified plant room/ heat exchanger to proposed heating system(s)
- f) Details of the decarbonisation of the Woodberry Down DHN including timescale identifying key milestones and confirmation of carbon savings & energy performance achieved by the selected replacement technology

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.59 Air Source Heat Pump

Prior to the first installation of the heating system, full details including heating system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. Heat pump Coefficient of Performance of 3.2
- B. Heat pump Seasonal Coefficient of Performance of 3.2

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

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

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

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction, in accordance with LP55 and LP56 of the Hackney Local Plan, SI2 and SI3 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.60 Active Cooling

Prior to the installation of the cooling system for the non residential areas, full details including cooling system (or any other related fixed plant adopted) specification and supporting drawings must be submitted to and approved by the Local Authority to demonstrate at least the following standards been achieved or improved upon as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024):

- A. System Energy Efficiency Ratio of 4.5
- B. System Seasonal Energy Efficiency Ratio of 7
- C. Details of location of the condenser units from the VRF systems (or any other fixed plant adopted) and noise solutions to mitigate impact for nearby sensitive receptors;
- D. Details of refrigerants that are required confirming a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)

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

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

Where compliance is not met, a remedial plan and associated cost plan must be prepared and submitted to the Local Authority for approval detailing the necessary measures to meet the required level of performance. Shortfalls may attract an additional financial contribution to the carbon offset fund.

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP54, LP55 of the Hackney Local Plan, SI2 and SI4 of the London Plan, and Sections 12 and 14 of the National Planning Policy Framework.

8.1.61 BREEAM

Prior to the commencement of the development hereby approved, the BREEAM Interim Design Certificate shall be submitted to and approved by the Local Planning Authority, providing full details to demonstrate at least the following standards have been met, as set out in the hereby approved Energy Statement (Revision 07 prepared by Hodkinson dated April 2024) - all the targeted credits must be presented in a tracker comparing credits targeted at BREEAM Pre Assessment stage:

- A. Minimum BREEAM Rating of 72.5% targeting the following credits : Ene 01, Ene 02 Ene 03, Ene 05, Ene 06, Wat 01, Wat 02, Wat 03, Wat 04, Mat 01, Mat 02, Mat 03, Mat 04, Mat 05, Mat 06, Wst 01, Wst 02, Wst 03, Wst 04, Wst 05, Wst 06

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

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

REASON: In the interest of addressing climate change and securing sustainable and net zero development and construction in accordance with LP55 of the Hackney Local Plan, SI2 of the London Plan, and Section 14 of the National Planning Policy Framework.

8.1.62 Phasing of Works

Within three months of the date of this decision, details of the order in which the blocks/buildings and public realm and open spaces will be commenced (the phasing of the development) shall have been submitted to the Local Planning Authority for approval. The development shall only be carried out in full accordance with the approved phasing details.

REASON: To ensure that the delivery of the development is consistent with the principles of good planning and in the interests of safeguarding residential amenity.

10.2 Recommendation B

That the above recommendations be subject to the applicant, the landowners and their mortgagees enter into a legal agreement in order to secure the following matters to the satisfaction of Director of Legal Democratic and Electoral Services:

Financial contributions:

- £231,431 towards employment training;
- £560,250 towards primary healthcare;
- £19,245 towards end use jobs through the operational phase; and
- £20,000 towards Electric Vehicle Car Club (and associated on street electric vehicle charging points); and £60 per resident towards the resident's Car Club scheme;
- £12,000 towards the monitoring of the travel plan;
- £17,500 towards the monitoring of the demolition and construction

- management plans;
- £2,000 towards the monitoring of the delivery and servicing plans;
- £581,781 towards the cost of highway works associated with the development;
- £54,615 Bus Contribution;
- £650,778.50 to the LBH Carbon Offset fund;
- £10,000 towards Wayfinding Scheme in Woodberry Down;
- £97,829.83 towards Early Years, Primary, Secondary and Post 16 Education;
- £20,362 contribution towards Public Art;
- £414,735.39 CAVAT contribution
- £50,000 Monitoring Fees;

Non-financial contributions:

Provision of a library space within the scheme (should the council as a service provider require this)

Affordable housing provision (42%) and mix (52% shared ownership/48% social rent), including GLA compliant early and late stage review mechanism; and

Approved architects clause to ensure quality of design in delivery of the scheme; and

Securing a car free development (in respect of market occupiers and “new” affordable housing occupiers) and a car capped development in respect of “existing” affordable housing occupiers (with a falling away of car parking privileges over time); and

Participation in the LBH Hackney Works Scheme; and

Participation in the Considerate Constructors Scheme.

Employment and Skills Plan

25% Local Labour

Apprenticeships

Securing Connection to the Energy Network

Construction Management (such as Considerate Constructors Schemes)

Be Seen Monitoring

All Tenure Access to the Central Podium

Travel Plan

○ **Recommendation C**

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

terms and/or recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

- **INFORMATIVES**

- The following informatives should be added:

- Building Control
- Hours of Building Works
- Naming and Numbering
- CIL Informative
- S106 Informative
- NPPF
- There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near the mains (within 3m) checks will be required to ensure that the development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the service in any other way.

The proposed development is located within 15m of Thames Water's underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.

- Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.
- The Demolition and Construction Management and Logistics Plans (DCMLP) should be drafted in accordance with TfL's CLP guidance on Construction Logistics Plans which can be accessed at <http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>.
- Adoption of internal highways within the development, including restricted access streets, will be conditional on technical approval of the final design which should be constructed to the LBH adoptable highways standard of:
 - Full depth carriageway construction with DBM surface course; and
 - 600x600 fibre reinforced artificial stone paving laid on sand; and cement bed and granular sub-base with 1:40 crossfall; and
 - 150x300 granite kerb with 120mm-140mm kerb face.
- The proposed bicycle storage and parking facilities should be designed in accordance with TfL's best practice guidance which is contained within TfL's London Cycle Design Standards chapter 8 <http://content.tfl.gov.uk/lcdis-chapter8-cycleparking.pdf>.
- The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods.

- Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

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 Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

- Reference shall be had to Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems published by DEFRA (www.defra.gov.uk/environment/noise/research/kitchenexhaust/index.htm).
- The applicant should seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) for further guidance on the SBD requirements for this site. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or during office hours by telephone on 0208 217 3813.
- The integration of automatic sprinkler systems are highly recommended throughout the development hereby permitted in the interests of fire safety.
- "Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of

trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features. Please note that an alternative model of drinking fountain will be required as the model shown in submitted documentation is not the new standard type being used across London, which is more robust whereas the type shown is non-standard and will as a result be harder to maintain.

- Please note that any expansion or intensification of the use of the energy centre hereby provided will require the benefit of consent regardless of whether additional associated plant and equipment is fully internal to the development by virtue of that fact that any such expansion or intensification would represent a deviation from details approved under condition.
- The swift bricks required under the scope of condition 11 should be designed and installed in accordance with advice from the RSPB.

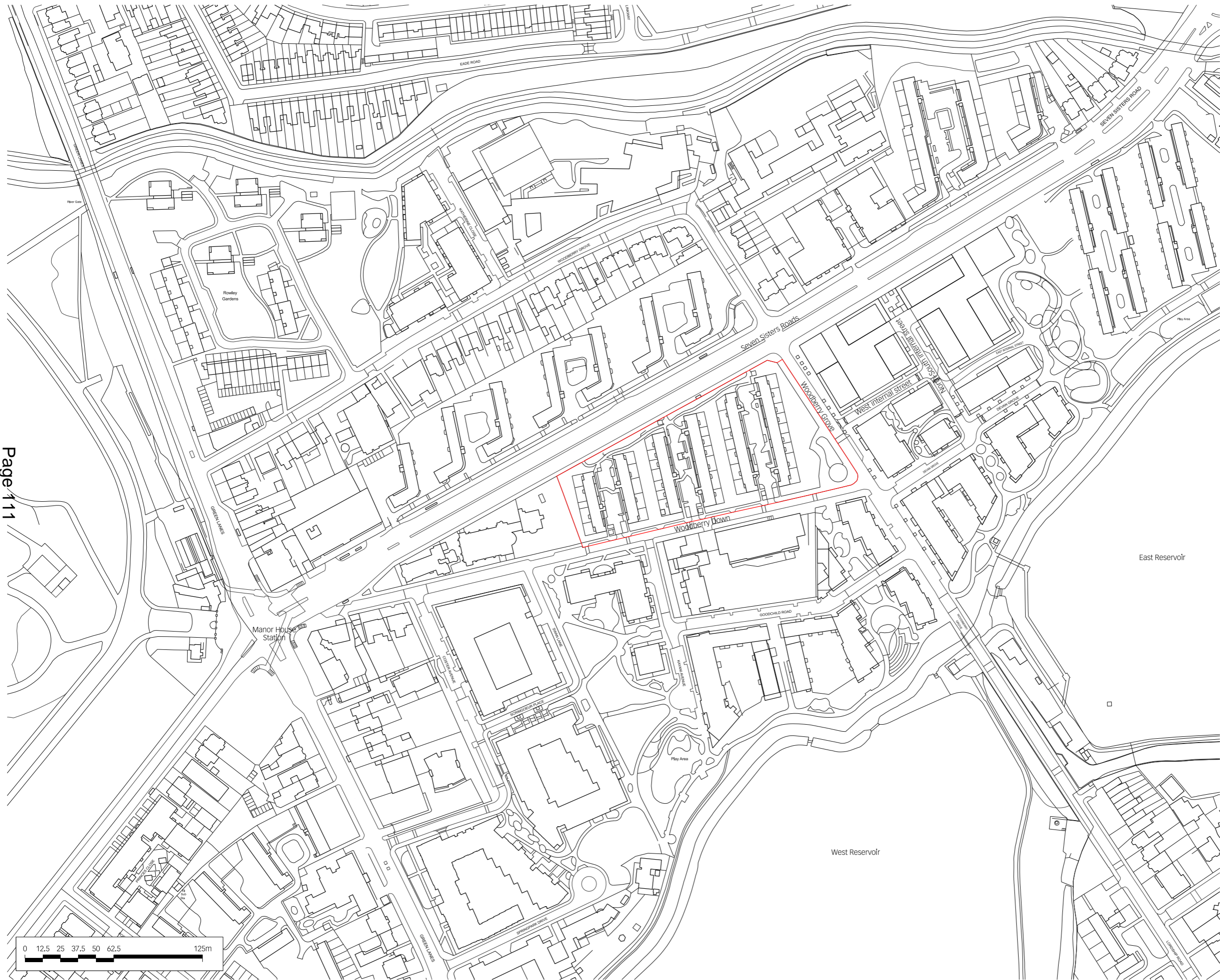
Signed..... Date.....

Assistant Director - Planning and Building Control

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation</p>	James Bellis x4757	HSC, Hillman Street, London E8 1FB

	of this report are referenced in the report		
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notes

— application boundary

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LDS Standard Frame V1 - 11.10

project
Woodberry Down Phase 4

client
Berkeley Homes (North East London) Ltd

architect
Lifschutz Davidson Sandilands
Island Studios
22 St. Peter's Square
London W6 9NW
United Kingdom
T +44 (0)20 8600 4800
mail@lds-uk.com

drawing title
Phase 4
Existing site location plan

scale at A1	scale at A3	drawn	date
1:1250	1:2500	TDS	11.22

job no.	drawing	rev.
1182	X0001	-

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Planning Sub-Committee – 08.05.2024

ADDRESS: The West Reservoir Centre Green Lanes, Hackney, London, N4 2HA	
WARD: Woodberry Down	REPORT AUTHOR: Laurence Ackrill
APPLICATION NUMBER: 2023/2683	VALID DATE: 19/12/2023
<p>DRAWING NUMBERS: Drainage Strategy 221320-PEV-ZZ-ZZ-RP-C-0100, Acoustic Impact Assessment 23-0158-0 R01, Arboricultural Impact Assessment RT-MME-161683-01 Rev C, Biodiversity Net Gain Assessment Dated November 2023, West Reservoir Café Energy Statement LL0156_RPT_ES_001_P01 P01, Delivery and Servicing Management Plan Dated November 2023, Fire Statement 20/11/2023, Flood Risk Assessment MC/KDL/221320/17-1/R001, Framework Travel Plan Dated November 2023, Historic Environment Assessment Dated November 2023, Operational Management Plan 13/11/2023, Outline Construction Logistics Plan Dated November 2023, Preliminary Ecological Appraisal Dated November 2023, Transport Statement Dated October 2023, Urban Greening Factor Assessment 21/11/2023, 12245-LD-DET-607 P01, 12245-LD-PLN-002 P03, 12245-LD-PLN-010 P03, 12245-LD-PLN-200 P07, WRE Rev A, 12245-LD-SEC-601 P01, 2 12245-LD-SEC-602 P01, 12245-LD-SEC-603 P01, 12245-LD-SEC-604 P01, 12245-LD-PLN- 306 P01, WRC_100_A_01 Rev 1, WRC_100_A_41 Rev B, WRC_100_A_42 Rev A, WRC_100_A_61 Rev A, WRC_100_A_62 Rev A, WRC_200_A_01 Rev E, 12245-LD-PLN-001 P04 & Waste Disposal Plan.</p>	
APPLICANT: Leisure, Parks & Green Spaces London Borough of Hackney	AGENT: Tom Berliner, LUC, 250 Waterloo Road, London, SE1 8UL
<p>PROPOSAL: Improvements to increase the accessibility of West Reservoir, including creating access to new green space and upgrade to West Reservoir Centre facilities, including a new café, two pedestrian bridges, a new footpath and fencing.</p>	
<p>POST SUBMISSION REVISIONS: None.</p>	
<p>RECOMMENDATION SUMMARY: That the Committee resolve to GRANT planning permission, subject to conditions and completion of legal agreement</p>	

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE	
Major application	Yes
Substantial level of objections received	Yes
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	Yes
Other (in accordance with the Planning Sub-Committee Terms of Reference)	No

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Yes (Zone G)	
Conservation Area	Yes - Stoke Newington Reservoirs, Filter Beds and New River	
Listed Building (Statutory)	Adjacent to Grade II*	
Listed Building (Local)		No
Employment Designation		No
Central Activities Zone		No

LAND USE DETAILS:	Use Class	Use Description	Floorspace Sqm
Current	F2(c)	Open Space	0
Proposed	F2(c)	Café / External Changing Facilities	80

PARKING DETAILS	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	25	2	28
Proposed	25	2	60

1.0 SITE CONTEXT AND PROPOSAL

Site Context

- 1.1 The site comprises the West Reservoir Centre as well as the surrounding area including the southern bank of the West Reservoir stretching round over the New River to connect to the Woodberry Down development. To the south the site extends down part of the access road to the Centre and then extends over the New River to include the existing bridge and part of the northern side of the river.
- 1.2 The surrounding area is characterised by a mixture of different uses, to the south the site adjoins the rear gardens of residential dwellings on Allerton and Queen Elizabeth's Walk. To the west the Amwell Court Estate lies just over the new River whilst the Castle Climbing site shares the same access road as the West Reservoir Centre. To the west the site adjoins part of a residential estate and Lordship Road beyond which lies the East Reservoir. Finally to the north of the site beyond the New River is the Woodberry Down estate which chiefly comprises residential uses.
- 1.3 The East and West Reservoirs date from 1833 and form part of an area that is of historical importance, relating to the water supply of North London since the 17th century. The West Reservoir is partly designated as a 'Site of Importance for Nature Conservation' and as 'Metropolitan Open Land'. The New River Path runs to the north of the West Reservoir and is designated as Local Open Space and a Green Corridor.
- 1.4 Adjacent to the site to the south is the former metropolitan water board 'castle' pumping station engine house and ancillary building, which are both grade II* listed buildings. The application site also falls within the Stoke Newington reservoirs, filter beds and New River Conservation Area.

Proposed Development

- 1.5 Planning permission is sought for works to the existing West Reservoir Centre with the aim of enhancing its services together with works to facilitate public access to an open space on the eastern bank of the West Reservoir. The most significant parts of these works comprises the erection of two bridges over the New River, the construction of a new external café building to serve the West Reservoir Centre, outdoor changing facilities and a new path to provide access to the new public space, with new and repaired fencing including security fencing and gates. Small sections of fencing towards the entrance of the West Reservoir Centre would be removed.
- 1.6 The new café would be a single storey structure located to the south east of the existing West Reservoir Centre, in a stand-alone pavilion, with new outdoor, gender segregated changing facilities adjacent.
- 1.7 A new accessible bridge across the New River to the south-west of the reservoir (replacing and slightly relocating the current bridge which has steps), and a new accessible bridge over the New River to the north of the site, providing access to Woodberry Down.
- 1.8 The accessible green space along the eastern bank of the West Reservoir would be open for daytime access for local residents and visitors, via a new footpath from the West Reservoir Centre connecting to Woodberry Down, across the new bridge north of the site. The footpath would be open in daylight hours, 7am to 9pm and closed by gates at both ends of the new path.

Planning Sub-Committee – 08.05.2024

- 1.9 The proposal would also involve a number of soft-landscaping measures including additional reedbed planting along the eastern bank, native hedging, new tree planting, wildflower planting and areas of climbers, shrubs and herbaceous planting.
- 1.10 The proposed development of the West Reservoir Centre is centred around enhancing accessibility and inclusivity, as well as enhancing the opportunities for wildlife on site. The primary goal of the applicant is to enhance the leisure and recreation offer and make the reservoir more accessible to the public by creating a continuous walking path around the site by opening up the East side of the reservoir and constructing a new bridge to connect the eastern and northern section with the surrounding landscape.
- 1.11 The existing western section, parallel to the New River Path, would be retained and maintained for wildlife only. Moreover, to make the water itself more accessible, a new 'introduction to open water swimming' area for beginners would be created, increasing the offer of swimming options for all age groups and skill levels.

2.0 PLANNING AND ENFORCEMENT HISTORY

- 2.1 The most recent planning history in relation to the site is as follows:

Planning History

- *Primary filtration building and land adjacent to west reservoir, green lanes, n4 NORTH/222/97/CO3:* transformation of building to watersports centre and use of reservoir for recreational use including aerial ski ramp **Decision: Granted.**
- **NORTH/243/97/CON:** transformation of building to watersports centre and use of reservoir for recreational use including aerial ski ramp **Decision: Granted.**
- **NORTH/247/97/CON:** erection of 4 portacabins and use as a temporary sailing centre **Decision: Granted.**
- *Thames Water Stoke Newington New River, Green Lanes, London, N4 2NT 2006/1674:* Alterations of existing access onto Green Lanes and removal and relocation of part of the front boundary wall and railings and provision of a new gate. **Decision: Granted.**
- **2006/1679:** Removal and relocation of part of the front boundary wall and railings and provision of a new gate. **Decision: Granted.**
- **2006/1688:** Construction of a new road, pedestrian footpath and guardrails, the provision of a pedestrian table crossing, bollards, gates and 32 car parking spaces and 6 cycle spaces (Option 3) **Decision: Granted.**
- **2006/1692:** Construction of a new road, pedestrian footpath, barrier fence and guardrails, the provision of a zebra crossing, bollards, gates and 49 car parking spaces and 6 cycle spaces (Option 4). **Decision: Refused.**
- **2013/3223:** Outline planning permission (all matters reserved) for demolition of existing buildings and structures at Woodberry Down Estate to provide up to 275,604sqm floorspace GEA (excluding car parking); comprising up to 3,242 residential units and a maximum of 10,921sqm non-residential floorspace within Classes A1 (Retail), A2 (Financial

Services), A3 (Restaurants and Cafes), A4 (Drinking Establishments), Class B1 (Offices), Class D1(Non Residential Institutions), and D2 use and Energy Centres; along with provision of new open space and public realm and associated car parking and highway improvement works to Seven Sisters Road including a narrowing from six carriageways to four carriageways. Full details submitted for the redevelopment of the land bounded by Towncourt Path, Kayani Avenue, Green Lanes, West Reservoir/Springpark Drive and Woodberry Down (Phase 2) for the erection of four buildings between 3 and 20 storeys to provide 670 new homes (comprising 30 studios, 310 one bed, 271 two bed and 59 three bed units), 550sqm of non residential floorspace GEA within Classes A1-A4, Class B1, Class D1 and D2 use and new open space and public realm with 241 car parking spaces and 740 cycle spaces at ground and basement level. **Decision: Granted.**

- *Stoke Newington Reservoir, Green Lanes, London, N4 2HA 2014/3163:* Erection of security gates measuring approximately 2.6m high, located to the north-western facade of the engine room building. **Decision: Granted.**
- **2021/0706:** Installation of booster pump facility until August 2021 (part retrospective) **Decision: Granted.**

Enforcement History

- *West Reservoir, Green Lanes N4 2HA 2013/0339/ENF:* Unauthorised use as a car park. Outcome: Breach remedied.
- **2015/0270/ENF:** Removal of the fence between the Reservoir and Lordship Road Outcome: No Breach.

3.0 STATUTORY/LOCAL GROUP RESPONSE

Statutory consultees

- Historic England - *Advise the Local Planning Authority to seek the views of own specialist conservation and archaeological advisers.*
- Greater London Archaeological Advisory Service - *No objections subject to conditions relating to a written scheme of investigation.*
- Natural England - *No comments received (No statutory requirement to consult).*
- Health and Safety Executive - *The application does not involve a relevant building under the HSE remit.*

Internal consultees

- Pollution Land and Air - *No objection, subject to conditions relating to air quality and dust mitigation during construction works.*
- Environmental Protection Officers - *No objection subject to the recommendations of the acoustic report being implemented.*
- Waste Management - *No objections subject to the full details being secured by condition.*

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- Traffic and Transportation - No objection subject to submission of a travel plan to be secured by way of legal agreement and conditions relating to the submission of a parking management plan, cycle parking and construction management plan.
- Pollution Air Quality - *No objections subject to a condition relating to restrictions in use of Non-Road Mobile Machinery (NRMM).*
- Drainage - *No objections subject to drainage layout condition.*

External consultees

- Thames Water - *No objections raised, subject to condition that no works take place within 5m of a strategic water main.*
- Crime Prevention Design Advisor - *No objections raised subject to inclusion of a condition regarding secure by design accreditation.*

Local groups

- Stoke Newington CAAC - *Possible disturbance to wildlife, information unclear on trees to be removed, information not clear regarding scale of reedbeds. No details regarding the existing West Reservoir Centre building, design of the cafe is inappropriate.*

4.0 PUBLIC CONSULTATION RESPONSE

- 4.1 The application has been publicised by way of press & site notices displayed in the vicinity of the site and 724 letters. The number of representations received in response to notification and publicity of the application were as follows:

No of individual responses: 93

Objecting: 85

No stance: 4

Supporting: 4

- 4.2 Petition with 2,298 signatures (at time of writing report) in relation to the loss of the existing café operator.

- 4.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the report:

- Security issues (*Officer Comment: The opening up of the eastern bank of the West Reservoir would have minor material benefits to the security of the area including increasing activity in what is currently a largely unused strip of land, increasing passive surveillance by members of the public using this space. Additional fencing would improve levels of security over and above existing site circumstances).*
- Loss of privacy to neighbouring residential occupiers and also to those swimming
- Impact on ecology / biodiversity including protected species
- Impact on trees
- Noise and disturbance from use, including that of late hours of use
- Creation of litter
- Issues regarding the prevention of unauthorised access to reservoir / safety
- Impact on views

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- Increase in anti-social behaviour / impact of dogs
- Impact on vulnerable residential occupants along Allerton Road, including those with autism and practising religion / child safeguarding
- Increase in traffic
- Lack of gender free changing space
- Structural impacts on the reservoir
- Impact on flooding
- Lack of sustainability provisions for the café building

4.4 The following issues were raised in representations that are non-material to the determination of the application:

- Lack of structural impact assessment to properties on Allerton Road (*Officer Comment: The Party Wall Act is designed to govern any construction or alteration work that could potentially affect the party wall or the adjoining property*).
- Lack of budgetary provisions nor increase in manpower planned to cope (*Officer Comment: It would be the responsibility of the Leisure, Parks and Green Spaces department to allocate sufficient funds and manpower to ensure the open space would be managed and maintained in a good and decent state under the Open Spaces Act*).

5. POLICIES

5.1 National Planning Policy Framework (NPPF 2023)

5.2 London Plan 2021

GG1 – Building strong and inclusive communities
GG3 – Creating a healthy city
D3 – Optimising site capability through design led approach
D4 – Delivering good design
D5 – Inclusive design
D11 – Safety, security and resilience to emergency
D12 – Fire safety
D13 – Agent of Change
D14 – Noise
HC1 – Heritage conservation and growth
S1 – Developing London’s social infrastructure
S5 – Sports and recreation facilities
G1 – Green infrastructure
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 5 – Water infrastructure
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
T4 – Assessing and mitigating transport impacts
T5 – Cycling
T6 – Car parking
T7 – Deliveries, servicing and construction

5.3 Local Plan LP33

PP1 - Public Realm
LP1 - Design Quality and Local Character
LP2 - Development and Amenity
LP3 - Designated Heritage Asset
LP6 - Archaeology
LP8 - Social and Community Infrastructure
LP9 - Health and Wellbeing
LP42 - Walking and Cycling
LP43 - Transport and Development
LP45 - Parking and Car Free Development
LP46 - Protection and Enhancement of Green Infrastructure
LP47 - Biodiversity and Sites of Importance of Nature Conservation
LP48 - New Open Space
LP49 - Green Chains and Green Corridors
LP51 - Tree Management and Landscaping
LP52 - Water spaces, Canals and Residential Moorings
LP53 - Water and Flooding
LP54 - Overheating and Adapting Climate Change
LP55 - Mitigating Climate Change
LP57 - Waste
LP58 - Improving the Environment- Pollution

5.4 Supplementary Planning Guidance / Documents

- Refuse and recycling storage guidance (2021)
- S106 Planning Contributions SPD (2020)
- Sustainable Design & Construction SPD (2016)
- Stoke Newington reservoirs, filter beds and New River conservation area Designation Committee Report (1986)

6.0 ASSESSMENT

6.1 The main planning considerations raised by the proposed development are:

1. Principle of development and land use;
2. Accessibility;
3. Design and heritage impacts;
4. Impact on residential amenity;
5. Transport considerations;
6. Impact on trees and ecology;
7. Sustainability;
8. Waste management;
9. Air quality and land contamination; and
10. Flood risk and drainage.

Principle of development and land use

Provision of Community and Recreational Facilities

- 6.2 London Plan Policy GG1 'Building strong and inclusive communities' requires development to provide access to good quality community spaces, services, amenities and infrastructure to accommodate, encourage and strengthen communities, increasing active participation and social integration, and addressing social isolation. Policy GG3 'Creating a healthy city' also aims to plan for improved access to and quality of green spaces, the provision of new green infrastructure, and spaces for play, recreation and sports.
- 6.3 The principle of provision and improvement of outdoor leisure facilities is supported by Local Plan Policy LP8 'Social and Community Infrastructure' which encourages the enhancement of social and community infrastructure, such as leisure facilities, where are of a high quality and inclusive design providing access for all and provide flexible, affordable and adaptable buildings and, where possible, provide mixed used development, co-located with other social infrastructure uses and maximise use of buildings in evenings and at weekends. LP9 'Health and Wellbeing' also states that new development that contributes to a high quality environment that enables all Hackney residents to lead healthier and active lifestyles and reduce health inequalities will be supported, subject to all other plan policies.
- 6.4 The proposal would result in the relocation of the café from inside the existing West Reservoir Centre building, providing an improved space to provide food and drink at the West Reservoir Centre. The space will be oriented to provide refreshment to both users of the Centre as well users of the newly accessible green space, where the existing facility and its location within the centre does not allow for this. In addition, the new café will provide both hot and cold food, using the existing kitchen facilities at the Centre.
- 6.5 It is noted that concerns have been raised by members of the public as part of the public consultation in relation to the potential loss of the existing café operator. The applicant has confirmed that an external operator would be sought to run the new café. The selection of any future operator would be through an open tendering process to which the existing operators of the Centre's café would have the opportunity to bid for. Whilst it is not certain that the existing operator would run the new café, it would be unreasonable to use planning conditions to require the retention of the existing café operator as this could potentially result in placing unjustifiable and disproportionate financial burdens on the applicant and would fail the test of reasonableness. In addition, the retention of the existing café operator

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would also not be required to make the proposed development acceptable in planning terms.

Impact on MOL

- 6.6 As noted above, the site is designated as Metropolitan Open Land, as such, the proposal must be balanced against the requirement to protect Metropolitan Open Land (MOL). In this respect London Plan Policy G3 states that the strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. In respect of Metropolitan Open Land (MOL) policy guidance of paragraphs 142-156 of the NPPF on Green Belts applies to Metropolitan Open Land (MOL).
- 6.7 Paragraph 152 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Considering whether the proposal is appropriate within the MOL paragraph 154 sets out that "a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt". However, seven exceptions to this policy are set out, including: 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. Paragraph 150 outlines that 'local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'
- 6.8 The proposed development relates to the enhancement of the provision of ancillary facilities in relation to outdoor sport and recreation provision. The addition of these facilities would enhance the beneficial use of the Metropolitan Open Land by facilitating access and recreation to the space in an area of open space deficiency.
- 6.9 The level of built form as part of the proposal would be relatively small in scale, largely adjacent to existing areas of built form and considered appropriate development within the MOL. Although the proposal would result in a small loss of functional open space in close proximity to the existing West Reservoir Centre, this would be offset by a larger amount of public accessible (MOL) space created by the proposal along the east bank of the West reservoir. In addition, the proposal includes a number of soft landscaping improvements around the site that would enhance the setting and function of the MOL. As such, the proposal would not have a significant impact on the openness of the MOL. The proposals would therefore be in compliance with the aforementioned policies and would provide an improved leisure and recreation facility.
- 6.10 It is therefore considered the proposal would preserve openness and does not conflict with the purposes of including land within the MOL. The site circumstances in terms of openness would not be altered significantly as a result of the works. Moreover, as set out below the proposed works would facilitate enhanced access to the site for recreational purposes, and are appropriate within MOL, in accordance with the aims of NPPF and London Plan policies.

Green Infrastructure

- 6.11 Moreover, Local Plan policy LP46 'Protection and Enhancement of Green Infrastructure' states that the Council will protect and enhance Metropolitan Open Land, along with a

general requirement for all new development to enhance the network of green infrastructure and water spaces across the Borough and seek to improve access to open space, particularly in areas of deficiency. This allows for small scale ancillary developments which enhance the open space offer, such as refreshment facilities, public conveniences, drinking fountains, public art installations or outdoor play and fitness equipment. These will be permitted provided that they are:

- I. Of a high standard of design and quality, safe and accessible to all;
 - II. Do not have a detrimental impact on nature conservation and biodiversity, and should seek to improve such;
 - III. Do not result in the loss of functional open space where possible; and
 - IV. Do not detract from the overall function, character and appearance of the park or open space.
- 6.12 LP49 also states that all new development adjacent to existing Green Corridors must be developed in a way that contributes towards the green infrastructure network. The proposed works would involve the construction of a single storey café building, outdoor changing rooms and replacement and new bridges with associated infrastructure works in order to enhance the provision and quality of the existing outdoor recreation facility at the site which is designated as a publicly accessible open space in an area of open space deficiency. Subject to further considerations below, a proposal to enhance / support such infrastructure would be supported by the aforementioned policies.

Waterways

- 6.13 Policy SI 14 'Waterways – strategic role' states that development proposals should address the strategic importance of London's network of linked waterways. Policy SI 16 'Waterways – use and enjoyment' also requires that development proposals protect and enhance waterway infrastructure. This includes water-related cultural, educational, community and sport facilities and events as long as consideration is given for other uses of the waterway.
- 6.14 Policy SI 17 'Protecting and enhancing London's waterways' requires that development proposals support and improve the protection of the distinct open character and heritage of waterways and their settings. Furthermore, development proposals along London's canal network, docks, other rivers and water space (such as reservoirs, lakes and ponds) should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses.
- 6.15 LP52 'Water spaces, Canals and Residential Moorings' states that new development adjacent to water spaces and riparian areas must protect and where appropriate enhance the natural habitats and the setting of the water space. Therefore development will only be permitted where the following criteria are met:
- I. Public access in the form of a continuous green chain along the waterfront or towpath is maintained, created or enhanced. This should include, where appropriate, the incorporation of an undeveloped buffer strip alongside the watercourse; and
 - II. There is no conflict with nature conservation, biodiversity interest, heritage value or flood risk management. Mitigation or compensatory measures may be necessary; and
 - III. The development enhances the leisure, recreation or educational value of the water space; and
 - IV. The development does not have an adverse impact on the structural integrity of the waterspace ; and

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- V. The development does not cause additional overshadowing of a canal. A daylight and sunlight assessment must be submitted with all applications and mitigation or compensatory measures may be necessary; and
 - VI. The design makes a positive contribution to the character and appearance of the waterfront area and setting.
- 6.16 The proposal would not disrupt access to the waterfront of either the New River or the West Reservoir and would improve access by creating new level access bridges and opening up the eastern side of the West Reservoir to the general public. The new footpath along the eastern bank of the West Reservoir would also retain a level of undeveloped land and would enhance this eastern bank by adding new reed beds. No information has been provided relating to the impact of the development on the structural integrity of the water space however the only part of the proposal that is likely to impact the structural integrity are the bridges over the New River, which are small in scale. Details of this and other areas of potential structural concern, can be required by way of a construction management plan which is to be secured by way of condition.

Accessibility

- 6.17 There are a number of overarching policies within the NPPF (2023), the London Plan (2021) and the Council's local plan which support the proposal in terms of providing improved access to the social and community infrastructure. The Public Sector Equality Duty (PSED) contained in the Equality Act 2010 is also an important consideration in assessing this application, as discussed below.
- 6.18 The NPPF (2023) paragraph 135 f) states that planning policies and decisions should: "Ensure developments create places that are safe, inclusive and accessible and which promote health and well-being". The NPPF talks in length about promoting healthy and safe communities and makes specific reference to promoting access to a network of high-quality open spaces and opportunities for sport and physical activity being important for the health and well-being of communities.
- 6.19 In respect of Metropolitan Open Land (MOL) policy guidance of paragraphs 137- 151 of the NPPF on Green Belts applies to Metropolitan Open Land (MOL). Paragraph 145 outlines that "local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land".
- 6.20 London Plan (2021) Policy GG1 seeks to ensure that all development in London takes account of London's diverse population. This policy seeks to ensure that this approach permeates throughout the Plan and that the specific requirements of those sharing protected characteristics are consistently identified and considered as part of all planning and development across London. The policy refers to the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides, creating a welcoming environment that everyone can use confidently, independently, and with choice and dignity, avoiding separation or segregation.
- 6.21 London Plan Policy G3 'Metropolitan Open Land' (MOL) states that proposals to enhance access to MOL and to improve poorer quality areas, such that they provide a wider range of benefits for Londoners are appropriate within MOL, will be encouraged. Examples include

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improved public access for all, inclusive design, recreation facilities, habitat creation, landscape improvement and flood storage.

- 6.22 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. Furthermore, Policy SI 16 'Waterways – use and enjoyment' requires development proposals along waterways to protect and enhance inclusive public access.
- 6.23 As previously highlighted above, Local Plan Policy LP8 'Social and Community Infrastructure' encourages the enhancement of social and community infrastructure, such as leisure facilities, which are of a high quality and inclusive design providing access for all.

Equality Act 2010 and Implications

- 6.24 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 6.25 Under Public Sector Equality Duty (PSED) the Act requires public authorities as a decision maker, in carrying out their functions, to pay due regard to the need to achieve the objectives set out under section 149 of the Equality Act. Having regard to the duty set out in the S149 Equality Act 2010, the development proposals do not raise specific equality issues other than where discussed in this report.
- 6.26 In this instance the applicants have the duty to consider the needs of groups that share protected characteristics and show how the existing barriers might be removed. The scheme presents an opportunity to provide improved access and wider use of the outdoor leisure facilities and enhance access to the boroughs network of green infrastructure to those who currently have limited mobility or require ramp or compliant step access. These benefits must then be weighed against the other impacts of the development as set out below.
- 6.27 It is noted that comments from members of the public were raised as part of the public consultation in relation to the lack of the provision for gender neutral changing facilities as part of the proposal. Under the Equality Act 2010 service providers must meet a number of conditions to lawfully establish a separate or single-sex service. These conditions are set out under exceptions relating to sex in the Act. However, there are circumstances where a lawfully-established separate or single-sex service provider can exclude, modify or limit access to their service for trans or those that are gender neutral. This is allowed under provisions relating to gender reassignment in the Act. In this respect, the proposal would provide separate / single sex facilities, as lawfully required. It would be appropriate for the service provider to assess and meet the conditions set out under the gender reassignment provisions regarding the allocation of changing facilities for those that are trans / gender neutral.
- 6.28 The proposed development has come forward in order to improve and increase access to the site, for both the water and associated recreation activities. This improved accessibility is strongly supported by the NPPF, London Plan and Local Plan.

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- 6.29 Considering the proposal against the existing site circumstances, the resulting development would provide positive benefits to residents in the area, in particular it would have a positive impact on:
- the young, elderly and those with disabilities, especially with limited mobility;
 - those who can be victim of crimes such as hate crimes as the proposal would improve natural surveillance in areas, thereby increasing safety and security;
 - those who have additional requirements in order to be able to move around the area such as those in wheelchairs and with pushchairs and younger pedestrians through the provision of a compliant accessible ramp and steps.
- 6.30 In considering the location of the new and replacement bridges, both locations were selected to achieve accessible access routes in gently sloped areas with no steps, whilst also minimising impact on existing trees, particularly mature trees and vegetation. The proposed locations for the bridges provide sufficient space to slope the ground to achieve an accessible route away from mature trees of amenity / ecological value, unlike the location for the existing bridge. Retaining and upgrading the existing bridge was one of the options explored in the consultation phase for the project. However, the retention of the existing southern bridge to provide step free access would require the removal of a mature Holm Oak tree which is Category A and therefore not considered a suitable way forward.
- 6.31 The proposed development would require the partial removal of two groups of trees in order to facilitate the development. One group of trees identified for partial removal (G6) are of moderate retention value (Category B2). Although category B2, this group of trees comprise self-set scrub like trees and are of limited / low amenity and ecological value. The other group of trees identified for partial removal (G1) are considered to be of low retention value (Category C2). Again, this group of trees comprises self-set scrub-like trees of limited amenity and ecological value.
- 6.32 The proposed new café building would also be provided with step free access and with an accessible toilet, whereas the existing café on the site is currently only accessible via steps at the rear decking area on the waterside of the venue. The new access route along the eastern bank would also be accessible.
- 6.33 Mindful of the planning policies concerning access, particularly in relation to open space, as well as the equality law context outlined above, the works are strongly supported for promoting inclusive access. The proposal would facilitate improved public access to an outdoor recreational facility and surrounding green infrastructure network, including groups that share protected characteristics, and is therefore considered acceptable in principle. As discussed further in this report, potential countervailing factors arising from the development can be adequately mitigated.

Design and heritage impacts

- 6.34 Policies D1, D3 and D4 of the London Plan are relevant and relate to the context of the surrounding area. Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.35 Policy LP1 of the LP33 seeks to ensure developments provide good and optimum arrangement of the site in terms of form, mass and scale as well as identify with and respect the architectural quality and character of the surrounding environment.

- 6.36 Policy LP3 states that development that leads to substantial harm to or total loss of significance of a designated heritage asset will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 6.37 As the site is located within the Stoke Newington Reservoirs, Filter Beds and New River Conservation Area, a designated heritage asset, and adjacent to grade II* listed buildings, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and setting of listed buildings. The significance of the Conservation Area primarily derives from the quality of the buildings found therein, and its historical importance relating to the water supply of North London since the 17th century.
- 6.38 Whilst there is no formally adopted conservation area character appraisal, the designation committee report from 1986 notes that the central features of this open and undeveloped area are the East and West Reservoirs and Filter Beds and form part of a unique water resource in inner London that provide attractive local landmarks.
- 6.39 The proposal would involve the demolition of an existing footbridge crossing the new river to the south of the site. There is sufficient and convincing evidence to accept that it is necessary to replace this utilitarian structure of little heritage significance, as it is not fit for purpose with regards to public accessibility, as well as for the beneficial use of the New River Path and visual amenity to this part of the Conservation Area, no objections are raised to the removal of this element in heritage terms.

Café and Outdoor Changing Facilities

- 6.40 The proposed Café and Outdoor Changing Facilities would be located to the east of the existing West Reservoir Centre building. The siting was chosen to create a specific area of lawn for use by the open water swimmers, whilst providing a more practical and legible entrance to the location of the café. The location also allows for an internal layout which can provide a separation between the specific users of the West Reservoir Centre on one side and park users on the other.
- 6.41 The proposed café building has been designed to relate to the depth and height of the existing eastern extension to the old pump station, whilst also relating appropriately in scale to the new outdoor changing facility. The café and outdoor changing facility would be located along a new curved boundary, which relates to the southern existing façade line.
- 6.42 The café building and outdoor changing facility are considered appropriate in scale and would complement the positive features of the existing built form and landscaping on the site. The single storey scale of the building and the siting and curvature of the building line would help provide a sense of continuity and coherent structure with the existing built form within the overall landscape. The design and materials would be in keeping with the natural appearance of the surrounding area and new soft landscaping measures would also aid in softening its appearance, helping to integrate the building within the positive soft-landscape features of the site.

New and Replacement Bridges

- 6.43 The proposed new bridges would be attractive and visually permeable, yet designed in order to perform well in their pedestrian and cycle-able functions, that would blend into the surrounding area and still allow for the full enjoyment of open views of the surrounding area.

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Consideration has been paid to achieve a harmonious design, proportions, materials and finishes of the span of both bridges, with complementary landscaping compatible with the Council's resources and vision.

- 6.44 The proposed bridges, with their well-detailed simplicity, would be subordinate to the open, soft-landscaped character of the area. They would enhance the experience and accessibility of the outdoor recreational facilities and New River Path as a significant feature and would positively respond to the heritage setting of the Conservation Areas, complemented by a landscape scheme.

Fencing & Infrastructure

- 6.45 The design, location and extent of fencing and gates would allow for relatively unobstructed views across the reservoir and open space to be maintained. There would also be substantial additional hedging to areas of existing fencing to be repaired around the perimeter of the site to soften the appearance of these elements. As such, the visual permeability into and within the site would broadly be preserved and thus the open character of the site being retained.
- 6.46 The majority of proposed fencing works within the proposal relates to repairing existing areas of fencing at the site. The proposed new fencing would be designed, other than in height, to match the existing fencing and therefore would not appear out of keeping with the character and appearance of the conservation area, which would be preserved.
- 6.47 The proposal would also involve elements of green infrastructure, such as pathways, wayfinding posts, bins, bollards, signage and benches. All of these features would amount to paraphernalia associated with the public use of an open space and therefore considered appropriate and commensurate to the scale of the proposal to ensure that the site is clean, comfortable and more attractive to encourage walking and cycling. It is also important to note that these features can be constructed under Permitted Development Rights.
- 6.48 Overall, the proposed additional built form on the site would be ancillary in relation to the function and significance of the site as a form of open space. The structures would not appear dominant or prominent within the site or when viewed from neighbouring sites. As such, the visual openness of the site would be retained with its qualities significantly enhanced by way of a comprehensive landscaping proposal. The proposal is considered to be sensitively designed and mitigated and would have a very modest impact on the character and appearance of the conservation area and the setting of adjacent listed buildings, while enhancing its functionality and successfully preserving key features of special interest and significance. The details of the external materials to be used in the construction of the built form, including details of finishes, colours and treatment is to be secured by way of condition.
- 6.49 Given the above, the proposed development would have an acceptable impact upon the character and appearance of the conservation area and the setting of the adjacent listed buildings and would be in accordance with Policies D1, D3, D4 & HC1 of The London Plan, Policy LP1 & LP3 of the Hackney Local Plan 2033.

Impact on residential amenity

- 6.50 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising

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overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

- 6.51 LP33 policy LP2 states that all new developments should not result in any significant adverse impacts to the amenity of neighbouring occupiers. Amenity considerations include the impact of the development on; visual privacy and overlooking; overshadowing and outlook; and sunlight and daylight levels.
- 6.52 The proposed café building, outdoor changing facilities and new bridges would be located a significant distance from that of the closest neighbouring residential properties and would be relatively low lying structures. As such, the impact these elements would have on outlook, daylight, privacy and overshadowing upon the amenity of neighbouring residential occupiers would not be significant.
- 6.53 Concerns have been raised within the public consultation, regarding potential overlooking and loss of privacy from the eastern bank of the West Reservoir. It is noted that the eastern bank is raised in parts, higher than that of the land of properties along those streets, where rear gardens back onto the site. As a result, some views can be had toward those properties from the proposed new accessible space. However, there would be a significant distance in between the proposed pedestrian access route along that stretch of bank and the rear gardens and rear windows of properties along those streets.
- 6.54 In addition, there are existing levels of established vegetation along the perimeter between those residential properties and the West Reservoir, which provides a natural buffer. Nevertheless, the proposal also includes a substantial level of additional soft-landscaping, including the planting of native mixed species hedging along the majority of that boundary. As such, views from the site towards those properties would be sufficiently oblique as not to result in a significant loss of privacy. It is also important to note that the opening up of this area for public access does not constitute development requiring planning permission and, as highlighted above, the green infrastructure proposed along the length of the eastern bank can be constructed under Permitted Development Rights. As such, it is considered that there would be no reasonable planning grounds to refuse the application on this basis.
- 6.55 Concerns have also been raised by members of the public in relation to the loss of privacy to those using the open water for swimming. However, there are not high levels of privacy in relation to the use of the site for open swimming for use by the public, given that views can be had of the open water from those using the existing West Reservoir Centre and New River Path. As such, views from those using the eastern bank would not result in undue loss of privacy to those using the site for swimming.
- 6.56 In terms of noise and disturbance, the proposal would involve the provision of publicly accessible open space within and adjacent to an area that is already heavily used for similar purposes. The walking route around the site would be closed at nights as well as outside West Reservoir Centre opening hours. The applicant has submitted an Acoustic Impact Assessment which has been reviewed and considered acceptable by the Council's Environmental Health Officers, subject to the recommendations as set out by that report being implemented. A condition is to be attached to ensure that is the case. As such, it is not considered that the proposed development would result in excessive levels of noise disturbance over and above the existing use of the site. In addition, the soft-landscaping measures proposed would help to mitigate levels of noise created from the use of the eastern bank development.

- 6.57 With regards to potential increases in litter created at the site, waste infrastructure, including litter and recycling bins would be located at various intervals along the eastern bank. As noted within the submitted Operational Management Plan document, the centre would be responsible for emptying the bins on a daily basis and dispose of the rubbish in line with the centre's waste management policy. As noted above, it would be the responsibility of the Leisure, Parks and Green Spaces department to ensure the open space would be managed and maintained in a good and decent state under the Open Spaces Act. The Council's Waste Management team have reviewed the application proposal and consider that the full details of waste collection can adequately be dealt with by way of condition.
- 6.58 The construction phase of the site would be a temporary disturbance and is an unavoidable aspect of new development. The Control of Pollution Act would provide protections in terms of hours of work to mitigate against unreasonable noise and disturbance being created in relation to neighbouring occupiers. The submission of a construction management plan is also required, subject to a condition, to help minimise the levels of disturbance and inconvenience.
- 6.59 Overall, the proposal would not result in undue impacts upon residential amenity over and above the existing site circumstances or what could be reasonably carried out without the need for planning permission. As such, the scheme is considered to be in accordance with the aforementioned policies.

Transport considerations

- 6.60 The site is located on an access road that connects to Green Lanes (the A105). This is one of the most heavily trafficked roads in the borough. A 20mph speed limit is operational on the A105. Green Lanes provides a number of sections of segregated carriageway for cyclists.
- 6.61 The PTAL accessibility rating for the site varies, with the proposed location of the north bridge being located in an area with a PTAL score of 5 whilst the West Reservoir Centre itself will be located within an area with a PTAL score of 0 (on a scale of 1a – 6b where 6b is the most accessible). It is of note that a bus stop serving the 141 and 341 bus routes are both close by and the Manor House underground station is approximately 0.75km from the site.
- 6.62 The proposed replacement and new footbridges would enable the improvement in access to an existing Green Corridor along this section of the New River Path as well as creating an additional walking / cycling route. As such, the proposal would facilitate improvements in access to facilities that encourage walking and cycling and therefore is supported in this regard.

Car Parking

- 6.63 London Plan Policy T6 'Car parking' requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity with car free developments being the starting point for all well connected and accessible developments. Local Plan Policy LP45 'Parking and Car Free Development' reaffirms this by requiring all new development in the area be car free. Where sites are redeveloped, existing parking provision must be significantly reduced to make the new development car free unless there is site specific justification to re-provide an element of the existing parking.

- 6.64 London plan Policy T1 'Strategic approach to transport' outlines that all new development must contribute to meeting the strategic target of 80 percent of all trips in London to be made by foot, cycle or public transport by 2041. This is reflected in local policy as LP41 'Livable Neighbourhoods' requires all new development and their associated transport systems to contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London. This should be achieved by creating an environment where people actively choose to walk and cycle as part of everyday life. This is further affirmed by LP42 'Walking and Cycling' which requires development to improve the pedestrian environment and permeability whilst ensuring that footpaths are of a high quality and contribute to improved wayfinding.
- 6.65 The existing site has 25 standard vehicle parking spaces, 3 motorcycle bays and an additional 2 accessible parking bays for disabled person's parking. The Transport Statement (TS) outlines that the existing parking bays will be retained and outlines that the car parking space is utilised for servicing, emergency service access and coach parties.
- 6.66 Owing to the nature of the existing site, there is a requirement for parking by staff and visitors who are transporting large items and equipment. The applicant has also highlighted that the site is making a number of positive improvements to the site including a new pedestrian route and public realm works. These changes are not predicted to increase vehicular movements to and from the site.
- 6.67 The retention of the onsite vehicle parking arrangement as part of this planning application is acknowledged by Transport Officers, who consider that this is acceptable subject to the inclusion of associated transport mitigation measures to enable active and sustainable transport and reduce private vehicle use and dependency, including as part of final travel plan, a strategy to reduce onsite vehicle parking in the longer term being outlined. This would include strategies to migrate private vehicle trips to more sustainable modes of transport, for example via cargo cycles and car clubs. For private vehicle use, proposals could be included to install electric vehicle chargers for the onsite parking provision.
- 6.68 Given there are existing services on the site that require the need for parking, such as those using the site for water sports where equipment would need to be brought to the site, the removal of car parking spaces would unreasonably require visitors travelling to the site with equipment by foot. This would potentially undermine the aims of enhancing access to recreational infrastructure to encourage a broader range of users and maximise the use of the facilities on the site. As such, it is considered appropriate to include a condition relating to the feasibility of converting existing standard parking spaces into accessible spaces rather than a reduction in the overall number of car parking spaces in this instance.
- 6.69 Moreover, regard has to be given to proposed improvement and creation of new, high quality and attractive pedestrian foot and cycle paths providing an additional connection from the Woodberry Down development to the West Reservoir Centre. This would encourage access to the facilities on the site and encourage walking and cycling through the improvement in permeability within the wider area, promoting active travel within the borough. As such, the proposal would inherently result in an increase in the likelihood that those visiting the site would do so by more sustainable modes of transport.
- 6.70 Whilst it is accepted that the proposal would not be car free, the proposal would result in an increase in the number of blue badge car parking spaces on the site and it is considered that there is sufficient operational justification as part of the proposed development that would warrant the retention of car parking spaces on the site.

Servicing and Trip Generation

- 6.71 The TS states that there is not expected to be any increase in vehicle trips generated by the proposals. There is a maximum number of open water swimmers allowed in the reservoir at a time and visitors must pre-book. It is not expected that the proposed beginner pool will attract more visitors compared to the existing situation. The application states that only the proposed new footpath and café will be accessible to the general public with no pre-booking. The Council's Transport Officers have reviewed the application and consider that a final travel plan should be secured by way of condition. This would ensure that a baseline travel survey and ongoing monitoring is conducted to properly inform a range of new active and sustainable transport measures at the site. As such, the proposal would be acceptable in this regard.

Cycle Parking

- 6.72 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. The proposed cycle parking provision is based on the current London Plan 2021 Cycle Parking Standards. Cycle parking would be provided in line with Hackney's Sustainable Transport SPD. This would include 60 no. cycle parking spaces in total representing an uplift of 32no. spaces on the existing provision, and enabling greater public access to this facility by bike. A condition is to be attached to ensure that the cycle parking / storage provision is retained in compliance with the aforementioned SPD.

Travel Plan

- 6.73 A Framework Travel Plan Statement has been submitted as part of this application. However, Transport Officers consider that a full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel. The Travel Plan is required to include SMART targets that are: specific, measurable, achievable, realistic and time bound.
- 6.74 The Travel Plan should be reviewed and monitored annually for at least 5 years in consultation with Council Officers and an appointed Travel Plan Coordinator (TPC). Reviews should evaluate the plan and ensure that the targets are appropriate to encourage sustainable transport uptake. New interim targets should be set and correspond to our Transport Strategy and LP33.
- 6.75 The full Travel Plan would be required to be produced and implemented on occupation of the development. This would be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan of £5,000.

Construction Management

- 6.76 Given the nature of the site and proposed development a detailed construction management plan (CMP) which includes measures to mitigate negative impacts on the surrounding highway network is required and would be attached via condition to any permission granted.

- 6.77 Overall, it is considered that the application is acceptable in transport and parking terms, and in terms of its impact on the public highway.

Trees, landscaping and biodiversity

Trees

- 6.78 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.
- 6.79 In assessing the acceptability of the loss of trees they are first categorised A-C or U if of very low quality. This categorisation is defined by sub-categories including Arboricultural value i.e. species / condition, Landscape i.e. visual contribution and Cultural i.e. cultural value.
- 6.80 As noted above, to facilitate the construction of the replacement footbridge to the south and a new gate and fence to the north, the removal of part of 2 groups of trees would be required. G6 (Mixed), which is a category 'B2' group and G1 (Mixed) which are a category 'C' group. Although one group is classified as category B2, this group of trees comprise self-set scrub like trees and are of limited individual arboricultural quality. The other group of trees identified for partial removal (G1) are considered to be of low retention value (Category C2). Again, this group of trees comprises self-set scrub like trees of limited amenity value. Category C trees should not be considered as a constraint against development and their removal will generally be acceptable.
- 6.81 It is noted that there are a number of trees where works are proposed within their Root Protection Area (RPA). However, none of these trees are proposed to be removed as part of the proposed development and the works to be undertaken would follow a no-dig methodology to ensure that no roots of significant girth would be severed. Tree protective fencing would be installed to ensure that the trees would be unaffected during construction works and is to be secured by way of condition.
- 6.82 The Council's Tree Officer has been consulted as part of the application, who does not raise any objections to the partial removal of these groups of trees. As noted above, the proposed location for the replacement footbridge to the south allows for a mature Holm Oak tree, which is Category A, to be retained. There are approximately 30 new trees to be planted across the site and this would adequately mitigate the loss of canopy cover from the partial removal of the groups G1 & G6.

Urban Greening Factor

- 6.83 Policy G5 'Urban Greening' requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Commercial developments must meet a target Urban Greening factor (UGF) score of 0.3.
- 6.84 The existing application site comprises a section of the reservoir, surrounded by shortly mown amenity grassland, with a longer and more diverse poor semi-improved grassland around the borders of the Site. Small, localised areas of woodland are present within the south of the site and scrub and broadleaved trees were noted throughout the Site. The

proposed development would provide substantial improvements to the soft landscaping on-site and in its immediate environs through the creation of reedbeds and enhancement of modified grassland through wildflower seeding and a relaxed mowing regime.

- 6.85 An assessment of the Urban Greening Factor (UGF) has been provided by the applicant based on the surface cover types within the application boundary, which includes perennial planting and semi-natural vegetation. The proposal delivers an UGF of 0.69, which is above the requirement for commercial and mixed use developments of 0.3 as set out in London Plan Policy G5 and therefore this policy requirement is satisfied.
- 6.86 Given the nature and scale of the proposal and acknowledging that the development would not result in a net loss of biodiversity, the level of landscaping maintained within the surrounding area is considered acceptable in this instance.

Biodiversity

- 6.87 London Plan Policy G6 'Biodiversity and access to nature' requires that Sites of Importance to Nature Conservation (SINC) should be protected and that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Also proposals which reduce deficiencies in access to nature should be considered positively.
- 6.88 Hackney Local Plan Policy LP47 'Biodiversity and Sites of Importance of Nature Conservation' also affirms this stating that all development should protect and where possible enhance biodiversity leading to a net gain. Furthermore, all development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network. All major development proposals are required to include a biodiversity survey of the site to demonstrate biodiversity net gain.
- 6.89 In England, Biodiversity Net Gain (BNG) is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for biodiversity net gain, the objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. However, the application was submitted prior to the adoption of mandatory biodiversity net gain (BNG) requirements for major developments on the 12th February 2024.
- 6.90 As noted above, the West Reservoir Centre is partly designated as a 'Site of Importance for Nature Conservation' and the proposal would impact on ecology through the necessary vegetation clearance and land to facilitate the footbridge works, café building and associated infrastructure.
- 6.91 A Preliminary Ecological Appraisal has been submitted as part of the application, which evaluates the potential for protected species at the site. This included a Preliminary Bat Roost Assessment. The areas assessed, including tree group G6 which is partially to be removed, were shown to have low Bat Roost Suitability. An area of shortly mown amenity grassland would also be lost as part of the proposals to accommodate the new pathway around the east of the reservoir and the new café building. However, this habitat is considered to be of low value to bats given the lack of structural and species diversity.

- 6.92 In addition, the small areas of amenity grassland, scattered scrub and woodland that would be lost to accommodate the new bridges are also considered to be of low ecological value. As such, the submitted details provide a level of reassurance that the proposal would not unduly impact upon protected species or areas of significant ecological value. Nevertheless, given the ecological designation of the site, a full ecological survey and assessment is to be required by way of condition, including further bat roost assessments.
- 6.93 Moreover, it is proposed that such impacts be mitigated through a quantitative increase in biodiversity. A Biodiversity Net Gain Assessment has been submitted as part of the application which shows a 12.25% net gain in 'Broad Habitat Area Units', 196.16% net gain in Hedgerow Units and 5.26% net gain in Watercourse Units can be achieved through on-site habitat creation. This would involve the retention of mature trees and new planting of diverse native trees and a hedgerow along the eastern edge of the reservoir; creation and management of wildflower grassland habitat; landscape planting to include native and ornamental species of known benefit to wildlife; reed bed extension in the reservoir to enhance the habitat for species including birds and invertebrates and enhancements to the existing grassland on the river banks. The proposal also includes a green roof to the top of the café building.
- 6.94 It is noted that the proposed net gain in Watercourse Units has not been shown to comply with the 10% net gain requirements and these units cannot be traded across other habitat types. Nevertheless, given that the application was submitted prior to adoption of the mandatory net gains requirement, adequate mitigating measures involving replacement trees and habitat creation are to be proposed that would overall enhance the nature conservation value of the West Reservoir and surrounding area in line with the above policies.
- 6.95 To ensure BNG is delivered within the Site it is required that habitat creation and enhancement measures are secured through the submission of a Landscape and Environment Management Plan. Overall, subject to conditions the application is acceptable in terms of its impact on trees, ecology and biodiversity, and its provision of urban greening, in line with the above policies.

Sustainability

- 6.96 The NPPF requires development to contribute to the transition to a low carbon future, reduce energy consumption and contribute to and conserve the natural environment. London Plan Policy SI2 states that major developments should be zero carbon, and in meeting the zero-carbon target a minimum on-site reduction of at least 35 per cent beyond Part L 2021 of building regulations should be achieved.
- 6.97 London Plan Policy SI 2 'Minimising greenhouse gas emissions' states that major development should be net zero-carbon and should therefore provide a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy outlined below:
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.

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- 6.98 Hackney Local Plan Policy LP55 (Mitigating Climate Change) of LP33 requires, in relation to reducing carbon emissions, that non-residential development should aim to achieve 15% through energy efficiency measures alone.' In the event that zero carbon emissions are not met, a payment to offset the shortfall is required. This is calculated based on the per tonne of carbon to be offset, with a value of £2,850 per tonne of carbon to be offset.
- 6.99 An Energy and Sustainability Strategy has been submitted as part of the application that shows an overall predicted reduction in CO2 emissions for the development of approximately 21% in carbon emissions beyond Part L 2021 of building regulations. Whilst this would not meet the 35% target as set out by the London Plan. However, a key limitation to achieving further improvements towards the GLA target is the high ratio of external envelope area i.e. windows to floor area. This is intrinsic to the nature of this type of small building and can therefore be considered unreasonable to be modified.
- 6.100 Given the shortfall in carbon emission savings, a Carbon Offset contribution of £10,759 is to be made in the event of planning permission being granted and would be secured via a s106 legal agreement. The Council's Sustainability Officers have been consulted as part of the application and consider the savings in carbon emissions to be reasonable in relation to the scale and nature of the development proposal.
- 6.101 The proposal satisfies development plan policies and subject to conditions, the application is considered acceptable in terms of its sustainability.

Waste management

- 6.102 Hackney Local Plan Policy LP57 'Waste' requires developments to minimise waste during both construction and should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling. Locations for refuse/recycling storage have been provided as part of a Waste Plan, including details of the proposed arrangement provided.
- 6.103 The refuse storage area would be located in the existing refuse storage location. The total existing capacity is 4no 1100L recycling and 4no 1100L general waste bins no is and consists of, and 2 no 240L glass recycling. This is to be retained as part of the proposed development. Given the scale of the proposed café to that of the existing café to be replaced, the proposed development is not anticipated to result in a significant increase in waste at the site.
- 6.104 There is ample space on the site for waste capacity to be increased if required. As such, it is considered that adequate information has been provided to confirm that adequate storage of waste could be accommodated, in accordance with the Hackney Refuse and recycling storage guidance and a condition is to be attached for full details of capacity requirements for the existing and proposed uses on the site. As noted above, the Council's Waste Management team have reviewed the application proposal and consider that the full details of waste collection can adequately be dealt with by way of condition.

Air quality and land contamination

Air Quality

- 6.105 Hackney Local Plan Policy LP58 'Improving the Environment - Pollution' requires that all new development must, as a minimum, not exceed air quality neutral standards or contribute to a worsening of air quality at the construction or operation stage, over the

lifetime of the development. It is a relevant policy consideration to protect local air quality and human health. The production of air pollutants shall be kept to a minimum during the course of building works and during the lifetime of the development.

- 6.106 It is recommended that a standard condition be imposed on any permission granted requiring all non-Combined Heat and Power (CHP) space and hot water fossil fuel boilers to achieve dry NO_x emission levels equivalent to, or less than, 40 mg/kWh. A condition requiring compliance with this requirement prior to occupation should be imposed if granted. Compliance would ensure that the development achieves required air quality levels.
- 6.107 The Council's Environmental Health Team have been consulted as part of the application and consider that, given the modest scale of the development, the submission of a Construction Logistics Plan would be sufficient to control any emissions during construction work given there is very little building work to be done on the site, and it is not in close proximity to residential buildings. A condition is recommended to be attached regarding restrictions in relation to the use of All Non-Road Mobile Machinery. is satisfactory. This is to be attached by way of condition.

Land Contamination

- 6.108 Policy LP58 also requires that new development should address risks to sensitive receptors (both on and off site) from land contamination through proportionate action(s) before and during construction and during operation where appropriate, planning conditions, over the lifetime of the development.
- 6.109 The Council's Environmental Health Pollution Officers have reviewed the submitted Phase 1 and 2 Geo-Environmental Report and other relevant documentation and advise that there are no objections to the proposal in terms of its land contamination risk, subject to conditions. Therefore, the application is considered acceptable in terms of its land contamination risks.

Flood risk and drainage

- 6.110 London Plan Policy SI 12 'Flood risk management' development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.
- 6.111 Policy SI 13 'Sustainable drainage' requires that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features and development proposals for impermeable surfaces should generally be resisted unless unavoidable. Finally, drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.
- 6.112 Policy LP53 'Water and Flooding' of the Local Plan requires all development to have regard to reducing flood risk, both to, and from the site, over its expected lifetime and should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy.
- 6.113 The following types of development will be expected to submit the appropriate flood risk assessment:

- I. Developments in fluvial flood zone 2 or 3 including minor development and change of use;
 - II. Developments on sites of 1 hectare (ha) or more in flood zone 1;
 - III. Developments on sites of less than 1 hectare in flood zone 1, including change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs);
 - IV. All major developments or basement developments in areas with a high risk of surface water flooding, or in an area known to have a potentially elevated risk of groundwater flooding in flood zone 1;
 - V. All development in flood zone 1 located in a critical drainage area.
- 6.114 The site is located within Flood Zone 1 which has a low probability of flooding from rivers and the sea and is not located within a Critical Drainage Area. The site is also shown to have a low risk of surface water flooding. The proposal would not involve significant levels of excavation and whilst the proposed new cafe building would add an increase of 80m², there would be no change in the existing use of the site/flood risk vulnerability classification.
- 6.115 The Council's Drainage Officers have been consulted as part of the application and have raised no objections to the proposed development, subject to the imposition of a condition relating to the submission of detailed specification and a drainage layout of sustainable drainage systems. The proposed development would incorporate SuDS (sustainable urban drainage systems) features are proposed onsite to improve water quality and quantity for the surface water runoff, this would be via attenuation basins. As such, the risk of flooding would not increase on or offsite as a result of the proposed works, where greenfield runoff rates would be achieved.

Conclusion

- 6.116 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations. The determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.117 In respect to addressing the benefits of the proposed development, the works create access to additional areas of public open space, enhancing the provision and quality of an existing outdoor recreation facility which is designated as a publicly accessible open space in an area of open space deficiency. It would also provide improved access to existing areas and wider use of the outdoor leisure facilities, enhancing access to the boroughs network of green infrastructure to those who currently have limited mobility or require ramp or compliant step access. These elements would represent significant public benefits of significant weight in support of the development.
- 6.118 In addition, the proposal includes a number of soft landscaping improvements around the site that would enhance the setting of the MOL. Whilst there would be some tree removals, these would not be significant and impacts would be adequately mitigated through replacement tree planting, the creation of on-site habitat creation and the enhancement of retained woodland, resulting in a net-gain in biodiversity within the boundary of the application site. These elements would represent modest public benefits as part of the development, also weighing in support of the proposal.

- 6.119 The development would preserve the character and appearance of the conservation area and nearby listed buildings, whilst not resulting in an undue impact on neighbouring residential amenity. The development would also have an acceptable impact upon on-street parking and highway safety and whilst the proposal would not result in a reduction in parking on the site, there is an operational justification for the retention of this. There would be adequate space for the site to be serviced and for sufficient waste storage on the site.
- 6.120 The development would make appropriate reductions in carbon emissions and payment of carbon off-set contributions. The proposal would not result in an increase in flood risk and would achieve greenfield runoff rates.
- 6.121 The proposed development, on balance, complies with the with relevant policies in the Hackney Local Plan (2033), the London Plan (2021) and the NPPF (2023), and is recommended for approval subject to conditions and the completion of a Unilateral Undertaking legal agreement. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above, subject to conditions and completion of legal agreement. .

7.0 Community Infrastructure Levy

- 7.1 Given that the proposal relates to ancillary infrastructure for areas or places for outdoor sport or recreation and creates less than 100m² of internal floor space, the application would not be liable for the Mayor of London's Community Infrastructure Levy or Hackney's CIL.
- 7.2 Please note this is an estimate only and potential amounts are subject to indexation. Any liability notice will reflect rates applicable at the time a planning decision is made.

8. RECOMMENDATION

- 8.1 That planning permission is GRANTED, subject to conditions and the completion of a legal agreement.

9. Planning Conditions and Informatives

Conditions

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

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

9.2. 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.

9.3. No development shall take place on site until samples of all external materials and finishes to be used on the footbridges, Café building and associated green infrastructure (including fencing) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

9.4. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a final scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS shall include, details of on-site plant and vehicles sizes engaged in the demolition and construction of the replacement and new footbridges, details showing a solid barrier protecting the stem of the trees to the front of the site with associated hand dug excavations, tree protection monitoring and site supervision. The works, including demolition, shall not commence until such time as a suitably qualified arboriculturist with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary construction works throughout their duration to ensure compliance with the tree protection measures which has been checked and approved by the local planning authority. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works. The development thereafter shall be implemented in strict accordance with the approved details.

REASON: In order to ensure the safety and well being of the trees on and adjacent to the site during construction works that are to remain after works are completed as well as in the interests of the creation of habitats for biodiversity.

9.5. No development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period.

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- a) Details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase) and details of air quality and dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete);
- b) A demolition and construction traffic management plan to include the following:
- the construction programme/ timescales;
 - the number/ frequency and size of construction vehicles;
 - construction traffic route;
 - location of deliveries;
 - pedestrian and vehicular access arrangements;
 - any temporary road/ footway closures during the construction period; and
 - structural integrity of the waterspace.
- c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;

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

9.6. Prior to the commencement of development, including ground and site preparation works, a full ecological survey, including relevant bat roost assessments, shall be undertaken and submitted to and approved in writing by the local planning authority. The findings of the survey shall be used to inform the proposed ecological mitigation and enhancement measures to be detailed within the Landscape and Environment Management Plan.

REASON: In the interest of biodiversity.

9.7. No development shall take place until a detailed Landscape and Environment Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority.

- a) detail how the final landscaping and ecological enhancements will be delivered within the Site, as well as ongoing management to ensure that habitats reach and maintain their targeted condition for the next 30 years;
- b) Specific measurable targets linked to target habitat condition; and
- c) Monitoring prescriptions to ensure that created and enhanced habitats are reaching their target condition, with appropriate remedial measures detailed as part of the required actions.

REASON: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity.

9.8 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.

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:

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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. Where appropriate, details of a programme for delivering related positive public benefits.

C. 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 protect any subsurface archaeological remains within this Archaeological Priority Area.

9.9. Prior to the first occupation of the development, a Delivery Service Plan (DSP) shall be submitted for approval to the Local Planning Authority for that phase and the measures outlined within the DSP shall be implemented thereafter.

REASON: To ensure that the development can be adequately serviced without detriment to the amenity and highway safety of the surrounding area.

9.10. For the duration of the construction works, a watching brief will need to be maintained for any previously unidentified soil and/or groundwater contamination. Particular attention should be paid to Made Ground exposed beneath the site.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

9.11. Details of the numbers (minimum 30), species, location and size of the new tree planting necessary to compensate for the trees being removed on site shall be submitted to and approved in writing by the local planning authority prior to the completion of the works, with such planting being carried out in the first planting season following the completion of the development hereby approved.

REASON: To deliver amenity and environmental benefits associated with trees as well as in the interests of the creation of habitats for biodiversity.

9.12. Details of refuse and recycling enclosures, showing the design, external appearance and location thereof, shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure sufficient provision of waste and recycling facilities on site.

9.13. Prior to occupation/use of the development hereby approved a policy compliant cycle parking plan is required, which shows details of layout, foundation, stand type and spacing of cycle parking.

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The storage spaces and stands must be provided prior to the occupation of the dwelling and kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure adequate provision for the safe and secure storage of bicycles, to promote sustainable modes of transport and in the interest of safeguarding highway safety.

9.14. The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

REASON: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance.

9.15. All Non-Road Mobile Machinery (NRMM) of net power of 37 kW and up to and including 560 kW used during the course of site preparation, demolition and construction phases shall comply with the emissions standards of the Mayor of London's NRMM Low Emission Zone. Unless in compliance with the NRMM Low Emission Zone standards, no NRMM shall be on-site, at any time, whether in use or not, without the prior written consent of the local planning authority. The applicant shall keep an up-to-date register of all NRMM used during site preparation, demolition and construction phases on the online register at <https://www.london.gov.uk/programmes-and-strategies/environment-and-climate-change/pollution-and-air-quality/nrmm>.

REASON: To ensure emissions from the site during the construction phase are acceptable with regard to public health and amenity.

9.16. Prior to the commencement of the works in relation to the café building, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed layout, cross sections (scale 1:20), full specifications and a detailed management and maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat. 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, to enhance the performance and efficiency of the proposed building and assists in reducing carbon emissions.

9.17. No development shall commence, other than works of demolition until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan of the sustainable drainage system has been provided. Details shall include but not limited to the proposed green roofs (with a substrate depth of at least 80mm not including vegetative mats), attenuation basins, 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 "Sustainable Drainage Strategy Report 221320 – West Reservoir Open Swim" (ref.: 221320-PEV-ZZ-ZZ-RP-C-0100, dated: 22/11/2023) by Pick Everard and limit the peak discharge rate to 1.0 l/s for all return periods up to the 1 in 100 year storm events plus an allowance for climate change.

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REASON: To ensure that the development will provide a sustainable drainage system. The condition is required to be discharged prior to the commencement of development to ensure that sustainable drainage is incorporated into the design of the development.

9.18. All non-Combined Heat and Power (CHP) space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers installed as part of the development hereby approved shall achieve dry NOx emission levels equivalent to or less than 40 mg/kWh.

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

9.19. Prior to first occupation of the development hereby approved details of all external lighting to approved building facades, street furniture, communal and public realm areas shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of sources and intensity of illumination, demonstrated through a lux plan. Due regard shall be had to the recommendations of the approved Preliminary Ecological Appraisal. The agreed lighting scheme shall be installed as approved and retained/maintained as such thereafter.

REASON: To safeguard against adverse impacts to natural habitats.

9.20. Prior to the occupation of the development hereby approved, a Parking Design and Management Plan, showing the level of accessible parking spaces and locations of these spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained in perpetuity, with the accessible parking spaces being marked out for, and used by registered disabled people only.

REASON: To ensure the community facilities are accessible to those with mobility restrictions..

9.21. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure.

9.22. The development shall be carried out in accordance with the Operational Management Plan, dated 13/11/2023, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance.

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Recommendation B

That the above recommendation be subject to the landowners and their mortgagees enter into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Director of Legal Democratic and Electoral Services:

- Carbon Offset Contribution: £10,759
- Travel Plan: £5,000
- Payment of monitoring of the S106 legal agreement : £1,110
- Payment of Council’s legal fees

Recommendation C

That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or Development Management & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions or legal agreement as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

Informatives

The following standard informatives should be attached to the decision notice:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.18 Tree Preservation Orders
- SI.25 Disabled Person’s Provisions
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water RE: Waste and water management
- SI.33 Removal of Asbestos
- SI.34 Landscaping
- SI.40 Application for Advertisement Consent
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- SI.50 Section 106 Agreement

Signed..... **Date**.....

Natalie Broughton
Assistant Director of Planning & Building Control

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION OFFICER	CONTACT

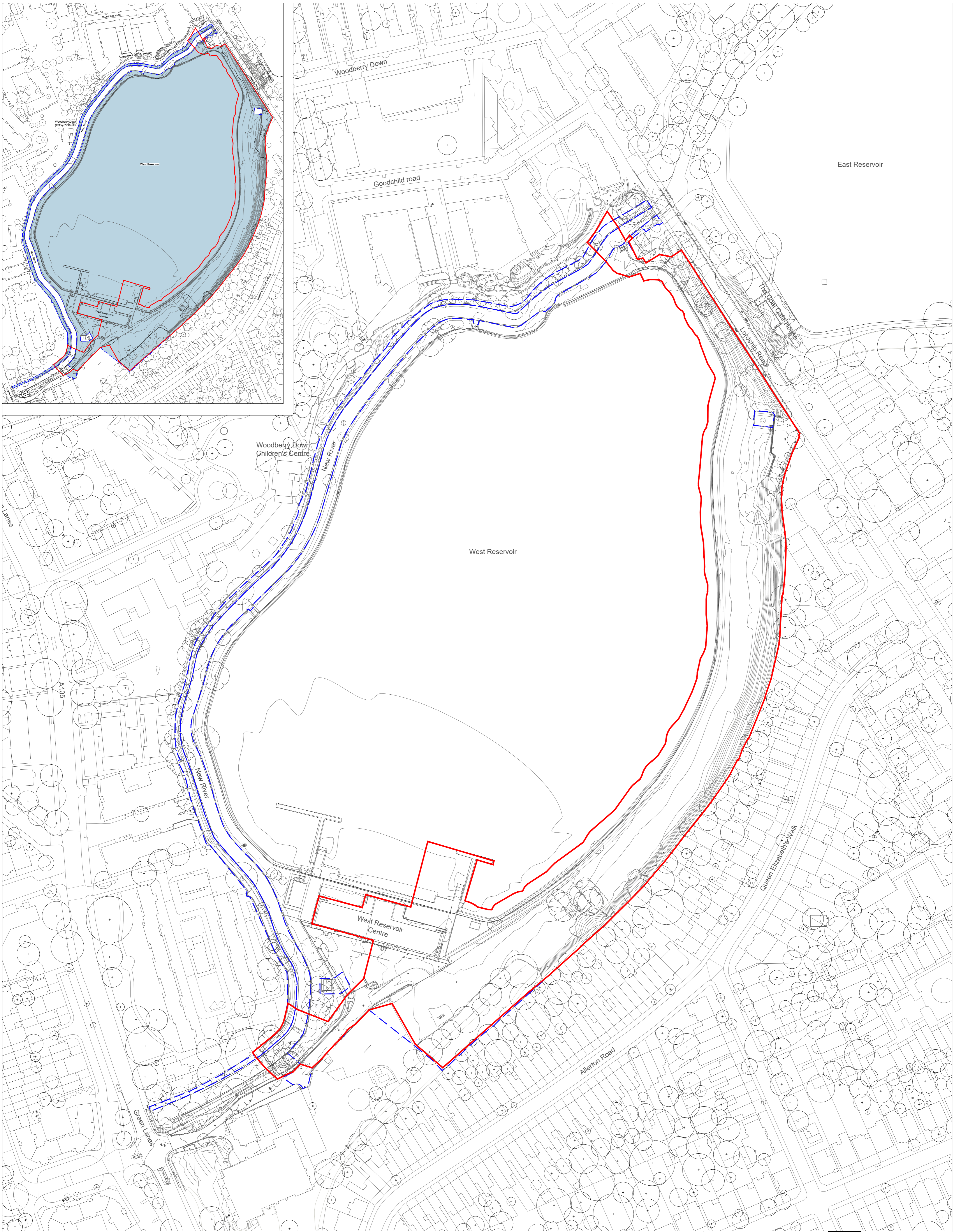
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies.</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report.</p>	Laurence Ackrill +2297	2 Hillman Street, London E8 1FB
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East Reservoir

Woodberry Down
Children's Centre

West Reservoir

West Reservoir
Centre

KEY
 - - - - - Planning Application Boundary
 - - - - - Extent of Site Ownership
 - - - - - Extent of Site Ownership Boundary
 Ownership Site Area - 11.9 hectares
 Planning Site Area - 3.1 hectares

Notes:
 Ownership boundaries are indicative only and LUC will not be held liable for any incorrect information pertaining to these.
 Red line boundary is subject to change.

Scale 1:1000

Do not scale from this drawing
 All dimensions are to be verified on site
 © Drawing & design copyright LUC

	Bristol Edinburgh Glasgow London Manchester	landuse.co.uk
	Project West Reservoir	
Client London Borough of Hackney		LUC Job No 12245
Scale @A1 1:1,000		Status Planning
Drawing Title Location Plan		
Drawing No 12245-LD-PLN-001		Issue P04

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Planning Sub-Committee – 08/05/2024

ADDRESS: 53 Northchurch Road, Hackney, London, N1 4EE	
WARD: De Beauvoir	REPORT AUTHOR: James Clark
APPLICATION NUMBERS: 2023/0971 (planning application) and 2023/0973 (listed building consent application)	VALID DATE: 27-04-2023
DRAWING NUMBERS: 384 TP 601 Rev2; 384 TP 602 Rev2; 384 TP 603 Rev2; 384 TP 604 Rev2; 384 TP 605 Rev2; 384 TP 001; 384 TP 010; 384 TP 100; 384 TP 201; 384 TP 211; 384 TP 111	
APPLICANT: Vicki and Stephen Chapman/Grosz	AGENT: Bernard Tulkens (Tectonics architects ltd)
PROPOSAL: Installation of Photovoltaic panels on the rear and side roof slopes.	
POST SUBMISSION REVISIONS: N/A	
RECOMMENDATION SUMMARY: Refuse planning permission and listed building consent.	
NOTE TO MEMBERS: This application is referred to members of the Planning Sub-Committee for consideration at the request of 11 Councillors.	

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

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	H	
Conservation Area	De Beauvoir	
Listed Building (Statutory)	Grade II Listed	
Listed Building (Local)		X
Priority Employment Area		X

LAND USE	Use Class	Use Description	Floorspace Sqm
Existing	C3 (a)	Dwellinghouse	N/A
Proposed	No Change	No Change	No Change

Planning Sub-Committee – 08/05/2024

CASE OFFICER'S REPORT

1. BACKGROUND

- 1.1 At a previous planning sub-committee meeting on 6th December 2023, Councillor Young proposed a motion to defer the application until the applicant supplied a retrofit plan for assessment. This motion was seconded by Councillor Narcross and voted for by members.
- 1.2 Following the committee, the applicant was provided with guidance on what information should be included within the retrofit plan in order to follow the London Plan Energy Hierarchy (Be Lean - reducing the energy use through fabric improvement through repairs, maintenance and upgrade and Be Green - decarbonising the energy use). This also needed to work hand in hand in understanding the significance of the Listed Building and outline where any changes could harm the significance of the Listed Building through retrofitting.
- 1.3 The applicant provided a retrofit plan which has been reviewed. Details of the submitted retrofit plan, plus its assessment, is provided below.

2. ASSESSMENT

- 2.1 The Council is under statutory duties contained within sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to grant permission only to applications which preserve or enhance listed buildings, their settings and conservation areas.
- 2.2 The National Planning Policy Framework (Dec 2023) sets out the government's planning policies for England and how these are expected to be applied. Of particular note for this application:
- 2.3 *Para 164 of the NPPF (Dec 2023) states "In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework."*
- 2.4 *Para 195 states "These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"*

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- 2.5 Para 205 states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*
- 2.6 Policy HC1 of the London Plan (2021) states *“Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.”*
- 2.7 Policy LP3 of LP33 requires that development preserves or enhances the character of designated heritage assets.
- 2.8 Policy LP55 of LP33 states that *“development including the re-use or extension of existing buildings should achieve the maximum feasible reductions in carbon emissions and support in achieving the strategic carbon reductions target in the London Plan, while protecting, heritage and character of the buildings”*.

Retrofit Plan

- 2.9 The retrofit plan provided by the applicant has used the Energy Performance Certificate (EPC) approach which balances carbon savings methods such as insulation and renewable energy installations against the costs to implement these measures. This method does not consider the impact of these measures on the historic character of the building nor how these measures result in a reduction of energy use. Because of this, the installation of solar panels is rated positively as it would generate on site renewable measures. Conversely, other measures such as internal wall insulation (that would reduce energy consumption) are rated negatively due to cost. The recommendations made also do not align with the fabric first approach of the London Plan Energy Hierarchy, as fabric improvements such as loft insulation and insulating the flat roof (First step : Be Lean - reducing the energy use) are recommended after the installation of solar panels (Second Step: Be Green - decarbonising the energy use). Moreover, the Retrofit Plan demonstrates that while there have been some fabric improvements they do not all benefit from Listed Building Consent for example: almost all windows have been replaced with double glazed windows. As there is no record of Listed Building Consent being granted for this work the matter will be investigated by the Planning Enforcement team.

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- 2.10 The EPC based retrofit plan does indeed conclude that on the basis of cost and carbon savings, the PV panels are the most appropriate measure, however, and as pointed out, heritage aspects have not been considered as part of the retrofit assessment for all areas.
- 2.11 The EPC based retrofit plan recommends the installation of a solar PV array delivering a total of 3,600 kWh/yr to cover the household annual consumption of 3,578 kWh/yr and suggests the array facing east will generate 1,200 kWh/yr and the array facing south will generate 2,400 kWh/yr. The applicant interpreted this as 10 PV panels, 5 panels on the main side roof facing east delivering an average of 240 kWh/yr per panel (1,200 kWh/5) and 5 panels on the main rear roof facing south delivering an average of 480 kWh/yr per panel (2,400 kWh/5). It therefore is reasonable to consider that the PV panels placed on the south facing roof are generating more electricity and are performing better - this is not surprising as south orientation typically benefits from more solar radiation than east orientation on the North hemisphere.
- 2.12 As previously set out in the December 2023 Planning Committee report, Officers are of the view that the location of the solar panels, particularly on the east side elevation, are visually intrusive and harmful to the special interest of the listed building and character and appearance of the conservation area. As outlined in the December sub-committee report, the application site forms part of a row of handsome Italianate stuccoed semi-detached villas built during the early 1840s within the De Beauvoir Conservation Area. These Villas are noted in the conservation area appraisal document for their coherence and homogeneity.
- 2.13 The proposed panels would stand proud off the roofscape by 15cm, while their framing and smooth, reflective surface would make them stand out as modern, incongruous additions to the traditional roofscape of the listed building. Furthermore the large area of solar panels would partially obscure the historic roof slates of the roof representing a reduction in the quality of materials and uniformity of the group. The proposal is therefore considered to form a visually distracting and harmful addition to the historic character of the building.
- 2.14 In the case of this statutory listed building, the installation of PV panels to the side and rear elevation is considered to result in an uncharacteristic, incongruous and unsympathetic form of development, which will result in harm to the architectural and historic interest of the host building, significance of the pair of semi-detached villas, the overall group value of neighbouring properties and the wider De Beauvoir Conservation Area. These roof slopes remain largely unaltered and therefore any alteration needs to be considered sensitively. The proposed solar panels would be viewable from both Northchurch Road to the front of the site and Deacon Mews to the rear. The visibility of the panels would be increased by their projection from the roof slope and the smooth reflective surface of the solar panels. As with all Listed

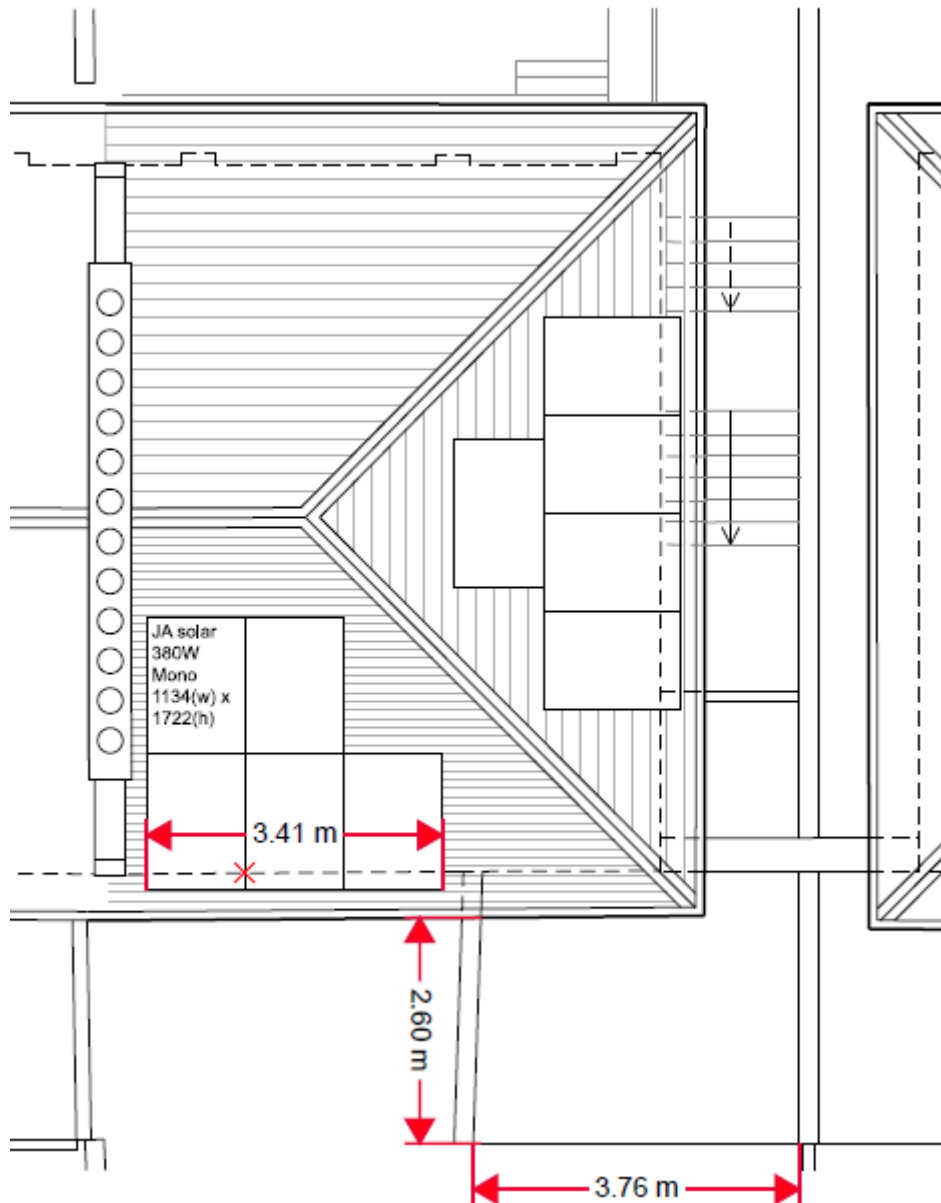
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Buildings, private views also remain important when considering how proposals will impact the significance.

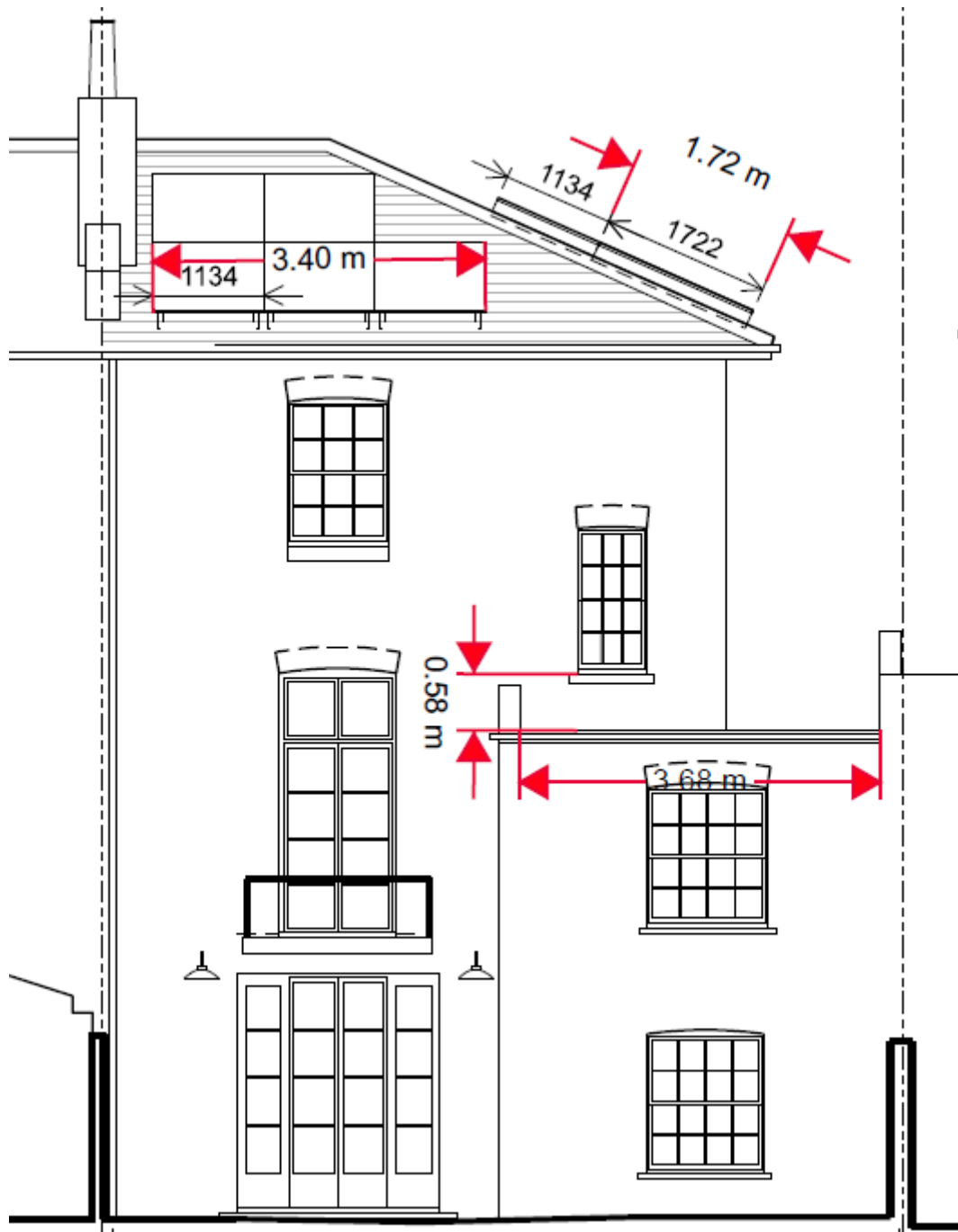
- 2.15 Since the December 2023 committee meeting, Historic England issued further guidance on the 25th March 2024 on the installation of solar panels to Listed Buildings, stating *“If the installation will harm significance, alternative options should be considered. Some heritage assets will not be suitable for PV installations, for instance listed buildings where the only practical location for panels is a prominent roof-slope.”* This further affirms the assessment made by officers in the December 2023 committee report that the installation of PV panels to the side and rear elevation is considered to result in harm to the significance of the pair of semi-detached villas and the overall group value of neighbouring properties. These roof slopes remain largely unaltered of which any alteration needs to be considered sensitively to ensure that elements that are special, remain so.
- 2.16 Recent permissions at nearby 25, 35 and 38 Northchurch Terrace demonstrate an alternative and acceptable arrangement, whereby solar panels have been successfully incorporated on flat roof side additions of the properties, resulting in a more discreet and less harmful location, where panels are not widely viewable from nearby sections of the public realm.
- 2.17 As part of the discussions relating to the retrofit plan, officers advised that solar panels could be located on the rear outrigger and main roof slope. This was considered to be a less visually prominent location where the position of the solar panels would result in a lower level of harm to the significance of the heritage building as the views from the front are of higher significance. Analysis of the submitted drawings would suggest that at least 3 PV panels could be installed on the south facing outrigger, based on the figures provided by the applicant, this would have the potential to generate 1,440 kWh/yr (3x 480 kWh) which combined with the 5 PV panels on the main roof rear slope will provide an overall on site generation of 3,840 kWh/yr which will exceed the household yearly electricity consumption of 3,578 kWh/yr. The excess of electricity generated can be sold to the National Grid through appropriate schemes or stored in the on-site battery for future use.
- 2.18 Following Officers recommendation to amend the Solar PV layout, the applicant confirmed they were unwilling to make the suggested alterations, citing that only 2 solar panels could be installed on the outrigger roof, without prejudicing living conditions through overshadowing. Officers disagree this claim, due to a variety of factors, such as the availability of space on the outrigger roof (see layout plan below), distance in height between the outrigger roof and window (see elevation below), the trajectory of the sun (full south orientation) and that the window serves a hallway, a non habitable space with no light requirements under BRE guidance. In the event that the applicant can robustly demonstrate that only 2 panels can be fitted, the overall on site electricity generation would reach 3,360 kWh/yr (2x 480

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kWh + 2,400 kWh), leaving 218 kWh/yr to be sourced from the national grid (3,578 kWh - 3,360 kWh), which can reasonably be considered as a solid improvement in decarbonising the premise (94% of the energy)



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- 2.19 In summary, the provision of solar panels on the side and rear roof slopes of the Grade II Listed Building would result in an uncharacteristic, incongruous and unsympathetic form of development, which will result in harm to the significance of the pair of semi-detached villas, the overall group value of neighbouring properties and the wider De Beauvoir Conservation Area. Recent permissions at nearby 38 Northchurch Road, and 25 and 35 Northchurch Terrace demonstrate an alternative acceptable and consistent arrangement whereby solar panels have been successfully incorporated on flat roof side additions of the properties, resulting in a more discreet and appropriate location where panels are not widely viewable from

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nearby sections of the public realm. The importance of this has been further emphasised since the last committee meeting by the update from Historic England on the 25th of March 2024 which stated that solar panels should not be located on visually prominent roof slopes of listed buildings. Furthermore, although the relocation of the solar panels to the outrigger roof would necessitate a decrease in the number of panels, these panels would have higher energy efficiency due to their southern orientation. In an attempt to come to an acceptable outcome, the Planning Service sought such revisions to this application, but the applicant chose not to revise the scheme in line with such advice.

3. **CONCLUSION**

- 3.1 Hackney's Climate Action Plan supports the retrofitting of existing buildings but also acknowledges the sensitivities of conservation areas and heritage buildings and that retrofits should only be carried out where appropriate.
- 3.2 The retrofit plan submitted does not sufficiently demonstrate that the introduction of solar panels is the only option for retrofitting, and fails to follow the London Plan Energy Hierarchy or consider the level of harm to the special interest of the Listed Building and wider Conservation Area.
- 3.3 Fabric first approach is often advocated for as this considerably reduces the need for energy generation. No additional information has been submitted which would help to justify the harm (particularly when almost the same benefit could be achieved through the introduction of solar panels on the rear roof slope and outrigger). Paragraph 201 of the NPPF requires the LPA to "to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal" with para 206 stating "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."
- 3.4 In this case clear and convincing justification has not been submitted and the proposals continue to be considered to be harmful to the special interest of the Listed Building and the De Beauvoir Conservation Area. The harm is as a result of the the visual intrusive nature of the installation of solar panels and the harm to the pair of semi-detached villas, the wider group value and the architectural consistency of the De Beauvoir Conservation Area.
- 3.5 This harm is assessed to be less than substantial, which in turn triggers para 208 of the NPPF. This requires that the harm should be weighed against the public benefits of the proposal. In this case, there would be clear private benefits to the owner of the building and also public benefits through the introduction of renewable energy. However, as para 205 of the NPPF requires great weight to be given to the conservation of heritage assets, the limited public benefit of providing a

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sustainable source of power is considered insufficient to outweigh the harm caused to the historic environment, including the listed building and the Conservation Area.

- 3.6 Moreover, there are supported alternative approaches offering at least the same level of benefits in terms of solar panels and renewable energy with a much reduced level of harm to the special interest of the Listed Building and the character and appearance of the De Beauvoir Conservation Area. As the proposal could be brought forward in less harmful ways, it therefore fails the test in para 206 of the NPPF, which requires clear and convincing justification for any harm.

4. **RECOMMENDATIONS**

- 4.1 That FULL Planning Permission be Refused for the following reason:

4.2 The proposed development, by reason of its inappropriate siting, detailed design and appearance, would result in an visually obtrusive and incongruous form of development which would cause harm to the statutory Grade II Listed Building and surrounding streetscape and would fail to preserve or enhance the character and appearance of the De Beauvoir Conservation Area. As such the proposed development is contrary to policies D3 (Optimising Site Capacity Through the Design-Led Approach) and HC1 (Heritage Conservation and Growth) of the London Plan 2021 and LP1 (Design Quality and Local Character) and (LP3 (Designated Heritage Assets) of the Hackney Local Plan 2020, the guidance contained within Hackney Residential Extensions and Alterations SPD 2009 and the NPPF.

- 4.3 That Listed Building Consent be Refused for the following reason:

4.4 The proposed development, by reason of its inappropriate sitting, detailed design and appearance, would result in an visually obtrusive and incongruous form of development which would cause harm to the statutory Grade II Listed Building insofar as it would fail to preserve the building, its setting and features of special architectural and historic interest. As such, the proposed development is contrary to policy HC1 (Heritage Conservation and Growth) of the London Plan 2021 and policy (LP3 (Designated Heritage Assets) of the Hackney Local Plan 2020 and the NPPF.

5. **INFORMATIVES**

Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

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Site Photographs

View of application site (front) from Northchurch Road



Planning Sub-Committee – 08/05/2024

View of site (rear) from Deacon Mews



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

Natalie Broughton - Assistant Director, Planning & Building Control

No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p>	<p>James Clark Planning Officer x1453</p>	<p>2 Hillman Street London E8 1FB</p>

Planning Sub-Committee – 08/05/2024

	All documents that are material to the preparation of this report are referenced in the report		
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Planning Sub-Committee – 06/12/2023

ADDRESS: 53 Northchurch Road, Hackney, London, N1 4EE	
WARD: De Beauvoir	REPORT AUTHOR: James Clark
APPLICATION NUMBERS: 2023/0971 (planning application) and 2023/0973 (listed building consent application)	VALID DATE: 27-04-2023
DRAWING NUMBERS: 384 TP 601 Rev2; 384 TP 602 Rev2; 384 TP 603 Rev2; 384 TP 604 Rev2; 384 TP 605 Rev2; 384 TP 001; 384 TP 010; 384 TP 100; 384 TP 201; 384 TP 211; 384 TP 111	
APPLICANT: Vicki and Stephen Chapman/Grosz	AGENT: Bernard Tulkens (Tectonics architects ltd)
PROPOSAL: Installation of Photovoltaic panels on the rear and side roof slopes.	
POST SUBMISSION REVISIONS: N/A	
RECOMMENDATION SUMMARY: Refuse planning permission and listed building consent.	
NOTE TO MEMBERS: This application is referred to members of the Planning Sub-Committee for consideration at the request of 11 Councillors.	

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

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	H	
Conservation Area	De Beauvoir	
Listed Building (Statutory)	Grade II Listed	
Listed Building (Local)		X
Priority Employment Area		X

LAND USE	Use Class	Use Description	Floorspace Sqm
Existing	C3 (a)	Dwellinghouse	N/A
Proposed	No Change	No Change	No Change

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CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The application site is located on the southern side of Northchurch Road to the east of the junction with Southgate Road and to the west of the junction with Ufton Road. The site lies within the De Beauvoir conservation area.
- 1.2 The application is a Grade II Listed Building forming part of four early to mid 19th century, linked paired dwellinghouses. The dwelling is two storeys tall with a full height basement. The site is accessed by a side door at the top of a flight of steps within the side return as well as by a door added to the basement. The site features a two storey rear extension which extends across part of the rear elevation and out into the gap separating 53 with 51 where the extension connects with the neighbouring extension. The roof form above the dwellinghouse comprises an unaltered low pitched hipped slate roof whilst the roof above the rear extension comprises a flat roof.
- 1.3 The surrounding area is characterised by a mixture of residential and commercial buildings with other statutory Grade II Listed Buildings comprising the rest of the row of houses. Notably there are cases where solar panels have been approved in the surrounding area. The consented arrangement includes panels located above the flat roofs of the side and rear returns of 38 Northchurch Road (2011/2631), plus 25 Northchurch Terrace (2023/0858, 2023/1229), and 35 Northchurch Terrace (2022/1136 and 2022/1137). Satellite aerial images indicate that these developments have not been implemented (with the permission at 38 Northchurch Road having now lapsed).

2. RELEVANT HISTORY

Planning history

- 2.1 **2009/2237:** Internal and external works in association with planning permission reference number 2009 / 2238 for the erection of a bicycle and bin storage enclosure to the front of the dwelling with associated works **Decision: Granted**
- 2.2 **2009/2238:** Erection of a bicycle and bin storage enclosure to the front of the dwelling and associated works **Decision: Granted**
- 2.3 **2010/2183:** Retention of existing cycle store adjacent to front boundary wall at 53 Northchurch Road and installation of railing fence on roof of connecting side projection at 53 and 51 Northchurch Road. **Decision: Granted**
- 2.4 **2010/2208:** Listed Building consent for retention of existing cycle store adjacent to front boundary wall at 53 Northchurch Road and installation of railing fence on roof of connecting side projection at 51 and 53 Northchurch Road. **Decision: Granted**

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- 2.5 **2012/1133:** Erection of a single storey garden studio in rear garden to replace existing, in association with listed building consent reference 2012/1188. **Decision: Granted**
- 2.6 **2012/1188:** Erection of a single storey garden studio in rear garden to replace existing, in association with planning reference 2012/1133. **Decision: Granted**
- 2.7 **2022/2894:** Installation of Photovoltaic panels on the rear and side roofslopes. (In association with listed building consent 2022/2965). **Decision: Refused**
- 2.8 **2022/2965:** Listed building consent for the installation of Photovoltaic panels on the rear and side roofslopes. (In association with Householder planning application 2022/2894). **Decision: Refused**

Enforcement History

- 2.9 **2010/0242/ENF:** Erection of a covered bike shed in the front garden. **Outcome: Retrospective application submitted and approved.**

3. CONSULTATIONS

- 3.1 Date Statutory Consultation Period Started: 11/05/2023
- 3.2 Date Statutory Consultation Period Ended: 17/09/2023
- 3.3 Site Notice: Yes.
- 3.4 Press Advert: Yes

Neighbours

- 3.5 Letters of consultation were sent to three adjoining owners/occupiers, site notices were erected outside the site on 11/05/2023 and press notices were displayed in the Hackney Citizen on 19/05/2023.
- 3.6 No responses were received from neighbours however the following councillors requested this case be referred to planning sub-committee for determination.

Claudia Turbet-Delof
Soraya Adejare
Lynne Troughton
Anya Sizer
Gilbert Smyth
Margaret Gordon
Polly Billington
Fliss Premru
Sem Moema
Joe Walker

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Sam Pallis

- 3.6 Councillors requested that the Planning Sub-committee members consider the balance between heritage and sustainability.

Statutory / Local Group Consultees

- 3.7 **Kingsland CAAC: Objection.** We are not persuaded that the photovoltaic panels, which would predominantly sit above the proposed replacement composite slates, will not be visible from Northchurch Road. We therefore consider that the harm to the streetscape and the listed buildings will outweigh the benefit of the electricity generation. We think that the flat roof of the rear extension should be employed for this purpose even though it may not accommodate as many panels as required to generate sufficient electricity to balance the household's consumption.

4. RELEVANT PLANNING POLICIES

- 4.1 Hackney Local Plan 2033 2020 (LP33)
LP1 – Design Quality and Local Character
LP2 – Development and Amenity
LP3 – Designated Heritage Assets
LP17 – Housing Design
LP47 – Biodiversity and Sites of Importance of Nature Conservation
LP54 – Overheating And Adapting To Climate Change
LP55 – Mitigating Climate Change
LP57 – Waste
LP58 – Improving The Environment - Pollution
- 4.2 London Plan 2021
D3 – Optimising site capacity through the design-led approach
D4 – Delivering Good Design
HC1 – Heritage conservation and growth
G1 – Green infrastructure
G5 – Urban greening
G6 – Biodiversity and access to nature
SI 2 – Minimising greenhouse gas emissions
- 4.3 Local Guidance
Residential Extensions and Alterations Supplementary Planning Document (2009)
Sustainable Design and Construction Supplementary Planning Document (2016)
Conservation Area Appraisal De Beauvoir
- 4.3 National Planning Policies/Guidance
National Planning Policy Framework (NPPF)
Planning Practice Guidance (NPPG)
- 4.4 Legislation
Town and Country Planning Act 1990

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5. Comment

5.1 *Background of the Site and Surrounding Context*

5.2 A similar proposal for the installation of solar panels on the rear and side roof slopes was refused under delegated powers (application ref: 2022/2894 and 2023/2965) due to the harm caused to the character of the listed building and the wider terrace. This application was the same as the current proposal except for a slightly different configuration for the solar panels. It is noted that within the immediate surrounding area other solar panels have been approved on neighbouring dwellinghouses, however in all other cases these were installed on the flat roof of side and rear extensions and were therefore completely obscured from view.

5.3 The main considerations relevant to this application are:

Principle;
Design and Conservation;
Neighbouring amenity;
Standard of accommodation;
Sustainability;
Biodiversity.

Each of these considerations is discussed in turn below.

6. Principle

6.1 The principle of undertaking alterations to a listed building within a conservation area is in accordance with planning policy at local, regional and national levels, as long as the development will not have a detrimental impact upon the special interest of the listed building or the character and appearance of the conservation area and is acceptable with regard to other relevant material planning considerations.

7. Design and Conservation

Significance of the Buildings and Area

7.1 The building is Grade II listed and described as “Four Early-mid C19 linked pairs, each house 2 storeys and full height basement, 2 windows with narrow set back entrance link having door up long flight of steps on return. Extra front doors have been added to the basement storey. Stucco with low pitched hipped slate roofs. Banded rusticated basement, forming voussoirs to windows with vermiculate keys,

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and ground floor to 1st floor band on which rest Ionic pilasters rising to eaves. Moulded architraves to 1st floor sash windows with glazing bars. Console bracketed cornices and ornamental cast iron guards to ground floor windows. Nos 37 to 63 (odd) form a group.”

- 7.2 It is located within the De Beauvoir Conservation Area. Northchurch Road is described as consisting of handsome Italianate stuccoed semi-detached villas built during the early 1840s. This row of villas is mentioned in the De Beauvoir Conservation Area Appraisal as being a strength of the conservation area. The appraisal also identifies the coherence and homogeneity of the streetscene with the dwellinghouse retaining a completeness of historic fabric and individual characteristics.

Policy

- 7.3 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Furthermore, Section 72 requires the Council to pay “special attention...to the desirability of preserving or enhancing the character or appearance of that area”.
- 7.4 Para 199 of the NPPF requires “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”. The harm would be considered to be less than substantial. Para 202 of the NPPF requires that, when a proposal would lead to less than substantial harm, this should be weighed against any public benefits of the scheme.
- 7.5 Policy HC1 ‘Heritage conservation and growth’ of the London Plan requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.6 Policy LP3 ‘Designated Heritage Assets’ of the Hackney Local Plan states that development that leads to less than substantial harm to significance of a designated heritage asset will not be permitted unless the public benefit of the proposal, including securing the optimum viable use of the site, outweigh the harm. For listed buildings the policy requires that all new development conserve and enhance significance by retaining, repairing and (where appropriate) reinstating historic features whilst respecting the historic plan form and retaining original roof structures. For extensions and alterations development should be subservient to

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the host historic building, respect the host building in terms of design and materials and maintain the uniformity of the group the listed building forms a part of.

- 7.7 In regards to conservation areas policy LP3 states that development proposals affecting Conservation Areas or their settings will be permitted where they preserve or enhance the character and appearance of the area including, the established local character of individual buildings and groups of buildings and the rhythms and historical form of the area.

Analysis of proposals and advice

- 7.8 When completing retrofit on historic buildings, it is important to consider buildings holistically and take a fabric first approach, to reduce prospective harm to the Designated Heritage Asset. This includes ensuring the existing fabric is improved as much as possible prior to the installation of renewable energy in line with the energy hierarchy, as recommended by the GLA. As such, where building retrofit is proposed, it is important to produce a Retrofit Plan which outlines what can and cannot be completed and why. Examples of fabric first improvements include draft proofing, secondary glazing, floor insulation, and loft insulation. External and internal wall insulation can be more problematic on Listed Buildings but where original features do not survive or there is a lack of architectural features such as in basements, the use of internal wall insulation has the potential to be supported. The applicant has outlined how external and internal insulation is not desirable as it would result in the loss of architectural details such as cornicing, architraves and other historic details. Furthermore they have stated that alterations to the window could not be done without altering the appearance of the dwellinghouse although they have undertaken some improvement works to the windows and draft proofing.
- 7.9 Solar panels can be visually intrusive and harmful in terms of their overall appearance. The proposed panels would stand proud off the roofscape by 15cm, while their framing and smooth, reflective surface would make them stand out as modern, incongruous additions to the traditional roofscape of the listed building. Furthermore the large area of solar panels would partially obscure the historic roof slates of the roof representing a downgrade in the quality of materials. The proposal is therefore considered to form a visually distracting and harmful addition to the historic character of the building.
- 7.10 In the case of this building, the installation of PV panels to the side and rear elevation is considered to result in an uncharacteristic, incongruous and unsympathetic form of development, which will result in harm to the host building, the significance of the pair of semi-detached villas, the overall group value of neighbouring properties and the wider De Beauvoir Conservation Area. These roof slopes remain largely unaltered and therefore any alteration needs to be considered sensitively. The proposed solar panels would be viewable from both Northchurch Road to the front of the site and Deacon Mews to the rear. The

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visibility of the panels would be increased by their projection from the roofslope and the smooth reflective surface of the solar panels. As with all Listed Buildings, private views also remain important when considering how proposals will impact the significance.

- 7.11 Recent permissions at nearby 25, 35 and 38 Northchurch Terrace demonstrate an alternative and acceptable arrangement, whereby solar panels have been successfully incorporated on flat roof side additions of the properties, resulting in a more discreet and less harmful location, where panels are not widely viewable from nearby sections of the public realm. The solar panels could be installed using a landscape traditional layout at a 30-35 degree angle or using a tub mount system which would enable them to be moved and allow for roof repair. In an attempt to come to an acceptable outcome, the Planning Service sought such revisions to this application, but the applicant chose not to revise the scheme in line with such advice.
- 7.12 In conclusion, the provision of solar panels on the side a rear roofslopes of the Grade II Listed Building would result in an uncharacteristic, incongruous and unsympathetic form of development, which will result in harm to the significance of the pair of semi-detached villas, the overall group value of neighbouring properties and the wider De Beauvoir Conservation Area. Recent permissions at nearby 38 Northchurch Road, and 25 and 35 Northchurch Terrace demonstrate an alternative acceptable arrangement whereby solar panels have been successfully incorporated on flat roof side additions of the properties, resulting in a more discreet and appropriate location where panels are not widely viewable from nearby sections of the public realm. In an attempt to come to an acceptable outcome, the Planning Service sought such revisions to this application, but the applicant chose not to revise the scheme in line with such advice.
- 7.13 The proposal is considered to be contrary to policy LP3 'Designated Heritage Assets' of the Local Plan and policy HC1 'Heritage conservation and growth' of the London Plan resulting in less than substantial harm to the grade II listed building, the wider group of Grade II listed buildings and the wider conservation area. Para 202 of the NPPF requires that, when a proposal would lead to less than substantial harm, this should be weighed against any public benefits of the scheme which the applicant has identified as the supply of renewable energy, this element will be discussed further in the sustainability section and the conclusion of the report.

8. Neighbouring Amenity

- 8.1 The application is subject to the requirements of LP2 'Development and Amenity' which states that all development must have regard to the amenity of occupiers and neighbours. These individual and cumulative impacts will be assessed and weighed against the merits of the proposal. The potential impacts of the proposal on the amenity of neighbouring properties relate to;

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Visual privacy and overlooking;
Overshadowing and outlook;
Sunlight and daylight, and artificial light, levels;
Vibration, noise, fumes and odour, and other forms of pollution;
Microclimate conditions;
Safety of highway users

- 8.2 The proposal is not considered to give rise to significant material adverse impact on neighbouring amenity given the nature, size and position of the proposal, and as the proposal would not lead to any substantial increase in massing and will not grant any new lines of sight.

9. **Standard of Accommodation**

- 9.1 Hackney LP33 policy LP17 'Housing Design' states that the Council will expect all homes and extensions to existing properties to be of high quality design and meet the internal and external space and accessibility standards set out in the London Plan, GLA Housing SPG and Hackney's Housing SPD.
- 9.2 The proposal will not alter the standard of accommodation of the dwellinghouse.

10. **Sustainability**

- 10.1 The NPPF states that when determining planning applications for renewable and low carbon development, local planning authorities should:
- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;
 - b) approve the application if its impacts are (or can be made) acceptable.
- 10.2 Policy LP55 'Mitigating Climate Change' of the Hackney Local Plan states that *"development including the re-use or extension of existing buildings should achieve the maximum feasible reductions in carbon emissions and support in achieving the strategic carbon reductions target in the London Plan, while protecting, heritage and character of the buildings"*.
- 10.3 The carbon reductions in the London plan are outlined in SI 2 'Minimising greenhouse gas emissions' which states that residential development should achieve 10 percent reduction against building regulations standards.
- 10.4 The proposal will provide a renewable source of energy which, according to the design and access statement, will provide an estimated annual output of 3,606

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KWh offsetting the current annual electricity consumption of the dwellinghouses which is 3578 KWh. If correct, this would ensure that the dwelling's energy supply comes from renewable sources offsetting the dwelling's energy consumption from mains grid.

- 10.5 The provision of renewable energy is a recognised public benefit that is supported in principle by adopted development plan policy. This public benefit, however, has to be weighed against the harm arising from such development, which in the case of this proposal is the conservation and heritage impacts of the Grade II Listed building and De Beauvoir Conservation area, to which the application site relates.

11. **Biodiversity**

- 11.1 Policy G5 of the London Plan and LP46 of the Local Plan requires that all development should enhance the network of green infrastructure and seek to improve access to open space. The proposal will not alter the existing green infrastructure of the site.
- 11.2 Policy G6 of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 of the Local Plan reinforces this policy, stating that all development should protect and where possible enhance biodiversity leading to a net gain. Policy LP47(D) states that all development schemes involving buildings with an eaves height or a roof commencement height of 5 metres and above are required to provide nesting boxes for wildlife.
- 11.3 Given the scale and nature of the proposal officers do not consider these requirements to be applicable.

12. **Conclusion**

- 12.1 The UK has legislated for a net zero target for carbon emissions by 2050 and Hackney Council has also declared a Climate Emergency. There is benefit in contributing to mitigating the effects of climate change by generating renewable energy and reducing CO2 emissions.
- 12.2 The application site comprises a statutory Grade II Listed Building and is located within the De Beauvoir Conservation Area. There are roughly 38,000 buildings in Hackney of which 1300 of them are statutory listed. Listed Buildings are buildings and structures defined by the Secretary of State as being of "special architectural or historic interest". They include buildings and structures that are deemed to be of importance on a national scale.

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- 12.3 For listed buildings the council is under a duty under Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. As the site is also within De Beauvoir Conservation Area, Section 72 requires that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.
- 12.4 Para 199 of the Government’s National Planning Policy Framework (NPPF) says “*When considering the impact of a proposed development on the significance of a designated heritage asset (such as listed buildings or buildings in Conservation Areas), great weight should be given to the asset’s conservation*”.
- 12.5 The installation of solar photovoltaic panels on the side and rear roofslopes is deemed to comprise an uncharacteristic, incongruous and unsympathetic form of development, which will result in harm to the significance of the pair of semi-detached villas, the overall group value of neighbouring properties and the wider De Beauvoir Conservation Area.
- 12.6 Whilst Officers acknowledge the provision of renewable energy through photovoltaic panels provides a public benefit, this is considered to be outweighed by the irrevocable harm caused to the Grade II Listed Building (within a Conservation Area), through the proposed photovoltaic panels uncharacteristic and highly prominent location upon the side and rear facing roof slopes.
- 12.7 Recent permissions at nearby 25 Northchurch Road, and 35 and 38 Northchurch Terrace demonstrate an alternative acceptable arrangement whereby solar panels have been successfully incorporated on flat roof side additions of the properties, resulting in a more discreet and appropriate location where panels are not widely viewable from nearby sections of the public realm. In an attempt to come to an acceptable outcome, the Planning Service sought such revisions to this application, but the applicant chose not to revise the scheme in line with such advice. The current applications are also not considered to overcome the reason for refusals relating to the previous planning and listed building consent applications.
- 12.8 The current solar panel arrangement is considered to cause less than substantial harm to a Grade II Listed Building and the surrounding conservation area and therefore as required by paragraph 202 of the NPPF when a proposal would lead to less than substantial harm, this should be weighed against any public benefits of the scheme. The benefit towards reducing CO2 emissions is not considered sufficient to outweigh the special regard to preserving the historic environment. It is therefore recommended that Planning Permission and Listed Building Consent be refused.

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13. RECOMMENDATIONS

13.1 That FULL Planning Permission be Refused for the following reason:

13.2 The proposed development, by reason of its inappropriate siting, detailed design and appearance, would result in an visually obtrusive and incongruous form of development which would cause harm to the statutory Grade II Listed Building and surrounding streetscape and would fail to preserve or enhance the character and appearance of the De Beauvoir Conservation Area. As such the proposed development is contrary to policies D3 (Optimising Site Capacity Through the Design-Led Approach) and HC1 (Heritage Conservation and Growth) of the London Plan 2021 and LP1 (Design Quality and Local Character) and (LP3 (Designated Heritage Assets) of the Hackney Local Plan 2020, the guidance contained within Hackney Residential Extensions and Alterations SPD 2009 and the NPPF.

13.3 That Listed Building Consent be Refused for the following reason:

13.2 The proposed development, by reason of its inappropriate siting, detailed design and appearance, would result in an visually obtrusive and incongruous form of development which would cause harm to the statutory Grade II Listed Building insofar as it would fail to preserve the building, its setting and features of special architectural and historic interest. As such, the proposed development is contrary to policy HC1 (Heritage Conservation and Growth) of the London Plan 2021 and policy (LP3 (Designated Heritage Assets) of the Hackney Local Plan 2020 and the NPPF.

14. INFORMATIVES

Hackney Planning Service adopts a positive and proactive approach when engaging with applicants / agents in line with the National Planning Policy Framework. As part of our planning process, we endeavour to contact applicants / agents regarding any minor issues that may be able to be resolved during the course of the application, providing an opportunity to submit amendments before a final decision is made. We also encourage the pre-application service to avoid delays as a result of amendments and unforeseen issues during the planning process.

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Site Photographs

View of application site (front) from Northchurch Road

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View of site (rear) from Deacon Mews

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

Natalie Broughton - Assistant Director, Planning & Building Control

No.	Background Papers	Name, Designation & Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	<p>James Clark Planning Officer x1453</p>	<p>2 Hillman Street London E8 1FB</p>

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Tectonics

EG2 Norway Wharf, 24 Hertford Road,
London, N1 5QT
tel: + 44 (0)20 7249 1934
E-mail: studio@tectonics-architects.com

HERITAGE, PLANNING, DESIGN and ACCESS STATEMENT **53 Northchurch Road London N1 4EE**

Planning and Listed Building Consent submission

This statement relates to proposals for the installation of photovoltaic panels on the south and east side of the roof at 53 Northchurch Road. It is to be read in conjunction with the drawings of the existing and proposed situations submitted as part of the application.

The proposals are a revision of the Listed Building and Planning applications made in November 2022 (2022/2894 and 2022/2965) which were refused by Hackney Council (decision dated 24th January 2023). The revision proposes a more discreet layout of the solar panels on the south elevation.

This statement demonstrates that the panels and associated cabling cannot be seen from any public street, that they do not compromise the architectural integrity or fabric of the building, or its setting, and that the installation is easily reversible at the end of the panels' life span. In consequence, the proposal causes no substantial harm to the significance of this heritage asset. The proposals respond to the Climate Emergency declaration and commitment to net zero in Hackney and are calculated to provide an output equivalent to the annual electricity consumption of the house.

The application poses an important test of the Council's commitment to addressing the Climate Emergency, and balancing preservation of the historic environment with creation of a sustainable environment. For this reason, we request that the matter be referred to the Planning Sub-Committee for decision.

1. THE PROPERTY

1.1 CONTEXT and HERITAGE

53 Northchurch Road is an early/mid-19th century single-family dwelling on the south side of the road linking De Beauvoir Square to Southgate Road. The building is located in the De Beauvoir Conservation Area, and Listed Grade II.

The building is part of a terrace of 8 stuccoed houses linked in pairs, nos.41-55 Northchurch Road characterised by 3-storey buildings (basement + 2 floors) linked in pairs with 2-storey (basement + 1) entrance volumes set back from the street elevation.

Please refer to the aerial views on pages 384TP601 and 602 and 2, figures 1-5



Aerial view from North (Google earth)

1.2 HOUSE AND GARDEN

The building was listed on the 4th of February 1975, under the Historic England List entry number 1235227. The official list entry details point to the grouping and to the front elevation external details rather than the individual buildings.

2. Four early-mid C19 linked pairs, each house 2 storeys and full height basement, 2 windows with narrow set back entrance link having door up long flight of steps on return. Extra front doors have been added to basement storey. Stucco with low pitched hipped slate roofs. Banded rusticated basement, forming voussoirs to windows with vermiculate keys, and ground floor to 1st floor band on which rest Ionic pilasters rising to eaves. Moulded architraves to 1st floor sash windows with glazing bars. Console bracketed cornices and ornamental cast iron guards to ground floor windows. Nos 37 to 63 (odd) form a group.

The Conservation Area Appraisal (1997) mentions the terrace and dates it from 1844/1847, and focuses on the 'group value' of the terrace rather than the individual properties. The terrace of stuccoed houses is characterised by deep front gardens, and relatively narrow recesses (single storey side volume) leading via external steps to the entrance landing at upper ground floor. The roofs have projecting eaves and shallow pitches.



Rear elevation (North) and garden

The rear elevation is brick, with the same projecting cornice at roof level. The roof slope being shallow, it is not visible from the rear garden.

1.3 ASSESSMENT OF SIGNIFICANCE OF HERITAGE ASSETS

Applications for Listed Building Consent are judged according to whether a proposal leads to ‘substantial’ or ‘less than substantial’ harm (as to which, see 3.1 below) to the ‘significance’ of a designated heritage asset.

Significance is defined in the National Planning Policy Framework as *“the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*

As noted above, the highest level of the property’s significance is ‘architectural and historic’, and is derived from its front elevation, its belonging in the grouping of 41-55 and by virtue of its contribution to the character of that section of Northchurch Road. The architectural composition, massing, plan-form and historic fabric contribute to the architectural interest. The terrace makes a positive contribution to the character and appearance of the Conservation Area. By contrast to the uniformity of the front, the rear elevations display a certain amount of variation, including stucco render (see photograph above), velux and dormer windows and satellite dishes.

A sequence of views from the street (standing height) is attached on Page 384-TP-603 – figures 6 -13. Critically for the present proposals, there is very limited, if any, visibility of the roof plane from street level. The east-facing roof with its shallow slope, is not visible and – unlike the front elevation and projecting cornice, is not a key contributor to the appearance of the building or its setting.

2. PROPOSAL: general description

The proposal is to install solar panels (photovoltaic) (PVs) on the east- and south-facing slopes of the hipped roof. The proposed installation is part of the London-wide Solar Together joint purchasing scheme promoted by, among others, Hackney Council and the Mayor of London. It is a response to the critical worldwide need to reduce carbon emissions: reducing the use of gas boilers, reducing reliance on the electricity grid, switching to sustainably generated electricity (including, where appropriate, exporting it to the grid) and in general reducing energy consumption in dwellings, are all part of that effort towards environmental sustainability.

This effort is backed by numerous local and national policies, such as the National Policy Framework, the London Plan 2021, the Hackney Green New Deal and the Hackney (draft) Climate Action Plan, as well as The Council’s Climate Emergency Declaration and commitment to net Zero by 2030. <https://hackney.gov.uk/climate-emergency-declaration>

Externally, no alteration or work is proposed to any elevation.

Internally, the necessary electric cable will follow the existing (invisible) route between the electrical services from loft (where the batteries and inverter will be housed) and the fuse board at lower-ground level (see plans).

3. SUSTAINABILITY and ENERGY: Policy context

There are 3 levels of consistent planning guidance related to the installation of renewables: national policy, local policy (London & Hackney), and Historic England's guidance on heritage buildings.

3.1 **The National Policy Framework 2021** sets out principles under which the Planning system is to contribute to the achievement of sustainable development.

Chapter 14, dealing with planning for climate change, states in paragraphs 152:

The planning system should support the transition to a low carbon future in a changing climate, (...) It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Furthermore, in paragraph 155:

To help increase the use and supply of renewable and low carbon energy and heat, plans should:

- a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts);*
- b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and*
- c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. (emphasis added)*

And paragraph in 158

When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable. (emphasis added)

Heritage is also considered in the Policy Framework and dealt with in Chapter 16: Consideration has to be given to the impact and potential harm to a heritage asset, and to balancing the harm of a PV installation against their sustainability benefits.

It is formulated with the assessment of what comes under the expression 'substantial harm' (*paragraph 200 - only in exceptional cases*) and 'less than substantial harm' (*paragraph 202 - weigh any harm against public benefit*).

Paragraph 202 states:

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 including, where appropriate, securing its optimum viable use.

The refusal of the previous application, while recognising the 'less than substantial harm' caused by the proposals, effectively allowed preservation of the historic

environment to override protection of the present and future environment in a climate emergency. In effect, the decision meant that *any* harm, however minor (as in this case), must require planning permission to be refused. That is not the correct approach.

3.2 Hackney Draft Climate Action Plan currently out for consultation.

For many years now, the borough has been active at establishing policies to create a more sustainable environment, with support for reduced transport pollution, for home insulation, and in general sustainable alternatives. The draft Climate Action Plan seeks to fulfil the administration’s pledge, made in 2018, to “build a more sustainable borough, setting out a plan to tackle pollution, transition to renewable energy, encourage walking and cycling, and increase recycling” (see the Green New Deal page, 41).

The Hackney Policy on energy and sustainability identifies Key Themes of the Hackney Climate Action Plan, and ambitious goals have been set for 2030, in particular for buildings, involving ‘*removing gas boilers, adding solar panels, and decreasing energy use in our buildings*’.

Hackney states as objectives:

-‘*Increase the deployment of solar panels across private buildings*’

-‘*Encourage retrofits in conservation areas and heritage buildings where appropriate.*’

3.2 London Plan 2021

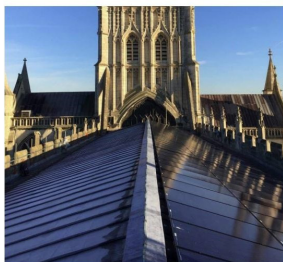
The London Plan policies support the introduction of renewable energy production on site to reduce carbon emissions- see for instance paragraphs 9.2.3 and 9.3.8

3.3 Historic England Guidance on Energy Efficiency and Historic Buildings



Energy Efficiency
and Historic Buildings

Solar Electric (Photovoltaics)



Historic England also has issued guidance on the installation of PV’s on Historic Buildings, with emphasis on careful consideration for location and context, and reversibility of the installation. Our proposals used the guidance as reference.

4. PROPOSAL: details

4.1 Energy

As per the Historic England guidance, the installation of PVs has to be part of a 'whole building' approach to the energy efficiency of a building: heat loss / building fabric, and energy use to provide hot water, heating or for cooking come into consideration.

53 Northchurch Road has had in 2010 some alterations and upgrades in terms of services and some of the windows. The potential for further insulation of the fabric, however, is limited:

- External insulation is not desirable on such a building, as it would lead to loss of detail or loss of brick finish at the rear.
- Internal insulation is not desirable as it would hide or remove details such as cornicing, architraves and other historic details
- Windows are traditional sashes, which cannot be altered without affecting the appearance of the building.

The switch to a renewable energy form, using the southern (and eastern) elevations of the building at the rear is a way of reducing the use of centrally (and unsustainably) generated electricity and gas, thereby reducing carbon emissions.

The estimated annual output of the 10 panels proposed is 3,606 KWh. The current annual electricity statement shows consumption of 3578 KWh; the panels proposed would generate electricity equivalent to the household's consumption. In that sense, the installation of photovoltaic panels brings a public benefit as it contributes to the general effort to reduce carbon emission

4.2 Visibility and impact on the Conservation area

The visibility of proposed panels is the most important aspect in terms of impact on the building and the context. The visibility has been considered from Northchurch Road, and the wider area:

The panels have been arranged on the roof in a regular pattern, aligned to keep a visually 'tidy' arrangement. The proposals have been revised to avoid any perceived projection of the panels from the roof ridges.

-From Northchurch Road, - please refer to page 384-TP-603, figures 6 to 13

No panels are proposed on the north side, i.e. the main elevation (direction from which the property is most commonly viewed).

The visibility of the panels on the east-facing slope is very slight (if at all) in winter due to the shallow angle of the roof, the projecting cornice, and the proximity of the adjacent building. Between April and November, the view of the east-facing roof is totally obscured by tall mature lime trees in the front gardens of numbers 49 and 51 (see page 384-TP-604, figs.6 and 7)

-From Ufton Road (to the east), the eastern slope of the roof of number 53 is not visible due to the close arrangement of semi-detached houses on the Northchurch Road terrace (see page 384-TP-604, fig.22)

-From the rear (south side), the roof is not visible when standing in the garden (see photos on page 384-TP-604).

The panels on the south side will be visible from at most 5 houses in Deacon Mews, a private cul-de-sac not open to the public situated on the south side of the rear garden and accessible to residents of, and visitors to, the mews from Southgate Road (reduced for most of the year by the foliage of the weeping willow and African magnolia trees in the rear gardens of 55 and 57 Northchurch Road). A 4-metre high wall separates the rear garden from Deacon Mews (see page 384-TP-604, fig. 14 to 21). No objections to the original application were received from the residents of Deacon Mews.

-From Southgate Road (to the West), From Southgate Road, the cornice and chimneys of the rear of the first 2 houses on the south side of Northchurch Road are visible above the low volume at the end of the row of shops, but the roof of number 53 is not visible. (see page 384-TP-604, fig.23)

The conclusion is that the property is uniquely well placed such that the panels are barely visible (if at all) from any aspect, and the level of visibility is less intrusive or harmful than, for example, a burglar alarm box or small satellite dish. The proposed panel type are uniform and black, without the silver elements present in older type of panels, making them less visible.

4.3 Fixing and reversibility

The most common method for the installation solar PV panels uses 'Limpet' roof hooks. That method requires drilling through the slates, which goes against the guidance from Historic England.

The proposed method of installation is to remove (and store) the slates to which Limpet fixings would be applied, and replace them with composite slates to receive the fixings. These composites will sit underneath the panels, such that they will not be visible. The stored slates will be replaced at the end of the panels' life.

Not only does this avoid altering the fabric of the building (for example by cutting slates and introducing lead flashing), but it also allows reversibility. The panels will probably have a shorter life span than the roof itself, such that reversibility is desirable.

See attached documentation on the proposed PV panels.

SUMMARY

Supported by policy and the need to reduce carbon emissions, the installation of photovoltaic panels brings a public benefit.

It has been shown that through careful consideration of the location and installation method, it is possible to install PV's at 53 Northchurch Road without causing substantial (or irreversible) harm to the Listed Building or to the character of the conservation area; the panels will provide renewable energy, cost savings and sustainability benefits without unreasonable conflict with planning policies relating to conservation or sustainability.

Other Planning matters:

REFUSE

There is no change proposed to the current arrangements.

TREES

No trees are proposed to be felled in the proposals, nor are root protection areas affected.

ACCESS

Parking

Not applicable on this site or for this application

Hackney, 25 April 2023


Hackney Planning Service

1 Hillman Street, London E8 1DY

Telephone: 020 8356 3000

Email: planning@hackney.gov.ukWeb: www.hackney.gov.uk/planning

Householder Application for Planning Permission for works or extension to a dwelling; Listed Building Consent for alterations, extension or demolition of a listed building

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	<input type="text" value="53"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="Northchurch Road"/>
Address Line 2	<input type="text" value="Hackney"/>
Address Line 3	<input type="text" value="Hackney"/>
Town/city	<input type="text" value="London"/>
Postcode	<input type="text" value="N1 4EE"/>

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text" value="532958"/>	<input type="text" value="184239"/>

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

N1 5QT

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Fax number

Email address

***** REDACTED *****

Description of Proposed Works

Please describe the proposed works

Installation of Photovoltaic panels on the South and East side of the roof at 53 Northchurch Road.

Has the work already been started without consent?

Yes

No

Site information

Please note: This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Title number(s)

Please add the title number(s) for the existing building(s) on the site. If the site has no title numbers, please enter "Unregistered".

Title Number:

NGL163800

Energy Performance Certificate

Do any of the buildings on the application site have an Energy Performance Certificate (EPC)?

Yes

No

Further information about the Proposed Development

Please note: This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

What is the Gross Internal Area to be added to the development?

0.00 square metres

Number of additional bedrooms proposed

0

Number of additional bathrooms proposed

0

Development Dates

Please note: This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

When are the building works expected to commence?

07/2023 

When are the building works expected to be complete?

07/2023 

Listed Building Grading

What is the grading of the listed building (as stated in the list of Buildings of Special Architectural or Historical Interest)?

- Don't know
- Grade I
- Grade II*
- Grade II

Is it an ecclesiastical building?

- Don't know
- Yes
- No

Immunity from Listing

Has a Certificate of Immunity from Listing been sought in respect of this building?

- Yes
- No

Demolition of Listed Building

Does the proposal include the partial or total demolition of a listed building?

- Yes
 No

Listed Building Alterations

Do the proposed works include alterations to a listed building?

- Yes
 No

If Yes, do the proposed works include

a) works to the interior of the building?

- Yes
 No

b) works to the exterior of the building?

- Yes
 No

c) works to any structure or object fixed to the property (or buildings within its curtilage) internally or externally?

- Yes
 No

d) stripping out of any internal wall, ceiling or floor finishes (e.g. plaster, floorboards)?

- Yes
 No

If the answer to any of these questions is Yes, please provide plans, drawings and photographs sufficient to identify the location, extent and character of the items to be removed. Also include the proposal for their replacement, including any new means of structural support, and state references for the plan(s)/drawing(s).

Drawings:- (please refer to drawing register) 384 EX 001; 384 EX 010; 384 EX 100; 384 TP 601; 384 TP 602; 384 TP 603; 384 TP 604; 384 TP 201; 384 TP 211; 384 TP 111;

Materials

Does the proposed development require any materials to be used?

- Yes
 No

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

- Yes
 No

Is a new or altered pedestrian access proposed to or from the public highway?

- Yes
 No

Do the proposals require any diversions, extinguishment and/or creation of public rights of way?

- Yes
 No

Vehicle Parking

Please note: This question contains additional requirements specific to applications within Greater London.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- Yes
 No

Please provide the number of existing and proposed parking spaces.

Vehicle Type:

Cycle spaces

Existing number of spaces:

2

Total proposed (including spaces retained):

2

Difference in spaces:

0

Please note that car parking spaces and disabled persons parking spaces should be recorded separately unless its residential off-street parking which should include both.

Trees and Hedges

Are there any trees or hedges on the property or on adjoining properties which are within falling distance of the proposed development?

- Yes
 No

If Yes, please mark their position on a scaled plan and state the reference number of any plans or drawings.

Oak Tree at front of No.51 Northchurch Road (see 384 TP 100 (site plan) for marked location).

Will any trees or hedges need to be removed or pruned in order to carry out your proposal?

- Yes
 No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
 The applicant
 Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 & Regulation 6 - Planning (Listed Buildings and Conservation Areas) Regulations 1990

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of **all** the land to which this application relates; **and** has the applicant been the sole owner for more than 21 days?

- Yes
 No

Is any of the land to which the application relates part of an Agricultural Holding?

- Yes
 No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- The Applicant
 The Agent

Title

Mr

First Name

Bernard

Surname

Tulkens

Declaration Date

27/04/2023

Declaration made

Declaration

I / We hereby apply for Householder planning & listed building consent as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

bernard tulkens

Date

27/04/2023

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Drawing Record and Issue List				Day	23	24	28	02	03	12	25
53 Northchurch Road, London, N1 4EE				Month	11	11	11	03	04	04	04
				Year	22	22	22	23	23	23	23
DWG No	Drawing Title	Scale	Size								
384_EX_001	Existing Location Plan	1:1250	A4	0		1					2
384_EX_010	Existing Block Plan	1:500	A4	0		1					2
384_EX_100	Existing Site Plan	1:100	A4	0		1					2
SITE STUDY											
384_TP_601	Existing Aerial Plan	-	A3	0		1					2
384_TP_602	Existing Aerial Views	-	A3	0		1					2
384_TP_603	Existing Site Photos: Views from Northchurch Rd.	-	A3	0		1					2
384_TP_604	Existing Site Photos: Views from Deacon Mews	-	A3	0	1	2					3
EXISTING DRAWINGS											
384_TP_201	Existing Elevations and Roof Plan	1:100	A3	0	1	2	3				4
PROPOSED DRAWINGS											
384_TP_211	Proposed Elevations and Roof Plan	1:100	A3	0	1	2		3	4		5
367_TP_111	Proposed Sections and Elevations	1:100	A3	0	1	2		3			4

Issued to:-											
Client			x	x	x	x	x	x	x	x	x
Planning					x						x
Structural Engineer											
MEP Engineer											
Landscape											
Contractor											
Building Control											

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Applicants' note to the Planning Sub-Committee

Re: 2023/0971 and 2023/0973: 53 Northchurch Road, London, N1 4EE

Background

The Planning Sub-Committee's April agenda includes further consideration of an application for PP and LBC to install solar panels on the south- and east-facing roofs of the property.

At its meeting on 6 December, following a lengthy and detailed discussion, the Sub-Committee voted against the planning officer's recommendation that the application be refused on heritage conservation grounds.

The Sub-Committee deferred the application and requested that we provide a Retrofit Plan, so that it could satisfy itself that installation of solar panels is the most sensible next step.

Retrofit Plan

A copy of the plan is attached. The assessment was carried out, and the plan prepared, by an accredited retrofit assessor in accordance with PAS 2030.

Due to the Listed status, the retrofit measures available are restricted, but as the report confirms, all key available steps of a 'fabric first' approach have already been implemented.

The Retrofit Plan recommends, in Phase 1, installation of solar panels in accordance with the application, and identifies this measure (and installation in due course of an air source heat pump) as "the most impactful improvements".

As to the other recommended Phase 1 measures:

- installation of a boiler compensator: we are investigating compatibility with our existing boiler;
- draught-proofing of lobby door: this is in hand.

The issue for decision

The Retrofit Plan demonstrates conclusively that the installation of solar panels is the most appropriate next step, and that it produces very significant CO₂ savings. We therefore request the Sub-Committee now grants the application.

Attendance at the April meeting

Regrettably, we cannot attend the April meeting in person. We will ask for permission for our architect, Bernard Tulkens, to speak at the meeting so that he can answer any questions that the Sub-Committee may have.

Stephen Grosz and Vicki Chapman

March 2024



Whole House Retrofit Plan for 53 Northchurch Road N1 4EE

Prepared by Melissa Susan Merryweather
Architect, DEA, Retrofit Assessor, Retrofit Coordinator (Trustmark),
BREEAM AP, HQM Assessor

General Notes

The Medium-Term Plan is the agreed step by step Retrofit Plan laying out the key renovation steps for this property.

The Plan should be updated when key steps are carried out. Ideally each renovation step is monitored by the RC. When the first measures are implemented, plan and measures can be lodged on the Trustmark website.

Consents

This property is Grade II listed and sits in a Conservation Area. Ensure all measures are either permitted for this property, or that relevant Planning permissions are awarded prior to carrying out any work, as well as notifying Building Control and ensuring that the work meets any relevant building Regulations, including Part L and Part F. Note that in the case that work is deemed Permitted Development it is recommended to obtain a Permitted Development certificate to prove its validity at the time of installation.

Measures not included in the Medium-Term Plan

- Double-glazing has been installed throughout with the exception of a small window in the entrance lobby. The double-glazing is high-quality and being post-2002 is not recommended for replacement.
- Timber shutters are installed in many of the existing windows, offering further reduction of heat loss.
- Insulated drylining has been installed to two rooms in the rear extension where there are no period features, and according to listed building consent granted in 2009.
- Otherwise, internal insulation for the main house has not been recommended for the following reasons:
 - Risks related to thermal bridging due to the complexity of junctions
 - A whole-house mechanical ventilation system must be installed to compensate for reduced natural ventilation. This poses issues related to installation of ducting.
 - Cost of insulation shown in the spreadsheet is based on a simple unit cost for installation of the materials and plaster skim coat and does not include removal and replacement of kitchen, bathrooms

and other internal decorations, nor extra costs to the occupants during work on site. Cost will be significantly increased and payback reduced.

- External wall insulation contravenes planning guidelines for grade-listed properties.
- Underfloor insulation did not show a benefit for this property.
- Hot Water Waste heat recovery is not suitable for a household with low occupancy.
- Smart TRVs are already installed throughout to lower gas consumption. The efficient gas boiler is in good working order.

Medium Term Plan

The agreed steps for this property:

Phase 1: can be carried out at any time pending any relevant consents.

- Recommended: Install approximately 4 kw solar PV to south (garden/rear)-facing main roof and east-facing main roof as per supplier and architect's recommendations for siting and installation. Include battery support.
 - This measure shows a medium-term payback of 10 years with substantial **energy use reduction of around 3,414 kw equal to 12% of the total energy use of the property.**
 - Individual Solar PV installation increases UK off-grid and/or grid energy supply to meet the UK's Net Zero energy goals.
- Recommended: Install a boiler compensator. This augments the existing range of heating controls (thermostat, smart TRVs and programmer). A boiler compensator can reduce energy for space heating by up to 5%.
- Recommended to draughtproof doors leading from the entrance lobby.
- Optional: Replace existing single glazing to window in the entrance lobby with new double-glazed unit to meet a u-value of 1.4 W/m²k or less.
 - This measure shows energy savings of less than 60kw and with an extremely long payback can be considered optional.

Phase 2:

- Existing loft insulation is in moderate repair. Cost to upgrade is increased by boarding installed over the insulation. Recommend to inspect loft insulation periodically and replace/upgrade should the material degrade significantly. Aim for around 250-300mm of high-loft insulation or replace with compressed insulation to achieve a u-value of 0.16 W/m²k.
- Upgrade flat roof insulation when flat roof coverings become due for renewal. Meet Part L building regulations for replacement building elements to achieve a u-value of 0.16 W/m²k for replacement roofs.

Phase 3

- Replace existing boiler with an Air Source Heat Pump (ASHP).
 - Timing to be determined by lifespan of existing boiler. Recommended to replace boiler when performance begins to be reduced and/or maintenance costs increase.
 - Ensure until that time that the boiler is serviced annually.
 - Get quotations from retrofit-specialist suppliers.
 - Carry out any upgrades scheduled for phase 2 prior to installing a heat pump, if possible. (Recommended upgrades will make a modest impact on size of heat pump and radiators)
 - Ensure that heat loss calculations and Noise Assessment are carried out prior to engaging a supplier, in order to confirm any changes to radiators and to confirm location and noise will comply with any permitted development or planning restrictions.
 - Ensure that if required, planning consent is granted prior to installation.
 - Underfloor heating can improve heat delivery on the ground floor though energy use will not necessarily be reduced. Any underfloor heating system should include insulation. The whole must comply with listed building requirements.
 - Alternatively, a 100% radiator solution is achievable for this property. An ASHP is best fitted with a dual or smart meter so that lower-tariff energy bands can be applied.

Any interim changes to plumbing layouts for heating or hot water should take into consideration the future upgrade to an ASHP so that future pipework will be minimized.

ASHP models suitable for retrofit come in several popular configurations. These may provide hot water heating in an integrated unit or they may require a separate hot-water cylinder. Radiators may need to be upgraded.

Ordering of measures and Risk Assessment

The selected phasing and upgrades of all three phases carry only a low level of risk. The risk grade is “C” (highest grade applied) due to the property being listed.

Ventilation risk

If any condensation or mould becomes visible to the inside of the windows, mechanical ventilation or retrofitted trickle vents should be considered; refer to planning guidance.

If the front lobby window is replaced with double glazing, include a trickle vent if allowed according to planning guidance.

Risks for specific measures and additional installation advice:

Solar PV: Planning permission will be required for the solar PV as the building is listed. Buildings in a conservation area can install PV according to permitted development, but listed buildings are not included in permitted development rights. No other risks exist for PV and the panels can be installed at any time as they do not conflict with any other measure.

Flat Roof Insulation: The choice of additional flat roof insulation should be made in the context of access and suitability to the existing construction. There are no risks to be considered in the choice of materials. The target u-value can be met by any number of options including compressed board materials.

Loft Insulation: The choice of loft insulation will depend on the status of the existing insulation at time of replacement. Ensure that insulation is installed so that there are no gaps around the perimeter of the loft and that any boarding is raised above the insulation so that it is not compressed more than recommended by the manufacturer (some types of insulation are made specifically for over-boarding). Installing a layer of insulation over the roof joists as well as between roof joists ensures better continuity and performance than insulation that is only laid between the joists and is recommended to achieve the desired performance. No material constraints, however, natural materials are preferred due to their lower embodied carbon. Ensure that the loft is well-ventilated. with passive vents at opposite ends of the loft being preferable.

Underfloor insulation: UF carries risks if the insulation is being applied in a suspended timber floor context which is the case for this property. Underfloor insulation must be carried out in such a way as to ensure air-tightness between the insulation and the flooring above, but maintaining underfloor ventilation below the insulation. If insulation is laid onto any areas of existing solid floor the risks are substantially less and mainly lie in ensuring no gaps remain between the insulation and existing vertical elements (walls, doors, etc).

Insulation Generally: Any upgrades to improve or install insulation should be made prior to installing a heat pump, as far as possible. This is to ensure that the heat pump is sized properly.

ASHP: Prior to ASHP installation, ensure that the supplier / installer make comprehensive heat loss calculations. A smart meter is preferable to a standard electricity meter. Include regular maintenance with the contract. Note that certain brands have shown superior performance and servicing than others and have provided installers with specialist training for retrofit contexts. As this area is evolving, it is best to review the options at the appropriate time. If a heat pump is not classified as permitted development at the time of considering this installation, planning consent will be required.

Qualifications and Certifications

Insulation in general should be detailed by a PAS 2030-qualified party (qualified supplier, contractor, or registered architect), to ensure PAS 2030 compliance and so that the end result meets performance expectations. Look for Trustmark membership as well.

In the case of mechanical equipment including heating and ventilation, an MSC-certified supplier should be used. Ensure that MSC certification is provided with solar PV and with ASHP installation. A boiler compensator does not require MSC certification.

Windows should be certified to confirm they reach building regulations standards (FENSA or similar).

A Retrofit Consultant is normally recommended to confirm on site that insulation is installed correctly; but in the case of simple roof insulation this can be optional.

Spreadsheet:

The spreadsheet shown on the following page lists the tested measures, ranked according to energy savings, from least to most energy-saving.

The first column shows energy use in kilowatt-hours per annum. Second column shows reduction in cost of energy bills per annum (current EPC / SAP modeling still provides prices according to 2022, so a bespoke calculation to match to 2023 prices is provided in the adjacent column). CO2 emissions are shown in the next column.

Further columns show payback in cost, approximate cost of measure, lifetime of the measure, payback in years and CO2 savings per annum.

These allow an overall comparison.

The groupings on the lower rows combine likely and/or recommended upgrades to understand the impact of grouped measures (groups often improve less as a whole than if they were implemented singly with no other improvements at any time)

The most impactful improvements singly and then in combination are shown in green highlight.

Note that this dwelling is understood to have a layer of insulation installed in the area of the flat roof covering the rear extension, however confirmation cannot be provided in the form of document acceptable for EPC lodgment so this adjustment has been made on the Energy Report which is not publicly lodged.

The current EPC is provided separately.

Project Name: Northchurch Road N1 4EE how much energy is used, the cost of that energy, the carbon footprint and the EPC rating

denotes highly recommended measures

	kwh	2022 £	2023 £	CO2 kg	EPC SAP	EPC C02					
EXISTING PROPERTY adjusted for 50mm insulation to flat roofs	27516	1215	3071	6176	62D	53E					
EXISTING PROPERTY	28543	1252	3170	6398	61D	52E					
SINGLE MEASURES	kwh	2022£	2023 £	CO2 kg	EPC SAP	EPC C02	cost saving/ yr	£ of measure	lifetime of measure	payback in years	CO2 savings per annum
single glazing upgrade to front hall window	27456	1213	3065	6163	62D	53E	6	4500	40	773	13
improve existing loft insulation: remove all boarding, replace or add to existing (recommend replacement) and re-board using supports to ensure boarding does not compress insulation	27117	1200	3032	6090	63D	54E	39	4700	30	121	86
improve existing flat roof insulation: remove roofing and insulate with compressed insulation board or, if possible, insulate on top of existing*	27184	1203	3038	6104	63D	54E	32	5700	30	177	72
both forms of roof insulation upgrade	26783	1188	2989	6018	63D	54E	82	10400	30	127	158
wall insulation throughout (improvement target is the same whether internal or external. Cost is based on external as cost of removal/reinstating of internal fixtures and features not possible to estimate at this time . Includes mechanical ventilation system (Zehnder)	22342	1127	2735	5250	66D	60D	335	46250	40	138	926
Air source heat pump (final size and model to be determined when appropriate but modelled here with a Viessmann 16 KW unit)**	6795	1321	2646	3527	70C	73C	424	8000	20	19	2649
solar PV 2.6 KW facing S and 1.4 KW facing E, including battery	24101	1469	1841	4580	73C	63D	1229	12052	20	10	1596
COMBINED MEASURES	kwh	2022£	2023 £	CO2 kg	EPC SAP	EPC C02	cost saving/ yr	£ of measures		payback in years	CO2 savings per annum
Group A: single glazing upgrade to match + both roof upgrades, compensator for boiler	26342	1172	3123	5923	64D	55D	-53	15250		-290	253
% savings	4	4	-2	4							
Group B: Group A + air source heat pump (no compensator)	6570	1277	2565	3409	72C	74C	505	23250		46	2767
% savings	76	-5	16	45							
Group C: Group A + solar	23415	570	1775	4580	74C	64D	1296	27302		21	1596
% savings	15	53	42	26							
Group D: ASHP + solar (no other improvements)	3381	723	1417	1931	83B	84B	1653	20052		12	4245
% savings	88	40	54	69							
Group E: Group A +ASHP + solar (no compensator)	3156	580	1336	1815	84B	85B	1734	35302		20	4361
% savings	89	52	56	71							

*cost does not include scaffolding est £4000 additional if required

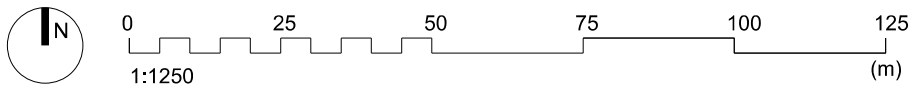
**cost includes BUS grant --if no longer available, est cost £15000

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Project:	53 Northchurch Road, London, N1 4EE
Drawing No:	384 TP 001
Title:	LOCATION PLAN
Scale:	1:1250 @ A4

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Tectonics
 Unit E02, Norway Wharf, N1 5QT
 (t) 020 7249 1934
 (e) studio@tectonics-architects.com
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Iss	Date	Description
2	25.04.2023	Revised Application
1	28.11.2022	Submitted for Planning
0	23.11.2022	Issued for Client Review

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Planning Sub-Committee – 08.05.2024

ADDRESS: 364 Mare Street, Hackney, London, E8 1HR	
WARD: Hackney Central	REPORT AUTHOR: Laurence Ackrill
APPLICATION NUMBER: 2021/1181	VALID DATE: 20/05/2021
DRAWING NUMBERS: Design & Access Statement, Tree Survey and Protection Plan 20_5837_11_02, 492 000, 492 001, 492 002, 492 003, 492 004, 492 005, 492 010, 492 011, 492 020, 492 021, 492 022, 492 100, 492 101b, 492 102b, 492 103b, 492 104b, 492 105b, 492 107b, 492 110b, 492 111b, 492 112b, 492 113b, 492 114b, 492 115, 492 120c, 492 121c, 492 122b, 492 123b, 492 190b, 492 191b, 492 192b	
APPLICANT: Clockwork Pharmacy Group	AGENT: Mr Tristan Morse (Humphreys & Co.)
<p>PROPOSAL: Demolition of infill extensions to create courtyard and mixed use redevelopment, constructing a part two and part four storey building to create 5 new retail units (Use Class E) on ground floor and 5no. residential units on upper floors. Alterations to 364 Mare Street including internal reconfiguration and relocation of access to existing residential units and construction of a mansard roof; reconfiguration includes amalgamation of the existing first floor flats and the extension of one of the existing second floor flats to become a two storey flat. Associated landscaping and creation of bike storage area.</p>	
<p>POST SUBMISSION REVISIONS:</p> <ul style="list-style-type: none"> • Amendments to the ground floor layout involving a re-distribution of retail units and bin / bike storage; • Removal of dedicated 'viewing point' to provide larger retail space, with green roof above; • Internal layouts of residential accommodation; • Alterations to the eastern elevation including fenestration details; • Increase in scale of third floor involving height of 20cm, width of 85cm, and overall depth of 90cm; and • Increase in height of 2nd floor parapet level of 20cm. <p>Giving regard to the Wheatcroft Principles, the substance of the application has not been substantially altered to the extent that determining the application on the basis of the amended plans would result in a fundamental change to the proposed development.</p> <p>In addition, the proposed amendments have been publicly re-consulted on, and therefore determining the application would not result in unlawful procedural unfairness to anyone who commented on the original proposals.</p>	

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RECOMMENDATION SUMMARY:

That the Committee resolve to GRANT planning permission subject to conditions and completion of a Section 106 legal agreement.

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE

Major application	No
Substantial level of objections received	Yes
Council's own planning application (in accordance with the Planning Sub-Committee Terms of Reference)	No
Other (in accordance with the Planning Sub-Committee Terms of Reference)	No

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Yes (Zone D)	
Conservation Area	Yes - Clapton Square	
Listed Building (Statutory)	Within the setting of Grade I & II listed buildings	
Listed Building (Local)		No
Employment Designation		No
Central Activities Zone		No

LAND USE DETAILS:	Use Class	Use Description	Floorspace Sqm
Current	Class E	Retail units	806
	Class C3	4 x flats	161
Proposed	Class E	Retail units	324
	Class C3	8 x flats	721

PARKING DETAILS	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	38 no. cycle parking spaces. (22 residential, 8 commercial & 8 visitor spaces)

1.0 SITE CONTEXT AND PROPOSED DEVELOPMENT DETAILS

Site Context

- 1.1 The application site relates to a three storey former public house, located on the eastern side of the narrow way section of Mare Street. The application site includes the adjoining single storey retail unit to the north of the former public house and the part single, part two storey structures to the rear of the main building and the rear courtyard area.
- 1.2 The existing buildings on site are primarily accessed directly from Mare Street and comprises 2 x retail units at ground floor level with ancillary retail space at ground and first floor level to the rear. The upper floor levels within the former public house comprise 4 x 1 bed 1 person residential flats, with 2 on the first floor and 2 on the second floor.
- 1.3 The application site is located within the Clapton Square Conservation Area, Archaeological Priority Area, the Hackney Central Major Town Centre and Mare Street Primary Shopping Frontage. Approximately 50m due south of the site is the Old Tower of Former Church of St Augustine, which is a Grade I listed building.
- 1.4 The character and appearance of the area is heavily influenced by the historic environment. This includes the site's setting within the Clapton Square Conservation Area (the CSCA) and a number of historically / architecturally important buildings. Notable amongst these is the Old Tower of Former Church of St Augustine, listed at grade I (St Augustine's Tower).
- 1.5 Other historically important features in the vicinity of the site include the neoclassical Old Town Hall listed at grade II, an 18th-century house converted to a vestry hall in 1802 and redressed in stone as a town hall in 1900, which stands adjacent to St Augustine's Tower. St John's Church, dating from the 1790s with an 1820s tower, is listed at grade II*. The brick perimeter wall of St John's Churchyard is listed in its own right at Grade II in two parts.

Proposed Development

- 1.6 Planning permission is sought for construction of a part two and part four storey building to the rear of No.364 to create 4 new retail units to ground floor and 5 residential units above (UNIT MIX) following the demolition of infill and rear extensions. The redevelopment would also create a public courtyard to the rear accessed via a newly created passage to the north of 364 Mare Street. The proposals include alterations to 364 Mare Street Associated landscaping and creation of bike storage area.
- 1.7 The application also includes alterations to 364 Mare Street including internal reconfiguration and relocation of access to existing residential units and construction of a mansard roof; reconfiguration includes amalgamation of the existing first floor flats and the extension of one of the existing second floor flats to become a two storey flat. A commercial unit (Use Class E) would be retained on the ground floor level.
- 1.8 The proposal would result in the loss of a small single storey retail unit at ground floor level to facilitate access to the remodelled / reduced ancillary retail space to the rear of the site, which would now. The courtyard area would also facilitate access to the proposed commercial and residential units and would also provide space for separate residential and retail bin and bike stores.



Fig 2. Existing Street Frontage

2.0 PLANNING AND ENFORCEMENT HISTORY

2.1 The most recent and relevant planning history in relation to the site is as follows:

Planning History

- 2020/2363 - 364 Mare Street, Hackney, London, E8 1HR - Demolition of infill extensions to create courtyard and mixed use redevelopment, providing a part two and part five storey building to create 5 new retail units on ground floor and net 6 additional residential units on upper floors. Alterations to 364 Mare Street including internal reconfiguration and relocation of access to existing residential units and construction of a mansard roof. - Not determined - Appeal reference - APP/U5360/W/21/3270613 - Appeal Dismissed - 04/01/2024. On the ground that the proposal would cause less than substantial harm to the setting of the Grade I listed St Augustine Tower. Given this the Inspector did not go into detail on the Council's reasons for refusal with regard to lack of Section 106 Legal Agreement.
- 2007/1489 - 364 Mare Street, Hackney, London, E8 1HR - Conversion of existing residential unit at first and second floors to provide 3 x self-contained flats (comprising 1 x two bedroom and 2 x one bedroom flats); and rear extension at second floor level. - Granted - 05/09/2007.
- 2007/0091 - 364 Mare Street, Hackney, London, E8 1HR - Conversion of existing residential unit at first and second floors to provide 3 No. self contained flats (comprising 1 x three - bedroom flat and 2 x one- bedroom flats); and rear extension at second floor level. - Refuse - 05/06/2007.

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Enforcement History

- None relevant.

Pre-application Advice

- 2020/0586/PA - Demolition of infill extensions to create courtyard, construction of part three part four storey buildings utilising existing frames to create 8 new retail units on ground floor, and 8 new residential units on upper floors. Alteration to access to existing residential units in front of site and construction of a mansard roof addition - Acceptable in principle, amendments required. - Response issued 06/04/2020.

3.0 CONSULTATION

First Consultation

- 3.0.1 Date Statutory Consultation Period Started: 26 May 2021.
- 3.0.2 Date Statutory Consultation Period Ended: 27 June 2021.
- 3.0.3 Site Notices: Yes (26 May 2021)
- 3.0.4 Press Advert: Yes (04 June 2021)

Second Consultation

- 3.0.5 Date Statutory Consultation Period Started: 28 March 2024.
- 3.0.6 Date Statutory Consultation Period Ended: 26 April 2024.
- 3.0.7 Site Notices: Yes (05 April 2024)

3.1 STATUTORY/LOCAL GROUP RESPONSE

Statutory consultees

- Historic England - Archaeology (GLAAS) - No comments received.
- Historic England - Supports the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 193- 196.
- Natural England - No comment on this application with regards to statutory designated sites.
- TfL / Crossrail 2 Safeguarding - No comments to make on the application.

Internal consultees

- Pollution Land and Air - No objection subject to conditions relating to air quality and dust mitigation during construction works.
- Waste Management - No comments received.
- Traffic and Transportation - No objections subject to conditions and S106 Agreement restricting parking permits for future occupiers.

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- Pollution Noise - No comments received.
- Drainage - No objections subject to the inclusion of a condition regarding drainage layout.

External consultees

- Thames Water - No objections raised. Advise the inclusion of informatives.
- Crime Prevention Design Advisor - No objections raised subject to inclusion of a condition regarding secure by design accreditation.

Local groups

- Clapton CAAC - *We refer to our earlier comment but we consider the scene as whole to be an enhancement to the Narrow Way. We have some hesitation over the silver cladding on the upper storey: due attention should be paid to detailing. OUR EARLIER COMMENT: 2020/2363 Oct 20: The application has a lot to commend it and encompasses some fine details and context-appropriate design. The courtyard is particularly welcome. However, some of the CGIs expose a potential overdominating residential block to the east - which is probably a storey too high.*
- Hackney Society - *Overall the scheme offers a positive improvement to the current situation and over the previous scheme. We welcome the loss of a storey to the rear of the yard and the benefits of that to the churchyard views are clear in the drawings. The restyling of the scheme is more restrained - possibly a little duller and more commercial - than the previous application, but is also probably more realistic.*
- Hackney Swifts Group - welcome the proactive inclusion of green roofs and walls as shown on the drawings and we request that these are a biodiverse type in accordance with the Hackney Local Plan.

This building is in area where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest, so we therefore request that a significant number of integrated swift nestbox bricks, reflecting the relatively large size of the development in this location, are installed near roof level, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and ensure a gain for local biodiversity, in line with Hackney Council's guidance on this issue (Biodiversity Action Plan), and NPPF 2019.

CIEEM provide best-practice advice on numbers of swift bricks (<https://cieem.net/resource/the-swift-a-bird-you-need-to-help/>).

Integrated bat boxes could further enhance biodiversity.

Manufacturer's instructions for the bricks/ boxes may be followed.

4.0 PUBLIC CONSULTATION RESPONSE

- 4.1 The application was first publicised by way of press & site notices displayed in the vicinity of the site and 153 letters. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

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No of individual responses: 15

Objecting: 15

Supporting: 0

- 4.2 Following the submission of amended drawings, a public re-consultation took place with residents who were initially consulted and also with those who originally commented on the application. The number of representations received from neighbours, local groups, etc in response to re-consultation notification and publicity of the application were as follows:

No of individual responses: 8 (from those objecting to the initial proposal)

Objecting: 8

Supporting: 0

- 4.3 The following issues were raised in representations that are material to the determination of the application and are addressed in the report:

- Overdevelopment of the site (see sections 6.29-6.33);
- Loss of daylight / sunlight (see sections 6.39-6.48 & 6.54-6.55);
- Overlooking and loss of privacy (see sections 6.49 & 6.55);
- Overbearing impact / loss of outlook (see sections 6.41-6.43);
- Impact on heritage assets (listed buildings / conservation area) (see sections 6.28-6.35);
- Archaeological impacts (see sections 6.36-6.37);
- Excessive height not in keeping with the character of the area (see sections 6.28-6.35);
- Loss of Class E use / replacement not fit for purpose (see sections 6.6-6.14);
- Poor and substandard form of accommodation / lack of amenity space (see sections 6.51-6.57);
- Construction issues / considerate constructor scheme (see sections 6.66);
- Impact on trees (see sections 6.67-6.68);
- Impact on bats (see sections 6.70-6.71).
- Security issues (*Officer Comment: The creation of residential use in this location would have minor material benefits to the security of the area including increasing activity in what is currently a largely disused backland plot, increased passive surveillance by future residents and the creation of a greater sense of ownership*).
- Lawfulness of existing flats (*Officer Comment: Whilst planning permission was only granted for 3 flats at the site (2007/0091), it appears as though 4 flats have been present at 364 Mare Street since 2010 (on the basis of VOA data) and there is no current enforcement investigation in relation to any unlawful residential units at the site*).
- The drawings are inaccurate (*Officer Comment: The drawings are considered sufficiently accurate in order to fully assess the proposed development. Clarification has been provided by the applicant regarding proposed building heights, including in relation to Wyles House via the submission of a section drawing between the two sites*).

5. POLICIES

- 5.1 National Planning Policy Framework (NPPF 2023)

- 5.2 London Plan 2021

GG1 – Building strong and inclusive communities

GG2 Making the best use of land
GG3 – Creating a healthy city
GG4 – Delivering homes for Londoners
GG5 – Growing a good economy
SD6 – Town centres and high streets
D1 – London’s form, character and capacity for growth
D3 – Optimising site capability through 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
H2 – Small site
H4 – Delivering affordable housing
H10 – Housing size mix
E1 - Offices
E9 - Retail, markets and hot food takeaways
HC1 – Heritage conservation and growth
G1 – Green infrastructure
G4 – Open Space
G5 – Urban greening
G6 – Biodiversity and access to nature
G7 – Trees and woodlands
SI 1 - Improving air quality
SI 2 – Minimising greenhouse gas emissions
SI 4 - Managing heat risk
SI 5 – Water infrastructure
SI 12 – Flood risk management
SI 13 – Sustainable drainage
T1 – Strategic approach to transport
T4 – Assessing and mitigating transport impacts
T5 – Cycling
T6 – Car parking
T7 – Deliveries, servicing and construction

5.3 Local Plan LP33

PP1 - Public Realm
PP3 - Hackney Central and Surrounds
LP1 - Design Quality and Local Character
LP2 - Development and Amenity
LP3 - Designated Heritage Asset
LP6 - Archaeology
LP8 - Social and Community Infrastructure
LP9 - Health and Wellbeing
LP12 - Meeting Housing Needs and Locations for New Homes
LP13 - Affordable Housing

- LP14 - Dwelling Size Mix
- LP17 - Housing Design
- LP26 - Employment Land and Floorspace
- LP32 - Town Centres
- LP33 - Hackney Central and Dalston
- LP37 - Small and Independent Shops
- LP41 - Liveable Neighbourhoods
- LP42 - Walking and Cycling
- LP43 - Transport and Development
- LP45 - Parking and Car Free Development
- LP46 - Protection and Enhancement of Green Infrastructure
- LP47 - Biodiversity and Sites of Importance of Nature Conservation
- LP48 - New Open Space
- LP49 - Green Chains and Green Corridors
- LP51 - Tree Management and Landscaping
- LP53 - Water and Flooding
- LP54 - Overheating and Adapting Climate Change
- LP55 - Mitigating Climate Change
- LP57 - Waste
- LP58 - Improving the Environment- Pollution

5.4 Supplementary Planning Guidance / Documents

- Refuse and recycling storage guidance (2021)
- S106 Planning Contributions SPD (2020)
- Sustainable Design & Construction SPD (2016)
- Technical Housing Standards – Nationally Described Space Standard (2015)
- Residential Extensions and Alterations (REA) SPD (2009)
- Clapton Square Conservation Area Appraisal (2007)

6.0 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning considerations raised by the proposed development are:

1. Background
2. Principle of development and land use;
3. Design and heritage impacts;
4. Impact on residential amenity;
5. Standard of accommodation;
6. Transport considerations;
7. Trees and biodiversity;
8. Sustainability;
9. Waste management;
- 10 Air quality; and
11. Flood risk.

Background

- 6.2 This application follows on from a previous application for the demolition of infill extensions to create courtyard and mixed use redevelopment, providing a part two and part five storey

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building to create 5 new retail units on ground floor and net 6 additional residential units on upper floors. Alterations to 364 Mare Street including internal reconfiguration and relocation of access to existing residential units and construction of a mansard roof. This application was appealed on the grounds of non-determination, but would have been refused permission for the following grounds, as highlighted to the Planning Inspectorate:

- 1. The proposed development, by reason of its bulk, massing, scale, position and visual prominence would result in an incongruous and incompatible form of development which adversely disrupts the established hierarchies of scale of the area and would consequently fail to preserve or enhance the area within which the site is located, to the detriment of the Clapton Square Conservation Area and Grade-I listed St Augustine's Tower. As such the proposed development is contrary to policies D3 (Optimising Site Capacity Through the Design-Led Approach), D4 (Delivering Good Design) and (Heritage conservation and growth) of the London Plan (2021), policies LP1 (Design Quality and Local Character) and LP3 (Designated Heritage Assets) of the Local Plan 2033 (2020) and the guidance contained within Hackney Residential Extensions and Alterations SPD (2009).*
- 2. The proposed works to the roof of the existing former pub building, by reason of inappropriate detailed design, form and massing, would fail to respect the original historic roof form to the detriment of the visual appearance of the host building, wider streetscene and Clapton Square Conservation Area. As such the proposed development is contrary to policies D3 (Optimising Site Capacity Through the Design-Led Approach), D4 (Delivering Good Design) and HC1 (Heritage conservation and growth) of the London Plan (2021), policy LP1 (Design Quality and Local Character) LP3 of the Local Plan 2033 (2020) and the guidance contained within Hackney Residential Extensions and Alterations SPD (2009).*
- 3. The proposed shopfront, by reason of inappropriate design, would fail to preserve or enhance the character and appearance of the Clapton Square Conservation Area to the detriment of the visual amenity of the host buildings and wider streetscene. As such the proposal is contrary to policies D4 (Delivering good design) and HC1 (Heritage conservation and growth) of the London Plan (2021), policies LP1 (Design Quality and Local Character) and LP3 (Designated Heritage Assets) of the Hackney Local Plan (2020) and the recommendations of the Hackney Shopfront Design Guide.*
- 4. The proposed development, by reason of its inappropriate height, scale and mass, would result in an adverse loss of light and overshadowing to 360, 362, 366 & 370 Mare Street and the Augustine Block, including appearing as an overbearing form of development, contrary to policy LP2 (Development and Amenity) of Hackney Local Plan (2020).*
- 5. The proposed development, by reason of the failure to provide contributions towards the provision of affordable housing, and in the absence of a Financial Viability Appraisal demonstrating the maximum reasonable amount of affordable housing has been provided, would fail to make adequate contribution to the provision of affordable housing in the borough. As such the proposal is contrary to policy LP13 (Affordable Housing) of the Hackney Local Plan (2020) and the Supplementary Planning Document: S106 Planning Contributions (2020).*
- 6. The proposed new residential units, by reason of poor natural light provision and layout, would result in an unacceptable standard of residential accommodation, to the detriment of the living conditions of future occupiers. As such, the development is contrary to D6 (Housing quality and standards) of the London Plan (2021); and policies LP1 (Design Quality and Local Character) and LP17 (Housing Design) of the Hackney Local Plan (2020).*

7. *In the absence of any documents outlining carbon reduction measures implemented within the development, the proposal is not considered to meet zero carbon targets, BREAM or sustainability objectives, therefore this proposal is considered contrary to policies SI 1 (Improving air quality), SI 2 (Minising greenhouse gas emissions) and SI 4 (Management heat risk) and policies LP54 (Overheating and Adapting to Climate Change) and LP55 (Mitigating Climate Change) of the Hackney Local Plan (2020).*
8. *The proposed development, in the absence of a legal agreement to secure car-free development, would be likely to promote the use of non-sustainable modes of transport and contribute to air pollution and congestion in the surrounding area, contrary to policy LP45 (Parking and Car Free Development) of the Hackney Local Plan (2020).*
- 6.3 The proposal was subsequently determined at appeal and dismissed, with the appeal Inspector upholding the first reason for refusal, concluding that *“the appeal development would cause less than substantial harm to the significance of the CSCA and of the grade I listed Old Tower of Former Church of St Augustine.”* And that the collective benefits of the proposal would *“not collectively sufficient to outbalance the identified less than substantial harm.”* (Appendix 1)
- 6.4 The appeal Planning Inspector also had “misgivings” over the fifth, seventh and eighth reasons for refusal due to the lack of an up to date viability assessment and the lack of a signed S106 agreement securing the proposal as ‘car free’ and carbon off-set / mitigation measures. However, did not pursue these matters any further given the issue regarding the harm caused to the grade I listed building.
- 6.5 In order to overcome the concerns in respect of this dismissed appeal scheme, the scale of the proposed development has been reduced, removing a storey from the rear of the building to provide a part two, part four storey building with 5 residential units, rather than a part two, part 5 storey building with 6 residential units as previously proposed. The roof extension design to the former public house building at No. 364 has also been reduced, comprising a rear roof terrace rather than an enclosed ‘roof garden.’ As such, the current proposal is materially different to the previous scheme and seeks to overcome the previous reasons the Council would have used to refuse the application.

Principle of development and land use

Loss of retail floorspace

- 6.6 London Plan Policy SD6 states that the vitality and viability of London’s varied town centres should be promoted and enhanced by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses. Local Plan Policy LP32 & LP33 generally resist the loss of retail floorspace and changes of use will not be permitted unless it can be demonstrated that there is no suitable premises available in the designated centres and that there would be no harm to the vitality and viability of these centres. Moreover, policy LP37 of the Local Plan states that the provision of small A1 shop units suitable for small and independent retailers will be supported. Any proposal involving sub-division of an A1 retail unit or partial loss of A1 retail floorspace must demonstrate that the function of the unit will not be materially altered and the future viability of the unit and the centre will not be harmed.

- 6.7 The proposal would result in the loss of a small single storey retail unit at ground floor level to facilitate access to the remodelled / reduced retail space to the rear of the site, which would now provide 4 additional retail units within a 'public' courtyard (Mermaid Yard). Whilst there would be a loss of a retail unit facing Mare Street, this unit is particularly small and therefore provides a limited contribution in terms of an active frontage along the primary shopping parade.
- 6.8 There would also be a relatively minor loss of overall retail floorspace at the site (482sqm). However, this relates largely to ancillary 'back storage' space to the 2 existing retail units at the site. The remodelling of the retail elements at the site would effectively provide for improved retail space for more independent units. As such, the proposed relatively small loss of retail floorspace to facilitate an overall improved element of retail space is considered acceptable in this instance and in accordance with the aforementioned policies. A legal agreement would be required to ensure that it is the responsibility of the owner/occupiers of the site to maintain 'Mermaid Yard' and to ensure public access is retained.
- 6.9 The piecemeal way the site has been developed and its declining condition presents an inefficient use of the land, it is considered that the development represents an opportunity to provide a distinct and high-quality development that would optimise its potential and deliver a sustainable form of development within this strategic location within the town centre.

Class E use

- 6.10 "Class E" was brought about by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the 2020 Regulations). These amended The Town and Country Planning (Use Classes) Order 1987 (the Use Classes Order) and came into force on the 1st of September 2020.
- 6.11 Amongst other things, the 2020 Regulations revoked Class A (Shops) of the Schedule to the Use Classes Order and inserted a new Schedule providing for new classes including Class E (Commercial, business and service). Class E subsumes previous use classes which were specified in the Schedule to the Use Classes Order as Class A1 (Shops), Class A2 (Financial and professional services), Class A3 (Restaurants and cafés) and Class B1 (Office). Given the changes to permitted development legislation, what was previously Class A1 (Shops) is now treated under use Class E.
- 6.12 The Use Classes Order specifies classes for the purposes of section 55(2)(f) of the 1990 Act. Section 55(2)(f) provides that a change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class.
- 6.13 The proposed commercial units would range from 20m² - 71m², including toilet facilities. Separate waste storage facilities would be provided. The use specified for the commercial units is as 'retail' on the floor plans, however, this would fall within Class E where there would be the opportunity to provide a range of different services. The variety in the sizes of space provided for the commercial units would allow for a multi-disciplinary collection of workspaces for businesses of varying sizes. Given the town centre location, all of the potential uses within Class E would be considered acceptable. Regard also needs to be given to the fact that the existing buildings on the site could be used for any purpose falling within Use Class E and would therefore have a similar impact on the locality in terms of vitality and viability of the town centre to that of the existing site circumstances. Moreover, the appeal Planning Inspector considered that the previous scheme, of a similar layout and

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overall level of commercial floorspace provision, would provide an ‘*enhanced retail floor space.*’

- 6.14 Given the above, the proposal would result in an enhanced provision of commercial floorspace that would contribute towards the vitality and viability of the major town centre and primary shopping frontage, in accordance with the aforementioned policies.

Housing delivery

- 6.15 The 2023 National Planning Policy Framework (NPPF) establishes the overarching principles of the planning system, so that sustainable development is pursued in a positive way through the local development plan process. It advocates policy that seeks to significantly boost the supply of housing and requires local planning authorities to ensure their Local Plan meets the full, objectively assessed housing needs for market and affordable housing.
- 6.16 Paragraph 70 notes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 6.17 The addition of 4 residential units would contribute to meet the housing target as set out in London Plan Policy H1 (2021). Moreover, the residential units, when added to the flexible commercial units, would be consistent with the aspirations set out in London Plan Policy SD6 (2021), which seeks to strengthen the vitality and viability of town centres by introducing mixed-use or housing-led intensification schemes that optimise residential growth potential.
- 6.18 Local Plan Policy LP12 which states that ‘the Council will support the development of small sites to meet the housing need. Infill housing development and innovative approaches to housing delivery on small sites will be supported subject to meeting other development plan policies. The proposal would involve the creation of additional residential units in a sustainable location and therefore supported in principle in that regard, subject to meeting other development plan policies.

Housing mix

- 6.19 Hackney LP33 policy LP14 (Dwelling Size Mix) sets out that the preferred dwelling mix for a market housing development is at least 33% of 3 or more bed units and a higher proportion of 2-bed units than 1-bed units. The proposed development would provide 1 x 1 bedroom unit (12.5%), 4 x 2 bedroom units (50%) and 3 x 3+ bedroom units (37.5%). The proposed mix of units would comply with the aforementioned policy.

Affordable housing

- 6.20 Policy LP13 (Affordable Housing) of LP33 requires schemes which fall below the 10 unit threshold to provide on-site provision or payments in lieu up to the equivalent of 50% of housing delivered as affordable housing subject to viability. Ideally the provision would be onsite however, the policy allows for payments in lieu to be secured via a legal agreement, rather than the provision on site. This payment is calculated based on the affordable housing requirements. The newly adopted S106 Planning Contributions SPD requires a

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payment of £50,000 per unit. As such, the contribution for this development would be £200,000 given the proposed uplift of 4 residential units on the site.

- 6.21 The applicants have submitted a viability appraisal which indicates that the development would not make a profit, and therefore a financial contribution cannot be made. The submitted details have been reviewed by the Council's viability consultant who does not agree with this position. Following further discussions with the applicant, it has been agreed that an offsite contribution of £120,000 is to be provided. This would also include the provision of a late-stage review mechanism of the development's viability to ensure that any further affordable housing contributions to bring the total figure up to the policy compliant £200,000 can be provided and would be secured via a s106 legal agreement in the event that the development becomes more profitable.

Design and heritage impacts

- 6.22 Good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 131 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.'
- 6.23 Policies D1, D3 and D4 of the London Plan are relevant and relate to the context of the surrounding area. Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.24 Policy LP1 of the LP33 seeks to ensure developments provide good and optimum arrangement of the site in terms of form, mass and scale as well as identify with and respect the architectural quality and character of the surrounding environment.
- 6.25 Policy LP3 states that development that leads to substantial harm to or total loss of significance of a designated heritage asset will not be permitted unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 6.26 As the site is located within the Clapton Square Conservation Area, a designated heritage asset, and within the setting of grade I and grade II listed buildings, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and setting of listed buildings.
- 6.27 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.



Fig 3. Designated and Non-designated Heritage Assets

Demolition

- 6.28 The structures to the rear of the former public house building and the adjacent single storey retail unit to the north of the aforementioned building are late 20th century additions, are unsympathetic additions and possess very little historical or architectural significance. As such, the removal of these elements is not objected to.

Rear courtyard building

- 6.29 As per the previous application proposal, the proposals would remove poor-quality piecemeal infill development and reintegrate the lost Mermaid Yard into the Mare Street townscape as a public space, emulating the form of historic galleried coaching inns of the sort that the Mermaid Inn may have been. The overall footprint of the built form would be reduced from that currently on the site.
- 6.30 The proposal as part of the previously dismissed appeal comprised 5 storeys in height, exceeding the height of the principal historic thoroughfare on Mare Street. The appeal Planning Inspector as part of the dismissed appeal considered that this “*would disrupt the hierarchy of the townscape, incongruous to this backland location.*” The appeal Inspector also agreed with Historic England’s assessment of the proposal in that “*due to its siting and mass compared to the existing development also create a greater sense of enclosure to the north of St Augustine’s Tower.*” And “*would erode the character of the churchyard, disrupt the legibility of the townscape transition from Mare Street to backland, and change the low-key visual character of the backland site as the backdrop to the tower in views from the south.*”

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- 6.31 The current proposal has been amended to reduce the scale of the courtyard building by one storey, so that it is now 4 storeys in height, rather than 5. The upper most storey of the proposed courtyard building has increased in footprint. However, this level would still be set in from the outer edges of the floors below, appearing as a roof top to the building. This approach would be in keeping both in terms of scale and design to similar blocks of flats within the locality, including Spiller, Blackburn and Wyles Houses that form around Prodigal Square to the rear of the site.
- 6.32 Moreover, Historic England, who objected to the previous scheme, consider the current proposal to be *“legible as backland development to Mare Street by merit of its reduced height and its articulation, and is appropriate to the context”*. The proposal *“would not intrude uncharacteristically in the historic townscape group of listed buildings nor their contribution to the conservation area. At its lower height the proposed development is unlikely to visually compete with or detract from appreciation of the Tower of St Augustine within its setting.”* In addition to this, the Council’s Design and Conservation Officers also support the proposal, subject to the inclusion of conditions relating to the submission of materials and detailed drawings regarding windows and recesses.
- 6.33 As noted by the previous appeal Planning Inspector, the proposed development would create *“the provision of good quality publicly accessible space and enhancements to the built environment, the opening of new public views, including to St Augustine’s Tower, and improvements to the character and appearance of the area that would be brought about by the removal of unsympathetic existing development that has a detrimental effect on the character and appearance of the CSCA and the setting of St Augustine’s Tower.”* Whilst the previously proposed ‘viewing point’ has been removed as part of the current scheme, the gap between the built form on the southern boundary of the site would still facilitate new public views of the Tower.



Fig 4. Visualisation of St Augustine’s Tower from ‘Mermaid Yard’

Mansard roof extension

- 6.34 Similarly to the above, the appeal Planning Inspector noted that *“the proposed roof form would not alter the setting of the surrounding listed buildings, primarily due to intervening*

buildings, both existing and as proposed as part of this development. Although the rear alterations would be reasonably substantial and result in marked change, they would be very much in character with the immediate contemporary context, both existing and proposed.” And that “subject to the use of sympathetic materials, the proposed roof extension would not have a detrimental effect on the character and appearance of the area and host building.” This element has been amended slightly to reduce the overall bulk of the roof extension to the rear, incorporating a rear roof terrace. The design and scale of the roof extension when viewed from Mare Street would appear similar to that of the previous scheme and therefore there are no further objections raised in relation to this element of the proposal.

Shop front alterations

- 6.35 It is noted that the appeal Planning Inspector as part of the previously dismissed scheme considered that *“the proposed shopfront would be a small improvement on the existing arrangement, primarily due to the use of a timber frame to Mare Street. Accordingly, this aspect of the appeal scheme would have a positive effect on the character and appearance of the area and host building, thus enhancing the CSCA’s character and appearance, albeit in a small way.”* The appeal inspector noted that the shopfront could be improved upon by including a ‘stallriser’ and this element has now been included as part of the current design, further improving this element of the scheme. As such, this element would represent an improvement to the current site circumstances.

Archaeological impacts

- 6.36 NPPF Chapter 16 and London Plan Policy HC1 recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 200 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.
- 6.37 Whilst the proposal would not involve significant levels of excavation, it is located within an Archaeological Priority Area. The Greater London Archaeological Advisory Service (GLAAS) have not provided any comments as part of this application. Nevertheless, it is noted that comments were provided by that organisation as part of the previous application at the site and considered that it would be appropriate to include a condition relation to the submission of a stage 1 Written Scheme of Investigation (WSI) and if heritage assets of archaeological interest are identified, a stage 2 WSI shall be submitted. Given the similarities between the previous and current applications, it is also considered appropriate to include a condition in relation to this aspect.
- 6.38 Given the above, the proposed development would have an acceptable impact upon the character and appearance of the host property, the surrounding conservation area and the adjacent grade I listed St Augustine and would not result in harm to these designated heritage assets. The proposal would therefore overcome the previous reason for refusal in relation to this matter and would be in accordance with Policies D1, D3, D4 & HC1 of The London Plan, Policy LP1 & LP3 of the Hackney Local Plan 2033 and the Council’s Shopfront Design Guide SPD.

Impact on residential amenity

- 6.39 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and

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sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

- 6.40 LP33 policy LP2 states that all new developments should not result in any significant adverse impacts to the amenity of neighbouring occupiers. Amenity considerations include the impact of the development on; visual privacy and overlooking; overshadowing and outlook; and sunlight and daylight levels.
- 6.41 It is noted that concerns were raised by the Local Authority as part of the previous scheme in relation to the proposals impact upon neighbouring residential occupiers (Nos. 360, 362, 366 & 370 Mare Street and the Augustine Block) by way of loss of daylight, overshadowing and overbearing impact. However, this concern was not upheld by the Planning Inspector as part of subsequent appeal decision.
- 6.42 The appeal Planning Inspector noted that the submitted details indicated that *“the proposed development would not fully comply with Building Research Establishment (BRE) recommendations, including in respect to sunlight and to outdoor amenity space, areas of non-compliance would be limited and not unusual in an urban location such as this. The BRE guidance is also clear that its numerical guidelines should be interpreted flexibly, given that natural light is only one of many factors in site layout design.”* And that a number of the rooms in question as part of the Daylight and Sunlight Report *“were rooms that are also served by a further window, such that the rooms concerned would continue to be served by acceptable light levels.”* Therefore, *“any effects of the proposed development on light and sense of ‘overbearing’ would be limited.”*
- 6.43 Given that the proposal as part of the current application has been reduced in height by an entire storey and that the roof extension to the former public house building at 364 has also been reduced in bulk, the overall scale of the proposed built form has been significantly reduced. The proposed building would be located approximately 9.35m from the closest point of Wyles House, due east of the application site. As such, the proposal would have less of an overbearing impact than that considered acceptable by the previous appeal Planning Inspector.
- 6.44 In terms of daylight / sunlight and overshadowing impacts, a Daylight and Sunlight Report has been submitted as part of the application, in accordance the Building Research Establishment (BRE) guide ‘Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition’ by P J Littlefair 2011. The BRE guide Diffuse daylight may be adversely affected if after a development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value.
- 6.45 The submitted assessment demonstrates that there would be some impact in terms of daylight / sunlight to neighbouring residential properties, to 13 habitable room windows, including within 360, 362, 366 & 370 Mare Street and Wyles House with regards Vertical Sky Component. Nevertheless, the resulting impact of the proposal would be less than that of the previous application, where the appeal Planning Inspector considered the proposal to have an acceptable impact.
- 6.46 Moreover, in terms of daylight distribution, all rooms with a requirement for daylight pass the Daylight Distribution test, with the exception of windows 4 and 41, which serve bedrooms within 362 Mare Street and Wyles House respectively. Again, it can be understood from the details provided within the updated Daylight & Sunlight Report that the losses in daylight distribution to neighbouring residential windows would be less than that proposed as part of

the previous application, where the appeal Planning Inspector considered this impact to be acceptable.

- 6.47 With regards to overshadowing, the results of the assessment show that at least 76% of amenity spaces would receive at least 2 hours of sunlight on the 21st of March, with the exception of parts of gardens serving Nos. 368 and 370 Mare Street. The current proposal would have less of an impact than the previous application (75%) where the appeal Planning Inspector considered the proposal to have an acceptable impact.
- 6.48 Overall, in terms of the impact of the proposal on daylight / sunlight and overshadowing, whilst there would be some impacts that would not strictly comply with the BRE guidelines, there would be insufficient grounds to warrant refusal of the application in this regard, taking into account the reduced scale of the current proposal and the appeal Planning Inspectors comments as part of the previous application at the site.
- 6.49 In terms of overlooking and loss of privacy, the upper floor windows within the development facing east towards Wyles House would be angled and positioned so that they would not facilitate direct views towards habitable room windows or private amenity areas of occupiers within that building. The proposed roof terrace to the top storey of the new building to the rear would face internally within the new courtyard area. Similarly, the proposed roof terrace to No. 364 and the windows facing west would face into the proposed courtyard area and would be at angles / positions so as not to unduly overlook existing neighbouring habitable room windows or amenity areas.
- 6.50 Overall, the proposed development would not have a significant effect on the living conditions of neighbouring occupants. Accordingly, in that regard, the proposed scheme would not conflict with Policy LP2 (Development and Amenity) of the Hackney Local Plan.

Standard of accommodation

- 6.51 London Plan Policy D6 requires housing developments to be of high quality design, providing comfortable and functional layouts, benefiting from sufficient daylight and sunlight, maximising the provision of dual aspect units and providing adequate and easily accessible storage space as well as outdoor amenity space. Table 3.1 sets out the internal minimum space standards for new developments, while Table 3.2 of the London Plan provides qualitative design aspects that should be addressed in housing developments.
- 6.52 For any residential development, proposals need to provide adequate and reasonable standards of accommodation to the occupants of the units. The Technical Housing Standards, GLA's Housing SPG, London Plan Policy D6 and Hackney Local Plan Policy LP2 contain various guidance and requirements that the unit would be required to ensure this is achieved.
- 6.53 In assessing the proposal against minimum space standards the scheme meets such requirements for the majority of the proposed units, with the unit sizes set out below. The minimum standards prescribed for individual rooms, as per the London Housing Design Guide, also conform to standards. Whilst Flat 3 would not meet the requirement, this relates to an existing flat and the proposal would provide a better standard of accommodation than the existing site circumstances for those occupiers in terms of overall floorspace provision.

No.364

Flat 1. (renovated) 65m² for 2 bedroom, 3 person unit (61m² required)

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Flat 2. (replacement) 43m² for 1 bedroom, 1 person unit (37m² required)
Flat 3. (replacement) 84m² for 3 bedroom, 5 person unit (93m² required)

New Build to rear of No.364

Flat 4. 121m² for 5 bedroom, 7 person unit (112m² required)
Flat 5. 66m² for 2 bedroom, 3 person unit (61m² required)
Flat 6. 81m² for 3 bedroom, 4 person unit (74m² required)
Flat 7. 66m² for 2 bedroom, 3 person unit (61m² required)
Flat 8. 84m² for 2 bedroom, 4 person unit (70m² required)

- 6.54 It is noted that the appeal Planning Inspector as part of the previous application at the site accepted that the submitted *“the Daylight and Sunlight Report (Within Development) indicated that all proposed habitable rooms would comply with the minimum Average Daylight Factor Targets and thus satisfy the BRE daylight standard in that regard. The report indicated that while most of the proposed living rooms would comply with the sunlight hours test, three would not. Of these three proposed units, only one would have only north facing windows. Bearing in mind the BRE guidance referred to in the evidence, particularly the example layout where 1 out of 5 apartments have only north facing windows, the proposed arrangement appears to be reasonable in terms of offering acceptable natural light. The overall internal and external layout does not appear to be unreasonable or inappropriate in a dense urban context such as this, in terms of providing acceptable living conditions for occupants of the development.”*
- 6.55 The proposed development has not changed significantly in terms of the overall layout of the residential units. The reduction in the scale of the development would ultimately improve the levels of daylight / sunlight received to each residential unit. The proposed units would largely be dual aspect and would therefore benefit from sufficient levels of outlook and daylight and also designed to provide adequate floor to ceiling heights. An internal Daylight / Sunlight Assessment has been submitted, which states that all rooms meet or surpass the BRE Average Daylight Factor targets, whilst only 11% of living rooms are served with only north facing windows. There would be a level of mutual overlooking within the development, however, this would be limited to a small number of units and would not warrant refusal of the application.
- 6.56 Only two out of the eight residential units would have private amenity space; Flats 3 and 8. This would not comply with the GLA Housing SPG states that a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant. Whilst the courtyard would afford a degree of amenity space, as this is public space it would not mitigate the lack of private space. Despite this, given the constraints of the site, its location, and its proximity to areas of Local Open Space, including St Johns Square, Clapton Square and Hackney Downs and that there are already 4 residential units on the site without any existing areas of amenity space, the shortfall is considered acceptable in this instance.
- 6.57 Given that the proposal is not a major application, providing less than 10 residential units there would be no policy grounds to reasonably require an open space contribution. It is also noted that the Planning Inspector as part of the previous application at the site did not raise any concerns in terms of a similar provision of private amenity space.

Inclusive access

- 6.58 London Plan Policy D5 requires all new development to achieve the highest standard of accessible and inclusive design, seeking to ensure new development can be used easily and with dignity by all. London Plan Policy D7 requires that 10% of new housing is wheelchair accessible and that the remaining 90% is easily adaptable for residents who are wheelchair users. As set out in Approved Document M of the Building Regulations, Volume 1: Dwellings, to comply with requirements M4(2) or M4(3), step-free access into the dwelling must be provided.
- 6.59 The proposed residential units within the block to the rear of the site would incorporate a lift and therefore would be provided with step-free access. The residential units within the former public house would not be provided with step free access. However, it is noted that the existing units within that building do not currently benefit from step free access. Given the overall level of floorspace that building provides, it would be unreasonable to insist on the inclusion of a lift within that building and therefore acceptable in this regard.
- 6.60 Overall, the proposed development would provide acceptable living conditions for its occupants, having particular regard to outlook, daylight, privacy and amenity. Consequently, in that regard, the proposed scheme would not conflict with Policy D6 (Housing quality and standards) of the London Plan 2021 and Policies LP1 and LP17 (Housing Design) of the HLP.

Transport considerations

- 6.61 The site is situated on a pedestrianised section of Mare Street, which is referred to as the Narrowway. The pedestrian and cycle zone provides access to a number of commercial properties. There are active frontages on both sides of the highway. The Narrowway is approximately 220m on a north to south alignment between the junction with Bohemia Place and the A107 Lower Clapton Road. The Public Transport Accessibility Level (PTAL) of the site is rated as 6b (on a scale of 1-6b, where 6b is the most accessible). Hackney Central overground station is situated approximately 250m to the south of the proposed development. The site is located within close vicinity of a number of bus services with a number of bus stops situated on A107 Amhurst Road. The proposed development would be accessed either directly from Mare Street or via a new paved pedestrian route between Nos. 364 and 366. There would be no parking on the site and no vehicle access into the internal courtyard.

Car Free

- 6.62 The development is proposed to be car-free, so that future occupants will not be eligible for Controlled Parking Zone parking permits, ensuring that the development will not result in additional parking pressure on the surrounding highway network but will rely on more sustainable modes of transport. This is in line with LP45 (Parking and Car-Free Development) of LP33 and the London Plan. Were permission to be granted, a car-free development would be secured via a S106 Agreement.

Servicing

- 6.63 The applicant has submitted a Transport Statement (TS) as part of the application which has been reviewed by the Council's Transport Officers. As the TS states, all access for vehicles is restricted and monitored by enforcement cameras. Loading and servicing is permitted along Mare Street between Monday – Sunday, except between 10am - 6pm.

- 6.64 The TS states that the anticipated trip generation for the proposed development will be inherently sustainable given the nature of the development and its location. The application does not provide a detailed description or breakdown of the predicted trip generation. Given the reduction in commercial floorspace at the site, it is likely that the potential trip generation created by the proposal would be similar, if not less than what the existing site circumstances could produce. As such, the proposal would be acceptable in this regard.

Cycle Parking

- 6.65 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. The proposed cycle parking provision is based on the current London Plan 2021 Cycle Parking Standards. Cycle parking would also be provided in line with Hackney's Sustainable Transport SPD. This would include 38 no. cycle parking spaces in total, with 22 dedicated towards the residential element, 8 for the commercial & 8 visitor spaces. A condition is to be attached to ensure that the cycle parking / storage provision is retained in compliance with the aforementioned SPD.

Construction Management

- 6.66 Given the nature of the site and proposed development a detailed construction management plan (CMP) which includes measures to mitigate negative impacts on the surrounding highway network is required and would be attached via condition to any permission granted. To ensure this can be adequately monitored by the Council's highways team a monitoring contribution would be secured via S106 legal agreement in the event that planning permission is granted. This would also include the requirement for the developer to register with the Considerate Constructors Scheme.

Trees, landscaping and biodiversity

Trees

- 6.67 London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.
- 6.68 It is noted that there are a number of trees due south of the site. These are all mature, category B trees. No trees are proposed to be removed as part of the proposed development and the root protection areas of aforementioned trees would be located outside of the site. Tree protective fencing would be installed to ensure that the trees would be unaffected during construction works and is to be secured by way of condition.

Landscaping

- 6.69 Policy G5 of the London Plan and LP46 of Local Plan 33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space. The existing development site is heavily built upon, with no existing areas of open space or trees. Therefore, the proposal would not result in the loss of any open space. The proposal would comprise green roofs and green walls. Given the nature and scale of the

proposal and acknowledging that the development would not result in a net loss of biodiversity, the level of landscaping maintained within the surrounding area is considered acceptable in this instance.

Biodiversity

- 6.70 Policy G6 of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy LP47 of LP33 reinforces this policy, stating that all development should protect and where possible enhance biodiversity leading to a net gain. In order to help preserve endangered urban biodiversity and result in protection of biodiversity values, given that the eaves height of the development will be greater than 5m, it is considered that swift and bat boxes should be provided. This will be required as a condition of permit in the event that planning permission is granted.
- 6.71 It is noted that concerns have been raised as part of the public consultation in relation to the impact of the proposal on bats. However, a preliminary roost assessment survey has been submitted as part of the application which concludes that the existing buildings on the site have a negligible habitat value for roosting bats and bats are very unlikely to be roosting within the buildings. As such, there are not anticipated to be any impacts on bats as a result of the proposed works.
- 6.72 The application was submitted prior to the adoption of mandatory biodiversity net gain (BNG) requirements for small sites. However, given the extensions would take place above 5 metres in height, a condition is to be attached requiring the installation of a bee brick and bird nesting box.

Sustainability

- 6.73 LP55 (Mitigating Climate Change) of LP33 requires all new residential developments meet a zero carbon emissions target emission rate in line with the London Plan energy hierarchy and Sustainability and the Built Environment SPD. In reducing carbon emissions, residential development should aim to achieve 10% through energy efficiency measures alone.' In the event that zero carbon emissions are not met, a payment to offset the shortfall is required. This is calculated based on the per tonne of carbon to be offset, with a value of £2,850 per tonne of carbon to be offset.
- 6.74 A development of this scale would be expected to comply with building regulations to ensure the statutory requirements to reduce pollution, energy and carbon emissions are met. The development would be required to demonstrate that it incorporates efficiency measures. The proposal would include the provision of photovoltaic (PV) panels.
- 6.75 An Energy and Sustainability Strategy has not been submitted as part of the application. As such, in the event of planning permission being granted, a carbon offset would be secured via S106 Agreement being £1,000 per the creation of each additional new unit, totalling £5,000.

Waste management

- 6.76 Locations for refuse/recycling storage for both the commercial and residential elements of the development have been shown on the submitted plans and details of the proposed arrangement provided. These elements would be located separately.

- 6.77 The residential element of the proposal would require an overall capacity of 1,600 litres. This could be accommodated through the provision of 3 x 1,100 litre eurobin containers or 7 x 240 litre wheeled bins, both of which could be accommodated within the dedicated space shown on the floor plans.
- 6.78 The commercial element of the proposal would be required to provide 5,000 litres per 1,000m² of floorspace. This would equate to approximately 1,000 litres for the proposed retail space. Again, this could be adequately accommodated within the designated waste storage space as shown on the proposed floor plans.
- 6.79 The refuse storage area would be located at ground floor level and would be no further than 30 metres from each residential unit and would be within the maximum drag distance of 15m between the refuse storage area and the servicing location on Mare Street. It is also noted that no concerns were raised in relation to the location of refuse as part of the previous application by the Planning Inspector as part of the dismissed appeal. As such, it is considered that adequate information has been provided to confirm that adequate storage of waste could be accommodated, in accordance with the Hackney Refuse and recycling storage guidance.

Air quality

- 6.80 It is a relevant policy consideration to protect local air quality and human health. The production of air pollutants shall be kept to a minimum during the course of building works and during the lifetime of the development.
- 6.81 It is recommended that a standard condition be imposed on any permission granted requiring all non-Combined Heat and Power (CHP) space and hot water fossil fuel boilers to achieve dry NO_x emission levels equivalent to, or less than, 40 mg/kWh. A condition requiring compliance with this requirement prior to occupation should be imposed if granted. Compliance would ensure that the development achieves required air quality levels.
- 6.82 The Council's Environmental Health Team have been consulted as part of the application and consider that the submitted air quality assessment (AQA) is satisfactory. If planning is approved then an air quality and dust mitigation and management section must be included within the construction management plan based upon the construction dust assessment outcomes in the AQA and in line with relevant guidance. This is to be attached by way of condition.

Flood risk

- 6.83 The site is located within Flood Zone 1 which has a low probability of flooding from rivers and the sea and is not located within a Critical Drainage Area. The site is also shown to have a low risk of surface water flooding. The proposal would not involve significant levels of excavation and would reduce the overall level of built form in terms of footprint. There would be no change in the existing use of the site/flood risk vulnerability classification. As such, it is not anticipated that the risk of flooding will increase on or offsite as a result of the proposed works.
- 6.84 However, policy LP53 (Water and Flooding) of LP33 requires all development to have regard to reducing flood risk, both to, and from the site, over its expected lifetime and should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy.

- 6.85 The Council's Drainage Officers have been consulted as part of the application and have raised no objections to the proposed development, subject to the imposition of a condition relating to the submission of detailed specification and a drainage layout of sustainable drainage systems.

Planning balance and conclusion

- 6.86 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations. The determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 6.87 In respect to addressing the benefits of the proposed development, the comments raised by the Planning Inspector as part of the dismissed appeal in relation to the site are a material consideration. The Inspector considered that *"the proposed development would bring a number of public benefits. These include the provision of new housing and enhanced retail floor space in a sustainable location, the benefits associated with the construction process and additional residents, biodiversity and planting benefits, the provision of good quality publicly accessible space and enhancements to the built environment, the opening of new public views, including to St Augustine's Tower, and improvements to the character and appearance of the area that would be brought about by the removal of unsympathetic existing development that has a detrimental effect on the character and appearance of the CSCA and the setting of St Augustine's Tower."*
- 6.88 The same public benefits would largely be realised with the current proposal, albeit there would be a small reduction in the number of residential units proposed from that of the previous application. The proposal would no longer include a dedicated 'viewing point', but would still open new public views of the Tower. Moreover, the proposal is no longer considered to result in harm to the setting of St Augustine Tower and would therefore overcome the one reason for refusal that was upheld at appeal by the Planning Inspector. The current proposal has not introduced any new elements that were not considered as part of the previously dismissed scheme. In addition, the proposal would now include an off-site affordable housing contribution of £120,000, which would also represent a significant public benefit and carries significant weight in favour of the proposal.
- 6.89 The proposed development involving the retention of the retail use, although with a reduced floor space, would result in a more usable retail offering and is considered acceptable. It would provide an active frontage and being of a size and quality to support a range of potential different types of uses within Class E, contributing to the vitality and viability of the Major Town Centre and Mare Street Primary Shopping Frontage.
- 6.90 The design of the proposed buildings, extensions and alterations are considered to be acceptable in the context of the existing site, as such collectively serving to broadly have a neutral effect on the character and appearance to this part of the conservation area, ensuring it is preserved; with certain individual elements serving to improve the appearance of the site, such as the proposed new shop front. The proposal would also preserve the setting of the nearby grade I listed building of the Old Tower of Former Church of St Augustine.
- 6.91 The siting, volume and design of the buildings and extensions as well as the separation distances to neighbouring properties are considered to be satisfactory to protect the amenities of the neighbouring occupiers.

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- 6.92 The scheme would provide additional housing units of an acceptable quality of residential accommodation for future occupiers, including family sized units in a sustainable and accessible location. The proposal would also provide an off-site affordable housing contribution.
- 6.93 The development would have an acceptable impact upon on-street parking and highway safety. The development would make for appropriate reductions in carbon emissions, through the payment of carbon off-set contributions.
- 6.94 The proposed development, on balance, complies with the with relevant policies in the Hackney Local Plan (2033), the London Plan (2021) and the NPPF (2023), and is recommended for approval subject to conditions and the completion of a Legal Agreement. All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

Heads of Terms

The following heads of terms would be secured in the event of an approval via the Legal Agreement:

- Affordable Housing Contribution: £120,000
- Late Stage Financial Viability Review: Up to £200,000
- Carbon Offset Contribution: £5,000
- Construction & Logistics Management Plan Monitoring fee: £8,750
- Car Free
- Considerate Contractors
- Maintain Mermaid Yard and retain Public access to Mermaid Yard (during trading hours only)
- Payment of monitoring of the S106 legal agreement : £7,770
- Payment of Council's legal fees

7.0 Community Infrastructure Levy

- 7.1 Given that the proposal creates nine new units, the application is liable for the Mayor of London's Community Infrastructure Levy and Hackney's CIL. The amount of the CIL is calculated on the basis of the amount of net additional internal floor space.
- 7.2 The London Mayoral CIL has a rate of £60.00 per square metre of floor space. The site is located within Zone A under the Hackney CIL, which has a rate of £190.00 per square metre of floor space for residential uses. Based on the increase in residential floor space of 560sqm, the London Mayoral CIL is £33,600 and the Hackney CIL is £95,950 (combined CIL of £126,250).
- 7.3 Please note this is an estimate only and these amounts are subject to indexation. Any liability notice will reflect rates applicable at the time a planning decision is made.

8. RECOMMENDATION A

- 8.1 That planning permission is GRANTED, subject to conditions and completion of s106 Agreement.

9. Planning Conditions and Informatives

Conditions

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

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

2. 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. Notwithstanding the approved drawings and documents, detailed drawings and full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. The development shall not be carried out otherwise than in accordance with the details thus approved:

a) Details of all new and replacement windows in the form of a 1:20 scale elevation drawing of each window type showing the glazing pattern and 1:5 scale vertical and horizontal cross section drawings showing the upper and lower stiles, the meeting rails, the dimensions of the glazing, the profile and dimensions of the glazing bars, spacers and recesses (if any).

A 1:5 elevation drawing shall be provided of any window details, particularly window horns (if any);

b) Details of the new shopfront to Mare Street in the form of a 1:20 elevation drawing showing the glazing pattern together with a 1:20 section drawing from ground to first floor showing the construction of the shopfront, stallriser, cill, transoms and mullions, transom lights, cornice, fascia and any console brackets;

c) Details of the new shopfronts to the courtyard in the form of a manufacturer's specification and illustration or similar showing the material and dimensions of the frames;

d) Details of all new and replacement doors in the form of a 1:20 scale elevation drawing of each door type showing the glazing (if any) and panel pattern;

e) Details of the proposed dormer windows to the front and rear of the new mansard extension in the form of a 1:20 vertical and horizontal section showing the location of windows within the dormer and the build-up materials and dimensions of the dormer cheeks;

f) Details of all materials, including brick bonds and pointing style to both new and existing buildings;

g) Details of the party wall buildup including the brick bond;

h) Details of the planting and maintenance schemes for the planted elements in the new buildings;

i) Details of the proposed artwork in the form of an image and details of material and execution.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building

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4. No soil stacks, soil vent pipes, plumbing, pipes, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building

5. No new grilles, satellite dishes, aerials, metre boxes, security alarms, lighting, security or other cameras or other fixtures or plant shall be mounted on the external faces or roof of the building other than those shown on the drawings hereby approved

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building

6. All new and replacement external rainwater and soil pipes shall be of traditional design, formed in cast iron and painted black.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building

7. All new, rebuilt and reinstated brickwork shall be bedded, pointed and rendered using a lime based mortar consisting of 1 part lime to 3 parts sand. Cementitious mortars shall not be used. Pointing shall be in a slightly (2/3mm) recessed style and not flush, bucket handle, ribbon, weather struck or raised pointing.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

8. No development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period.

a) Details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase) and details of air quality and dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete);

b) A demolition and construction traffic management plan to include the following:

- the construction programme/ timescales;
- the number/ frequency and size of construction vehicles;
- construction traffic route;
- location of deliveries;
- pedestrian and vehicular access arrangements;
- any temporary road/ footway closures during the construction period;

c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;

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

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9. Prior to first occupation of each phase the development of a Delivery Service Plan (DSP) shall be submitted for approval to the Local Planning Authority for that phase and the measures outlined within the DSP shall be implemented thereafter.

REASON: To ensure that the development can be adequately serviced without detriment to the amenity and highway safety of the surrounding area.

10. At least 10% of all dwellings across all tenure types within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

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

11. 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.

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. Where appropriate, details of a programme for delivering related positive public benefits.

C. 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 protect any subsurface archaeological remains within this Archaeological Priority Area.

12. 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 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.

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13. Before occupation/use of the development a post-development verification report will be produced to the satisfaction of and approved in writing by the Local Planning Authority. The verification report must fully set out any restrictions on the future use of a development and demonstrate that arrangements have been made to inform future site users of the restrictions. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Contaminated Land Officer must receive written notification at least five days before development and remedial works commence. Subject to written approval by the Local Planning Authority, this condition may be varied, or discharged in agreed phases. Any additional, or unforeseen contamination encountered during the course of development shall be immediately notified to the Local Planning Authority and Contaminated Land Officer and all development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Local Planning Authority, where development has ceased in the affected area, it shall recommence upon written notification of the Local Planning Authority.

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

14. Details of refuse and recycling enclosures, showing the design, external appearance and location thereof, shall be submitted to and approved by the Local Planning Authority, in writing, before construction commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure sufficient provision of waste and recycling facilities on site.

15. Prior to occupation/use of the development hereby approved a policy compliant cycle parking plan is required, which shows details of layout, foundation, stand type and spacing of cycle parking.

The storage spaces and stands must be provided prior to the occupation of the dwelling and kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure adequate provision for the safe and secure storage of bicycles, to promote sustainable modes of transport and in the interest of safeguarding highway safety.

16. The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

REASON: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance.

17. Prior to occupation of the relevant part of the development, a detailed Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority, setting out measures to mitigate any noise, disturbance and wider impacts, arising from the uses and areas of the following parts of the development:

- The commercial units
- Open public realm courtyard

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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 that occupiers of neighbouring premises do not suffer a loss of amenity by reason of general disturbance.

18. Prior to the commencement of any phase of development, the tree protection measures as detailed within the submitted Arboricultural Impact Assessment 20_5837_11_02, including the methodology to protect retained trees during demolition and construction, shall be implemented and shall be maintained throughout the entire construction period. The development shall not be carried out other than in accordance with the details thus approved, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that any risk of damage to trees during construction is minimised.

19. Prior to the commencement of the relevant part of the work, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed layout, cross sections (scale 1:20), full specifications and a detailed management and maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat. 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, to enhance the performance and efficiency of the proposed building and assists in the meeting the Local Development Framework Core Strategy objective of reducing carbon emissions.

20. Prior to superstructure works, detailed specification and a drainage layout of at least one suitable sustainable drainage systems (i.e. water butt with overflow, raingarden, bioretention planter box, living roof (substrate depth of 80-150mm excluding the vegetative mat), permeable paving, etc.) shall be submitted to, and approved by the LPA, in consultation with the LLFA. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried out to ensure that the capacity of the soil is suitable for infiltration. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in peak flow rate and volume.

REASON: To ensure that the development will provide a sustainable drainage system. The condition is required to be discharged prior to the commencement of development to ensure that sustainable drainage is incorporated into the design of the development.

21. All non-Combined Heat and Power (CHP) space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers installed as part of the development hereby approved shall achieve dry NO_x emission levels equivalent to or less than 40 mg/kWh.

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

22. The flat roofs of the development hereby approved shall not be used as a terrace, balcony or similar amenity area.

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REASON: In the interests of neighbours amenity.

23. The development hereby approved shall provide two bee bricks and two swift boxes close to the eaves prior to first occupation and shall be retained as such in perpetuity.

REASON: In the interest of biodiversity.

24. The development hereby approved shall provide a minimum of two bat boxes positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, prior to first occupation and shall be retained as such in perpetuity.

REASON: In the interest of biodiversity.

25. Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

REASON: To ensure the safety and security of the development.

RECOMMENDATION B

That the above recommendation be subject to the landowners and their mortgagees enter into a Legal Agreement by means of a legal deed in order to secure the following matters to the satisfaction of the Director of Legal Democratic and Electoral Services:

- Affordable Housing Contribution: £120,000
- Late Stage Financial Viability Review: Up to £200,000
- Carbon Offset Contribution: £5,000
- Construction & Logistics Management Plan Monitoring fee: £8,750
- Car Free
- Considerate Contractors
- Retain Mermaid Yard and to retain Public access to Mermaid Yard (during trading hours only)
- Payment of monitoring of the S106 legal agreement : £7,770
- Payment of Council's legal fees

RECOMMENDATION C

That the Sub-Committee grants delegated authority to the Director, Environment and Climate Change and Assistant Director Planning & Building Control (or in their absence either the Growth Team Manager or Development Management & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions or legal agreement as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

Informatives

The following standard informatives should be attached to the decision notice:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements

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- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.18 Tree Preservation Orders
- SI.25 Disabled Person's Provisions
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water RE: Waste and water management
- SI.33 Removal of Asbestos
- SI.34 Landscaping
- SI.40 Application for Advertisement Consent
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- SI.50 Section 106 Agreement

Signed..... **Date**.....

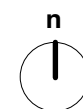
Natalie Broughton
Assistant Director of Planning & Building Control

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies.</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report.</p>	<p>Laurence Ackrill +2297</p>	<p>2 Hillman Street, London E8 1FB</p>

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revisions:
* - 07.08.20 planning application



no : 492 000

title: existing site location plan

job: mermaid yard

scale: 1:1250 @ A3

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Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0204	1 Digby Crescent, N4 2HS	Householder Planning	Erection of a single storey rear extension; stepped side extension; alterations to the fenestration; excavation of a front lightwell and basement extension.	Catherine Nichol	Brownswood	Delegated	Refuse	28-03-2024
2024/0309	Brand Close, N4 2LU	Works to Tree with Preservation Order	T1 (TPO 13 2005) Sycamore: Remove ivy; reduce overall crown by up to 30% or 2.5 metres and lateral growth by up to 2m; maintain even and flowing canopy outline. T2 (TPO 13 2005) Mature Lime : Remove ivy to ground level; reduce upper canopy by up to 50% or 9m; remove all dead and defective branchwood.	Eugene McGee	Brownswood	Delegated	Grant	25-04-2024
2024/0074	Flat 2, 60 Gloucester Drive, N4 2LN	Full Planning Permission	Erection of a single storey outbuilding in rear garden.	Micheal Garvey	Brownswood	Delegated	Granted - Extra Conditions	10-04-2024
2023/1628	Flat 4, 73 Queens Drive, N4 2BG	Full Planning Permission	Replacement of existing single-glazed UPVc framed windows with double-glazed, sliding sash, Scandinavian pine framed windows.	Jonathan Bainbridge	Brownswood	Delegated	Grant	11-04-2024
2023/2828	Flat A, 65 Digby Crescent, N4 2HS	Full Planning Permission	Installation and excavation of a lightwell at the front elevation and associated installation of a window at the basement level.	Jonathan Bainbridge	Brownswood	Delegated	Grant	05-04-2024
2024/0292	Flat C, 82 Queens Drive, N4 2HW	Works to a Tree in Conservation Area Notification	T1 Salix babylonica (Weeping Willow) Prune back to previous points to contain crown and root activity due to growing close to neighbours building. Remove x 1 stem due to crossing/rubbing to avoid limb failure. T2 Prunus sp. (Cherry) Reduce height by up to 1m due to tree starting to lean over the past year and to contain crown and root activity. T3 Sorbus aucuparia (Rowan) Reduce height by up to 1m in height and lateral growth to contain due to close proximity to house	Leif Mortensen	Brownswood	Delegated	No Objection	25-04-2024
2024/0138	Flat D, 33 Alexandra Grove, N4 2LQ	Certificate of Lawful Development Existing/Proposed	Lawful development certificate for existing roof terrace.	Jessica Neeve	Brownswood	Delegated	Grant	25-03-2024
2024/0283	Flats 2 And 3, 58 Gloucester Drive, N4 2LN	Full Planning Permission	Excavation of the existing non-habitable basement/cellar to create front and rear lightwells to facilitate the enlargement of flats 2 and 3.	Danny Huber	Brownswood	Delegated	Granted - Standard Conditions	09-04-2024
2024/0217	Ground Floor Flat, 16 Digby Crescent, N4 2HR	Discharge of Condition	Discharge of condition 3 (materials to match), 4 (SuDs), 5 (flood resilience and resistance) pursuant to planning approval 2021/2109 granted 31/08/2021 for the proposed works consist of a light well and single storey rear and side infill extension.	Erin Glancy	Brownswood	Delegated	Grant	22-03-2024
2024/0324	Phases 3 & 4, Kings Crescent Estate Queens Drive, N4 2SY	Non-Material Amendment	Non material Amendment to planning permission 2019/1969 dated 27 July 2023, to delay the trigger of condition 14 (Contaminated Land) to allow works of demolition and site clearance prior to the submission of details.	Nick Bovaird	Brownswood	Delegated	Granted - Extra Conditions	23-04-2024
2024/0447	Shanraj Limited, 314 Seven Sisters Road, N4 2AP	Full Planning Permission	Redevelopment and change of use of existing filling station (sui generis) involving the demolition of existing pump islands, canopy, laundrette building and infill underground tanks, to facilitate the creation of an electric vehicle charging hub (sui generis) including ten bays with charging posts, substation and associated infrastructure	Laurence Ackrill	Brownswood	Delegated	Grant	22-04-2024
2024/0357	120 Osbaldeston Road, N16 6NJ	Discharge of Condition	Submission of details pursuant to conditions 4 (Bee Brick / Nesting Box), 5 (Drainage Layout) & 6 (Flood Resilient Construction Details) of planning permission 2023/2432, dated 11 December 2023	Laurence Ackrill	Cazenove	Delegated	Grant	16-04-2024
2024/0380	16 Belfast Road, N16 6UH	Discharge of Condition	Submission of details pursuant to Condition 3 (Groundwater Flooding & Drainage) attached to planning permission ref 2023/2668 dated 16/02/2024.	Livi Whyte	Cazenove	Delegated	Refuse	18-04-2024
2024/0174	23 Lampard Grove, N16 6XA	Prior Notification - Larger Home Extension	Prior approval for a larger homes extension for the erection of a single storey ground floor rear extension measuring up to 5.0m in depth, 3m height to eaves, and 3m maximum height from ground level	Matthew Hollins	Cazenove	Delegated	Prior Approval Not Required	25-04-2024
2024/0453	31 Durlston Road, E5 8RP	Householder Planning	Demolition and replacement of the existing single-storey ground infill floor rear extension.	Jonathan Bainbridge	Cazenove	Delegated	Grant	18-04-2024

Delegated Decisions by Ward 21-03-2024 to 25-04-2024.xlsx

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0209	31 Firsby Road, N16 6PX	Discharge of Condition	Submission of details pursuant to condition, 3 (Suds) of planning permission 2023/2692 dated 17/01/2023	Micheal Garvey	Cazenove	Delegated	Grant	28-03-2024
2024/0185	40 Chardmore Road, N16 6JH	Householder Planning	Erection of a side/rear extension at lower ground floor level.	Danny Huber	Cazenove	Delegated	Refuse	17-04-2024
2023/2688	43 Chardmore Road, N16 6JA	Full Planning Permission	Amalgamation of two residential units to form a larger dwelling; excavation of basement and lightwells; erection of rear extension; and erection of dormer extension with associated sukkah roofs	Matthew Hollins	Cazenove	Delegated	Granted - Standard Conditions	22-03-2024
2023/2749	43 Chardmore Road, N16 6JA	Full Planning Permission	Amalgamation of two residential units to form a larger dwelling; erection of part-one, part-two storey extension and rooflight	Matthew Hollins	Cazenove	Delegated	Granted - Standard Conditions	11-04-2024
2023/2902	44-46 Oldhill Street, N16 6NA	Full Planning Permission	Basement excavation to add additional height including light wells to rear; part first floor rear extension and the erection of front and rear dormers in association with the change of use of part retail of No.44 and the subdivision to form x1 3B4P and x1 3B6P and No.46 to form x1 3B6P and x1 4B8P, including associated refuse and cycle storage.	Erin Glancy	Cazenove	Delegated	Refuse	25-03-2024
2023/1947	52 Forburg Road, N16 6HT	Removal/Variation of Condition(s)	Variation of condition 1 (approved plans) attached to planning permission ref. 2019/1320. Effect of variation would be to introduce a sukkah roof to the rear dormer.	Jessica Neeve	Cazenove	Delegated	Granted - Extra Conditions	24-04-2024
2022/1848	57 Osbaldeston Road, N16 7DL	Householder Planning	Erection of side and rear dormer roof extensions and installation of front roof lights	Thomas Russell	Cazenove	Delegated	Grant	22-03-2024
2024/0190	60 Durlston Road, E5 8RR	Householder Planning	Erection of a ground floor rear infill extension.	Danny Huber	Cazenove	Delegated	Granted - Standard Conditions	16-04-2024
2024/0187	67 Alkham Road, N16 6XE	Certificate of Lawful Development Existing/Proposed	Proposed erection of a rear loft conversion with a dormer window, a second floor level rear outrigger extension and the installation of two front rooflights.	Livi Whyte	Cazenove	Delegated	Grant	21-03-2024
2021/1945	71 - 75 Upper Clapton Road, E5 9BU	Full Planning Permission	Alterations to shopfront.	Erin Glancy	Cazenove	Delegated	Grant	23-04-2024
2024/0198	73 Kyverdale Road, N16 6PH	Discharge of Condition	Submission of details pursuant to Condition 5 (Drainage) attached to planning permission 2023/2607 dated 12/01/2024	Thomas Russell	Cazenove	Delegated	Grant	27-03-2024
2024/0312	73 Kyverdale Road, N16 6PH	Householder Planning	Erection of a single-storey rear extension at ground-floor level (AMENDED)	Thomas Russell	Cazenove	Delegated	Granted - Extra Conditions	15-04-2024
2024/0222	74 Osbaldeston Road, N16 7DR	Discharge of Condition	Submission of details pursuant to conditions 3 (materials) and 4 (green roof) attached to planning permission ref 2022/1588 dated 22/04/2024.	Catherine Nichol	Cazenove	Delegated	Refuse	27-03-2024
2024/0003	93 Kyverdale Road, N16 6PP	Householder Planning	Erection of roof extension above the main roof and rear outrigger (as approved under applications 2022/1760 and 2022/1598) together with an increase in size of proposed outrigger dormer.	Jonathan Bainbridge	Cazenove	Delegated	Grant	04-04-2024
2023/2742	Rear Of 2 To 28 Belfast Road, N16 6UH	Non-Material Amendment	Non-material amendment to planning application 2021/1178 dated 11/03/2022 comprising minor amendments to glazing on the northern and southern elevations.	Alix Hauser	Cazenove	Delegated	Grant	25-03-2024
2023/2655	Rear Of 2 To 28 Belfast Road, N16 6UH	Discharge of Condition	Submission of details pursuant to condition 3 (Materials), 8 (Bicycle and Bin Stores), 19 (Landscaping), 20 (Biodiversity), 23 (Obscure Glazing) of planning permission 2021/1178 dated 11/03/2022.	Alix Hauser	Cazenove	Delegated	Grant	25-03-2024
2023/1569	Rear Of 2 To 28 Belfast Road, N16 6UH	Discharge of Condition	Submission of details pursuant to condition 4 (External Works Details) & condition 9 (External Lighting) of planning permission 2021/1178 dated 11/03/2022 as amended by NMA 2023/2742 dated 25 March 2024 .	Alix Hauser	Cazenove	Delegated	Grant	25-03-2024
2021/2849	Talmud Torah D'chasidei Gur, 17 Margaret Road, N16 6UX	Full Planning Permission	Temporary use of two-storey modular building as classrooms and ancillary office accommodation [Retrospective].	Clive Theobald	Cazenove	Delegated	Granted - Extra Conditions	28-03-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0458	109 Albion Road, N16 9PL	Prior Notification - Larger Home Extension	Prior approval for a larger homes extension for the erection of a ground floor rear extension measuring up to 3.45m in depth, 2.7m height to eaves, and 3.6m total height from ground level.	Matthew Hollins	Clissold	Delegated	Prior Approval Not Required	12-04-2024
2024/0140	36 Lidfield Road, N16 9LX	Householder Planning	Erection of a single storey side extension and a single storey roof extension.	Danny Huber	Clissold	Delegated	Granted - Standard Conditions	02-04-2024
2023/2438	81 Clissold Crescent, N16 9AS	Householder Planning	Installation of an air source heat pump on top of the roof of the existing ground rear extension.	Jonathan Bainbridge	Clissold	Delegated	Refuse	04-04-2024
2024/0196	97 Milton Grove, N16 8QX	Householder Planning	Proposed works: Erection of a mansard roof extension.	Jessica Neeve	Clissold	Delegated	Refuse	05-04-2024
2023/2314	Flat 2, 78 Lordship Park, N16 5UA	Full Planning Permission	Erection of new access to rear garden following removal of existing stairs; demolition of air raid shelter in rear garden	Clive Theobald	Clissold	Delegated	Granted - Extra Conditions	09-04-2024
2024/0161	Flat 5, 34 Lordship Park, N16 5UD	Full Planning Permission	Erection of rear roof dormer.	Catherine Nichol	Clissold	Delegated	Granted - Standard Conditions	03-04-2024
2024/0330	Flat C, 76 Albion Road, N16 9PD	Discharge of Condition	Submission of details pursuant to condition 4 (Windows) attached to planning permission ref 2023/0019 dated 13/07/2023.	Danny Huber	Clissold	Delegated	Grant	15-04-2024
2024/0329	Flat C, 76 Albion Road, N16 9PD	Discharge of Condition	Submission of details pursuant to Condition 4 (details of services and impact on historic fabric) attached to planning permission ref 2023/0020 dated 13/07/2023.	Danny Huber	Clissold	Delegated	Grant	15-04-2024
2023/2768	Synagogue, 69 Lordship Road, N16 0QX	Discharge of Condition	Submission of details pursuant to condition 3 (external surface materials) condition 4 (Arboricultural Method Statement and Tree Protection Plan) and condition 5 (external openigns) of planning permission 2016/1003 granted 02/02/2018 for the erection of two-storey side and rear extension and excavation at basement level, to create additional floorspace for the existing synagogue use.	Erin Glancy	Clissold	Delegated	Grant	22-03-2024
2023/2599	The Mint, 91 Green Lanes, N16 9BX	Full Planning Permission	Installation of extraction/ducting equipment to rear elevation	Livi Whyte	Clissold	Delegated	Refuse	28-03-2024
2023/2623	16 Stannard Road, E8 1DB	Householder Planning	Demolition of existing rear conservatory and refurbishment of existing extension with alterations to existing flat roof. Replacement and alterations to roof, with new rooflights to rear pitch. Alterations to front and rear facades, including replacement front door, and bay window roof detail. Replacement of windows throughout, along with alterations to the garden wall	Erin Glancy	Dalston	Delegated	Grant	27-03-2024
2024/0512	17 John Campbell Road, N16 8JY	Discharge of Condition	Submission of details pursuant to condition 3 (groundwater flooding) attached to planning permission 2022/2267 dated 29/11/2022.	Laurence Ackrill	Dalston	Delegated	Grant	04-04-2024
2024/0226	20 St Philips Road, E8 3BP	Certificate of Lawful Development Existing/Proposed	Installation of a soil pipe to rear elevation	Micheal Garvey	Dalston	Delegated	Grant	28-03-2024
2023/2893	33 Parkholme Road, E8 3AG	Discharge of Condition	Submission of details pursuant to condition 3 (details of materials) attached to planning permission 2023/1382 dated 07/12/2023	Livi Whyte	Dalston	Delegated	Refuse	25-03-2024
2024/0110	33 Parkholme Road, E8 3AG	Householder Planning	Erection of a single storey ground floor rear infill extension, elevational and landscaping alterations comprising new door and window to front, replacement of rear ground floor windows and doors, installation of 2 x rooflights to front roof slope; excavation to form front light well, new retaining wall and new double glazed window	Danny Huber	Dalston	Delegated	Granted - Standard Conditions	17-04-2024
2024/0440	38 St Philips Road, E8 3BP	Works to a Tree in Conservation Area Notification	T1 : Silver Birch ; Crown reduction back to previous pruning points. Overshadows neighbours garden AND her lovely specimen New Zealand trees which are very attractive and rather special. I have planted 3 Olive trees and 2 apple trees.	Leif Mortensen	Dalston	Delegated	No Objection	25-04-2024

Delegated Decisions by Ward 21-03-2024 to 25-04-2024.xlsx

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2023/1017	44 St Marks Rise, E8 2NL	Full Planning Permission	Erection of a single storey residential unit (3-bed) and single storey extension to the existing building to create a flexible commercial unit (Use Class E) with associated landscaping, refuse and cycle storage	Danny Huber	Dalston	Delegated	Granted - Standard Conditions	17-04-2024
2024/0659	52 Kingsland High Street, E8 2JP	Non-Material Amendment	Non-material amendment following a grant of planning permission 2023/1938 in order to amend the position of the residential front door	Laurence Ackrill	Dalston	Delegated	Grant	23-04-2024
2024/0343	588-592 Kingsland Road, E8 4AH	Full Planning Permission	Erection of a mansard roof extension to accommodate 1 x 1-bedroom dwelling, together with the provision of refuse and recycling storage and cycle storage.	Laurence Ackrill	Dalston	Delegated	Refuse	15-04-2024
2024/0344	588-592 Kingsland Road, E8 4AH	Listed Building Consent	Erection of a mansard roof extension to accommodate 1 x 1-bedroom dwelling, together with the provision of refuse and recycling storage and cycle storage.	Laurence Ackrill	Dalston	Delegated	Refuse	15-04-2024
2024/0449	Flat A, 22 St Marks Rise, E8 2NL	Works to a Tree in Conservation Area Notification	T1 - Approx. H18+ S12+ 70DBH Sycamore Crown reduce height by 5-6m Reduce laterals by 3-4m Thin 10% Deadwood Lift 5m	Eugene McGee	Dalston	Delegated	No Objection	25-04-2024
2024/0293	Flat C, 4 Downs Park Road, E8 2HD	Full Planning Permission	Installation of one conservation style rooflight of the front roofslope.	Erin Glancy	Dalston	Delegated	Grant	02-04-2024
2024/0301	25 Buckingham Road, N1 4DG	Works to a Tree in Conservation Area Notification	Rear garden: T1.Apple tree: Cut back by approx. 2.5m by removing 4-5 limbs. To be left in its current height. Front garden: T2.Lime tree: Safely curt back from the neighbours house and cable by approx. 3m and cut back from the road by approx. 2m. No height reduction. T3.Horse Chestnut tree: Safely cut back from the house by approx. 3m and cut back from the road side by approx. 3m. No height reduction.	Leif Mortensen	De Beauvoir	Delegated	No Objection	03-04-2024
2023/2472	477 Kingsland Road, E8 4AU	Full Planning Permission	Proposed works: The replacement of the existing timber sash windows with double glazed uPVC sash units.	Jessica Neeve	De Beauvoir	Delegated	Refuse	09-04-2024
2024/0524	52 Northchurch Road, N1 4EJ	Works to a Tree in Conservation Area Notification	Rear Garden: T1 Lime, fell to ground. Tree has died.	Leif Mortensen	De Beauvoir	Delegated	No Objection	25-04-2024
2024/0573	58 Ufton Road, N1 4HH	Works to a Tree in Conservation Area Notification	Front Garden: T1 - Sycamore - Reduce crown to points of previous reduction (approx. 3m branch regrowth removal)	Leif Mortensen	De Beauvoir	Delegated	No Objection	25-04-2024
2024/0588	60 Ufton Road, N1 4HH	Works to a Tree in Conservation Area Notification	T2 - Medlar - reduce to previous points of reduction (1m approx. branch removal)	Eugene McGee	De Beauvoir	Delegated	No Objection	25-04-2024
2024/0407	64 Downham Road, N1 5BG	Works to a Tree in Conservation Area Notification	There are three large trees in the garden. Two are birch trees and one walnut tree. The walnut tree has internal rot , beginning to lean towards the building and needs to be felled. The birch trees are now oversized and need to be reduced by a third in order to prevent being blown over by the wind causing structural damage. This is on the advice of a tree surgeon.	Leif Mortensen	De Beauvoir	Delegated	No Objection	25-04-2024
2024/0206	66 Southgate Road, N1 3JF	Householder Planning	Lowering of rear garden terrace and changes to the fenestration of the dwellinghouse; new doors to the existing shed, as well as lowering the floor level of the shed.	Livi Whyte	De Beauvoir	Delegated	Granted - Standard Conditions	02-04-2024
2024/0464	85 Mortimer Road, N1 5AR	Works to a Tree in Conservation Area Notification	G1- Group of Laurel trees- (8m)- reduce height by approximately 3m. Raise over pavement to 2m from ground level all the way along to end of road. T1-Ivy clad Cherry tree-(14m) sever a 1m section of Ivy on main trunk. T2-Cataniasta - (8m) prune left and right branches back from church roof and wall by up to 2m. G2- Hornbeam hedge-(2.5m) adjacent to road- reduce back to previous pruning points (1m reduction) . Light lift over pavement. T3-Plane tree -(16m) - lift over pavement by 2m.	Eugene McGee	De Beauvoir	Delegated	No Objection	25-04-2024
2024/0630	9 Enfield Road, N1 5EN	Non-Material Amendment	Non-material amendment following a grant of planning permission 2022/2642 to amend the internal layout to provide a shared entrance	Laurence Ackrill	De Beauvoir	Delegated	Grant	26-03-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0596	9 Enfield Road, N1 5EN	Discharge of Condition	Submission of details pursuant to condition 4 (Flood risk statement) of planning permission 2022/2642, dated 22 June 2023	Laurence Ackrill	De Beauvoir	Delegated	Grant	24-04-2024
2023/1881	90 De Beauvoir Road, N1 4EN	Discharge of Condition	Submission of details pursuant to condition 3 (detailed drawings and materials) attached to planning permission 2022/3082 dated 16/02/2023	Clive Theobald	De Beauvoir	Delegated	Grant	04-04-2024
2024/0664	Department For Work And Pensions, Playle House, 6 - 22 Tottenham Road, N1 4BZ	Discharge of Condition	Submission of details pursuant to condition 3 (Noise Mitigation) of planning permission 2023/2455, dated 12 December 2023	Laurence Ackrill	De Beauvoir	Delegated	Grant	24-04-2024
2023/1895	Flat A, 48 Englefield Road, N1 4HA	Full Planning Permission	Installation of new window and replacement of window to side elevation; replacement timber-framed double glazed windows to front and rear at lower ground and upper ground levels; replacement and installation of new doors to rear lower ground floor, replacement roof to rear ground floor extension; replacement external staircase and associated railings; replacement of brick wall; and installation of new external paving.	Matthew Hollins	De Beauvoir	Delegated	Granted - Standard Conditions	27-03-2024
2023/0875	Flat A, 48 Englefield Road, N1 4HA	Full Planning Permission	Erection of single storey outbuilding.	Matthew Hollins	De Beauvoir	Delegated	Granted - Standard Conditions	27-03-2024
2023/2324	Texryte House / 10 Balmes Road, N1 5BZ	Full Planning Permission	Removal of existing combustible external wall materials and replacement with new non-combustible materials; installation of new Fire Barriers to compartment openings, wall and floor compartment locations.	Danny Huber	De Beauvoir	Delegated	Granted - Standard Conditions	09-04-2024
2024/0265	17 Kenmure Road, E8 1JU	Householder Planning	Proposed alterations to the existing extension and rear return elevation, consisting of: installation of a new green roof; the closure of a rear side return window and one to be reinstated to the height of its original opening; external insulation of the rear return; replacement of existing UPVC windows to casement windows; replacement of existing UPVC windows to timber framed double-glazed sash windows on the front and rear principle elevations.	Jonathan Bainbridge	Hackney Central	Delegated	Grant	09-04-2024
2024/0578	82 Eleanor Road (north), E8 1DN	Works to a Tree in Conservation Area Notification	T1 Cherry, fell and poison. Half dead heavily infected with Canker. T2 Bay, reduce by 0.5m	Leif Mortensen	Hackney Central	Delegated	No Objection	25-04-2024
2024/0470	86 Eleanor Road (north), E8 1DN	Works to a Tree in Conservation Area Notification	Rear garden T1 Cherry x 1 (Prunus spp) This 6m high and 4m wide previously reduced tree has outgrown its location. Suggested works:- Reduce all round to previous reduction points approx. 1-2m leaving furnishing growth Front garden T2 Pride of India/Golden (Koelreuteria Rain Tree x 1 paniculata) This 8m high and 4m wide previously reduced tree close to the property has outgrown its location. Suggested works- Reduce all round to previous reduction points approx. 1m	Leif Mortensen	Hackney Central	Delegated	No Objection	25-04-2024
2024/0267	Basement Rear Flat, 168 Graham Road, E8 1BS	Discharge of Condition	Discharge of conditions 3 (green roof) 4 (flooding) attached to planning permission ref 2023/1194 dated 19/07/2023 for the construction of infill and rear extensions to the rear basement flat together with the erection of an outbuilding and the creation of a patio.	Jonathan Bainbridge	Hackney Central	Delegated	Grant	22-03-2024
2024/0237	Basement Rear Flat, 168 Graham Road, E8 1BS	Non-Material Amendment	Non-material amendment to planning permission ref 2023/1194 dated 19/07/2023 comprising an amendment to the boundary line to the adjoining neighbour property (170 Graham Road). Along with a reduction in scale of a rear infill extension, rear garden outbuilding and a change to the party wall finish, from a render to a brick finish.	Jonathan Bainbridge	Hackney Central	Delegated	Grant	11-04-2024
2023/2773	Flat 1, 180 Dalston Lane, E8 1NG	Full Planning Permission	Retrospective planning permission for conservatory at basement level.	Catherine Nichol	Hackney Central	Delegated	Granted - Standard Conditions	03-04-2024
2024/0158	Hackney Public Mortuary, Rear Of 402 Mare Street, E8 1HP	Full Planning Permission	Provision of PV solar panels to the south facing roof slope of the existing building	Clive Theobald	Hackney Central	Delegated	Granted - Extra Conditions	22-04-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0205	Hackney Tap, 354 Mare Street, E8 1HR	Full Planning Permission	Change of use of ground floor from restaurant (Class E(b)) to flexible Class E and/or drinking establishment(Use Class Sui Generis)	Matthew Hollins	Hackney Central	Delegated	Granted - Standard Conditions	16-04-2024
2023/1329	Public Conveniences, Land to the south-east side of 354 Mare Street, E8 1HR	Full Planning Permission	Erection of modular changing places toilet building.	Erin Glancy	Hackney Central	Delegated	Refuse	03-04-2024
2024/0446	Rawduck, 197 Richmond Road, E8 3NJ	Advertisement Consent	Alterations to non-illuminated fascia sign	Laurence Ackrill	Hackney Central	Delegated	Grant	22-04-2024
2024/0439	Rawduck, 197 Richmond Road, E8 3NJ	Full Planning Permission	Installation of new shopfront	Laurence Ackrill	Hackney Central	Delegated	Grant	22-04-2024
2024/0155	106 Stellman Close, E5 8QZ	Discharge of Condition	Submission of details pursuant to condition 2 (Construction Management) of attached to prior approval ref 2023/2679 dated 15/01/2024.	Livi Whyte	Hackney Downs	Delegated	Grant	21-03-2024
2024/0305	143 Evering Road, N16 7BL	Discharge of Condition	Discharge of conditions 4 (SUDs) & 5 (Flooding) attached to planning permission ref 2023/2532 dated 10/01/2024 for the Erection of a rear dormer roof extension, the insertion of a skylight on the side and front roof slope, insertion of windows to side elevation at lower ground level, replacement of white timber framed windows to first-floor rear elevation and the erection of a lower ground floor extension.	Jonathan Bainbridge	Hackney Downs	Delegated	Grant	08-04-2024
2024/0311	17 Powell Road, E5 8DJ	Prior Notification - Larger Home Extension	Prior approval for a larger homes extension for the construction of a ground floor rear extension with a depth of 4m, eaves height of 2.8m and maximum height of 3.4m	Danny Huber	Hackney Downs	Delegated	Grant	27-03-2024
2024/0058	67 Ickburgh Road, E5 8AF	Householder Planning	Erection of single-storey rear infill extension at ground floor level and erection of rear extension at second floor roof level.	Erin Glancy	Hackney Downs	Delegated	Grant	02-04-2024
2024/0334	7 Alconbury Road, E5 8RG	Discharge of Condition	Submission of details pursuant to conditions 3 (Drainage) and 4 (Construction Details) attached to planning permission ref 2022/2891 dated 17/02/2023.	Livi Whyte	Hackney Downs	Delegated	Grant	11-04-2024
2023/1078	7, Rowhill Mansions Rowhill Road, E5 8ED	Discharge of Condition	Submission of details pursuant to Condition 3 (Materials), Condition 4(Construction Management Plan), Condition 5 (Cycle store details) and Condition 6 (SUDS) of planning permission 2021/1457 dated 02/02/2023.	Catherine Nichol	Hackney Downs	Delegated	Grant	25-04-2024
2024/0434	Flat A, 10 Alconbury Road, E5 8RH	Works to a Tree in Conservation Area Notification	8m tall Eucalyptus in the back garden. Propose routine maintenance: reduce back to previous points, removing 3-4m regrowth.	Leif Mortensen	Hackney Downs	Delegated	No Objection	25-04-2024
2023/1892	Flat A, 29 Upper Clapton Road, E5 8AY	Advertisement Consent	Replacement of internally illuminated advertisement billboard with a digital display.	Jonathan Bainbridge	Hackney Downs	Delegated	Refuse	19-04-2024
2021/1772	The Nightingale Estate Downs Road, E5 8QH	Discharge of Condition	Submission of partial details pursuant to condition 16 (Archaeology) attached to permission 2021/1075 dated 4 April 2022	Nick Bovaird	Hackney Downs	Delegated	Grant	25-04-2024
2024/0444	18 Cadogan Terrace, E9 5EG	Discharge of Condition	Discharge of condition 3 (bee brick & nesting box) attached to planning permission ref 2022/1349 dated 14/09/2022 for the erection of a mansard roof extension.	Jonathan Bainbridge	Hackney Wick	Delegated	Grant	18-04-2024
2024/0600	27 Meynell Crescent, E9 7AS	Works to a Tree in Conservation Area Notification	Lime - T1, T2, T3, T4 Re-pollard to most recent points, approx. 1.5m. Cyclical maintenance.	Leif Mortensen	Hackney Wick	Delegated	No Objection	25-04-2024
2024/0398	4a Bushberry Road, E9 5SX	Certificate of Lawful Development Existing/Proposed	Proposed erection of rear roof extension; insertion of windows; replacement windows; replacement of front door and steps.	Catherine Nichol	Hackney Wick	Delegated	Grant	22-04-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2023/2176	6-14, Flats A-G, 5 Towpath Walk London E9 5HX and, 10-17, Flats A-G, 18 Lee Conservancy Road, E9 5HW	Full Planning Permission	Replace existing timber windows with new uPVC windows; Replace existing timber patio, and Juliet balcony doors with new uPVC doors; Replace existing front doors with uPVC doors; Replace block entrance doors; Replace rainwater goods, fascias, soffits, and cladding including front and side cheeks to dormers with uPVC	Micheal Garvey	Hackney Wick	Delegated	Refuse	08-04-2024
2024/0535	62 Hassett Road, E9 5SN	Householder Planning	Construction of first floor rear extension, addition of 2.no rooflights to main roof and 2no. rooflights to existing rear extension, elevational alterations, addition of new front bay window and alterations to front garden layout.	Laurence Ackrill	Hackney Wick	Delegated	Grant	24-04-2024
2023/2856	233 Hackney Road, E2 8NA	Full Planning Permission	Double pitched mansard roof extension with lead dormer sash windows to match existing to provide additional bedroom (en-suite).	Clive Theobald	Haggerston	Delegated	Granted - Standard Conditions	16-04-2024
2023/2853	233 Hackney Road, E2 8NA	Listed Building Consent	Double pitched mansard roof extension with lead dormer sash windows to match existing to provide additional bedroom (en-suite)	Clive Theobald	Haggerston	Delegated	Granted - Extra Conditions	16-04-2024
2024/0251	170 Homerton High Street, E9 6AG	Listed Building Consent	External alterations including: the replacement of windows on front and rear elevations; retention of buttresses to rear elevation at basement level; replacement of ventilation flues to the rear elevation; rendering of the rear elevation; alterations at ground floor level to front elevation to include rustication, door case, replacement windows and doors; reinstatement of original door at basement level on the front elevation and associated works including installation of internal steps at basement level; works of repair to the roof; and internal alterations including: replacement of doors; plan form rearrangements; and the replacement of staircase and newel post.	Laurence Ackrill	Homerton	Delegated	Grant	02-04-2024
2024/0179	253b Well Street, E9 6RG	Prior approval - new dwellings	Prior approval for change of use from Commercial, Business and Service (Use Class E) to one bedroom flat (Use Class C3)	Micheal Garvey	Homerton	Delegated	Refuse	25-03-2024
2024/0427	33 Stevens Avenue, E9 6RX	Certificate of Lawful Development Existing/Proposed	Certificate of Lawful Development (Proposed) for the erection of a rear dormer and upward extension above outrigger; installation of 2x front rooflights	Thomas Russell	Homerton	Delegated	Grant	24-04-2024
2024/0425	33 Stevens Avenue, E9 6RX	Householder Planning	Erection of a ground-floor side infill extension; installation of bifold doors along rear elevation	Thomas Russell	Homerton	Delegated	Granted - Extra Conditions	24-04-2024
2024/0395	54 Paragon Road, E9 6NN	Certificate of Lawful Development Existing/Proposed	Proposed erection of a rear dormer roof extension, a roof extension over the existing outrigger along with the installation of two front roof lights.	Jonathan Bainbridge	Homerton	Delegated	Grant	18-04-2024
2024/0176	The Prince Edward, The Prince Edward, 97 Wick Road, E9 5AB	Removal/Variation of Condition(s)	Variation of Condition 14 (Fit out and occupation of the Public House) attached to planning permission 2019/1828. Extent of variation is to vary the trigger for delivery of Public House fit out to be completed and ready for occupation, prior to the final residential unit approved is brought into use.	Erin Glancy	Homerton	Delegated	Refuse	25-03-2024
2023/1468	1, Stage Plaza Curtain Road, EC2A 3NQ	Discharge of Condition	Submission of details pursuant to condition 29 (Written Scheme of Investigation) attached to planning permission 2017/0864 dated 23/03/2018.	Alix Hauser	Hoxton East and Shoreditch	Delegated	Grant	25-03-2024
2024/0182	27 Charlotte Road, EC2A 3PB	Prior approval - new dwellings	Prior Approval (Class G) for change of use of part 2nd & 3rd floor from commercial, business and service use (Class E) to 2 self-contained residential units (Class C3).	Laurence Ackrill	Hoxton East and Shoreditch	Delegated	Grant	02-04-2024
2023/2263	84-86 Great Eastern Street and 1-3 Rivington Street, EC2A 3JL	Discharge of Condition	Submission of details pursuant to condition 28 (Parking Design & Management Plan) attached to planning permission 2018/4549 dated 29/03/2019	Alix Hauser	Hoxton East and Shoreditch	Delegated	Grant	24-04-2024
2023/2261	84-86 Great Eastern Street and 1-3 Rivington Street, EC2A 3JL	Discharge of Condition	Submission of details pursuant to condition 17 (Delivery and Servicing Plan) attached to planning permission 2018/4549 dated 29/03/2019.	Alix Hauser	Hoxton East and Shoreditch	Delegated	Grant	24-04-2024
2023/2419	84-86 Great Eastern Street and 1-3 Rivington Street, EC2A 3JL	Discharge of Condition	Submission of details pursuant to condition 39 (Refuse and recycling strategy) attached to planning permission 2018/4549 dated 29/03/2019	Alix Hauser	Hoxton East and Shoreditch	Delegated	Grant	25-03-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2023/2851	Dan Tobin Smith Studio, 52c Whitmore Road, N1 5QG	Discharge of Condition	Submission of details pursuant to condition, 3 (Materials and detailed drawings showing how the cladding system fits together) of planning permission 2021/1202 dated 15/07/2021	Micheal Garvey	Hoxton East and Shoreditch	Delegated	Grant	22-04-2024
2023/2963	First Second And Third Floor Flat, 97 Worship Street, EC2A 2BZ	Listed Building Consent	Repair works to the flat roofs and glazed roof of the café; repair the cast iron rainwater goods; repair the front door and installation of window; install cast iron airbricks to the rear of the building; repair works to chimneys and install cowls to chimney, installation of fire alarm system; proposed changes to internal layout and asbestos removal.	Livi Whyte	Hoxton East and Shoreditch	Delegated	Granted - Standard Conditions	05-04-2024
2023/2962	First Second And Third Floor Flat, 97 Worship Street, EC2A 2BZ	Full Planning Permission	Repair works to the flat roofs and glazed roof of the café; repair the cast iron rainwater goods; repair the front door and installation of window; install cast iron airbricks to the rear of the building, repair works to chimneys and install cowls to chimney.	Livi Whyte	Hoxton East and Shoreditch	Delegated	Granted - Standard Conditions	05-04-2024
2023/2666	Flat A, 41 Coronet Street, N1 6HD	Removal/Variation of Condition(s)	Removal of condition 2 (cycle parking) attached to planning permission 2023/0737 granted 25/07/2023 for the retrospective change of use of the upper three floors from live-work (Sui Generis) to self-contained flat (Class C3).	Erin Glancy	Hoxton East and Shoreditch	Delegated	Grant	05-04-2024
2023/2858	Haggerston Wharf, N1 5FA	Works to a Tree in Conservation Area Notification	T1 - Alder - Dead and dying - upper section of tree is dead - lack of aesthetic value - Fell to ground level and poison stump. T2 – Alder - Leaning over footpath - Remove dead wood over 2– in diameter. T3 - Sycamore tree by entrance - Prune back branches growing towards flats by approx 2m where required	Eugene McGee	Hoxton East and Shoreditch	Delegated	No Objection	03-04-2024
2023/2953	Hoxton Works, 128 Hoxton Street, N1 6SH	Certificate of Lawful Development Existing/Proposed	Proposed works: Installation of solar panels on the roof slope.	Jessica Neeve	Hoxton East and Shoreditch	Delegated	Grant	24-04-2024
2023/1390	Hutley Wharf, 29 Branch Place, N1 5PW	Removal/Variation of Condition(s)	Variation of condition 2 (Development not in accordance) of planning permission 2019/3854 and 2020/3804). In relation to replacing cladding with fibre cement panels; replace glass balustrade with metal mesh; reduce size of windows to south elevation.	Micheal Garvey	Hoxton East and Shoreditch	Delegated	Granted - Extra Conditions	22-04-2024
2024/0045	Pizza Tribe, 5 Leonard Circus, EC2A 4DQ	Full Planning Permission	Proposed works: Conversion of existing double glazed doors on front elevation into a kisok window.	Jessica Neeve	Hoxton East and Shoreditch	Delegated	Granted - Extra Conditions	18-04-2024
2024/0046	Pizza Tribe, 5 Leonard Circus, EC2A 4DQ	Advertisement Consent	Proposed works: Installation of new signage, including; new projecting signage; two new acid etched blackened steel plaques; and new fabric to replace that on the existing awning.	Jessica Neeve	Hoxton East and Shoreditch	Delegated	Granted - Standard Conditions	22-04-2024
2024/0465	Queen Of Hoxton, Queen Of Hoxton, 1 - 5 Curtain Road, EC2A 3JX	Full Planning Permission	Installation of new gas meters with associated external piping and brackets	Laurence Ackrill	Hoxton East and Shoreditch	Delegated	Grant	23-04-2024
2024/0260	Quick House, 65 Clifton Street, EC2A 4JE	Discharge of Condition	Submission of details in relation to Condition 6 (Solar PV) of 2019/0462 dated 30/06/2020.	James Bellis	Hoxton East and Shoreditch	Delegated	Grant	25-04-2024
2024/0145	Quick House, 65 Clifton Street, EC2A 4JE	Non-Material Amendment	Non-material amendment application seeking amendment to 2019/0462 in order to secure permission to change to the north elevation glazing at levels 6 and 7 to mitigate the visual distortion created by the original design of the glazing.	James Bellis	Hoxton East and Shoreditch	Delegated	Granted - Extra Conditions	25-04-2024
2024/0023	Quick House, 65 Clifton Street, EC2A 4JE	Discharge of Condition	Submission of details pursuant to condition 14 (Air Source Heat Pumps and Air Quality Assessment) 2019/0462 granted on 30.06.2020	James Bellis	Hoxton East and Shoreditch	Delegated	Grant	25-04-2024
2023/0959	Quick House, 65 Clifton Street, EC2A 4JE	Discharge of Condition	Submission of details pursuant to conditions 19 (Delivery and servicing plan), 23 (Refuse strategy) and 31(Car Park Design and Management Plan) attached to planning permission 2019/0462 dated 30/06/2020	James Bellis	Hoxton East and Shoreditch	Delegated	Grant	25-04-2024
2024/0592	St Leonards Hospital Nuttall Street, N1 5LZ	Works to a Tree in Conservation Area Notification	Reduction of 1 x Cherry by 30-40% (1.5-2m) and crown lift to allow safe passing of vehicles. Tree located within hospital grounds car park which is within the conservation area.	Leif Mortensen	Hoxton East and Shoreditch	Delegated	No Objection	25-04-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2023/0813	Third Floor, 23 Charlotte Road, EC2A 3PB	Prior approval - new dwellings	Prior approval for change of use of third floor from commercial use (Use Class E) to provide a single residential unit (Use Class C3)	Clive Theobald	Hoxton East and Shoreditch	Delegated	Refuse	16-04-2024
2024/0244	17 Chart Street, N1 6DD	Discharge of Condition	Submission of details pursuant to condition, 3 (Windows), 4 (Tanking system) of planning permission 2022/1918 dated 29/03/2023	Micheal Garvey	Hoxton West	Delegated	Grant	05-04-2024
2023/1156	65 Nile Street, N1 7RD	Full Planning Permission	Erection of a roof extension to create one additional storey , plus erection of a single storey rear extension and conversion of the property to create 4 self-contained dwellings comprising 2 x 1 bed, 1 x 2 bed and 1 x 3 bed units, including minor external alterations	Catherine Nichol	Hoxton West	Delegated	Refuse	12-04-2024
2023/2930	127a Glenarm Road, E5 0NB	Full Planning Permission	Erection of a mansard roof extension and retention of the rear terrace. Enlargement of windows on rear and side elevation at the first-floor level.	Jonathan Bainbridge	Kings Park	Delegated	Grant	04-04-2024
2024/0189	16 Roding Road, E5 0DW	Householder Planning	Erection of single storey ground floor side infill extension	Micheal Garvey	Kings Park	Delegated	Granted - Extra Conditions	27-03-2024
2023/2494	164 Elderfield Road, E5 0AZ	Householder Planning	Proposed works: Erection of an outbuilding in the rear garden.	Jessica Neeve	Kings Park	Delegated	Granted - Extra Conditions	04-04-2024
2024/0263	1a Sewdley Street, E5 0AX	Householder Planning	Increasing height of front boundary wall and new front gate; replacement of first floor front windows with new metal windows, replacement of ground floor window and door with new metal window and timber door, new rear windows; installation of new rooflights to front and rear roof slope	Micheal Garvey	Kings Park	Delegated	Refuse	05-04-2024
2024/0271	20 Blackwell Close, E5 0TA	Certificate of Lawful Development Existing/Proposed	Certificate of Lawful Development (Proposed) for the erection of a ground-floor rear extension	Thomas Russell	Kings Park	Delegated	Grant	08-04-2024
2024/0314	25 Marsh Hill, E9 5QA	Discharge of Condition	Submission of details pursuant to condition 10 (Construction Management Plan) attached to planning permission 2021/0571 granted 02/02/2022 for the erection of a 2-storey (ground and first floor) 1 bedroom dwelling house with amenity space, cycle and refuse store.	Erin Glancy	Kings Park	Delegated	Grant	22-03-2024
2024/0219	35 Glyn Road, E5 0JB	Certificate of Lawful Development Existing/Proposed	Lawful Development Certificate (proposed) for the erection of a rear dormer and extension above rear outrigger; installation of 1x rooflight	Thomas Russell	Kings Park	Delegated	Grant	02-04-2024
2023/2601	402, Landmark Heights, 172 Daubeney Road, E5 0EN	Full Planning Permission	Replacement of existing timber white painted windows, fixed glazing and glazed door with new U-PVC white double-glazed replacement elements: windows, doors and fixed glazed sections.	Jonathan Bainbridge	Kings Park	Delegated	Grant	22-03-2024
2024/0266	98 Blurton Road, E5 0NH	Householder Planning	Erection of mansard roof extension and second floor extension above outrigger, together with installation of rooflight and green roof to existing ground floor extension.	Erin Glancy	Kings Park	Delegated	Refuse	25-03-2024
2024/0409	Daubeney Primary School, 117 Daubeney Road, E5 0EG	Full Planning Permission	Removal of a gate to former substation and restoration of boundary wall.	Laurence Ackrill	Kings Park	Delegated	Grant	17-04-2024
2024/0412	Daubeney Primary School, 117 Daubeney Road, E5 0EG	Listed Building Consent	Removal of a gate to former substation and restoration of boundary wall.	Laurence Ackrill	Kings Park	Delegated	Grant	17-04-2024
2023/2701	Ground Floor Flat, 81 Glyn Road, E5 0JA	Full Planning Permission	Proposed amalgamation of two self-contained dwellings into one single-family dwellinghouse	Jonathan Bainbridge	Kings Park	Delegated	Grant	22-03-2024
2024/0199	116 Mildenhall Road, E5 0RZ	Discharge of Condition	Submission of details pursuant to Condition 3 (Drainage) attached to planning permission 2023/2512 dated 13/12/2023	Thomas Russell	Lea Bridge	Delegated	Grant	04-04-2024
2024/0287	139 Powerscroft Road, E5 0PT	Householder Planning	Demolition of the existing rear conservatory and the replacement with a timber framed glazed conservatory, along with minor changes to the existing fenestration to the rear elevation, consisting of window replacement (with double-glazed, timber sash), and the raising of the window sill to the rear first -floor.	Jonathan Bainbridge	Lea Bridge	Delegated	Grant	10-04-2024
2024/0129	144 Powerscroft Road, E5 0PR	Discharge of Condition	Submission of details pursuant to Condition 5 (materials) of planning permission 2022/3012.	Jessica Neeve	Lea Bridge	Delegated	Grant	04-04-2024

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2024/0337	15 Mildenhall Road, E5 0RT	Householder Planning	Erection of single-storey side/rear extension to replace existing	Thomas Russell	Lea Bridge	Delegated	Granted - Extra Conditions	15-04-2024
2022/0772	36 Chatsworth Road, E5 0LP	Full Planning Permission	Change of use of part ground and first floor to the rear of the property from storage use to residential use.	Thomas Russell	Lea Bridge	Delegated	Granted - Extra Conditions	18-04-2024
2023/2814	40 Gunton Road, E5 9JS	Householder Planning	Proposed works: Installation of double glazed sash windows on the front elevation; the replacement of the existing casement windows on the rear elevation; the installation of an ASHP at the rear; the installation of PV panels at the rear; the installation of two rooflights on the front roof slope and two rooflights on the rear roof slope; alterations to the front yard including alterations to the boundary wall and the installation of a new bike store.	Jessica Neeve	Lea Bridge	Delegated	Granted - Extra Conditions	05-04-2024
2024/0249	93 Chatsworth Road, E5 0LH	Full Planning Permission	Erection of mansard roof extension	Matthew Hollins	Lea Bridge	Delegated	Granted - Standard Conditions	24-04-2024
2023/2897	Flat A, 62 Thistlewaite Road, E5 0QQ	Householder Planning	Erection of outbuilding in the rear garden.	Erin Glancy	Lea Bridge	Delegated	Grant	22-03-2024
2024/0433	Flat C, 158 Chatsworth Road, E5 0LT	Full Planning Permission	Erection of additional storey over rear outrigger.	Laurence Ackrill	Lea Bridge	Delegated	Grant	22-04-2024
2022/2271	Former St John's Ambulance HQ Office Land lying on the south side of Mildenhall Road London E5 0RU	Removal/Variation of Condition(s)	Variation of condition 2 (drawings) of planning permission ref. 2020/3280 for the demolition of the existing building and erection of a 4 storey building (plus basement) to accommodate eight residential flats. The variation comprises formation of a roof terrace at third floor level, extension of third floor staircase to the flat roof, relocation of solar PV panels, insertion of a roof-light and erection of a balustrade.	Danny Huber	Lea Bridge	Delegated	Grant	19-04-2024
2024/0173	J & J Confectionery Ltd, 140 Chatsworth Road, E5 0LT	Discharge of Condition	Submission of details pursuant to condition 6 (waste storage) attached to permission 2022/1162 dated 06/10/2023.	Danny Huber	Lea Bridge	Delegated	Grant	17-04-2024
2023/2510	Portico City Learning Centre, 34 Linscott Road, E5 0RD	Non-Material Amendment	Non material amendment to planning permission 2021/1651 dated 04/04/2022 comprising rearrangement of northern access paths and omission of a retaining wall on the north-eastern boundary.	Alix Hauser	Lea Bridge	Delegated	Granted - Extra Conditions	25-03-2024
2024/0289	Unit 14, Haybridge House, 15 Mount Pleasant Hill, E5 9NB	Certificate of Lawful Development Existing/Proposed	Existing use as a residential unit (C3)	Livi Whyte	Lea Bridge	Delegated	Grant	12-04-2024
2024/0548	114 Mapledene Road, E8 3LL	Works to a Tree in Conservation Area Notification	T1 Catalpa, crown reduce to previous points, approx 3m, reduce limb over garden of 112 Mapledene by a further 2m. T2 Bay, reduce crown by 1.5m T2 Holly, reduce crown by 1m All works are cyclical maintenance.	Eugene McGee	London Fields	Delegated	No Objection	25-04-2024
2024/0094	2 Triangle Road, E8 3RP	Full Planning Permission	Installation of air conditioning plant and associated external alterations	Jessica Neeve	London Fields	Delegated	Granted - Extra Conditions	04-04-2024
2024/0644	25 Gayhurst Road, E8 3EH	Works to a Tree in Conservation Area Notification	T1 rear Robinia Reduce height by up to 3 meters and lateral spread by up to 2 meters, remove dead/crossing branches to contain crown and root-activity and as a duty of care due to growing over several gardens	Eugene McGee	London Fields	Delegated	No Objection	25-04-2024
2024/0400	32 Lavender Grove, E8 3LU	Householder Planning	Replacement and enlargement of window to side elevation	Danny Huber	London Fields	Delegated	Grant	22-04-2024
2024/0615	37 Malvern Road, E8 3LP	Works to a Tree in Conservation Area Notification	T1 - Lime - Crown reduction by 2m in height back to previous pruning points and remove all epicormic growth. T2 - Lime - Crown reduction by 2m in height back to previous pruning points and remove all epicormic growth. T3 - Acacia - Crown reduction by 1.5m in height bringing and bringing lateral growth in by 1m.	Leif Mortensen	London Fields	Delegated	No Objection	25-04-2024

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2024/0423	38 Andrews Road, E8 4RL	Householder Planning	Alteration to front elevation to include installation of new stairs to lower ground floor, replacement of window with doors at lower ground floor, replacement windows to upper levels, installation of new door to create cycle store, alterations to existing rear extension, half width extension at rear ground floor level; associated hard and soft landscaping with refuse/recycling storage in the front garden. The installation of rooflights and replacement windows, replacement of side gate and air source heat pump in the rear garden.	Livi Whyte	London Fields	Delegated	Granted - Standard Conditions	25-04-2024
2024/0371	4 Albion Square, E8 4ES	Works to a Tree in Conservation Area Notification	T1 - Eucalyptus – crown reduce by up to 3m. Tree has lions tailing at tips and has become excessive for its location causing excessive shading.	Leif Mortensen	London Fields	Delegated	No Objection	04-04-2024
2023/1558	426a Kingsland Road, E8 4AA	Full Planning Permission	Retrospective change of use from two self-contained residential units (Class C3) to a 10 bedroom large HMO (Sui Generis).	Erin Glancy	London Fields	Delegated	Refuse	27-03-2024
2024/0149	50 Lamb Lane, E8 3PJ	Non-Material Amendment	Non material amendment to planning permission ref 2023/1418 dated 13/12/2023 comprising amendments to the internal layout of flat 2.	Catherine Nichol	London Fields	Delegated	Refuse	09-04-2024
2024/0230	50 Lamb Lane, E8 3PJ	Discharge of Condition	Submission of details pursuant to condition 7 (Mechanical Ventilation details) attached to planning permission ref 2023/1418 dated 13/12/2023.	Catherine Nichol	London Fields	Delegated	Grant	12-04-2024
2024/0476	57 Lavender Grove, E8 3LR	Works to a Tree in Conservation Area Notification	T1 Lime, crown reduce to most recent points, approx. 1.5m T2 Ash, crown reduce to most recent points, approx. 1.5m All works cyclical maintenance	Eugene McGee	London Fields	Delegated	No Objection	25-04-2024
2024/0473	59 Lavender Grove, E8 3LR	Works to a Tree in Conservation Area Notification	T1 Robinia, crown reduce to most recent points, approx. 1.5m. Cyclical maintenance	Leif Mortensen	London Fields	Delegated	No Objection	25-04-2024
2024/0553	61 Mapledene Road, E8 3JW	Works to a Tree in Conservation Area Notification	T1 Multi Stemmed Fig, fell and grind. Client wishes to replace with another tree. T4, T5 Acers, fell and grind, suppressed by larger tree.	Eugene McGee	London Fields	Delegated	No Objection	25-04-2024
2024/0521	7 Albion Square, E8 4ES	Works to a Tree in Conservation Area Notification	Mulberry Marked T1 on sketch plan Reshape and reduce canopy by up to 50% Not protected by Tree Preservation Order but in case it is helpful the reason for the work is that the mulberry, which was planted as a bush in the back garden about 40 years ago, has grown out of all proportion to its purpose and location. Its canopy now extends across the entire width of the garden and beyond, touching the house and causing excessive shading	Leif Mortensen	London Fields	Delegated	No Objection	25-04-2024
2024/0171	70a Middleton Road, E8 4BP	Householder Planning	Retention of Bicycle store in front garden	Micheal Garvey	London Fields	Delegated	Refuse	26-03-2024
2024/0304	90 Mapledene Road, E8 3JW	Householder Planning	Installation of trellis and planters (retrospective)	Matthew Hollins	London Fields	Delegated	Refuse	12-04-2024
2024/0378	London Fields Primary School Westgate Street, E8 3RL	Prior Approval for Development Authorised by Act of Parliament	Prior Approval (Class J) to install Solar Photovoltaics (PV) equipment to the roof.	Laurence Ackrill	London Fields	Delegated	Grant	16-04-2024
2023/2377	17-19 Shacklewell Lane, E8 2BY	Prior approval - new dwellings	Prior approval for construction of an additional storey comprising one flat.	Erin Glancy	Shacklewell	Delegated	Grant	22-03-2024
2024/0295	62 Pellerin Road, N16 8AT	Certificate of Lawful Development Existing/Proposed	Existing use of the premises as a HMO (use class C4).	Jessica Neeve	Shacklewell	Delegated	Grant	16-04-2024
2024/0275	Basement Flat, 7a Rectory Road, N16 7QR	Certificate of Lawful Development Existing/Proposed	Existing use of a basement flat as a self-contained dwelling (use class C3).	Livi Whyte	Shacklewell	Delegated	Grant	17-04-2024
2024/0336	Dalston Garage, 91 Barretts Grove, N16 8AP	Discharge of Condition	Submission of partial details pursuant to condition 15 (Unexpected Contamination) attached to planning permission 2023/1265 dated 19/12/2023.	Alix Hauser	Shacklewell	Delegated	Grant	25-03-2024

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2024/0308	Jacob House, 233a Amhurst Road, E8 2BS	Certificate of Lawful Development Existing/Proposed	Proposed replacement of cladding.	Catherine Nichol	Shacklewell	Delegated	Grant	09-04-2024
2023/2936	37 Spring Hill, E5 9BL	Full Planning Permission	Erection of part ground floor rear extension at No.37 and a joint first-floor rear extensions at 35 and 37	Micheal Garvey	Springfield	Delegated	Granted - Extra Conditions	28-03-2024
2024/0194	43 Moundfield Road, N16 6DT	Householder Planning	Proposed works: Erection of a single storey ground floor rear extension; and front and rear dormer roof extensions.	Jessica Neeve	Springfield	Delegated	Granted - Extra Conditions	05-04-2024
2024/0153	57a Mount Pleasant Lane, E5 9DW	Prior approval - Enlargement of a Dwellinghouse	Prior approval for the erection of an additional storey above an existing three-storey dwellinghouse (to a maximum height of 12.2 metres or four storeys)	Matthew Hollins	Springfield	Delegated	Refuse	05-04-2024
2022/1806	59 Egerton Road, N16 6UE	Discharge of Condition	Submission of details pursuant to condition 2 (construction management plan) attached to planning permission 2021/0146 dated 17/03/2021.	Danny Huber	Springfield	Delegated	Grant	10-04-2024
2024/0361	7 Spring Hill, E5 9BE	Certificate of Lawful Development Existing/Proposed	Roof extension above two storey rear outrigger	Micheal Garvey	Springfield	Delegated	Grant	16-04-2024
2024/0346	7 Spring Hill, E5 9BE	Householder Planning	Erection of single storey ground floor rear and side infill extension and erection of first-floor side infill extension.	Micheal Garvey	Springfield	Delegated	Granted - Extra Conditions	16-04-2024
2024/0035	8-10 Northfield Road, N16 5RN	Full Planning Permission	Erection of a joint ground floor extension to 8-10 Northfield Road, including front lightwell excavation and creation at 10 Northfield Road and basement extension with rear lightwells to both properties.	Jonathan Bainbridge	Springfield	Delegated	Grant	12-04-2024
2024/0234	9 Ashtead Road, E5 9BJ	Removal/Variation of Condition(s)	Variation of Condition 2 imposed under planning permission 2023/0320 dated 05/04/2023 (approved drawings) to provide additional window within approved front dormer to allow more natural light to front dormer.	Clive Theobald	Springfield	Delegated	Granted - Extra Conditions	26-03-2024
2024/0262	Georgian Orthodox Church, Rookwood Road, N16 6SS	Listed Building Consent	The removal and replacement of 2 no. existing antennas with 2 no. upgraded antennas, the relocation of 1 no. existing antenna and 1 no. GPS module, the installation of 3 no. additional antennas and 2 no. 300mm diameter transmission dishes, and ancillary development thereto, including the installation of Ericsson Radio Systems (ERSs).	Clive Theobald	Springfield	Delegated	Refuse	25-03-2024
2024/0162	Georgian Orthodox Church, Rookwood Road, N16 6SS	Full Planning Permission	The removal and replacement of 2 no. existing antennas with 2 no. upgraded antennas, the relocation of 1 no. existing antenna and 1 no. GPS module, the installation of 3 no. additional antennas and 2 no. 300mm diameter transmission dishes, and ancillary development thereto, including the installation of Ericsson Radio Systems (ERSs).	Clive Theobald	Springfield	Delegated	Refuse	25-03-2024
2023/2224	Holmwood Court, N16 5RY	Full Planning Permission	Installation of two side access gates	Matthew Hollins	Springfield	Delegated	Granted - Standard Conditions	11-04-2024
2024/0403	17 West Bank, N16 5DG	Discharge of Condition	Submission of details pursuant to conditions 4 (Green Roof) & 5 (Bike Stores) of planning permission 2019/4406, dated 20 April 2020	Laurence Ackrill	Stamford Hill West	Delegated	Grant	15-04-2024
2024/0366	35 West Bank, N16 5DF	Certificate of Lawful Development Existing/Proposed	Proposed erection of rear roof extension	Catherine Nichol	Stamford Hill West	Delegated	Grant	12-04-2024
2023/1719	89 Lordship Park, N16 5UP	Full Planning Permission	Replacement of the existing single-glazed box timber sash windows with double-glazed timber box sash windows at the basement level and some at the ground floor level.	Jonathan Bainbridge	Stamford Hill West	Delegated	Grant	15-04-2024
2024/0325	Flat A, 2 Glaserton Road, N16 5QX	Full Planning Permission	Erection of rear wrap around extension	Matthew Hollins	Stamford Hill West	Delegated	Granted - Standard Conditions	17-04-2024

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2024/0326	Flat B, 2 Glaserton Road, N16 5QX	Full Planning Permission	Erection of roof extension and installation of roof lights	Matthew Hollins	Stamford Hill West	Delegated	Granted - Standard Conditions	15-04-2024
2024/0477	13 Bouverie Road, N16 0AH	Certificate of Lawful Development Existing/Proposed	Installation of Air Source Heat Pump (ASHP)	Laurence Ackrill	Stoke Newington	Delegated	Grant	23-04-2024
2024/0221	13 Kynaston Road, N16 0EA	Removal/Variation of Condition(s)	Variation of condition 1 (approved plans) attached to planning permission ref 2023/1386 dated 30/08/2023 for the erection of a single-storey ground floor rear wrap-around extension. Permission is sought to modify the approved design; removing the rear extension from the design; and altering the approved doors/windows on the rear elevation.	Jessica Neeve	Stoke Newington	Delegated	Granted - Extra Conditions	28-03-2024
2024/0136	145 Nevill Road, N16 0SU	Householder Planning	Erection of a single storey ground floor rear/infill extension	Micheal Garvey	Stoke Newington	Delegated	Granted - Extra Conditions	24-04-2024
2023/2183	17 Foulden Road, N16 7UU	Householder Planning	Proposed works: Erection of a mansard roof extension; rear infill extension; roof terrace; and ASHP.	Jessica Neeve	Stoke Newington	Delegated	Refuse	21-03-2024
2023/2166	17 Foulden Road, N16 7UU	Householder Planning	Proposed works: Erection of a mansard roof extension; ground floor rear infill extension; and ASHP.	Jessica Neeve	Stoke Newington	Delegated	Refuse	15-04-2024
2023/1117	175 Stoke Newington Road, N16 8BP	Full Planning Permission	Installation of ventilation flap to the side elevation in association with extractor fan	Matthew Hollins	Stoke Newington	Delegated	Refuse	24-04-2024
2024/0498	2 Darville Road, N16 7PS	Discharge of Condition	Submission of details pursuant to condition 3 (cycle and waste storage) attached to planning permission 2023/0791 dated 27/02/2022.	Laurence Ackrill	Stoke Newington	Delegated	Grant	19-04-2024
2024/0113	21 Brighton Road, N16 8EQ	Householder Planning	Erection of a rear roof extension and insertion of roof lights to the front roof slope.	Jonathan Bainbridge	Stoke Newington	Delegated	Grant	21-03-2024
2024/0126	21 Brighton Road, N16 8EQ	Certificate of Lawful Development Existing/Proposed	Proposed erection of rear roof extension over the existing outrigger.	Jonathan Bainbridge	Stoke Newington	Delegated	Grant	03-04-2024
2024/0181	30 Grayling Road, N16 0BT	Prior Notification - Larger Home Extension	Prior approval for a larger homes extension for the erection of a ground level rear extension measuring up to 6.0m in depth and 2.36m in height and the installation of a flat roof system with a sky lantern roof light.	Livi Whyte	Stoke Newington	Delegated	Grant	22-03-2024
2024/0279	30 Grayling Road, N16 0BT	Householder Planning	Excavation to create front lightwell with steps and balustrade; addition of waste storage/ recycling bins and two bicycle parking.	Livi Whyte	Stoke Newington	Delegated	Granted - Standard Conditions	10-04-2024
2024/0360	42 Chesholm Road, N16 0DR	Householder Planning	Erection of a proposed single storey side rear infill extension with skylight to outrigger roof slope and reduction in existing first floor side window. Changes to the fenestration at the rear of the dwellinghouse.	Livi Whyte	Stoke Newington	Delegated	Granted - Standard Conditions	17-04-2024
2024/0320	46 Harcombe Road, N16 0SA	Householder Planning	Erection of a mansard roof extension with photovoltaic panels	Jonathan Bainbridge	Stoke Newington	Delegated	Grant	16-04-2024
2023/2463	47 Oldfield Road, N16 0RR	Householder Planning	Rear and side infill extension on the ground floor	Erin Glancy	Stoke Newington	Delegated	Grant	22-03-2024
2023/1261	47 Oldfield Road, N16 0RR	Householder Planning	Erection of rear and side infill extension at ground floor level together with construction of outrigger roof extension and internal reconfiguration.	Erin Glancy	Stoke Newington	Delegated	Refuse	27-03-2024
2024/0144	49 Listria Park, N16 5SW	Householder Planning	Installation of a door and balcony along the side elevation of the outrigger feature at second-floor level; replacement of the existing window along the rear elevation of the outrigger with a door with juliette balcony	Thomas Russell	Stoke Newington	Delegated	Refuse	21-03-2024
2024/0184	61 Sydner Road, N16 7UF	Householder Planning	Erection of a rear side infill extension at basement level; and the replacement of the existing rear door at ground floor level with a new unit.	Jessica Neeve	Stoke Newington	Delegated	Grant	22-03-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2021/1140	69 Evering Road, N16 7PR	Full Planning Permission	Excavation of basement and creation of front and rear light wells and associated stairs and railings; erection of single storey rear extension at ground floor level; erection of rear dormer roof extension and insertion of two roof-lights in front roof slope; provision of refuse storage in front garden. Conversion of extended property into four self-contained residential units (2x1 bed, 1x2 bed and 1x3 bed)	Danny Huber	Stoke Newington	Delegated	Granted - Standard Conditions	11-04-2024
2024/0313	71 Kynaston Road, N16 0EB	Certificate of Lawful Development Existing/Proposed	Replacement of rear side door with sliding patio door; insertion of two new windows to side elevation at ground floor level; and replacement of existing windows	Matthew Hollins	Stoke Newington	Delegated	Grant	08-04-2024
2024/0383	79 Kynaston Road, N16 0EB	Certificate of Lawful Development Existing/Proposed	Excavation of existing basement	Matthew Hollins	Stoke Newington	Delegated	Grant	16-04-2024
2024/0381	79 Kynaston Road, N16 0EB	Householder Planning	Erection of single storey extension above existing rear outrigger at second floor level	Matthew Hollins	Stoke Newington	Delegated	Granted - Standard Conditions	16-04-2024
2024/0424	Flat A, 2 Martaban Road, N16 5SJ	Full Planning Permission	Conversion of property from 2 x self-contained flats to 1 x single family dwellinghouse.	Laurence Ackrill	Stoke Newington	Delegated	Grant	16-04-2024
2023/2029	25 Balcorne Street, E9 7AY	Certificate of Lawful Development Existing/Proposed	Proposed erection of single-storey ground floor side/rear extension.	Jonathan Bainbridge	Victoria	Delegated	Refuse	10-04-2024
2024/0139	29 Tudor Road, E9 7SN	Householder Planning	Construction of a single storey side return extension & rear loft conversion with a roof terrace	Laurence Ackrill	Victoria	Delegated	Grant	04-04-2024
2024/0215	Cordwainers Court, 10 St Thomass Square, E9 7PS	Full Planning Permission	Extensions to the rear of Blocks A, B and C to create additional floor space to internally reconfigure the existing student rooms with en-suite bathrooms.	Catherine Nichol	Victoria	Delegated	Granted - Standard Conditions	02-04-2024
2024/0183	Lauriston Junior And Infant School, Rutland Road, E9 7JS	Prior Notification - Commercial	Prior approval for installation of 116 PV south facing solar PV panels on the main school roof and 16 south facing PV panels onto the pitched roof of the art supplies building	Danny Huber	Victoria	Delegated	Refuse	05-04-2024
2023/0786	Morpeth Road Garages Morpeth Road London E9 7LD	Non-Material Amendment	Non-material amendment to planning permission 2015/1612 dated 01/06/2018 to amend the design of entrance doors, design of doors to courtyards, design of courtyard gates, size of upper floor window, increase courtyard size of House Types 1 and 2, design of car park entrance gates, and install a gate for wheelchair parking access.	Alix Hauser	Victoria	Delegated	Granted - Standard Conditions	28-03-2024
2023/2708	132 Bethune Road, N16 5DS	Full Planning Permission	Erection of single storey rear extension; erection of rear dormer extension; installation of rooflights; amalgamation of four existing residential units to form two residential units; creation of new entrance to front elevation (re-consult due to amended description of development)	Matthew Hollins	Woodberry Down	Delegated	Granted - Standard Conditions	08-04-2024
2023/1838	14 to 40 Newnton Close and 456 to 484 Seven Sisters Road, N4 2RQ	Discharge of Condition	Submission of details pursuant to condition 20 (Sustainable Urban Drainage System) attached to planning permission 2021/2732 dated 21/02/2023.	Alix Hauser	Woodberry Down	Delegated	Grant	22-03-2024
2024/0252	214 Green Lanes, N4 2HA	Certificate of Lawful Development Existing/Proposed	Lawful development certificate (proposed) for the use of the dwelling as dwellinghouse providing care (Use Class C3(b))	Thomas Russell	Woodberry Down	Delegated	Grant	05-04-2024
2024/0332	30 Denver Road, N16 5JH	Certificate of Lawful Development Existing/Proposed	Proposed erection of rear roof dormers.	Livi Whyte	Woodberry Down	Delegated	Grant	15-04-2024
2024/0321	30 Denver Road, N16 5JH	Householder Planning	Erection of dormer extension on the front roof of the existing dwellinghouse.	Livi Whyte	Woodberry Down	Delegated	Granted - Standard Conditions	15-04-2024

Application Reference	Location Description	Application Type	Development Description	Officer Name	Ward	Decision Level	Decision	Decision Issued Date
2024/0436	408 Seven Sisters Road, N4 2LX	Full Planning Permission	Installation of prefabricated, self-contained, above ground, GRP pumping station with a single storey brick and render masonry enclosure, without roof, including associated landscaping works.	Laurence Ackrill	Woodberry Down	Delegated	Grant	22-04-2024
2023/2734	47 Cranwich Road, N16 5HZ	Prior Notification - Larger Home Extension	6M single-storey rear extension	Jessica Neeve	Woodberry Down	Delegated	Prior Approval Not Required	24-04-2024
2024/0404	Woodberry Down Phase 3 - Land bounded by Seven Sisters Road to the North, Woodberry Grove to the West, and Devan Grove and Eastern Reservoir to the South, which includes buildings identified as The Happy Man Public House, 89 Woodberry Grove, 440 Seven Sisters Road, 1-25 Bayhurst House, 1-30 Chattenden House, 1-45 Farningham House, 1-80 Ashdale House, 1-80 Burtonwood House, Woodberry Down, N4	Non-Material Amendment	Non-Material Amendment of 2019/2514 dated 9/12/2020 to enable the incorporation of a firefighting life safety supply within Block B1. This requires the amendment of condition 2 of the planning permission 2019/2514 dated 9/12/2020.	James Bellis	Woodberry Down	Delegated	Granted - Extra Conditions	25-04-2024
2023/0806	Woodberry Down, Phase 3, Seven Sisters Road, N4 2SB	Discharge of Condition	Submission of details pursuant to condition 14 parts ii. and iii only (Stone staircase to the Robin Redmond Centre), 20 (Landscape and Public Realm Environmental Scheme) and 33 (Public Bicycle Parking) of planning permission 2019/2514 dated 09/12/2020	James Bellis	Woodberry Down	Delegated	Grant	16-04-2024

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