



PLANNING SUB - COMMITTEE

Wednesday, 1st July, 2009

at 6.30 pm

Council Chamber, Hackney Town Hall, Mare
Street, London E8 1EA

Committee Members:

**Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair),
Cllr Ian Sharer, Cllr Simon Tesler, Cllr Linda Smith,
Cllr Joseph Stauber, Cllr Vincent Stops (Chair),
Cllr Katie Hanson and Cllr Jessica Webb**

**Gifty Edila
Corporate Director of
Legal and Democratic
Services**

**Contact: Emma Perry
Democratic Services Officer
Tel: 020 8356 3338
Email: Emma.Perry@hackney.gov.uk**

The press and public are welcome to attend this meeting

AGENDA

Wednesday, 1st July, 2009

ORDER OF BUSINESS

Title	Ward	Page No
1. Apologies for Absence		
2. Members to agree the order of business		
3. Declarations of Interest		
4. Minutes of the Previous Meeting		(Pages 1 - 70)
5. Forecourt outside 1 Reading Lane, London, E8 1DR	Hackney Downs;	(Pages 71 - 78)
6. 65, 71, 73, 75 Scrutton Street & 45 Curtain Road, London, EC2A 4JP	Haggerston;	(Pages 79 - 114)
7. Units 11, Angel Wharf, Shepherdess Walk, London, N1 7JL (2009/0545)	Hoxton;	(Pages 115 - 130)
8. Units 3-6 Angel Wharf, Shepherdess Walk, London, N1 7JL (2009/0546)	Hoxton;	(Pages 131 - 148)
9. Senate House, Tyssen Street, Dalston, E8 2ND	Dalston;	(Pages 149 - 192)
10. South Marsh, Hackney Marshes, Homerton Road, London, E9 5PF	Haggerston;	(Pages 193 - 226)
11. 87-95 Curtain Road, London, EC2A 3BS	Haggerston;	(Pages 227 - 292)
12. 326-330 Green Lanes, London, N4 1BX	New River;	(Pages 293 - 334)
13. Hackney Customer Service Centre (u/c), Hillman Street, London, E8 1DY	Hackney Central;	(Pages 335 - 342)
14. 10 Shacklewell Road, London, N16 7TA	Stoke Newington Central;	(Pages 343 - 362)
15. The City Academy (u/c), Homerton Row, London, E9 6EB	Chatham;	(Pages 363 - 396)
16. Appeal Summary - December 2008		(Pages 397 - 402)

Access and Information

Location

Hackney Town Hall is on Mare Street, bordered by Wilton Way and Reading Lane, almost directly opposite The Ocean.

Trains – Hackney Central Station (Silverlink Line) – Turn right on leaving the station, turn right again at the traffic lights into Mare Street, walk 200 metres and look for the Hackney Town Hall, almost next to The Empire immediately after Wilton Way.

Buses 30, 48, 55, 106, 236, 254, 277, 394, D6 and W15.

Facilities

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall.

Induction loop facilities are available in Rooms 102 and the Council Chamber

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

Copies of the Agenda

The Hackney website contains a full database of meeting agendas, reports and minutes. Log on at: www.hackney.gov.uk

Paper copies are also available from local libraries and from Democratic Services officer whose contact details are shown on page 2 of the agenda.

Local Democracy Website – www.hackney.gov.uk

The Local Democracy section of the Hackney Council website contains full details about the democratic process at Hackney, including:

- Councillor contact details
- Information about MPs, MEPs and GLA members
- Agendas, reports and minutes from council meetings
- The council's constitution
- Overview and Scrutiny information
- Details and links to area forums and local consultations
- And more.

How to have your say at the Planning Sub-Committee

Planning in Hackney

If there are proposals to build a block of flats in your area or someone in your street wants an extension they will more than likely have to get planning permission from the council. Hackney, like all councils have to let you know if a planning application has been received and you live close by. Where a development will have an impact on more people, Hackney often consults widely.

This gives as many residents as possible the chance to tell us what they think.

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

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

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

Planning Sub-Committee members use these meetings to make sure they have all the information they need and hear both sides before making a decision. This leaflet explains how the Planning Sub-Committee works and how you can have your say.

The Planning Sub-Committee

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

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

Meetings are held in public at Hackney Town Hall and they usually start at 6.30pm on the first Wednesday of the month. Agendas are available at www.hackney.gov.uk/your-council or from the Committee Officer a week before the meeting.

All Planning Sub-Committee members will keep an open mind on applications and it is advised that you don't contact any of the councillors before a meeting.

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 proposal, are generally given five minutes to get their points across. If there is more than one person on each side you will be

asked to divide the five minutes between you or nominate a spokesperson. The Committee Officer will help groups speaking on the same item to coordinate presentations.

How the Meeting Works

The Sub-Committee will normally consider agenda items in turn. If there are a lot of people for an item they might bring it forward.

At the beginning of each meeting the Chair will explain how the meeting works and what can and can't be taken into account when making decisions. The meeting usually happens like this:

- The Chair introduces the item,
- The Planning Officer introduces their report to the Sub-Committee and informs them of any relevant additional information received after they publicised their report. The officer will also give their recommendations,
- Registered objectors speak for up to five minutes,
- Registered supporters speak for up to five minutes,
- Sub-Committee members can ask questions and discuss the item. They will ask council officers for further clarification if they need it,
- The recommendation – including any supplementary conditions or recommendations proposed by the Sub-Committee - is put to the vote. If the vote is split the Chair has the casting vote,
- A final decision is announced.

The Sub-Committee has strict guidance for making decisions and they can only be based on:

- National Planning policies set out by Government,
- Regional Planning policy, London Plan 2008, set out by the Greater London Authority,
- 'Saved' Hackney Unitary Development Plan policies,
- Council's policies outlined in the Hackney's emerging Local Development Framework
- Other 'material consideration' such as the planning history of a site and other development nearby the site.

Having Your Say

If you have something to say about a planning application there are three ways to do it:

Write to us

You can write to the council by making what are known as written representations.

This is where you have the opportunity to:

- tell us in detail what impacts the development will have in your community,
- let us know why you support or object to a planning application.

To make sure your representations are considered and included on the agenda they should be submitted within 21 days from the date you were notified of the application.

Where you have made representation or have asked to be notified, we will let you know the date of the Sub-Committee meeting relevant to that application.

Whether you are speaking at the meeting or would just like to come along, please arrive at least 15 minutes before the start as the agenda can sometimes change.

Speak at a meeting

If you made a written representation you can register to speak at a meeting. Just contact the Committee Officer by phone on 020 8356 3338 or email democraticserviceteam@hackney.gov.uk by 4.00pm on the working day before the meeting.

Photographs and illustrative material can be presented at the meeting if it has been verified by the Planning Officer beforehand. It must be delivered to the Planning Sub-Committee Officer no later than 4.00pm on the working day before the meeting.

Please note that new representations cannot be presented at the meeting. Only in exceptional cases will the Sub-Committee consider additional representations submitted after the agenda and reports have been published. If any significant new information comes to light after the 21 days of consultation, let the Planning Officer know and they may refer to it in their presentation to the Sub-Committee.

Contact your local councillor

As long as they are not sitting as a member of the Planning Sub-Committee they may agree to speak for you at a meeting. Please contact the Members' Support Team on 020 8356 3350 to find out how to contact your local councillor.

How to Contact Us

For more information you can contact the Committee Officer by:

Phone: 0208 356 3338

Email: democraticserviceteam@hackney.gov.uk

Write:

Democratic Services Team

Hackney Council

Hackney Town Hall

Mare Street

London E8 1EA

On-Line: www.hackney.gov.uk/your-council

Other Information

Leaflet 1 – How to Have Your Say on Planning Applications

Leaflet 3 – Planning Service Charter

Leaflet 4 – Pre-Application Advice for Planning Applications

Produced by Hackney Design, Communications & Print • Nov 2008 • PJ36321

ADVICE TO MEMBERS ON DECLARING INTERESTS

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

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

- The Corporate Director of Legal and Democratic Services;
- another Council lawyer; or
- Democratic Services.

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

1. Do you have a personal interest in any matter on the agenda or which is being considered at the meeting?

You will have a personal interest in a matter if it:

- relates to an interest that you have already registered on the Register of Interests;
- relates to an interest that should be registered but you have not yet done so; or
- affects your well-being or financial position or that of members of your family or your close associates, to a greater extent than it would affect the majority of people in the ward affected by the decision.

Note: The definition of family is very wide and includes a partner, step-relations and in-laws. A "close associate" is someone whom a reasonable member of the public might think you would be prepared to favour or disadvantage.

2. If you have a personal interest you must:

- declare the existence and nature of the interest (in relation to the relevant agenda item) at the beginning of the meeting, before it is discussed or as soon as it becomes apparent to you; but**
- you can remain in the meeting, speak and vote on the matter unless the personal interest is also prejudicial.**

However, in certain circumstances you may have an exemption which means that you might not have to declare your interest.

Exemption 1: You will have an exemption where your interest arises solely from your membership of or position of control/management in:

- a body to which you have been appointed or nominated by the authority; and/or
- a body exercising functions of a public nature (e.g. another local authority).

Exemption 2: You will have an exemption if your personal interest is simply having received a gift or hospitality over £25 which you registered more than 3 years ago.

If you have an exemption:

- i. **you need only declare your interest if you address the meeting; and**
- ii. **you can vote without declaring the interest providing you do not speak.**

3. When will a personal interest also be prejudicial?

Your personal interest will also be prejudicial if a member of the public who knows the relevant facts would reasonably think the personal interest is so significant that it is likely to prejudice your judgement of the public interest; and

- i. either the matter affects your financial position or the financial position of any person or body through whom you have a personal interest; or
- ii. the matter relates to the determining of any approval, consent, licence, permission or registration that affects you or any relevant person or body with which you have a personal interest.

Exemptions: You will not have a prejudicial interest if the matter relates to the following:

- i. the Council's housing functions - if you hold a lease or tenancy with the Council, provided that the matter under consideration is not your own lease or tenancy;
- ii. school meals, transport or travel expenses – if you are the parent or guardian of a child of school age, provided that the matter under consideration is not the school the child attends;
- iii. statutory sick pay;
- iv. Members' allowances;
- v. ceremonial honours for Members; or
- vi. setting the Council Tax.

4. If you have a prejudicial interest you must:

- i. **Declare the existence and nature of the interest (in relation to the relevant agenda item) as soon as it becomes apparent to you.**
- ii. **Leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter. If that is the case, you can also attend to make representations, give evidence or answer questions about the matter.**
- iii. **Once you have finished making representations, answering questions etc., you must leave the room. You cannot stay in the room whilst the matter is being discussed neither can you remain in the public gallery to observe the vote on the matter. In addition, you must not seek to improperly influence a decision about the matter.**

Further Information

Advice can be obtained from Gifty Edila, Corporate Director of Legal and Democratic Services, on 020 8356 3265 or email Gifty.Edila@hackney.gov.uk

Guidance is also available from the Standards Board for England's website: www.standardsboard.gov.uk/TheCodeofConduct/Guidance/



MINUTES OF A MEETING OF THE PLANNING SUB-COMMITTEE

WEDNESDAY, 10TH JUNE, 2009

Councillors Present:	Councillor Vincent Stops in the Chair Cllr Barry Buitekant, Cllr Michael Desmond (Vice-Chair), Cllr Katie Hanson and Cllr Jessica Webb
Apologies:	Cllr Simon Tesler, Cllr Linda Smith and Cllr Joseph Stauber
Officers in Attendance	Ian Bailey (Senior Planning Officer), Robert Brew (Team Leader, Majors Team), Rokos Frangos (Senior Planning Officer), Rosemary Lansdowne (Principal Solicitor), Graham Loveland (Assistant Director, Planning), Ron Madell (Appeals Officer), Gillian Nicks (Deputy Team Leader, Major Applications Team), Femi Nwanze (Head of Development Management), Fred Raphael (Senior Technical Engineer), Ray Rogers (Sustainability and Design Manager), Russell Smith (Senior Planning Officer) and John Tsang (Interim Team Leader)

1 APOLOGIES FOR ABSENCE

- 1.1 **RESOLVED** – that Councillor Vincent Stops be appointed as the Chair of the Planning Sub-Committee.

2 APPOINTMENT OF VICE-CHAIR

- 2.1 **RESOLVED** – that Councillor Michael Desmond be appointed as the Vice-Chair of the Planning Sub-Committee.

3 APOLOGIES FOR ABSENCE

- 3.1 Apologies were received from Councillors Sharer, Smith, Stauber and Tesler.
- 3.2 An apology for lateness was received from Councillor Hanson.

4 MEMBERS TO AGREE THE ORDER OF BUSINESS

- 4.1 The order of business was changed as follows:
- Item 11 was withdrawn from the agenda, at the request of the Planning Officer.
 - Item 13 was withdrawn from the agenda, at the request of the Planning Officer.
 - Item 14 was taken after Item 8.

5 DECLARATIONS OF INTEREST

- 5.1 Councillor Desmond declared a prejudicial interest in Item 9 – 30 Benthall Road, as he had previously been involved with the application.

6 MINUTES OF THE PREVIOUS MEETING

- 6.1 **RESOLVED**, subject to the following amendments:-

- Paragraph 10.1 – Councillors Stops, Buitekant and Hanson recognised the architect but did not feel it was necessary to declare a personal interest.
- Item 11 – 10 Shacklewell Road – the application was listed as a car free development in the report, but this was not reflected in the report. The report would need to come back to committee to approve the revised s106 resolution.

7 OLD SCHOOL SITE, WOODBERRY GROVE, LONDON, N4

Modifications to planning permission reference 2007/1841 to provide a mixed use scheme comprising 490 residential units (Class C3), 730 sqm for a community hall and related facilities Class D1), 1240 sq m retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), round 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 Playable Space.

(Councillor Hanson arrived during the discussion of the item and therefore did not take part in the vote).

- 7.1 The Planning Officer introduced the report, as set out within the agenda. He explained that the application was for some slight alterations and that the height of the tower had now been increased by 1.8m.
- 7.2 Reference was made to the addendum, which listed the revised drawings.
- 7.3 Councillor Middleton spoke in objection to the scheme, on behalf of residents, her comments are summarised as follows:-
- Felt that the report was unclear.
 - The height of the tower had now been increased from 21 to 25 storeys and requested clarification.
 - Clarification sought on the size of the intermediate units and whether leaseholders would be given the same size accommodation.
 - Happy that the community centre would now be located on the ground floor.
 - There was a need for proper air conditioning in the community centre.
 - Wished to clarify whether the libraries and education money would be ring fenced for Woodberry Down.
 - Requested that like for like businesses be replaced, so that the existing businesses do not lose their livelihoods.
- 7.4 Peter Naughton spoke in support of the scheme, his comments are summarised as follows:-

- He expressed appreciation, on behalf of residents, for the work undertaken by Berkeley Homes in improving the layout of the majority of the units.
- The issue surrounding new parking bays needed to be resolved.
- The community facility in Block A, had now been moved to Block G.
- Supported the request that like for like businesses be replaced, so that the existing businesses do not lose their livelihoods.

7.5 Sean Tickle (Agent) spoke in support of the scheme, his comments are summarised as follows:-

- The changes being made were as a result of the current economic climate, in order to provide a range of tenures to meet demand.
- The community facility was now being located in Block G on the ground floor.
- Berkeley Homes have required 12 Towncourt Path and its demolition which will allow for the opportunity to extend Block G further westwards, increasing the number of overall units that the scheme can provide.

7.6 The Chair wished to clarify why the increased height of the tower was deemed acceptable and the Sustainability & Design Manager explained that in terms of overall height this was not an issue, in principle. He added that the development retained a slight curve to the balconies, although this was not as pronounced as previously hoped and that the materials to be used could be looked at.

7.7 The agent informed Members that the additional storeys in the tower had been accommodated within the same envelope, as the retail units had been changed to residential units and the floor to ceiling height had been slightly reduced. He added that he would be happy to discuss the materials with the Sustainability & Design Manager and that they would not be coming back to committee proposing further increases in height.

7.8 Discussion took place regarding parking and the issue surrounding the controlled parking zones and it was explained that the car parking strategy would be finalised in due course and would form part of a future application.

RESOLVED that:-

<p>A) The Council, taking account of the environmental information required under Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, resolves to GRANT APPROVAL, subject to any direction by the Mayor of London and to the following conditions:</p>

1. SCB1 – Commencement within three years

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

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

2. SCB0 – Development in accordance with plans

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

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

External Appearance:

3. SCM7 – Details to be approved

Detailed drawings of the proposed development showing the reserved and other matters, as set out below, must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved:

- a) Details of the maintenance regime for the public open space and other non-curtilage open areas of the site, including the area up to the near bank of New River, detailing location and any boundary treatment proposed
- b) The means of enclosure on all site boundaries, indicating clearly which are existing and which are proposed, and including full details of height, materials and construction
- c) The facilities to be provided for the storage and removal of waste materials for each building or area
- d) The provisions to be made within the development to ensure that people with disabilities are able to gain full access to the accommodation to be provided.

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the open setting and conservation value of the Metropolitan Open Land adjoining and including the New River.

4. SCM6 – Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of all buildings and boundary walls shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

5. SCT1 - Landscaping scheme to be approved

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

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

6. SCM4 – Ground Surface Treatment

Full details of all ground surface treatment to the site shall be submitted to and approved by the Local Planning Authority, in writing, before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

7. Highways/TfL (NSC)

Details of the following matters are reserved for further approval, to be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved:

- a) The layout of the site to a scale of not less than 1:500 and incorporating:
 1. Detailed layout and proposals for management and security of all car parking and servicing areas (including the basement) and details of car parking provisions and facilities for Use Classes A1-4 and D uses;
 2. Details of any proposed Controlled Parking Zones;
 3. Details of cycle parking provisions including numbers, covered and secure provisions to accord with London Plan standards;
 4. Details of all emergency access arrangements suitable for police, fire and ambulance service use.

(b) Any public rights of way shall be preserved to allow a maximum accessibility and all footways shall be of a minimum of 2m wide footpaths with safe even surfaces and road crossings suitable for wheelchair users;

(c) Full details of highway/ access areas land ownership and adoption for the site

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

8. SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, at least 10% of the car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities, including 19 spaces at basement level at locations close to the entrances to the buildings.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

9. SCH11 - Adequate visibility

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

10. (NSC)

Details of the new road access shall be approved prior to commencement of any development

REASON: To ensure the satisfactory design, layout and external appearance of the development and to ensure that the proposed development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

11. SCH5 – Provision of parking, turning and unloading space

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/ loading and unloading purposes.

12. SCH4 - Forward vehicle ingress/egress only

All vehicles shall enter and leave the site only in a forward direction.

REASON: In the interests of road safety generally and avoidance of obstruction of the highway.

13. (NSC)

Prior to first occupation of any of the proposed new residential development, a Travel Plan shall have been submitted to and approved by the Local Planning Authority detailing means of conveying information for new occupiers and other techniques for advising residents of sustainable travel options. The Travel Plan shall then be implemented as dwellings are occupied until completion of the development.

REASON: To enable residential occupiers to consider sustainable transport options, as part of the measures to limit any net increase in travel movements (Policy TR6 of the UDP).

14. (NSC)

Prior to first occupation of the proposed Priority Community Facility, a Travel Plan shall have been submitted to and approved by the Local Planning Authority. The Travel Plan shall then be implemented prior to the use commencing and shall be so maintained for the duration of the use, unless prior written approval of the Local Planning Authority is obtained in writing.

REASON: To ensure that the travel arrangements to the business/training centre are appropriate and to limit the effects of the increase in travel movements (Policy TR6 of the UDP).

15. (NSC)

Prior to first occupation of the proposed retail and other commercial units, a Travel Plan shall have been submitted to and approved by the Local Planning Authority. The Travel Plan shall then be implemented prior to the use commencing and shall be so maintained for the duration of the use, unless prior written approval of the Local Planning Authority is obtained in writing.

REASON: To ensure that the travel arrangements to the health centres are appropriate and to limit the effects of the increase in travel movements (Policy TR6 of the UDP).

16. (NSC)

Details of continuing implementation of the Travel Plans as required by these planning conditions shall be submitted to enable monitoring by the Local Planning Authority for a period of 2 years from first occupation of these uses.

REASON: To ensure that the travel arrangements are appropriate, and to limit the effects of the increase in travel movements (Policy TR6 of the UDP).

17. (NSC)

Within two months of completion of each phase of the proposed development, as identified on the application drawings, all redundant accesses located within the area of development of that phase and not incorporated in the development shall be permanently closed with the kerbs, footway and verge reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To limit the number of access points along the site boundary for the safety and convenience of highway users in accordance with Policy TR9 and TR10 of the UDP.

Environment Agency:

18. (NSC)

Before development commences, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- a) detail of the extent and type of new planting (native species only)
- b) details of maintenance regimes

- c) details of any new habitat created on site
- d) details of treatment of site boundaries and/ or buffers around water bodies
- e) details of the green roofs proposed

REASON: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of nature conservation value of the site in line with the policies set out in PPS9, London Plan and Hackney UDP. Natural networks of linked wildlife corridors can also help wildlife adapt to climate change.

Environmental Health – Pollution:

19. (NSC)

Noise and vibration that may be foreseen prior to, or that which occurs during, construction, demolition, excavation, concrete crushing, foundation work and super-structure work shall be managed in accordance with details to be approved prior to commencement of relevant parts of the development, based on the recommendations in the applicants' Environmental Statement *Appendices on Noise and Vibration*

REASON: to mitigate the potential of noise and vibration nuisance to occupiers of neighbouring premises.

20. (NSC)

Full particulars and details of the scheme for sound insulation between the proposed commercial, community and residential uses of the buildings 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 hereby permitted and permanently retained thereafter.

REASON: to mitigate the potential of noise and vibration nuisance to occupiers of neighbouring premises

21. (NSC)

No construction (including demolition) which may be audible at the site boundary or in any occupied dwelling shall be carried out except between the hours of 08:00 to 18:00 hours (Monday to Friday), 08:00 to 13:00 hours (Saturdays), with no construction activity whatsoever on Sundays or Public Holidays.

REASON: to mitigate the potential of noise and vibration nuisance to occupiers of neighbouring premises

22. (NSC)

Mechanical ventilation equipment and air conditioning units shall be designed, located and acoustically insulated to prevent noise disturbance. The design of equipment and units should provide an operating level of 10dB(A) below background noise level in order to achieve inaudibility and avoid adversely affecting the amenity of occupiers of dwellings in close proximity by reason of noise.

REASON: to mitigate the potential of noise and vibration nuisance to occupiers of neighbouring premises

23. (NSC)

The Community Facility, Restaurants and Take-Away Establishments shall each provide a kitchen extract system to suppress and disperse odour, smoke and fume produced by cooking and food preparation without causing a nuisance to neighbours. Details of the equipment shall be submitted to, and approved by this Council's Planning Authority and Pollution Control with the equipment installed and in full working order prior to commencement of use. Details of these measures should be submitted to the Pollution Unit, Development Control and Building Control for consideration. The sound insulation measures will have to be in place before the premises are first brought into use and shall be maintained in an effective manner thereafter.

REASON: to mitigate the potential for nuisance from cooking odours and other smells to occupiers of neighbouring premises

24. (NSC)

Details of Street Cleansing arrangements for each Quarter shall be submitted prior to commencement of construction, and

REASON: To ensure the implementation of the Council's street cleansing and public realm policies.

Renewable Energy:

25. (NSC)

Before any relevant part of the development commences, details of all renewable energy and energy efficiency facilities and measures outlined in the Energy Strategy for the Old School site and compatible with the aims of maximising renewable energy across the whole Woodberry Down development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include an assessment of how the inclusion of renewable energy technologies will contribute towards the reduction of carbon emissions from the development. The development shall be carried out in accordance with the approved details.

REASON: To ensure the proposed development contributes towards the objectives of the Mayor's Energy Strategy in accordance with Policies 4A.7 and 4A.9 of the London Plan.

Environmental Health –Contamination:

26. (NSC)

No development shall take place until a detailed assessment of the likely presence and extent of any contamination of the land on the site has been submitted to the Council's Pollution Control Group. The assessment should be carried out having regard to the technical documents relevant to the assessment of human health risks arising from contaminants in soil from Department for Environment, Food and Rural Affairs and the Environment Agency:- Assessment of Risks to Human Health from Land Contamination: An Overview of the Development of Soil Guideline Values and Related Research and Contaminants in Soil: Collation of Toxicological Data and Intake Values for Humans and Soil Guideline Values;2002, and the British Standards Institution: Investigation of potentially contaminated sites - Code of practice, BS 10175:2001. Should the site be regarded as contaminated, then no development shall take place until proposals for decontamination works have been completed and approved by the Council's Pollution Control Group.

REASON: To establish whether there are any land decontamination measures required to prepare the site for development.

Trees/ Landscape:

27. SCT4 – Tree Survey/Retention Plan

A detailed Tree Survey/Retention Plan (plan and schedule) indicating precise location, species, height and condition of each tree accurately plotted and showing which trees are to be retained and which are proposed for felling shall be approved by the Local Planning Authority before any work commences on site.

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

28. SCT3 - Protection of trees on-site during site works

No demolition, site clearance or building operations shall commence until chestnut paling fencing of a height not less than 1.2 metres shall have been erected around each tree or tree group to be retained on the site, at a radius from the trunk of not less than 4.5 metres. Such fencing is to be maintained during the course of development to the satisfaction of the Local Planning Authority.

REASON: In order to protect the existing trees during building operation and site works.

Lighting:

29. (NSC)

Prior to the commencement of the development, details of a lighting strategy for the development site shall be submitted, setting out the general distribution and design guidelines for all installations in the development and its public realm areas in accordance with the Council's adopted Public Realm Design Guide.

REASON: To ensure that the principles of location and design of external lighting are acceptable in terms of adopted design principles, including the Woodberry Down Design Code, and enhance public safety and crime prevention.

30. (NSC)

Prior to the development commencing, details of lighting of all buildings and public areas shall be submitted. The approved lighting shall be installed before any use in the relevant part of the development commences and maintained thereafter.

REASON: To ensure that the detailed location and design of external lighting are acceptable in terms of adopted design principles, including the Woodberry Down Design Code, and enhance public safety and crime prevention.

Building Heights:

31. (NSC)

The 27 storey residential tower within Block A of the development hereby submitted shall not exceed a height to parapet of the uppermost floor of 113.4m from ground level of the building.

REASON: To ensure that this tall building as finally constructed does not exceed the height shown in the application, in the interests of design, townscape and visual amenity.

Technical Reports

32. (NSC)

Prior to the occupation of any of the development, a TV reception survey shall be submitted (carried out pre and post development) to ensure that no loss of reception occurs, with mitigation details of any loss of TV reception.

REASON: To minimise any loss of amenity for existing occupiers.

B) Recommendation A be subject to the Landowners and their mortgagees entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters, both on-site and off-site provision, to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Law:

1. Housing

A contribution to the provision of 192 affordable housing units – to include 117 social rented units and 75 intermediate units, broken down as follows: Social rented: 31 one bed, 45 two bed, 36 three bed and 5 four bed flats; Intermediate: 27 one bed, 30 two bed, 16 three bed flats and 2 four bed flats. All social rented units to meet Parker Morris + 10%.

100% of the approved housing shall be constructed to 'Lifetime Homes' standards, in accordance with the London Plan, and 10% of these shall be wheelchair accessible

2. Priority Community Facility

Lease at peppercorn rent of £1 to Hackney Council of ground and first floor of Block A for use as a Community Facility with retail uses at ground floor cross-subsidising first floor community use. Details should be provided of the locally based management organisation that will be responsible for its management and maintenance

Transport

Transport and Highways Contributions

3. Contribution of £29,800 towards improvements in bus capacity on the area, in particular towards improvements to the No. 253 (TfL Request): contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner.

4. Contribution towards improvements in Bus Stands within the Woodberry Down Area (TfL Request): contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner.

5. Works to Seven Sisters Road – contribution of £424,970 to include:
- Reduction of Seven Sisters Road from 6 lanes to 4 (10% Contribution)
 - New signalised crossroads at Seven Sisters Road/Amhurst Park Junction
 - Upgrade to existing crossroads at Seven Sisters Road and Woodberry Grove
 - new signalised pedestrian crossing
 - new uncontrolled pedestrian crossing

Contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner. It is recommended that TfL be a Party to the Agreement.

6. Section 38 Agreement to be signed contemporaneously between Berkeley Homes and LB Hackney which will require either Berkeley Homes to undertake the following highway works or for LB Hackney to undertake the following works:

- New junction works to Woodberry Grove;
- New pavement works to Woodberry Grove;
- Provision of new parking bays to Woodberry Grove;
- New pavement works to Woodberry Down;
- New junction to Towncourt Path;
- Revised highway layout to Towncourt Path;
- New Pavements to Towncourt Path.

Works to be undertaken within 36 months of the implementation date.

7. Section 278 agreement to undertake new access road: LB Hackney noted that agreement may combine S106 and S278.
Details should be provided of the locally based management organisation that will be responsible for the management and maintenance of internal roads and car parks.
8. Contribution of £2,200 towards provision of a Controlled Parking Zone: Residents would not be restricted from obtaining residents' parking permits though spaces would limit their actual utility. The CPZ contribution to be made prior to any occupation of residential/commercial units occurring.
9. Travel Plan monitoring, including appointment of Coordinator: £3,860 contribution which comprises 10% of the Masterplan intended figure of £38,600. Details of the Travel Plan to be submitted and approved prior to any occupation of residential/commercial units occurring. Contribution towards

establishment of a City Car Club with an operation capable of being expanded across the whole Woodberry Down development.

10. Provision of improved cycle and pedestrian facilities within the scheme. These facilities include new public routes along linear park and a new pedestrian route from Woodberry Down to the river. Details of proposed routes to be provided prior to any work being undertaken on the relevant parts of the scheme.

Educational, Skills Training, Construction Training and Library Contributions

11. A contribution totalling £1,269,000 towards primary and secondary education, education and skills training, construction training and library provision is payable in this case.
12. Commitment to use of a local construction based training programme
13. Library contributions totalling £88,026 in accordance with Planning Obligations SPD, for both residential and non-residential elements of the scheme. The educational, training and library contributions to be made prior to any occupation of the residential or commercial units.

Sustainable Design and Development

14. Code for Sustainable Homes: The approved housing shall be constructed to a minimum Code for Sustainable Homes Level 3, as agreed for the original Old School Berkeley scheme, with an aspiration to achieve Level 4. Details of the independent code assessors report to be submitted prior to any work occurring on the relevant part of the development. Details of the Code Assessment to be submitted and approved prior to any occupation on site.
15. The following would be submitted and approved by virtue of the S106 prior to any work occurring on the relevant part of the development.
 - No more than 3 community heating networks serving KSS1-4;
 - No more than 3 energy centres to serve KSS1-4;
 - Heat mains to the edge of each of the separate development areas within KSS1 (so that it easily can be linked to adjacent development sites later);
 - Decommissioning the 3 energy centres if the preferred site wide strategy is adopted.
 - Reasonable endeavours used to sign up with an ESCO;
 - Monitoring of the sourcing of any Biofuels used to ensure that it comes from sustainable sources.
16. Other on-site works, Strategies and Restrictions:
 - Drainage Strategy, to including assuring the attenuation of surface

- water run off, SUDS
- Sustainable waste management
- Sustainable design and construction
- Construction Environmental Management Strategy – including
- construction traffic routing
- Considerate contractors scheme
- Water pollution management
- Control of noise pollution
- Designing out crime – to ensure Secured by Design or equivalent
- standards achieved throughout development

Public Art

17. Based on the provision for the overall Masterplan, a contribution of £11,037 as a pro rata calculation towards a total Masterplan contribution of £100,000. Contribution to be made within 24 months of the implementation.

Open Space and Landscape

- Landscape Strategy, including public parks, play space, public realm, private open space, landscaping of the riverside and reservoirs
- Nature conservation strategy
- Play Strategy

Section 278 – Highways Act

18. The owner will be required to enter into agreement under Section 278 of the Highways Act, including payment to the Council costs to reinstate and improve the public highway including footways adjacent to the boundary of the site and include any measures for the relocation of street furniture and carriageway markings.

C) In the event of the Section 106 agreement referred to in Recommendation B not being completed by 30 October 2009, the Interim Assistant Director (Planning) be given the authority to refuse the application for the following reasons:

1. The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the borough and would fail to promote a mixed and inclusive community, and as such would be contrary to policy HO3 of the Hackney UDP (1995), policies 3A.7 and 3A.8 of the London Plan (2004 as amended), the adopted Planning Contributions SPD (2006), and advice contained in PPS1 and PPG3.
2. The proposed development, in the absence of a legal agreement for securing community facilities contributions, would be to the detriment of community provision in the borough and would fail to promote a mixed and inclusive community, and as such would be contrary to policy CS2 of the Hackney UDP (1995), policy 3A.15 of the London Plan, the adopted Planning Contributions SPD (2006), and advice on balanced and sustainable development contained in PPS1.

3. The proposed development, in the absence of a legal agreement for securing transport and highway improvement contributions, would be contrary to policy TR19 of the Hackney UDP (1995), policies 3C.1, 3C2, 3C.9, 3C.16, 3C.19 and 3C.20 of the London Plan, the adopted Planning Contributions SPD (2006) and advice in PPG13.
4. The proposed development, in the absence of a legal agreement for securing educational and library contributions, would be likely to contribute to pressure and demand on the borough's education provision, contrary to policy CS2 of the Hackney UDP (1995), policies 3A.15 and 3A.21 of the London Plan, the adopted Planning Contributions SPD (2006) and advice on balanced and sustainable development contained in PPS1.
5. The proposed development, in the absence of a legal agreement for securing training and skills development contributions, would fail to make appropriate provision towards such needs amongst residents in the new development, contrary to policy E15 of the Hackney UDP (1995), policy 3B.12 of the London Plan, the adopted Planning Contributions SPD (2006) and, and advice on balanced and sustainable development contained in PPS1.
6. The proposed development, in the absence of a legal agreement for securing suitable Obligations to ensure sustainable design and development, would be contrary to policies of the Council and Mayor of London seeking progressive improvements in energy efficiency, use of renewable energy, water conservation and other sustainability aims, contrary to policies EQ44 and EQ46 of the Hackney UDP (1995), policy 3A.21 of the London Plan, the adopted Planning Contributions SPD (2006) and advice on achieving sustainable development contained in PPS1.
7. The proposed development, in the absence of a legal agreement for securing contributions to public art, would fail to add to a sense of place and identity that such provision can bring to new development, contrary to policy ACE5 of the Hackney UDP (1995), the adopted Planning Contributions SPD (2006) and advice on balanced and sustainable development contained in PPS1.
8. The proposed development, in the absence of a legal agreement for securing open space, landscape and nature conservation Obligations and contributions, would be fail to preserve and enhance these critical aspects of the site's relationship with the surrounding development, New River, Metropolitan Open Land and areas of nature conservation importance, contrary to policies OS1, OS5, OS9,, OS16 of the Hackney UDP (1995), policies 3D.9, 3D10 and 3D.12 of the London Plan, the adopted Planning Contributions SPD (2006) and advice on balanced and sustainable development contained in PPS9 and PPS17.

INFORMATIVES

- i) (Sl.1) Building Control
- ii) (Sl.2) Work Affecting Public Highway
- iii) (Sl.3) Sanitary, Ventilation and Drainage Arrangements
- iv) (Sl.7) Hours of Building Works
- v) (Sl.24) Naming and Numbering
- vi) (Environment Agency) Conservation

- vii) (EA) Soil Remediation
- viii) (EA) Discharge
- ix) (EA) Potential Contamination
- x) (EA) Abstraction Licence
- xi) (EA) Geothermal systems

- xii) The contractor should ensure that the best practicable means as defined by *Section 72 of the Control of Pollution Act 1974* are employed and have regard to the provisions of *BS 5228: 1997 Noise and Vibration Control and Open Sites* to ensure the construction work, including the use of plant, proceeds in a way considerate to the local community and to mitigate noise to neighbours.

- xiii) The use of individual retail/ commercial units as take away hot food outlets will be considered on their individual merits, without prejudice to the final decision of the Council in any case, and with any permission that may be granted likely to include conditions imposed to safeguard local residential amenity.

- xiv) (NSI): The London Plan and also the following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1, EQ16, EQ18, EQ46, EQ48, HO3, HO5, E14, E18, R4, R8, TR19, OS1-6, OS9, OS13, OS14, CS2,3,4,6, ACE 6, ACE8. The detailed application of these policies is also summarised at paragraph 9.2 of this report.

- xv) (NSI): In deciding to grant planning permission the Council has also had regard to the relevant Policies of the Woodberry Down Area Action Plan – Supplementary Planning Guidance, August 2004, as well as relevant national and regional guidance.

8 12-32A HERTFORD ROAD, 27-31 DOWNHAM ROAD AND 305 KINGSLAND ROAD, LONDON, N1 AND E8

Mixed use development to provide 207 residential units (70 x 1 bed, 69 x 2 bed, 45 x 3 bed and 23 x 4 bed including 65 affordable units) 5130sqm B1 floor space, 704sqm D1 (health centre)/B1 floor space, 271sqm A1 (retail) floor space, 86sqm A3 (restaurant) floor space, 336sqm B8 floor space plus associated landscaping, refuse and cycle storage together with 53 car parking spaces. This application is accompanied by associated Conservation Area Consent and Listed Building Consent applications.

(Councillor Desmond arrived during the discussion of this item and so did not take part in the vote).

- 8.1 The Planning Officer introduced the report, as set out in the agenda. A model was displayed at the meeting for Members' information.

- 8.2 The Planning Officer referred to the addendum and informed the Sub-Committee that since the report was written, a further ten objection letters had been received. It was explained that the grounds of objection predominately reiterate comments previously made and as set out in the report. One further point referred to the lack of cross section and elevation drawings to the East Basin side of the application, which were submitted by the applicant.

- 8.3 Tiago Correia spoke in objection to the scheme, his comments are summarised as follows:-
- Representing Kingsland Wharf residents.
 - Loss of daylight/sunlight. Units had been incorrectly clarified and were live/work not residential. As a result, five units failed to comply.
 - Phasing and completion – the B1 office space should be completed before the rest of the development.
 - Feel that artists are being pushed out of the borough.
 - Barbican Arts Group Trust charity had been operating in the area for 35 years, providing affordable space for artists. They were not included within the development.
- 8.4 Michael Doyle (Agent) spoke in support of the scheme, his comments are summarised as follows:-
- They are an RSL that operate on a not-for-profit basis. Therefore all profits made on the development would be recycled.
 - The daylight/sunlight report showed that 100% of the units were compliant with guidelines.
 - Read out a letter from the Barbican Arts Group Trust stating that they were happy with the proposed scheme and plans.
 - They were happy to come to some agreement regarding the relocation of the Barbican Arts Group Trust.
- 8.5 Discussion took place surrounding the daylight/sunlight issue and the Planning Officer explained that there were 3 different measures used. The tests concluded that under the average daylight factor, it was found that they all conformed with guidance. Although 2 rooms were found to have insufficient sunlight at Belvedere Court, it was not deemed significant enough as it did not affect the whole unit.
- 8.6 In response to a question regarding kitchens and lounges, the applicant stated that 3 out of 4 of the affordable units would have separate kitchens and lounges, and that the private units would have large, open plan living areas with a kitchen included.
- 8.7 Discussion took place regarding access to the basin and timings, as Members stressed that they did not want to lose access to the pontoon. The intention was for the basin to be opened during daylight hours. It was explained that this would be covered by an accessibility plan, which needed to be submitted for approval, and brought back to Members for their consideration. This was **AGREED**.
- 8.8 Reference was made to the ecology zone and whether the overhanging trees and existing vegetation would be retained and protected. The agent explained that two ecology zones were included within the proposal.
- 8.9 In response to concerns raised by the objector regarding the Barbican Arts Group Trust, it was requested to secure affordable work space for the Barbican Arts Group, equal to the existing floor space the Barbican Arts currently occupies, as part of the s106 agreement. This was **AGREED**.

RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. SCB1 - Commencement within three years

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

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

2. SMC6 – Materials to be approved

Details, including samples, of materials to be used on the external surfaces of the building, roof, boundary walls and ground surfaces shall be submitted (accompanied by the design and access report submitted under the approval and a copy of the Officers Committee Report) to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

3. SCM7 – Details to be approved

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

- a. Windows, glazing bar profiles, and architraves;
- b. Balconies and balustrade
- c. screening to Roof terrace at Commercial Wharf

REASON: To ensure that the external appearance of the building is satisfactory, the existing natural habitat is not detrimentally impacted and does not detract from the character and visual amenity of the area.

4. SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building other than as shown on the drawings hereby approved.

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

5. SCD2 – Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

6. SCH14 – Closure of existing access

The existing accesses to the site shall be closed permanently when the use of the new accesses shown on the plans hereby approve are provided and in use.

REASON: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

7. SH5 – Provision of parking, turning, unloading facilities

No part of the development hereby approved shall be occupied until the accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and or users of, and/or persons calling at, the premises only and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

8. SCT1 –Landscaping scheme to be approved.

A hard and soft landscape scheme illustrated on detailed drawings together with full samples accompanied by the Design and Access statement hereby approved, shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, to include the planting of tree and shrubs showing species, type of stock, and numbers to be included and showing areas to be grass seeded or turfed, ephemeral reflection pool to the Stable Yard, Regent Canal stream map, benches, interpretation boards, lighting, topographical ground levels and ; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely diseased, or removed.

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

9. SCT3 – Protection of Trees during site works

No demolition, site clearance or building operations shall commence until chestnut paling fencing of a height not less than 1.2 metres shall have been erected around each tree or tree group to be retained on the site, at a radius from the trunk of not less than 4.5 metres. Such fencing is to be maintained during the course of development to the satisfaction of the Local Planning Authority.

REASON: In order to protect the existing trees during building operations and site works.

10. SH10 – Provision for cycles

Internal lockable space shall be made available for the secure parking of cycles as shown on the plans hereby approved prior to the first occupation or use of the development in accordance with the phasing plan.

REASON: To ensure that reasonable provision is made within the site for the parking of cycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

11. SCH11 – Adequate visibility to entrance

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on the sides of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

12. NSC - noise

The development hereby approved shall be built out in accordance with the Peter Brett Planning and Noise Assessment November 2008 except where details showing the following modifications to the scheme shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on site:

a. Details of a sound insulation scheme where the front elevation facing Kingsland Road shall be constructed so as to provide sound insulation against external noise, to achieve levels not exceeding 30dB LAeq and 45dB LMax (night) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided;

b. Full written details, including relevant drawings and specifications, of the proposed works of sound insulation against airborne noise to meet $D'_{nT,w} + C_{tr}$ dB of not less than 55 between the ground floor and first floor, where residential parties non domestic use, shall be submitted to and approved in writing by the local planning authority.

c. Details of noise emission from fixed plant', the rating level of the noise emitted from the fixed equipment (to include A/C units, air handling units etc) on site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the facade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997;

d. Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system for the A3 use hereby approved, which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s), and anti-vibration mountings where necessary). After the system has been approved in writing by the authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences.

e. Details of a noise assessment and mitigation to the use of the basement car park.

The sound insulation and mitigation measures shall be retained permanently in accordance with the approved details.

REASON: To safeguard the amenities of the occupiers of proposed dwellings, amenity of adjoining premises and the area generally.

13. NSC – Non- standard condition

A bio diverse, substrate-based extensive green roof (75mm minimum depth) should be established on the roof of the proposal. Full details thereof shall be submitted and approved in writing by the local planning authority, prior to occupation. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

14. EA Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) carried out by Peter Brett Associates LPP project Ref: 17007/103 dated October 2008 and the following mitigation measures detailed within it:

- a. Appendix C – landscape Master plan
- b. Appendix G – Proposed surface water drainage strategy layout, drawing no: 17007/C/SK601 dated 17/10/2008.
- c. Appendix H – Attenuation volume calculation

REASON: To reduce the risk of flooding to the proposed development and future occupants.

15. EA Condition

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risk associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- a. A preliminary risk assessment which has identified:
 - i. all previous uses;
 - ii. potential contaminants associated with those uses;
 - iii. a conceptual model of the site indicating sources, pathways and receptors;
- iv. potential unacceptable risks arising from contamination at the site.
- b. A site investigation scheme, based on (a.) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
- c. The site investigation results and the detailed risk assessment (b.) and, based on these, an options appraisal and remediation strategy giving full details

of the remediation measures required and how they are to be undertaken;

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c.) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: Although (c.) and (d.) have been fulfilled, additional site investigation is required to allow for a full characterisation of the sit with respect to controlled waters. This should include an assessment of the risks to the quality of controlled waters.

16. EA Condition

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 the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: This is to prevent pollution to controlled waters.

17. EA Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON: This is to prevent pollution to controlled waters.

18. EA Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To avoid further exposing controlled waters to pollution.

19. EA Condition

Prior to commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas including green roofs (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: This condition is necessary to protect the natural features and character of the area and identify opportunities for enhancement of biodiversity in line with national policy in PPS9.

20. EA Condition

All planting on green roofs and within five metres of the Kingsland Basin shall be of locally native plant species only, of UK genetic origin.

REASON: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

21. EA Condition

There shall be no light spill from external artificial lighting into the watercourse or adjacent river corridor habitat. To achieve this specifications, location and direction of external artificial lights should be such that the lighting levels within five metres of the top bank of the watercourse are maintained at background levels (Lux Level of 0-2).

REASON: To minimise light spill from the new development into the watercourse or adjacent river corridor habitat. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat, and in particular is inhibitive to bats utilising the river corridor.

22. EH Condition

No works shall take place until the applicant has secured the implementation of a programme of recording and historic analysis, which considers building structure, architectural detail and archaeological evidence. This shall be undertaken in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority (following consultation with English Heritage).

REASON: Important structural remains are present on the site. Accordingly the planning authority wishes to secure the provision of historic building recording prior to development, in accordance with the guidance and model condition set out in PPG15.

23. EH Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of historic building recording prior to development, in accordance with the guidance and model condition set out in PPG16.

24. BW Condition

Prior to the commencement of the development hereby permitted, full details of a proposed lighting scheme including individual courtyard areas, street and Basin lighting shall be submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The approved lighting should be implemented prior to first occupation of the development and in accordance with the phasing plan required by agreement.

REASON: In the interest of crime prevention, ecology, visual amenity and the canal setting.

25. BW Condition

Prior to the commencement of development a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the Local Planning Authority in consultation with British Waterways. The risk assessment shall also include details of the proposed safety equipment along the canal frontage which shall be installed prior to first occupation of the development hereby permitted.

REASON: In the interest of protecting the adjacent watercourse.

26. NSC– Non-standard condition

A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby approved first commences.

REASON: In the interests of maximising the environmental performance of the building.

27. NSC – Non-standard Condition

A construction delivery feasibility strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The recommendations of the strategy shall be implemented as from the start of the development.

REASON: In the interest of sustainability and the safeguarding of nuisance to the surrounding area.

28. NSC – Non-standard Condition

All materials from the demolition of the buildings, and hard surfaces, together with installations and equipment from the buildings shall, apart from any which can be reasonably re-used in the construction of the development hereby approved, be removed from the site in accordance with a clearance scheme to be agreed in writing with the local planning authority before the commencement of development.

REASON: In the interests of sustainability and to ensure appropriate use of the Blue Ribbon Network.

29. NSC – Non-standard Condition

During and after works of demolition the site shall be made secure by the erection of a suitable boundary enclosure, such as a hoarding, details of which shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works.

REASON: To ensure the site is kept in a secure and tidy condition so as to safeguard environmental and visual amenity in the Kingsland Conservation Area.

30. NSC – Non-standard Condition

Before the following uses commence provision of facilities for the disposal of litter and refuse by members of the public within the site shall be made in accordance with details to be submitted to and approved by the Local Planning Authority.

- a. A3 (café)
- b. D1 (Health centre)

REASON: In order to assist the proper disposal of waste and to protect the appearance of the area generally.

31. NSC – Non-standard Condition

Notwithstanding the details hereby approved, no roof plant, including all external enclosures, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: In the interests of maintaining an acceptable appearance of the building

32. NSC – Non-standard Condition

No development shall take place on the site until details of the proposed bird boxes, the number to be agreed with the Local Planning Authority, are submitted for approval in writing, by the Local Planning Authority.

REASON: To protect the amenity value and structural integrity of the canal and to prevent pollution of this watercourse.

33. NSC – Non-standard Condition

No doors or gates shall be erected in a way that enables them to be opened over or across the adjoining footways, carriageways and rights of way.

REASON: In the interests of public safety and to prevent obstruction of the public highway.

34. NSC – Non-standard Condition

The retail unit(s) hereby approved shall be provided at all times with a window display.

REASON: to ensure that the external appearance of the building is satisfactory and that it contributes to the character and appearance of the Kingsland Conservation Area.

35. NSC – Non-standard Condition

Individual housing blocks shall not be occupied until refuse stores and recycling facilities have been provided for that block in accordance with Dwg no 0668 (PL)100 and these facilities shall be permanently maintained for use by the occupiers of the building.

REASON: In order to assist the proper disposal of waste and to protect the appearance of the area generally.

36. GLA Condition

Full details of Energy Efficient Design measures for the proposed development, or any part of the site development, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. These details shall include building regulations – compliant modelling work demonstrating that 2006 Building Regulations requirements in relation to energy efficiency are exceeded by 10% with the use of demand reduction and/or energy efficiency measures. This applies to both domestic and non-domestic elements of the Hertford Road development. These measures exclude the carbon dioxide savings achieved with the use of combined heat and power and/or renewable.

REASON: To ensure energy efficiency for prospective occupiers.

37. NSC – Non-standard Condition

Prior to the commencement of works, a detailed feasibility scheme for the provision of Photovoltaic panels across the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure energy efficiency for prospective occupiers.

38. Hours of opening

The A3 use hereby permitted may only be carried out between 0800 to 2230 hours Mondays to Saturdays and 0830 to 2200 hours Sundays and Public Holidays.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

39. NSC – Non Standard Condition

All existing ornamental features, including tether rings, metal work, warehouse winches and the like, shall be retained in situ in accordance with details to be submitted to and approved in writing by the Local Planning Authority

REASON: To ensure the heritage of the existing buildings is retained in situ in the interests of the character and appearance of this part of the Kingsland Road and Regents Canal Conservation Area.

40. NSC – Non-standard Condition

Sample panels of brickwork, demonstrating the colour, texture, face bond and pointing are to be constructed on site and approved by the Council as Local Planning Authority before the relevant parts of the work are commenced.

REASON: To ensure that the appearance of the buildings are acceptable and in the interests of the Character and appearance of the Kingsland and Regents Canal Conservation Area and the setting of the Listed Buildings.

41. NSC – Non-standard condition

Site clearance should be undertaken outside of the bird nesting season (generally accepted as being between March and July). If this is not possible, all the trees, scrub and buildings should be searched for the presence of nesting birds. If any are found the nests should be protected until such time as the young have fledged and left the nest in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of ecology and the canal setting.

42. NSC – Non-standard condition

Reasonable endeavours shall be undertaken to locate street lights to the Kingsland Road frontage of the Commercial Wharf block, details of which shall be submitted to and approved in writing by the local planning authority prior to works commencing on that part of the development hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

43. NSC – Non-standard Condition

Prior to the commencement of works, a detailed accessibility strategy, to include hours, routes, and boundary treatments demarcating the realm between public and private areas shall be submitted to and proved in writing by the Local Planning Authority.

REASON: To ensure that the public access provision across the site is appropriate provided to safeguard the amenity of future occupiers whilst providing access for the benefit of the Borough as a whole.

44. Restriction D1 floor space

The D1 use hereby approved shall only be occupied as a healthcare centre and for no other purpose included in the D1 Class of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking or enacting that Order.

REASON: In granting this permission the Local Planning Authority has had special regard to the circumstances of this case and to the policies within the unitary Development Plan and considers that planning permission would have been refused for unrestricted use within Class D1 of the Use Classes Order.

45. The B2 use hereby approved shall only be occupied as a motorbike repair shop and for no other purpose included in the B2 Class of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking or enacting that Order.

REASON: In granting this permission the Local Planning Authority has had special regard to the circumstances of this case and to the policies within the unitary Development Plan and considers that planning permission would have been refused for unrestricted use within Class B2 of the Use Classes Order.

B) That Conservation Area Consent be GRANTED, subject to the following conditions:

1. SCB2 – Time period

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 Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. NSC1 – Works of demolition

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2008/3131 and Listed Building Consent 2008/3167 is granted and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the appearance of the Kingsland and Regents Canal Conservation Areas.

C) That Listed Building Consent be GRANTED, subject to the following conditions:

1. Time Limit

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 Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. NSC1 – Carrying out of works

The works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2008/3131 and Conservation Area Consent 2008/3166 is granted and such works shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to safeguard the setting of the Listed Building.

3. Details of structural protection

Detailed drawings showing the method by which the existing structure is to be supported and protected during building works so as to ensure the structural stability and integrity of all the elements which are to be retained shall be submitted to and approved by the Local Planning Authority before works commence on site.

REASON: To ensure the retention of those parts of the building which contribute to its special architectural and historic interest and to ensure they are not damaged during building works.

4. Cleaning to Brickwork

Full details of any proposed cleaning of the brickwork to retained buildings shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of any works on site. Works shall not commence until authorised in writing by the Local Planning Authority.

REASON: In order that the special architectural interest of the Kingsland Conservation Area is safeguarded.

5. Pointing treatment

Detailed drawings to show how the pointing treatment between the retained part of the development and the adjoining part of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the retention of those parts of the building which contribute to its special architectural and historic interest are not damaged during building works

6. Internal and external works

All new external and internal works and finishes and works of making good shall match the existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any conditions attached to this consent.

REASON: To ensure that the special architectural or historic interest of this building is safeguarded and that the development contributes to the character and appearance of this part of the Kingsland Road and Regents Canal Conservation Area.

7. Windows

Detailed drawings and full particulars including samples of all window and door openings must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the special architectural or historic interest of this building is safeguarded and that the development contributes to the character and appearance of this part of the Kingsland Road and Regents Canal Conservation Area.

8. Horse Ramp

Prior to the commencement of works full details of the proposed works, including detailed drawings (1:50) and a schedule of the manner of works to make good the structure shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the special architectural or historic interest of this ramp is safeguarded and that the development contributes to the character and appearance of this part of the Kingsland Road and Regents Canal Conservation Area.

9. Approved drawings

The works hereby approved are only those specifically indicated on the drawings hereby approved or as required by any conditions attached to this consent.

REASON: To ensure that the special architectural and historic interest of the building are safeguarded and that development contributes to the character and appearance of the Kingsland Road and Regents Canal Conservation Area.

D) That the above recommendation be subject to the applicant, the landowners and their mortgagees enter into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Legal Services:

1. To secure the provision of 61 habitable units as affordable housing to be given over to an RSL as agreed by the Local Planning Authority. The dwelling mix comprising 2 x two bed, 16 x three bed and 23 x four bed units as the social rental element and 15x one bed and 9 x two comprising the intermediate units.
2. No more than 50% of the Open Market units to be used and/or occupied until the Affordable housing units have been transferred to an RSL as agreed by the Local Planning Authority.
3. The developer must have an active programme for recruiting and retaining adult improvers and as a minimum take on at least one adult improver per £5 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council.
4. The Developer will, through a environmental management system, provide monitoring information in relation to the Development to the Local Planning authority on the first anniversary of the occupation of the site with respect to:
 - (a) energy consumption;
 - (b) air quality;
 - (c) waste generation and recycling;
 - (d) water use;
 - (e) biodiversity; and
 - (f) percentage of energy requirements resourced from Renewable Energy.
5. Residential units to be built to Lifetime Home Standards and achieve Code for Sustainable Homes Level 3 with best endeavours to be demonstrated in detailed towards Level 4 and BREEAM for Offices Level Very Good.
6. A contribution of £ 14,027.54 towards open, child and play space within close proximity to the site, that could include a proposal towards works under the East London Train line to the north side of the Regents Canal, east of the site but in which instance should relate to the provision of providing a lighting and safe and secure space but should not be towards works to local parks.
7. The developer will provide a Public Open Space plan and Public Open Space management plan prior to implementation of the development. The Public

- Open Space to be completed prior to the occupation of the Open Market Units.
8. A considerate construction and neighbourhood co-ordination group to be set up, to meet bi-monthly, the members of which are to be agreed in advance with the Local Planning Authority and minutes to be circulated by the developer to all those involved.
 9. The developer will provide a construction management plan including a construction logistics plan with details of vehicle types, movements and timings.
 10. The developer will provide a servicing arrangements and hours of use plan of various elements that will be agreed, to be in use at the opening of the development, and modified in line with negotiated targets with Council Traffic Officers from time to time.
 11. On occupation, the owner should provide the residents with a handbook detailing local public transport services and walking routes to schools in the area, to help achieve sustainable development.
 12. The developer is required to provide one car club bay for use by residents of the development to be located in the basement car park at Hertford Road.
 13. Prior to implementation, to submit and thereafter resubmit until approved, a phasing plan to include details of the phasing to the open spaces and public access along the Basin as well as the general construction across the site.
 14. Contribution of £549,654.00 towards Education calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (2006) with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006) using Wandsworth survey data as the best available proxy for inner London.
 15. Contribution of £47,325.51 towards Dalston Library based on calculation within the Supplementary Planning Document.
 16. Contribution of £450,529.39 towards environmental improvement works.
 17. Contribution of £549,564.00 towards public art to include a program of engagement and commission for the Stable Yard or as otherwise agreed with the Council to bear close relationship with the proposal site.
 18. Contribution of £25,000.00 towards contribute to the 'Cycle Route Implementation and Stakeholder Plan' (CRISP) proposals by a contribution towards these improvements, as well as two chicanes required to encourage safer cycling along the towpath, to and from the development
 19. An appropriate percentage of residential units permitted by any subsequent planning permission are allocated as Affordable Housing such percentage to be applied to the aggregate total of the residential units permitted by both the Planning Permission and the Subsequent Planning Permission.
 20. The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.

21. The development shall be 'car free'. The developer shall notify the occupants of the residential units that they shall not be able to obtain any residential parking permit, with the exception of blue badge holders.
22. 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 Section 106 Agreement.
23. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £103,760.98 to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.
24. The B1 floor space to be provided to shell and core and transferred to a workspace management company (GLE or other as to be agreed in writing by the Local Planning Authority) prior to occupation.

1. REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

EQ1-Development Requirements, EQ12-Protection of Conservation Areas, EQ13-Demolition in Conservation Areas, EQ18-Setting of listed buildings, EQ28-London Squares, EQ31-Trees, EQ48-Designing out Crime, H03-Other sites for housing, H07-Redevelopment of housing, H017-Residential accommodation for care, E12-Office Development, E18-Planning Standards, TR19-Parking standards, OS2-Open spaces and parks, OS5-Development affecting open spaces and parks, OS10-Children's Play areas, OS17-Wildlife Habitats.

2. INFORMATIVES

The following Informatives should be added:

- 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.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSEHI The development of this site is likely to damage structural remains. The applicant should there submit detailed proposals in the form of a project design for building recording.

Wednesday, 10th June, 2009

The design should be in accordance with the appropriate English Heritage guidelines.

NSBWI The applicant/developer is advised to contact one of the third party works engineers on 020 7985 7200 in order to ensure that any necessary consents are obtained and that the works comply with British Waterways: 'Code of Practice for Works affecting British Waterways'.

NSBWI Any closures of the towpath during the construction must be agreed in writing with BW before development commences.

NSBWI The applicant is advised that any discharge of surface water in to the Regents Canal via Kingsland Basin requires British Waterway's written permission before development commences.

NSI The pontoons and moorings shown on the drawings submitted are not party to this consent. Only those provisions that relate to the existing pontoon to the west side of the Basin are subject of this permission.

NSI Please note that the Highways department **must** be advised when payment has been made and a minimum of **six months** lead in to be given by the developer before highway works are expected to start on site. The street lighting team/department **must** also have **six months** lead in time prior to any works commencing on the development to enable them to carry out any required electrical works on the lighting columns etc.

9 **30 BENTHAL ROAD, LONDON, N16 7BX**

Retention of 1 x 4 bedrooms flat at basement and ground floor level and 2 x 2 bedroom flats at first and second floor levels.

Removal of unauthorised roof extension and replacement with twin hipped roof with front and rear roof lights.

Removal of studios unit at roof level and use of roof space in conjunction with second floor flat

Removal of unauthorised flat roof above rear addition and replacement with pitched roof

Retention (with alterations) of rear extension at second floor level.

POST SUBMISSION REVISIONS: Correction of existing plans to show existing window at second floor level, omission of proposed rear dormer window and replacement with 2 x roof light windows, reduction in height of chimney stack as original and as proposed (amendments received 27/05/2009).

(Councillor Desmond declared a prejudicial interest as he had previously been involved with the application and left the chamber during discussion).

9.1 The Planning Officer introduced the report, as set out in the agenda. Reference was made to the addendum which included a site plan and existing, proposed and 'as built' plans, sections and elevations.

9.2 Nick Edwards (Benthal Road Action Group) spoke in objection to the scheme, his comments are summarised as follows:-

- Numerous objections had been submitted.
- Feel that the development was purely for financial gain.
- A petition had also been submitted in May.
- There were inaccuracies in the plan, which needed to be resolved.
- An unnecessary and unsightly box had been erected to the rear of the property, housing the stairwell.
- Issue of overlooking.
- No functional necessity to the stairwell box.
- Ruins the character of the surrounding area.

9.3 Michael Sierens (Architect) and Patrick Donnelly (Agent) spoke in support of the scheme, their comments are summarised as follows:-

- The scheme complies with the UDP policies and London Plan.
- The stairwell is housed by a small box to the rear of the property and feel that this is the only sensible option.
- Happy to discuss the materials to be used.

9.4 The Committee requested that the materials be conditioned and insisted that brick be used. This was **AGREED**.

9.5 Discussion took place regarding the boxed stairwell at the rear of the property, as Members raised concern that it adversely affected the character of the building and the surrounding properties.

9.6 In response to a question regarding the viability of an internal staircase, the Planning Officer stated that an internal staircase was preferred, however Members had to consider the application submitted. The agent added that it would not be a viable option to provide an internal staircase.

9.7 Councillor Hanson proposed that the application be **REFUSED**, on the grounds that insufficient effort had been made to retain the existing character of the house and that it would adversely impact upon the surrounding area. This was seconded by Councillor Webb.

RESOLVED that:-

Planning Permission be REFUSED, for the following reasons:

- Insufficient effort made to keep the character of the existing property.
- The development would adversely affect the character of the existing property and surrounding area.

10 **57-63, 67-71 KINGSLAND ROAD, LONDON, E2 8AG**

Redevelopment of site to comprise a part-three-, part-five-storey building containing 255 units of student accommodation and 213 square metres of retail space (use class A1) on ground floor, together with associated landscaping, cycle parking and outdoor amenity space.

POST-SUBMISSION REVISIONS: Enlargement of bin store and reconfiguration of cycle storage.

- 10.1 The Planning Officer introduced the report, as set out in the agenda.
- 10.2 The Planning Officer confirmed that there were minor revisions to the internal courtyard elevation.
- 10.3 There being no questions from Members, the Chair moved to the vote.

Unanimously RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 – Commencement within three years

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

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

3. SCM6 – Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls, gates and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls, gates and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

4. SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

5. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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

6. SCH10 – Secure bicycle parking

Lockable space shall be made available within the site for the secure parking of 147 bicycles, in accordance with the plans hereby approved, before the first occupation of the development.

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 and improving highway conditions in general.

7. NSC1 – Non-standard condition

A rainwater harvesting system to service the external landscaping shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby approved first commences.

REASON: In the interests of maximising the environmental performance of the building.

8. NSC2 – Non-standard condition

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

9. NSC3 – Non-standard condition

Provision is to be made within the site for eleven 1100-litre Eurobins for non-recyclable waste and four 1100-litre Eurobins for recyclable waste, with details of the interior (configuration of receptacles) and exterior (detailed design and facing material) of the bin store to be submitted to the local planning authority and approved in writing prior to first occupation of the site.

REASON: In the interest of encouraging recycling provision and upholding the Council's sustainability objectives.

10. NSC4 – Non-standard condition

Details of the construction traffic route and a construction traffic management plan shall be submitted to the local planning authority prior to the commencement of construction works on site.

REASON: In the interests of road safety.

11. NSC5 – Non-standard condition

No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) have been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather, dust screens, etc., as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order that the local planning authority may be satisfied that the demolition process is carried out in a manner which will minimise possible dust pollution to neighbouring properties.

12. NSC6 – Non-standard condition

Full written details, including relevant drawings and specifications, of the proposed works of sound insulation against airborne noise between the commercial use on the ground floor of the development hereby approved and the residential use on the first floor shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall not commence until the sound insulation works have been implemented in accordance with the approved details. The sound insulation shall be retained permanently with the approved details.

REASON: In the interests of minimising noise disturbance to prospective occupiers.

13. NSC7 – Non-standard condition

(i) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.

(ii) Development shall not commence until details of a scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.

(iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

REASON: In the interests of minimising noise disturbance to adjoining occupiers.

14. NSC8 – Non-standard condition

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

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

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and Interim Head of Legal Services:

1. Payment by the landowner/developer of £39,856.91 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
2. Payment by the landowner/developer of £11,814.15 as a financial contribution towards open space in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
3. Provision by the landowner/developer for the use of local labour on site during the construction phase.
4. 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 Section 106 Agreement.
5. Achievement of a twenty per-cent reduction minimum in carbon emissions through the use of renewable energy sources and use of low-energy technology, and achievement of BREEAM (Multi-Residential) rating of 'Very Good'.
6. The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
7. For all contracts with a value in excess of £5 million, payment by the landowner/developer of £3750.00 towards the cost of NVQ training (to secure more skilled employment for the construction industry sector).
8. The living accommodation shall not be occupied outside term-time other than by students in full-time education.
9. The living accommodation shall be used and occupied solely in association with - and by full-time students of - the University of London (all colleges: Birkbeck, Goldsmiths, King's College London, the London Business School, the London School of Economics, Queen Mary, Royal Holloway, the School of Oriental and African Studies, and University College London (UCL)), Imperial College, University of East London, University of Westminster, London Guildhall University, City University, London Metropolitan University, South Bank University or an alternative establishment to be agreed by the Council.

Wednesday, 10th June, 2009

10. The owner must provide a Travel Plan, to be agreed by the Council, towards achieving sustainable travel targets, including the services of a Travel Plan Coordinator. The Travel Plan must be in place by the first year of occupancy and the developer must put in place yearly monitoring arrangements for 5 years.
11. No entitlement (unless the holder of a disabled person's badge) to a resident's parking permit.
12. In mitigation of the transport impact of the proposed development, a contribution of £65,000 is sought towards sustainable travel initiatives, walking and cycling, public transport and highway measures in the area.
13. The owner must adopt and adhere to a Student Management Plan, incorporating the elements set out in the 'Code of Practice for the Management of Student Housing', including the requirement for emergency and 24-hour contact details to be made available to members of the public in the event of anti-social behaviour arising from resident students.
14. Payment by the landowner/developer of £50,000 as a financial contribution towards the employment of a Town Centre Manager for Shoreditch for duration of one year.
15. The landowner/developer is to submit a document outlining noise attenuation measures.

REASONS FOR APPROVAL

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; R3 - Development within Shopping Frontages; R4 - Local shops; EQ40 - Noise Control; TR19 - Planning Standards.
2. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 2A.7 - Areas for Regeneration; 3A.18 - Protection and enhancement of social infrastructure and community facilities; 3A.25 - Higher and further education; 3C.1 - Integrating transport and development; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion and reducing traffic; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

INFORMATIVES

The following Informatives should be added:

- 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.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2009/0691, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

NSI.2 All construction/demolition work must be undertaken between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays, with no work on Sundays or Public Holidays.

NSI.3 This decision notice is accompanied by a Section 106 legal agreement. It shall be implemented in full accordance with the details of that agreement.

NSI.4 The developer understands that the provision of nine fewer Eurobins than the twenty-four suggested by the Council's Waste Management service may result in the requirement for a second weekly collection, for which a fee is payable.

11 231 EVERING ROAD, LONDON, E5 8AL

Conversion of a single dwelling house to create 4 self-contained flats (comprising 1 x 4 bed flat and 3 x 2 bed flats) together with demolition of part of the rear single storey extension and excavation to create a rear lightwell and rebuilding of the rear single storey extension.

POST SUBMISSION REVISIONS: Existing & proposed front elevations have been amended.

RESOLVED that:-

<p>The item be WITHDRAWN from the agenda, at the request of the Planning Officer.</p>
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12 2-6 PHIPP STREET, LONDON, EC21 4PA

Retention of works comprising a four-storey (plus basement) building with 1536 square metres of commercial floorspace (use class B1) at basement, ground- and

first-floor levels and eleven residential units above (comprising five one-bedroom, two two-bedroom, three three-bedroom and one four-bedroom flats), with five parking spaces.

POST-SUBMISSION REVISIONS: Provision of additional bicycle-store security.

- 12.1 The Planning Officer introduced the report, as detailed within the agenda. Reference was made to the addendum which highlighted that an additional letter of objection had been received, details of which were set out within the addendum.
- 12.2 The Planning Officer referred to the history of the development and the various applications submitted and made reference to paragraph 8.2.5 of the report which stated that residents had no entitlement (unless the holder of a disabled person's badge) to a resident's parking permit. This caused the applicant some concern as the previous planning application granted had included the provision of six car parking spaces.
- 12.3 The Chair explained that Members had to consider the application as a new application, as if it had not already been built.

(Councillor Desmond abstained from the vote).

RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. SCH4 – Forward vehicle ingress/egress only

All vehicles shall enter and leave the site only in a forward direction.

REASON: In the interests of road safety generally and avoidance of obstruction of the highway.

2. SCH8 – Parking for persons with disabilities

Before the use hereby permitted first commences, at least one car-parking space shall be marked and retained permanently for use by the vehicles of a person with disabilities at locations close to the entrance to the buildings.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for the use persons with disabilities.

3. SCH9 – Marking of parking/service areas

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking spaces and service areas within the site/development as shown on the permitted plans, such marking to be maintained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

4. SCH10 – Secure bicycle parking

Lockable space shall be made available within the site for the secure parking of fifteen bicycles in accordance with the plans hereby approved, before the first occupation of the development.

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 and improving highway conditions in general.

5. SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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

6. SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

7. NSC1 – Non-standard condition

The rooftop solar hot-water-collectors shown on drawing P4008-M-105 hereby approved are not to be reduced in number or repositioned without the written approval of the local planning authority, and are to be retained in perpetuity.

REASON: In the interests of maximising the environmental performance of the building.

8. NSC2 – Non-standard condition

The second-floor external space on the corner of Christina Street and Motley Avenue shall not be used as a roof terrace until the privacy screening along the northern edge (facing Christina Street) and part of the eastern edge (facing Motley Avenue from its junction with Christina Street up to and including 1 Motley Avenue), as shown on the drawings hereby approved, is erected, such screening to be retained in perpetuity.

REASON: In the interests of protecting the amenity of adjoining residents from any intrusion on privacy arising from the use of the roof terrace hereby approved, and in the interests of the appearance of the roof terrace.

9. NSC3 – Non-standard condition

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

10. NSC4 – Non-standard condition

Provision is to be made within the site for two 1280-litre Eurobins (for residual waste) and one 1100-litre Eurobin (for co-mingled recycling) for the residential accommodation (or alternatives agreed in writing with the Council), and separate provision for three 1280-litre Eurobins for the commercial accommodation (or alternatives agreed in writing with the Council), with details of the interior (configuration of receptacles) of the bin stores to be submitted to the local planning authority and approved in writing prior to first occupation of the site.

REASON: In the interests of providing an appropriate level of waste provision for the development.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Legal Services:

1. Payment by the landowner/developer of £509.63 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
2. Payment by the landowner/developer of £33,815.07 as a financial contribution towards education facilities in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006), with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006), using Wandsworth survey data as the best available proxy for inner London.)
3. Payment by the landowner/developer of £1,719.32 as a financial contribution towards open space in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
4. 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 Section 106 Agreement.
5. No entitlement (unless the holder of a disabled person's badge) to a resident's parking permit.
6. The use of the class C3 residential floorspace hereby approved shall not commence until the use-class B1 accommodation on the basement, ground and first floors is completed to shell and core (i.e. fully finished landlord areas comprising main entrance and reception, lift and stair cores, lobbies and toilets, with the lettable space to remain in shell condition ready for Category A fit-out).

REASONS FOR APPROVAL

1. The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ40 - Noise Control; E2 - Development within Defined Employment Areas; E18 - Planning Standards; HO3 - Other Sites for Housing; TR19 - Planning Standards.
2. The following policies in the South Shoreditch SPD (2006) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: SSSPD 1.1 - Townscape quality and character; SSSPD 1.2 - Mixed uses; SSSPD 1.3 - Environmental sustainability; SSSPD 1.4 - Sustainable design and construction; SSSPD 1.7 - Efficient use of urban land and buildings; SSSPD 1.8 - An offer of jobs and a variety of employment sectors; SSSPD 1.9 - A diverse range of housing; SSSPD 1.10 - Availability of London-wide links; SSSPD 1.14 - Infrastructure; SSSPD 2.1 - Employment-led mix of use; SSSPD 2.2 - Housing; SSSPD 3.6 - Development and demolitions; SSSPD 4.1 - Building heights; SSSPD 5.4 - Recycling; SSSPD 7.1 - Impact of new development; SSSPD 7.4 - Cycling; SSSPD 8.1 - Planning gain guidance; SSSPD 11.1 - Land uses in Leonard Circus sub-district; SSSPD 11.2 - Leonard Circus sub-district conservation and design guidance.
3. The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.2 - Borough housing targets; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.7 - Large residential developments; 3A.8 - Definition of affordable housing; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3B.1 - Developing London's economy; 3B.2 - Office demand and supply; 3B.3 - Mixed use development; 3B.4 - Strategic Industrial Locations; 3C.1 - Integrating transport and development; 3C.2 - Matching development to transport capacity; 3C.3 - Sustainable transport in London; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

INFORMATIVES

The following Informatives should be added:

- SI.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements

Variation of Condition 3 of planning permission ref: II/23152 dated 14 October 1994 to extend hours of opening of existing drive-thru restaurant between 6:00am to midnight Sunday to Wednesday and 06:00am to 02:00am Thursday and Saturday.

RESOLVED that:-

The item be WITHDRAWN from the agenda, at the request of the Planning Officer.

14 ARCH 189-222 THE RAILWAY ARCHES, MORNING LANE, LONDON, E9 6LG

Change of use of B2/B8 (general industry/storage or distribution) arches at 196-198 Morning Lane to A1 and physical refurbishment of existing arches at 189-222 Morning Lane, including installation of new elevations (brickwork and glazing), extensions (to north of arches 216-219 and to the south of 202-210), internal improvements and resurfaced access and parking arrangements to the Morning Lane frontage between arches 193-198.

- 14.1 The Planning Officer introduced the report, as detailed within the agenda. Reference was made to the addendum and that 20 additional letters of objection had been received from occupiers of the affected arch units. The main points of objection were detailed within the addendum.
- 14.2 Councillor Mulready spoke in objection to the scheme, on behalf of residents, her comments are summarised as follows:-
- Lack of knowledge and consultation, especially as the vast majority of occupiers are Turkish speaking.
 - Network Rail unwilling to engage with the occupiers and the Council.
- 14.3 Tundai Mautsi spoke in objection to the scheme, his comments are summarised as follows:-
- Occupiers were not given 21 days notice of the application. They received no plans until 20 May and therefore were given insufficient time to respond.
 - Concerned about where the existing businesses would be located.
 - 23 trees will be taken down as a result of the development.
 - Lack of information given on the website.
- 14.4 In response to the concern raised about the loss of trees, both the Planning Officer and Network Rail were unaware of any trees being lost.
- 14.5 Discussion took place surrounding the issue of relocation of existing businesses and Steve Taylor (Network Rail) explained that they would try and relocate businesses, where possible, and that this was an ongoing process. He added that they had approximately 30-40% of arches vacant in their portfolio.
- 14.6 Members requested that the existing businesses be relocated before work on the new development commenced. It was therefore requested that Network Rail submit a management plan for decanting existing tenants and re-locating them, for approval before work commenced. This was **AGREED**.

- 14.7 Councillor Webb raised concern about the scheme and that there appeared to be a lack of consideration for the existing hard working businesses, although she recognised the need to regenerate the area.

(Councillor Webb voted against the recommendation).

RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. SCB0 – Development in accordance with plans

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

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

2. SCB1 - Commencement within three years

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

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

3. SMC6 – Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

4. SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

5. NSC – Roller Shutters

Cross sectional drawings of the electrically operated roller shutter doors to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

6. Powder Coating

Details, including samples of the colour of all external surfaces to be powder coated to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

7. SCH15 – Access only as approved

Vehicular access to the site shall be only via the permitted access.

REASON: In the interests of highway safety.

8. SCH4 – Forward Vehicles Ingress/ Egress Only

All vehicles shall enter and leave the site only in a forward direction.

REASON: In the interests of highway safety.

9. NSC – Parking only as approved

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes. Parking shall only occur in the spaces shown on the plans hereby approved, and not on any other area of the site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

10. Details of the proposed roller shutters to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with the approved details.

REASON: To safeguard the visual amenity of the surrounding area.

11. Network Rail Management Plan

INFORMATIVES

The following Informatives should be added:

- 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.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements

15 Digby Road/Berger Road, Homerton, London, E9 5SB

S73 Application for the variation of condition 2 (development in accordance with approved plans) of planning permission 2008/3142 to permit development in accordance with revised plans, comprising changes to residential mix, internal layouts and minor elevation changes.

NB: Members are requested to note that the matters under consideration are modifications to a previously approved planning application ref: 2008/3142.

Application 2008/3142 permitted the: - "Clearance of the site and the construction of a part 5, part 14 storey building for a mixed use development to provide 83 square metres of A1, B1 and/or D1 use and 97 affordable residential units with associated car parking, refuse and landscaping."

The modifications consist of the following:-

- Although the overall number of units remains the same, the mix of units size as approved is altered by this proposal as follows:
 - *Approved* - Social Rented - 11 x 1-bed, 5 x 2-bed, 23 x 3-bed, and 14 x 4-bed (53 in total). Intermediate – 23 x 1-bed, 11 x 2-bed and 10 x 3-bed (44 in total); and,
 - *Proposed* – Social Rented - 16 x 1-bed, 1 x 2-bed, 23 x 3-bed, and 14 x 4-bed (54 in total). Intermediate – 30 x 1-bed, 2 x 2-bed and 11 x 3-bed (43 in total).
- Additional 8 person lift added to the tower between ground and thirteenth floor.
- Alterations to the arrangement of wheelchair accessible units throughout the development (overall this number of wheelchair accessible units from 11 to 12). In particular:
 - i) 5 no 3B/5P wheelchair accessible units to the lower building converted to 5 no 3B/6P non- wheelchair accessible units
 - ii) 4 no. 4B/7P wheelchair accessible units in lower building converted to 4 no 4B/8P non- wheelchair accessible units;
 - iii) 1 no 3B/5P unit to the ground floor converted to 1 no 3B/5P wheelchair accessible unit; and,
 - iv) 10 no 2B/4P units to the tower converted to 10 no 1B/2P wheelchair accessible units.
- Alterations to the size of balconies across the development. In particular:
 - i) 39 projecting balconies increase in depth from 1200mm to 1500mm;
 - ii) 18 recessed balconies increase in depth from 1200mm to 1500mm.
- 6 x 4B/6P duplex units to the lower floors to the north of the development re-configured to be south facing living rooms (at entry point).
- Design of entrance to the communal cores altered.
- Elevational alterations including re-position of windows/balconies to reflect the other alterations detailed above.

15.1 The Planning Officer introduced the report, as detailed within the agenda.

15.2 Ruth Prudden spoke in objection to the scheme, her comments are summarised as follows:-

- She was not invited to attend the previous meeting where the application was initially presented, due to a clerical error.

- Her property would be severely affected by the development in terms of loss of daylight/sunlight and views across the city.
- The development would also adversely affect the financial value of her property.

15.3 Tim Gaskell (Agent) explained why the application had come back to Committee, details of which were set out within the report. He also confirmed that the daylight/sunlight report was unchanged from the previous application.

Unanimously RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. Development in accordance with plans

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

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

2. Commencement within three years

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

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

Design & Appearance

3. Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls, gates and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

4. Further details of be Submitted and Approved

Detailed drawings/full particulars showing the following matters set out below must be submitted to and approved by the Council before any work is commenced on site. This part of the development shall be completed only in accordance with the modifications thus approved:-

- a) Details of adequate screening to the child playspace area
- b) Details of the lighting facilities, canopies, and entrance/waiting spaces to the residential entrance.

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area and, to ensure that the playspace area is a safe environment to use.

5. Landscaping Scheme to be approved

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years. Such maintenance is to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

6. Provision of landscaping as approved

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

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

7. No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved. Details of any additional pipework required 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 does not detract from the character and visual amenity of the area.

8. Details of roof plant

Full details of all the roof plant enclosures (plans/sections and elevations) 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 does not detract from the character and visual amenity of the area.

Transport

9. Parking for persons with disabilities

Before the use hereby permitted first commences the 3 disabled car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number 0735 (PL) 101C.

REASON: In order to ensure that a reasonable minimum of parking spaces are located for persons with disabilities prior to occupation.

10. Provision for cycles

Secure, covered parking shall be provided for at least 125 bicycles in the form of Sheffield Stands or a suitable alternative, as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

11. Marking parking areas

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking spaces and service areas within the site/development as shown on the permitted plans, and such marking is to be retained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

12. Parking

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

13. Parking

Parking of vehicles shall only be carried out on the areas identified for parking on the plans hereby approved, and not on any other area of the site.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the visual amenity of the scheme.

General Conditions

14. Noise

(i) The building shall be constructed so as to provide sound insulation against external noise, to achieve levels not exceeding 30dB LAeq (23:00 to 07:00)

and 45dB LAmax (measured with F time-weighting) for bedrooms between 23:00 to 07:00, 35dB LAeq (07:00 to 23:00) for other habitable rooms, with windows shut and other means of ventilation provided.

(ii) The development shall not commence until details of a sound insulation scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.

(iii) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity.

REASON: To ensure a pleasant residential environment is provided for potential occupiers.

15. Construction Method Statement

Full details of a work method statement for demolition and construction, including control measures to minimise noise and dust emissions, hours of work, wheel washing facilities, and details for the disposal of materials from the site shall be submitted to, and approved by, the Local Planning Authority prior to commencement of any construction/clearance work on the site. The development, including disposal of materials from the site, shall in all respects be carried out in accordance with the approved details.

REASON: To safeguard the amenities of neighbouring properties and the area generally during construction.

16. Details of refuse storage enclosure

Details of dustbin enclosures (including mandatory recycling facilities), 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 there is adequate provision for dustbin and recycling facilities for the development in the interests of the appearance and amenity of the area.

17. Ecological roofs

Full details of the proposed bio-diverse, substrate based (75mm minimum depth) extensive green roofs and walls, to include a detailed maintenance plan, 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 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.

18. Secured by Design

The development shall achieve a Certificate for Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction

of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

19. Level Access

A level access shall be provided to all ground floor units hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

20. Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

21. Shopfront details to be approved

Details of the proposed shopfront on drawings on a scale of 1:50, together with materials used in construction, shall be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced on this part of the development. The shopfront shall include additional glazing on the angled wall facing Berger Road. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the design of the shopfront is not detrimental to the appearance of the building.

22. Sustainable Urban Drainage

No development shall take place until details of the implementation, maintenance and management of the sustainable urban drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime

23. Restriction of Use

The ground floor commercial premises hereby approved shall be only used for:
Use Class A1 (Retail);
Use Class A2 ((a) financial services, or (b) professional services);
Use Class D1 ((a) for the provision of any medical or health services, (b) as a crèche, day nursery or day centre, (c) for the provision of education, (d) for the

display of works of art (otherwise than for sale or hire), (e) as a museum, (f) as a public library or public reading room);
Use Class B1 (Business).

and for no other purposes including any other purposes in Classes A1, A2, D1, or B1 of the Schedule to the Town and Country Planning (uses Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

REASON: In the interest of general residential amenity.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Law:

1. To secure the provision of 100% of units as affordable housing, with a split of 55%:45% socially rented/intermediate.
2. That the provision of 100% (97 units) affordable housing be secured by Network Housing Association or another RSL approved by the Council, providing 53 social rented units and 44 intermediate units.
3. Payment by the landowner/developer of an education and libraries contribution of £292,409.46 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
4. Payment by the landowner/developer of an open space/child playspace contribution of £4,454.24 towards the supply and quality of open space in the immediate locale.
5. A contribution of £129,544 towards public realm and highways works in the vicinity of the site. This will comprise of:
 - The signing of a Section 278 legal agreement under the Highways Act to pay the Council for required works to the highway. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment (£79,544).
 - A contribution directed towards the improvements in the public realm within the vicinity of the site to improve the public realm in the local area to encourage walking and cycling (£50,000).
6. All residential units to be built to Lifetime Home standards.
7. Commitment to the Council's local labour and construction initiatives (25% on site employment).
8. Achievement of a level 3 rating, with all reasonable endeavours to achieve level 4, under the proposed Code for Sustainable Homes.
9. 20% reduction in carbon emissions over the whole site through the use of renewable energy sources and use of low energy technology.

10. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
11. At least 10% of units provided shall be wheelchair accessible.
12. A Green Travel Plan to include servicing of the site, to be submitted to and agreed with the Council, to include the provision of a car share scheme and a provision for annual review.
13. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
14. Best endeavours to provide a car club parking space.
15. Parking shall only take place on the parking spaces shown on the approved drawings, and not on any other area of the site.
16. 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 Section 106 Agreement.

C) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 29 June 2009, the Interim Assistant Director (Planning) be given the authority to refuse the application for the following reasons:

1. The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the Borough and would fail to promote a mixed and inclusive community and as such would be contrary to Policy H03 of the Hackney Unitary Development Plan, Affordable Housing SPD (2005), Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.8 and 3A.9 of the London Plan, and advice contained in PPS1 and PPS3.
2. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to Policy EQ1 of the Hackney Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements; EQ48 – Designing out Crime; HO3 – Other sites for Housing; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions.

The following policies contained in the London Plan 2004 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria; 3A.1 – Increasing London's Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3

– Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.8 – Definition of Affordable Housing; 3A.9 – Affordable Housing Targets; 3A.10 – Negotiating Affordable Housing; 3A.11 – Affordable Housing Thresholds; 3A.17 – Addressing the Needs of London’s Diverse Population; 3C.1 – Integrating Transport and Development; 3C.2 – Matching Development to Transport Capacity; 3C.3 – Sustainable Transport in London; 3C.23 – Parking Strategy; 4A.1 – Tackling Climate Change; 4A.3 – Sustainable Design and Construction; 4A.7 – Renewable Energy; 4A.22 – Spatial Policies for Waste Management; 4B.1 – Design Principles for a Compact City; 4B.3 – Enhancing the Quality of the Public Realm; 4B.5 – Creating an Inclusive Environment; 4B.6 – Safety, Security and Fire Prevention and Protection; 4B.8 – Respect Local Context and Communities; Housing SPD 2005.

INFORMATIVES

The following Informatives should be added:

- 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.24 Naming and Numbering
- SI.25 Disabled Person’s Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping

NSI With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage. Contact Thames Water, Ph. 0845 850 2777, for further information.

NSI Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute and 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.

NSI Surface water management should utilise sustainable drainage techniques (SUDS), in accordance with the SUDS management train (Ciria C909). Please contact the Environment Agency for further details.

NSI Care should be taken to ensure that no debris or other materials can fall onto Network Rails land. Approval must be obtained from Network Rails Outside Parties Engineer.

NSI Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure will not fall on Network Rail land.

NSI Consultation required on any alterations to ground levels. Should be noted that Network Rail concerned about excavations within 10 metres of the boundary with the operational railway and will need to be assured that the construction of the foundations and footings will not impact on the stability of the railway. A full method statement must be supplied and agreed with Network Rail’s Outside Party Engineer.

NSI NR not aware whether any PPG24 noise and vibration assessment has been carried out for this location. Amenity will need to be addressed.

NSI Additional flows of surface water must not be discharged onto NR land nor into NR culverts or drains. Soak ways should not be constructed within 10metres of the boundary with the operational railway.

NSI 1.8 metre high fence should be constructed to avoid trespass and vandalism and provide acoustic insulation for the residential units.

NSI To ensure residential units built without encroachment onto operational railway line all buildings and structures should be set back at least 2 metres from boundary with operational railway or at least 5 metres for overhead power lines. Landscape details along railway corridor to be submitted.

16 102-108 CLIFTON STREET, LONDON, N1 6AD

Demolition of existing buildings and redevelopment of the site to provide a part two/ part five storey building comprising of 1078 sqm of B1 floor space and seven residential units with associated landscaping.

POST SUBMISSION REVISION: Changes to the detailed design of the front elevation.

- 16.1 The Planning Officer introduced the report, as set out in the agenda and referred to the changes to the detailed design of the front elevation.
- 16.2 Members requested that the street lamps be located on the building and the applicant stated that he had no objection to the proposal in principle. This was **AGREED**.
- 16.3 The Planning Officer confirmed that bicycle storage would be provided for 14 bicycles.
- 16.4 Members felt that there had been a significant improvement in the design of the development and reference was made to the section 106 agreement which was previously unsigned. Members wished to have assurances that this would not happen again and the Planning Officer stated that it would be signed off the following week.

Unanimously RESOLVED that:-

A) Planning permission be GRANTED subject to the following conditions:

1. SCB0 – Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details, unless otherwise agreed in writing by the local planning authority.

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

2. SCB1 - Commencement within three years

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

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

3. SCM6 – Materials to be approved

No development shall take place until full details, with samples, of the materials to be used in the construction of external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

4. SCM7 – Full details

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

- a) Doors and windows
- b) Controlled entry system
- c) Balconies and screening
- d) Security lighting

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

5. SCM9 - No extraneous pipework

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

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

6. SCH10 – Secure bicycle parking

Provision of secure cycle space shall be made available within the building for the secure parking of 14 cycles for the residential and office elements of the scheme, as shown on the plans hereby approved, before the first occupation of the development. The secure parking as approved shall be permanently retained on the site.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

7. NSC1 – Hard / soft landscaping and biodiversity measures

A hard and soft landscape scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. Plans shall show species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed, benches, lighting and topographical ground levels. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development and shall be maintained to the

satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely diseased, or removed.

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

8. NSC2 – Drainage Strategy

Development shall not commence until a drainage strategy incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved by the local planning authority, in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

9. NSC3 – Details of plant area

Full details of all the roof plant enclosures (plans, sections, front and rear elevations, etc.) shall be submitted to and approved in writing by the Local Planning Authority before any building works commence. The development shall be carried out in accordance with the approved details.

REASON: In order to safeguard the appearance of the property.

10. NSC4 – Noise emission from plant area

- (i) The rating level of the noise emitted from fixed plant and from the premises on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made by a suitably qualified acoustic consultant according to BS4142:1997.
- (ii) Development shall not commence until details of the scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority.
- (iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

REASON: In order to minimise the transmission of noise and vibration between and within units in the interests of providing satisfactory accommodation.

11. NSC5 – Sound insulation where commercial adjoins residential

Full written details, including relevant drawings and specifications, of the proposed works of sound insulation against airborne noise to meet dB of not less than 55 between the first and second floor, where residential parties non domestic use, shall be submitted to and approved in writing by the local planning authority. The office development hereby permitted shall not commence until the sound insulation works have been implemented in accordance with the approved details.

REASON: In order to minimise the transmission of noise and vibration between and within units in the interests of providing satisfactory accommodation.

12. NSC6 – Dust minimisation scheme

No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition to existing buildings or breaking out and crushing of concrete) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include a watering regime in the event of dry weather and dust screens as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order to ensure that the local planning authority may be satisfied that the demolition process is carried out in a manner that will minimise possible dust pollution to neighbouring properties.

13. Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees enter into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Legal Services:

- a) The owner shall be required to enter into agreement under Section 278 of the Highways Act to pay the Council to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements. Unavoidable works required to be undertaken by Statutory Services will not be included in the LBH Estimate or payment. The s278 Highway works are estimated at £18,281.16.
- b) To ensure that prior to occupying any of the residential units (which for the avoidance of doubt includes the Car Capped Units) within the Development each new resident of such unit is informed by the Owner of the Council's policy that they shall not be entitled (unless they are the holder of a Disabled Persons Badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit and will not be able to buy a contract to park within any car park owned or controlled by the Council.
- c) The proposed development would require a contribution of £1,094 for Library Facilities.
- d) The employment floorspace, to be built to BREEAM standards and achieve a very good rating. The Residential units shall achieve Code for Sustainable Homes level 4.
- e) A contribution of £324.31 towards open space within close proximity to the site and for its maintenance and upkeep. This will be calculated under the formula

- in Appendix 1 (pages 68-70) of the SPD.
- f) 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 Section 106 Agreement.
 - g) Education contributions of £32,467.86 are required to meet the additional pressure on Hackney schools as a result of the children generated by the development.
 - h) A requirement that the B1 office floor space at basement, ground and first floors is completed to shell and core prior to the occupation of the residential units. This is to ensure that the business floor space is re-provided on site within the defined employment area, thus supporting the local economy, before the more profitable residential units are sold.

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

H03 Other Sites for Housing, E12 Office Development, E14 Access and Facilities for People with Disabilities, E15 Training, E18 Planning Standards, TR19 Parking standards, ACE7 Hotel Development, ACE8 Planning Standards, SPG1 New Residential Development, SPG6 Hotels, SPG11 Access for People with Disabilities, SPD Planning Contributions.

The following policies contained in the London Plan (Consolidated with alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 Sustainability Criteria, 2A.2 The spatial strategy for development, 2A.3 London's Sub-Regions, 2A.4 The Central Activities Zone, 2A.5 Opportunity Areas, 2A.6 Areas for Intensification, 3A.3 Maximising the Potential of Sites, 3A.5 Housing Choice, 3A.6 Quality of New Housing Provision, 3B.1 Developing London's Economy, 3B.2 Office demand and supply, 3B.3 Mixed use development, 3C.1 Integrating transport and development, 3C.2 Matching development to transport capacity, 3C.3 Sustainable Transport in London, 3C.4 Land for Transport, 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs, 3C.11 Phasing of Transport Infrastructure Provision and Improvements, 3C.17 Tackling congestion and reducing traffic, 3C.18 Allocation of street space, 3C.19, 3C.20 Improving Conditions for Buses, 3C.21 Improving Conditions for Walking, 3C.22 Improving Conditions for Cycling, 3C.23 Parking strategy, 4A.1 Tackling climate change, 4A.2 Mitigating climate change, 4A.3 Sustainable design and construction, 4A.4 Energy assessment, 4A.5 Provision of Heating and Cooling Networks, 4A.6 Decentralised Energy: Heating, Cooling and Power, 4A.7 Renewable Energy, 4A.8 Hydrogen Economy, 4A.9 Adaptation to Climate Change, 4A.10 Overheating, 4A.19 Improving air quality, 4B.1 Design principles for a compact city, 4B.2 Promoting World Class Architecture and Design, 4B.3 Enhancing the quality of the public realm, 4B.5 Creating an inclusive environment, 4B.8 Respect Local Context and Communities, 5A.1 Sub-Regional Implementation Frameworks, 5C.1 The Strategic Priorities for North East London, 5C.3 Opportunity Areas in North East London, 5G.1 The Indicative CAZ Boundary, 5G.2 Strategic Priorities for the Central Activities Zone, 5G.3 Central Activities: Offices, 5G.5 Predominantly Local Activities in the Central Activities Zone, SPG Industrial Capacity, SPG Accessible London:

achieving an inclusive environment, SPG Land for Transport Functions, SPG Sustainable Design and Construction, SPG Planning for Equality and Diversity in London, BPG Wheelchair Accessible Housing, Mayor's Economic Development Strategy, Mayor's Transport Strategy, Sub-Regional Development Framework – East London.

INFORMATIVES

The following Informatives should be added:

- 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.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation with Thames Water
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing
- SI.50 S106 Agreement

17 3-8 JACK DUNNING COMMUNITY HALL, FURROW LANE, LONDON

Demolition of existing buildings and construction of a three to six storey building comprising 41 affordable flats (8 x 1-bed, 19 x 2-bed, 7 x 3-bed, 7 x 4-bed) and the provision of a new 265m² community hall (Class D1) on ground floor, with car parking, refuse provision and landscaping.

- 17.1 The Planning Officer introduced the report, as set out in the agenda. It was explained that this had come back to Committee as Members had requested that the corridors be a minimum of 1.45m in width.
- 17.2 In response, the architect stated that it would make the development unviable if the corridors were a minimum of 1.45m in width. A condition had been added to the recommendation regarding minimum corridor widths.

Unanimously RESOLVED that:-

A) Permission be GRANTED, subject to the following conditions:

1. Development in accordance with plans

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

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

2. Commencement within three years

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

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

3. Materials to be approved (entire site)

Details, including samples, of materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

4. Details to be Approved

Notwithstanding the materials shown on the plans hereby approved, detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved:

- The design details and materials of the composition of coloured glass panels used on community hall.
- The design details and materials of projecting box feature on Furrow Lane.
- The design details and materials of signage on Furrow lane façade and Community Hall.
- Details of all types of windows, doors and gates, balconies (including soffits and balustrades).
- Details of typical wall sections.

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

5. No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

6. Parking

No part of the development hereby approved shall be occupied until detailed plans showing the car parking and turning areas for the development have been submitted to and approved in writing by the Local Planning Authority and such parking shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/ loading and unloading purposes.

7. Parking for persons with disabilities

Before the use hereby permitted first commences the 4 accessible car parking spaces shall be provide for use by the vehicles of persons with disabilities as located on drawing number 0276 D0100 P4.

REASON: In order to ensure that a reasonable minimum of parking spaces are located for persons with disabilities prior to occupation.

8. Provision for cycles

Secure, covered parking shall be provided for 44 bicycles, as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

9. Landscaping to be Approved

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

10. No roof plant

No roof plant (including all external enclosures, machinery and other installations, except for photovoltaic and solar hot water heating panels) shall be placed upon or attached to the roof or other external surfaces of the building.

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

11. Archaeological Investigation

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take

place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

12. Refuse Disposal

Adequate refuse storage shall be provided as shown on the plans hereby approved, prior to the occupation of the development hereby permitted.

REASON: In order to assist in the proper disposal of waste and to protect the appearance of the area.

13. Waste Storage

Except on days of collection, all refuse and waste shall be stored in sealed containers in the refuse areas shown on the plans hereby approved.

REASON: In the interests of the appearance of the street and the amenity of adjoining occupiers.

14. Level Access

A level access shall be provided to all ground floor units hereby approved before the use is first commenced.

REASON: In order to ensure that people with disabilities are able to gain proper access to the development.

15. Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

16. Ecological (Green) Roof

Full details of a bio-diverse, substrate based (75mm minimum depth) extensive brown/green roof 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 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.

17. Noise

The rating level of the noise emitted from fixed plant on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997. Full details of a scheme to comply with this noise level shall be submitted to and

approved by the Local Planning Authority, in writing, before construction commences.

REASON: To ensure the development does not unreasonably impact upon surrounding and future residents.

18. Noise

The development hereby permitted shall not be occupied until the scheme approved pursuant under Condition 17 of this permission has been implemented in its entirety. The scheme shall thereafter be maintained in perpetuity.

REASON: To ensure the development does not unreasonably impact upon surrounding and future residents.

19. Secured by Design

The development shall achieve a Certificate for Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

20. Construction Method Statement

Full details of a work method statement including measures to control and minimise noise and dust emissions, and details of measures for the disposal of materials from the site, during demolition and construction, shall be submitted to, and approved by, the Local Planning Authority prior to any work commencing on the site. The development, including disposal of materials from the site, shall in all respects be carried out in accordance with the approved details.

REASON: In order to safeguard the amenities of neighbouring properties and the area generally.

21. Non Standard Condition – Minimum corridor widths

The shared communal corridors to access residential units shall be a minimum of 1.25m wide and shall be retained and maintained in this condition thereafter, unless agreed otherwise in writing by the local planning authority.

REASON: In order to safeguard the amenity of future occupiers of the development.

B) The above recommendation be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Interim Assistant Director (Planning) and the Interim Head of Law:

1. To secure the provision of 100% of units as affordable housing, with a split of 54%:46% socially rented/intermediate.

2. That the provision of 100% (41 units) affordable housing be secured by Metropolitan Housing Partnership providing 22 social rented units and 19 intermediate units.
3. Payment by the landowner/developer of an education and libraries contribution of £116,322.32 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
4. Payment by the landowner/developer of an open space contribution of £1,882.72 towards the supply and quality of open space in the immediate locale.
5. Payment by the landowner/developer of a sustainable transport contribution of £13,500.00 towards works to the public highway.
6. The signing of a Section 278 legal agreement under the Highways Act to pay the Council £56,561.94 for required works to the highway. Unavoidable works required to be undertaken by Statutory Services will not be included in London Borough of Hackney estimate or payment.
7. The community hall shall be built to shell and core level prior to occupation of the residential units.
8. The landowner/developer covenants to use all reasonable endeavours to ensure that the residential development is retained as car free with the exception of those who are medically certified disabled.
9. All residential units to be built to Lifetime Home standards.
10. Commitment to the Council's local labour and construction initiatives (25% on site employment).
11. Achievement of a level 3 rating, with all reasonable endeavours to achieve level 4, under the proposed Code for Sustainable Homes and achievement of a BREEAM 'Very Good' rating for the community hall element.
12. 20% reduction in carbon emissions over the whole site through the use of renewable energy sources and use of low energy technology.
13. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
14. At least 10% of units provided shall be wheelchair accessible.
15. Best endeavours to provide a car club parking space.
16. Provision to allow the placement of street lighting on the proposed buildings where appropriate.
17. The community hall shall be maintained as such in perpetuity.

18. 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 Section 106 Agreement.

C) That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 24 December 2008, the Interim Assistant Director (Planning) be given the authority to refuse the application for the following reasons:

1. The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the Borough and would fail to promote a mixed and inclusive community and as such would be contrary to Policy H03 of the Hackney Unitary Development Plan, Affordable Housing SPD (2005), Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.8 and 3A.9 of the London Plan, and advice contained in PPS1 and PPS3.
2. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to Policies EQ1 and CS2 of the Hackney Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements; EQ48 – Designing out Crime; CS2 – Provision of Community Facilities as Part of Development Schemes; CS3 – Retention of Community Facilities; HO3 – Other sites for Housing; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions.

The following policies contained in the London Plan 2004 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria; 3A.1 – Increasing London's Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.8 – Definition of Affordable Housing; 3A.9 – Affordable Housing Targets; 3A.10 – Negotiating Affordable Housing; 3A.11 – Affordable Housing Thresholds; 3A.17 – Addressing the Needs of London's Diverse Population; 3A.18 – Protection and Enhancement of Social Infrastructure and Community Facilities; 3C.1 – Integrating Transport and Development; 3C.2 – Matching Development to Transport Capacity; 3C.3 – Sustainable Transport in London; 3C.23 – Parking Strategy; 4A.1 – Tackling Climate Change; 4A.3 – Sustainable Design and Construction; 4A.7 – Renewable Energy; 4A.22 – Spatial Policies for Waste Management; 4B.1 – Design Principles for a Compact City; 4B.3 – Enhancing the Quality of the Public Realm; 4B.5 – Creating an Inclusive Environment; 4B.6 – Safety, Security and Fire Prevention and Protection; 4B.8 – Respect Local Context and Communities; Housing SPD 2005.

INFORMATIVES

The following Informatives should be added:

- 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.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSI With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage. Contact Thames Water, Ph. 0845 850 2777, for further information.

18 **APPEALS SUMMARY – SEPTEMBER 2008**

The report was **NOTED**.

19 **APPEALS SUMMARY – OCTOBER 2008**

The report was **NOTED**.

20 **APPEALS SUMMARY – NOVEMBER 2008**

The report was **NOTED**.

21 **DELEGATED DECISIONS – FEBRUARY – MAY 2009**

The report was **NOTED**.

Duration of the meeting: 18.30 – 21:45

Signed

.....
Chair of the Planning Sub-Committee

Contact:

Emma Perry
0208 3563338

Emma.Perry@hackney.gov.uk

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ADDRESS: Forecourt outside 1 Reading Lane, London E8 1DR	
APPLICATION NUMBER: 2009/0686	REPORT AUTHOR: Graham Callam
DRAWING NUMBERS: VO/102, L/100revAB, L/100, Design and Access Statement (dated 18/03/09),	VALID DATE: 26/03/2009
APPLICANT: LBH Property Services 2 Hillman Street London E8 1FB	AGENT: Carillion Services 1 Hackney TLC 1 Reading Lane Hackney, London E8 1GQ
PROPOSAL: Installation of 12 N ^o cycle racks to the forecourt of the property fronting Reading Lane (6 x racks on the western end, 6 x racks on the eastern end)	
POST SUBMISSION REVISIONS: None	
RECOMMENDATION SUMMARY: Grant conditional planning permission.	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	D(c)		
Conservation Area	Mare Street		
Listed Building (Statutory)			No
Listed Building (Local)			No
DEA			No
LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	D1 and D2	Library, Museum, Gym	Not specified
Proposed	D1 and D2	Library, Museum, Gym	Not specified

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	17
Proposed	0	0	29

CASE OFFICER'S REPORT

1 SITE DESCRIPTION

1.1 The application site is a modern building on the west side of the road at the junction with Reading Lane. The building is in a mix of uses

including library, learning centre, museum and gym. There is an open forecourt area at the northern of the site to which the application relates. Hackney Town Hall and the Town Hall Square are located to the north of the site, the Ocean events venue is located to the east, a mix of uses are located to the south and residential properties are located to the west.

2 CONSERVATION IMPLICATIONS

- 2.1 The application site is located within the Mare Street Conservation Area. The impact of the proposed development on the Conservation Area is considered at 6.2.1.

3 HISTORY

- 3.1 17/05/1999 – Planning permission GRANTED for redevelopment of a 4 storey building to provide a library, a museum, a gymnasium, offices and retail accommodation (ref SOUTH/94/99/FP)

4 CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 02/04/2009.

- 4.2 Date Statutory Consultation Period Ended: 18/05/09.

- 4.3 Site Notice: Yes.

- 4.4 Press Advert: Yes.

- 4.5 Neighbours:** 63 letters of consultation were sent to owners/occupiers of surrounding properties and complainants on the enforcement case: One letter of support received. One letter of objection has been received.

- 4.5.1 The contents of the objection can be summarised as follows:

- Impact on the appearance of the building
- Impact on the use of the area for community events
- Existence of more suitable sites for the racks

4.6 Statutory Consultees:

- 4.6.1 None

4.7 Local Groups

- 4.7.1 Central and South Hackney Conservation Area Advisory Committee: No response received

4.8 Council Departments

4.8.1 Sustainability and Design: No objection.

4.8.2 Traffic and Transportation – No objection.

5 POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

EQ1 (Development Requirements)

EQ12 (Protection of Conservation Areas)

EQ14 (Alterations and Extensions of Buildings in Conservation Areas)

5.2 London Plan (2008)

4B.1 (Design Principles for a Compact City)

6 COMMENT

6.1 Background

6.1.1 The proposed development involves the installation of 12 cycle racks to the forecourt of the building. 6 of these would be located adjacent to existing racks at the western end of the northern elevation and the other 6 would be located at the eastern end of the northern elevation adjacent to a blank wall. The proposed racks would be of identical design to the existing racks at the site.

6.1.2 The application has been passed to committee for determination as it is a Council's own application for which there is an objection.

6.2 Design

6.2.1 It is considered that the size, design, position and location of the cycle racks are acceptable. The modest size and simple design of the cycle racks would limit their impact on the subject property and streetscene and would preserve the character and appearance of the Mare Street Conservation Area. On this basis the design is considered to be acceptable.

6.3 Amenity

6.3.1 The cycle racks would be located within the forecourt of 1 Reading Lane next to an existing wide pavement and would not cause disturbance to users of the pavement. The Transportation team has raised no objection to the proposal. It is considered that the proposed

racks would be of size design and position which would not result in any other unacceptable detrimental impact on amenity.

6.4 Other Issues

6.4.1 An objection has been received regarding the impact upon the viability of the use of the forecourt for community events arising from the proposal. However given the modest size of the racks and positions next to walls, it is considered that the proposed development would not have a significant detrimental impact on the use of the forecourt for any purpose.

6.4.2 An objection has also been raised concerning the possibility of locating cycle parking elsewhere. The applicant has indicated that the proposal has been made due to an insufficient supply of cycle parking for visitors to the library and learning centre. On this basis it is considered that the forecourt of the buildings the racks are to serve is the most suitable location for the racks and as such it does not appear that more appropriate locations exist.

7 CONCLUSION

7.1 The proposed development would be of a size, design and position which would respect the character and appearance of the subject property, preserve the character and appearance of the Mare Street Conservation Area and would not have a detrimental impact on the function of the building or amenity. As such the proposed development is in accordance with policies EQ1 'Development Requirements', EQ12 'Protection of Conservation Areas', and EQ14 'Alterations and Extensions of Buildings in Conservation Areas' of the Hackney Unitary Development Plan 1995 and 4B.1 'Design principles for a compact city' of the London Plan 2008.

8 RECOMMENDATION

8.1 Grant planning permission subject to the following conditions:

8.2 CONDITIONS:

1 Commencement within 3 years (SCBN1)

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 Development only in Accordance with Submitted Plans (SCBO)

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.

8.3 INFORMATIVES

The following Informative should be added:

Reasons for Approval:

The following policies contained in the Hackney Unitary Development Plan 1995/London Plan 2008 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 'Development Requirements', EQ12 'Protection of Conservation Areas', EQ14 'Alterations and Extensions of Buildings in Conservation Areas' and 4B.1 'Design Principles for a Compact City'

Sl.1 Building Control

Sl.7 Hours of Building Works



Signed..... **Date: 22 June 2009**

**Steve Douglas
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP 1995 and the London Plan 2008	Graham Callam Fast Track Team 020 8356 8275	263 Mare Street, E8 3HT
2.	SOUTH/94/99/FP	Graham Callam Fast Track Team	263 Mare Street, E8 3HT



Figure 1; Site viewed from the north east



Figure 2; Site viewed from the north west



Figure 3; Site viewed from the north



Figure 4; Proposed location of racks



Figure 5; Proposed location of racks

ADDRESS: 65, 71, 73, 75, Scrutton Street & 45 Curtain Road	
WARD: Haggerston	REPORT AUTHOR: Russell Smith
APPLICATION NUMBER: 2009/0844 & 2009/0867	VALID DATE: 15/04/2009
DRAWING NUMBER:	
APPLICANT: Montagu Evans LLP	AGENT: Montagu Evans
PROPOSAL: (1) Redevelopment of the site to provide a part 6, part 3 storey building comprising an 81 bedroom hotel (4,444sqm) with ancillary facilities and 3,071sqm of office (B1) floorspace. (2) Conservation area consent for demolition of existing building.	
RECOMMENDATION SUMMARY: (1) Grant conditional planning permission subject to S106 legal agreement. (2) Grant conditional conservation area consent	

ANALYSIS INFORMATION

ZONING DESIGNINATION:	(Yes)	(No)
CPZ	X	
Conservation Area	X	
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA	X	

LAND USE DETAILS:	Use Class	Use Description	Floorspace sqm
Existing	B2/B8		3000
Proposed	C1	Hotel	4444
	B1	Office	3071

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	17

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The site is currently occupied by a vacant 3½ storey 1970's office building. The ground floor level is considerably elevated above the pavement level and sits on a plinth of a semi-basement. The existing building forms a U-shape around the site. The main element wraps around Curtain Road and Scrutton Street with no emphasis to either side. The Christina Street elevation is predominately taken up by the service yard.
- 1.2 The site is located within South Shoreditch adjacent to the City Fringe. The surrounding area is predominately commercial in character. Notwithstanding the predominance of commercial uses, the surrounding area is relatively varied with a number of residential dwellings and other uses in the vicinity.
- 1.3 The closest residential dwellings are located in Christina Street, directly opposite the rear of the site. These units are on the upper floors of a converted warehouse building. There is also a recent conversion of employment floorspace immediately to the west of the site that has been converted into residential units.
- 1.4 The site lies within the South Shoreditch Conservation Area and a designated employment area. The site is also in an archaeological priority zone. The site lies within the Central Activities Zone, as defined by the London Plan.

2. CONSERVATION IMPLICATIONS

- 2.1 In line with PPG 15 on Planning & the Historic Environment, proposals to demolish within conservation areas should be assessed against the same broad criteria as proposals to demolish listed buildings. The existing building is a good example of commercial/light industrial architecture from the 1970s and was recently identified as a *Building of Townscape Merit* in the draft *Shoreditch Conservation Areas Appraisal*.

3. HISTORY

- 3.1 31/03/2001: Planning consent granted for the total demolition of all existing buildings & redevelopment for 6651sqm office building.
- 3.2 Permission to redevelop the site for commercial use was granted in 2001 but the consent has since expired. The most recent scheme proposing redevelopment with a part 3, part 6 storey building was withdrawn owing

primarily to concerns over height, bulk and poor design (Refs: 2008/1678 and 2433). Since this time, the scheme has been through several redesigns following discussions with the Urban Design & Conservation Team and the Council's Design Review Panel.

4. CONSULTATIONS

4.1 Date Statutory Consultation Period Started: 08/10/2008

4.2 Date Statutory Consultation Period Ended: 29/10/2008

4.3 Site Notice: Yes

4.4 Press Advert: Yes

4.5 395 letters were sent to adjacent occupiers the following responses were received:

- 1 letters of objection received on the grounds that there is inadequate parking facilities in the area and the proposal will cause general noise and disturbance;
- 1 response was received neither in support or objection to the proposal.

4.6 **Local Groups**

4.6.1 Invest in Hackney

Strongly support the proposal for the following reasons:

Bringing the site back up to optimal use. Invest in Hackney believe that the proposal will bring the site back to optimal use. The building is currently unoccupied, and without major investment will likely remain that way. The development will provide both hotel and office space in this desirable City Fringe location, reproviding 100% of the existing B1 space at a much higher specification than currently exists.

Strengthening the boroughs economy & creating employment opportunities. The hospitality sector was identified in Hackney's Inward Investment Strategy as a key sector to promote economic growth in the borough and to tackle Hackney's problem of high levels of worklessness among its residents.

The proposed Staybridge Suites business model has the potential to attract more business tourism to the area. At a recent LDA seminar Visit London noted that business travelers spend approximately 33% more than their leisure counterparts, and have a return rate of 40%.

Through discussions with local businesses, it would appear that the impact on local businesses of hotel development in this area has been significant. Not only has it encouraged a wider pool of consumers into the area who spend on leisure, hospitality and retail offers, but it has enhanced the status of Hackney's

offer to both visitors and businesses. The increase in the accommodation sector is a clear indication of the sustainability of the borough's economy, and reflects an area that is becoming established as a business destination.

The growth of the visitor economy has been identified as a priority for Hackney Council. The growth of this sector is essential to attract visitor spending which supports existing businesses in the area. Details for realising this opportunity are outlined in Hackney's Visitor Economy Strategy. Significant opportunity is identified in the visitor products of food, art, heritage and sport based around existing and emerging quality catering and hospitality establishments, contemporary arts offers and the Olympics. The Visitor Economy Strategy also identifies expansion opportunities around developing business tourism. In order to do this the right kind of visitor accommodation must be provided, and we believe this proposal would provide such accommodation

Creating employment and training opportunities. The proposed development will create a significant number of jobs for the borough, and because of the nature of the business, these jobs will be accessible to local residents. Although there will be many entry-level jobs, the size of the organisation behind the development makes it much more likely that they will be able to provide support and development training to their employees.

Studies show that organisations employing 50+ people provide significantly more entry-level opportunities than micro and small businesses. This is because larger organisations are better placed to 'carry' individuals who may need intensive support in the early months of employment. Not only are larger organisations better placed to provide more entry-level jobs, but training opportunities also tend to be greater in large firms, offering more opportunities for low skilled placements.

This is particularly significant for Hackney where somewhere in the region of 90% of the borough's businesses employ fewer than 10 people. Small businesses contribute significantly to the local economy but may be less likely to expand, thereby offering employment opportunities for local people.

We would also suggest that to develop links with the local community the hotel operators contact the London City Hospitality Centre also based in Shoreditch. This is the hospitality branch of Hackney Community College and it runs diploma courses in customer service, housekeeping, general hospitality and catering among others. LCHC has recently won the contract to provide short catering courses for London 2012 for the host boroughs.

This proposal fits extremely well with the local economy. It will lead to a net increase in employment opportunities in the Borough, and it will result in significant investment in a prominent site. As such, Invest in Hackney welcomes the proposal and are delighted to offer our support.

- 4.6.2 Shoreditch Conservation Area Advisory Committee
2009/0844 - Redevelopment of the site to provide a part 6, part 3 storey building comprising an 81 bedroom hotel (4,444sqm) with ancillary facilities and

3,071sqm of office (B1) floorspace. The proposal appears to say it takes reference from neighbouring building facades and massing. However, the existing building at 3.5 storeys above ground is extremely horizontal in nature with a strong impact on the street and the areas overall identity. In massing terms, the volume of the development is much greater and bears no relation to the existing - though there is an attempt to artificially match existing buildings and massing through brick/stone 'decoration' - but the proposal from June 2007 - November 2007 is much greater, rising to eight storeys in drawings where the existing is only 3.5 storeys. The overall aesthetic of the proposed building is very much a retail high street facade type, and bears very little resemblance to the industrial/showroom identity of the South Shoreditch Conservation Area. We cannot help but feel we would expect more than trying to simply knit a building into the existing fabric in this way. Should an existing building that formed part of the overall identity of the area be sacrificed by demolition, then a new development is an opportunity to propose a building that should be of exceptional quality to act as a catalyst for regenerative activity in the area – this proposal does not offer anything of exceptional quality. We therefore **OBJECT**. We would also comment on the idea of a change to hotel use at this corner given the other three hotel applications we have recently reviewed - South Shoreditch will soon be hotel and student land which is a nomadic population poorly suited to community cohesiveness and sustainability.

2009/0867 - We believe we have to consider why and what we are preserving as far as the concept of the South Shoreditch Conservation Area. This site is quite large and, though the buildings would not normally be considered important, as part of the overall industrial nature of the conservation - the loss of these would be considerable. As Ray Rogers notes in his book on the area, '*most buildings are architecturally modest, but collectively they are of historic interest and give strong identity to the area*'. I would **strongly OBJECT** to this application for demolition regardless of the merits of the proposal. And for wholly sustainability reasons would recommend the re-use of the existing building for any new use, including that of the application under 2009/0844. It was agreed that this existing building had merits within the context of the mix of industrial buildings and uses of the Conservation Area.

4.7 **Statutory Consultees**

4.7.1 Thames Water

No representations received

4.7.2 English Heritage

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

The site lies in an Archaeological Priority Area as specified in the London Borough of Hackney UDP and lies near to the site of the medieval Holywell Priory in an area of early suburban expansion. The area was however also exploited for its brickearth, and sand and gravel resources, resulting in deep quarry pits, sometimes filled with significant groups of domestic or industrial refuse from the City. Evidence for Roman activity has also been recovered from

the area. Remains from all periods might be anticipated on the sit, but particularly those associated with the early expansion of the City.

The proposed development may, therefore, affect remains of archaeological importance. The following condition is recommended.

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

4.7.3 London Fire and Emergency Planning Authority

Satisfied with the proposals provided that the application complies with Approved Document B specifically B5 sections 15-18

4.7.4 Transport for London

TfL offer the following comments and recommendations:

1. The site is fronting Curtain Road, which forms part of the Transport for London Road Network (TLRN).

2. TfL support the non-provision of car parking for the proposal; it is further recommended that business occupier should be excluded eligibility for local parking permit/ contract, by the developer enters into a S106 'Car Free' agreement with TfL.

3. TfL request that secured cycle parking be provided on site in accordance with the TfL Cycle Parking Standards.

4. There does not appear to be any trip rate analysis for the proposed development. The appendices contain outputs from the TRAVL database about various sites, but this has not been used to calculate the number of trip for the proposed parts of the development. Therefore, it is not possible to comment on the impact of the number of trips generated as a result of the proposed development.

5. The site frontage on Curtain Road is located in the vicinity of a major junction, which is heavily trafficked for most parts of the day, therefore it is considered not appropriate for servicing to be undertaken at this location, TfL therefore request that servicing for the proposal should be undertaken at Christina Street or Scrutton Street instead of Curtain Road wherever possible.

6. TfL supports the site being serviced by vehicles on Christina Street and Scrutton Street.

7. TfL recommends that the provision of coach pick up/ drop off facility should be considered for the proposed development.

8. TfL request that S106 planning obligation be imposed to require that the developer enters into a S278 agreement under the Highways Act 1980 with TfL for the following works:

a) Reinstatement and make good the footway on Curtain Road in the vicinity of the site.

9. TfL request that S106 planning obligation be imposed to require that the developer/ operator of the proposal to submit a Delivery & Servicing Plan (DSP), as referred in the London Freight Plan, for TfL's approval prior to occupation of the site; and to adhere to the Plan further to occupation.

10. TfL request that S106 planning obligation be imposed to require that the developer to submit a Construction Management Plan (CMP), and Construction Logistics Plan (CLP) for TfL's approval prior to work commence on site. The Plans should be aimed to minimise highway and traffic impact to the TLRN during the course of construction.

11. Prior approval must be sought from the TfL Road Network Management (RNM) Structural team for the construction of the basement floor prior to work commence on site. This is to ensure that the structural integrity of the TLRN public highway would not be adversely affected.

12. TfL recommend that a Work Place Travel Plan should be produced in accordance with TfL and national guidance for Travel Planning, this is to promote the use of sustainable non car based modes of transport.

13. TfL would undertaken enforcement action against vehicle associated with the proposal (including customer/ staff/ construction/ servicing/ delivery), which contravene the on-street stopping/ parking restrictions.

14. Any fixture/ structure of the proposed development which over-sail the TLRN public highway would be subject to separate S177 licence application to TfL under the Highways Act 1980.

Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

4.8 Other Council Departments

- 4.8.1 Building Control:
No representation received.

4.8.2 Conservation and Design:

No objection to the revised scheme subject to the inclusion of the following conditions:

SCM2 - Materials to be approved**SCM7 - Details to be approved**

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

- Windows and doors
- Ground floor elevations and signage of the building
- 1:20 typical sections through all elevations

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

SCM9 - No extraneous pipework**SCD1 - Level access****SCD2 – Provision of access and facilities****SCI4 – Details of roof plant****NSC – Plant position and design**

Any plant must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents. As it shall be designed to operate at a level of 10dB(A) below the background noise level to render it inaudible whilst operating.

REASON: To ensure the development does not unreasonably impact upon surrounding residents.

4.8.3 Highways

Section 278 required for works to highway

4.8.4 Policy:

No representation received.

4.8.5 Pollution:

No objection conditions recommended.

4.8.6 Traffic and Transportation:

It is considered that the proposed development will not impact unduly on the borough's transport infrastructure. However, Transportation cannot fully support the proposal until the provision of 2 no. disabled parking places on the public highway has been approved by the Council Parking Services.

4.8.7 Waste management:

This application requires 11.250 litres of waste storage for C1 hotel and 7.500 litres of waste for the B1 office a total of 18.750 (based on weekly collection) this would amount to approx 17 x 1100 litre euro bins on the plans they have provision for only 8. as this service is paid for they can reduce the amount of bins required by paying for increased collections so this is not a problem but I would suggest they have 5 x bins in the hotel storage area instead of the 4 proposed that way a twice per week collection should suffice.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

EQ1	-	Development Requirements
EQ12	-	Protection of Conservation Areas
EQ13	-	Demolition in Conservation Areas
EQ29	-	Archaeological Heritage
EQ48	-	Designing Out Crime
E12	-	Office Development
E14	-	Access and Facilities for People with Disabilities
E18	-	Planning Standards
ACE7	-	Hotel Development

5.2 Supplementary Planning Guidance /Document

SPG11	-	Access for People with Disabilities
SPG12	-	Conservation
SPD	-	South Shoreditch

5.3 London Plan (2004)

2A.1	-	Sustainability criteria
3B.2	-	Office demand and supply
3B.3	-	Mixed use development
3B.4	-	Industrial Locations
3C.1	-	Integrating transport and development
3C.2	-	Matching development to transport capacity
3C.3	-	Sustainable transport in London
3C.23	-	Parking strategy
4A.1	-	Tackling climate change
4A.3	-	Sustainable design and construction
4A.4	-	Energy assessment
4A.6	-	Decentralised energy: Heating, cooling and power
4A.7	-	Renewable Energy
4B.1	-	Design principles for a compact city
4B.11	-	London's built heritage
4B.12	-	Heritage conservation
4B.2	-	Promoting world-class architecture and design
5C.1	-	The strategic priorities for North London
3D.7	-	Visitor accommodation and facilities

5.4 National Planning Policies

- PPS1 - Creating Sustainable Communities
- PPG13 - Transport
- PPS22 - Renewable Energy

6. COMMENT

Conservation area consent is sought for the demolition of an existing 3½ storey office building on site and full planning permission is sought to redevelopment of the site to provide a part 6, part 3 storey building comprising an 81 bedroom hotel (4,444sqm) with ancillary facilities and 3,071sqm of office (B1) floorspace.

The arrangement of the hotel and offices on this 3-sided corner site is such that the hotel occupies the primary 'L-shaped' part of the site, fronting Curtain Road and Scrutton Street. The office accommodation (accessed from Scrutton Street) occupies the residual area of the site and fronts onto Christina Street. The hotel is along the boundary of Curtain Road and Scrutton Street with the entrance at the corner of these roads. Servicing takes place via a 'holding area' accessed from Scrutton Street, with no access other than refuse collection required from Christina Street. The office accommodation is formed at the back of the site, fronting Christina Street, and is arranged over 4 levels including a basement level. The Office is separated from the Hotel by a raised landscaped courtyard.

The facades of the proposed building have been modelled on the structure and skin elevational typology of the industrial warehouse buildings, which are prevalent in the area. The grouped window openings are repetitive with regular brick columns and the window to wall ratios are similar to those of the brick warehouses. The entrance to the hotel is located on the corner and is expressed as a double-height space, which incorporates a clearly legible and noticeable signage panel.

Considerations

The main considerations relevant to this application are:

- 6.1 The principle of the use.
- 6.2 Design and appearance of the proposed development.
- 6.3 Potential impact on the amenity of residents.
- 6.4 Traffic and transport considerations.
- 6.5 Response to objectors.
- 6.6 Planning Contributions.

Each of these considerations is discussed in turn below.

6.1 The principle of the use

- 6.1.1 The proposed development involves the demolition of existing buildings. The site lies within a Conservation Area and as such consent is required for the demolition. In line with PPG 15 on Planning & the Historic Environment, proposals to demolish within conservation areas should be assessed against the same broad criteria as proposals to demolish listed buildings.
- 6.1.2 The existing three-storey building dates from the 1970s and was formerly in light industrial use. It is proposed to demolish this building and erect a part 3, part 6 storey hotel and office development. The site forms part of the recently enlarged South Shoreditch conservation area, a city-fringe, former industrial suburb that was the centre of London's furniture trade from the Victorian era through to the 1960s. The area is characterised by tall, brick warehouse style buildings and often narrow streets which lend it a distinctive, industrial character.
- 6.1.3 The existing building dates from the 1970s and has large floor to ceiling heights and critical windows, which lend it an industrial character. The building relates well to the conservation area in terms of height and architectural style as evidenced by its identification as a 'Building of Townscape Merit' in the Council's 2009 South Shoreditch Conservation Area Appraisal. However, the site had previously been identified as an 'Opportunity Site' in the Council's 2006 South Shoreditch Supplementary Planning Document (SSSPD) and permission to demolish had been given under a now expired consent.
- 6.1.4 Nevertheless, in order to satisfy the requirements of PPG 15 on Planning & The Historic Environment, the current submission includes a Conservation Statement with a justification for the proposed demolition of the building, which finds that the building is of no particular architectural merit or historic interest to warrant its retention. Given the planning history of the site and its earlier designation as an opportunity site, we do not consider demolition of the building to be unacceptable in principle. Although we recognise that the building relates well in its general height and appearance to the conservation area, it does not have a specific link to the industrial heritage for which the conservation area was designated and therefore subject to the suitability of the replacement scheme, we would not raise objections in principle to its demolition. See section 6.2 for further discussion on the suitability of the replacement scheme.
- 6.1.5 The London Plan encourages development of sustainable tourism provision, including for the Olympic and Paralympic Games, in town centres and other locations with good public transport access. London Plan Policy 3D.7 *Visitor accommodation and facilities* seeks to accommodate smaller scale provision in CAZ fringe locations with good public transport and resist further intensification of provision in areas of existing concentration. Saved Policy ACE7 of the UDP states that favourable consideration will be given to hotel development on sites having good public transport links, which are not located in predominately residential areas. The recent GLA Hotel Demand Study (June 2006) identifies and quantifies the need for new hotel rooms in London between 2007 and 2016. The report estimates the need for approximately 500 net extra rooms between

2007 and 2026 in Hackney.

- 6.1.6 South Shoreditch is a highly accessible location, adjacent to the City Fringe, which provides a range of uses, including tourism, business and entertainment services and on these terms would be suitable for a hotel use. There has been a recent influx of hotel development in this area, which may give rise to a degree of concern. However, there are no UDP or London Plan policies that seek to restrict the amount of hotel development or indicate that there is likely to be a detrimental cumulative impact of such development. Conversely Hackney's Inward Investment Strategy identifies the hospitality sector as a key sector to promote economic growth in the borough and to tackle Hackney's problem of high levels of worklessness among its residents and the strong support of Invest in Hackney for the hotel element of this development should be noted.

6.2 Design and appearance of the proposed development

- 6.2.1 Since the proposals were first considered, the design of the scheme has been through several iterations based on discussions with the Urban Design & Conservation Team and more recently with the Council's Design Review Panel. Key changes have been a reduction in overall massing, particularly at the upper levels along with changes to the elevations to bring them more in line with the solid masonry construction that is typical of buildings within the conservation area. Later changes have sought to improve the ground floor frontage of the building and the treatment of the Scrutton Street/Curtain Road corner, which is prominent in local views. These changes are discussed in more detail below.
- 6.2.2 The initial proposals at a maximum of 8 storeys were considered grossly out of scale with the surrounding buildings and more akin to the large city-fringe developments located closer to Broadgate outside of the conservation area. At 5 storeys, the scale and height of the revised building on the Scrutton Street and Curtain Road elevations is consistent with adjacent buildings and the massing at the sixth floor level is setback in order to minimise its visual prominence. On the Christina Street elevation, the scale steps down to 3 storeys, which is consistent with adjoining buildings and is therefore considered to be acceptable.
- 6.2.3 The elevational treatment has altered significantly since early discussions, when concerns were raised with the skin-like brick cladding, which was considered to appear more like a wall plane as opposed to the solid construction that is typical of the conservation area. The scheme was revised to incorporate a deeper recess to the brickwork and window reveals and a more regular rhythm to the composition of the fenestration. Additionally, the ground floor level has been through several iterations, which have again picked up the typology of warehouse style buildings in the conservation area with brick piers extending to the ground. The decision to locate the main hotel entrance on the Scrutton Street/Curtain Road corner is considered to be successful in providing activity at a key nodal point on the building. Further visual interest has been added with the asymmetrical arrangement of windows on the upper storeys above the corner providing a contrast with the more traditional arrangement on the main facades.

- 6.2.4 Having regard to materials the stock brick construction follows the prevailing pattern of warehouse style architecture in the conservation area and the use of a yellow stock is considered to be the most appropriate for the building. The use of more contemporary materials such as aluminium windows and zinc roof cladding are consistent with similar developments in this and other conservation areas in the borough. However, should consent be granted, the final choice of any materials for this building should be left to the conditions stage so that samples of proposed materials can be considered in more detail.
- 6.2.5 The relocation of the hotel entrance to the main corner of the building is considered a logical response that will improve legibility for hotel users. The layout and room sizes for both the office and hotel accommodation are considered to be acceptable.
- 6.2.6 In summary the proposal is considered to be a well-designed, urban infill development that relates well to the prevailing building typology within the conservation area. The design is understated but will fit in harmoniously with surrounding buildings in terms of height, massing, elevational treatment and materials and will preserve the character and appearance of the South Shoreditch conservation area.

Sustainability

- 6.2.7 The Mayors 'London Plan 2008' identifies six main objectives, one of which is, "to make London an exemplary world city in mitigating and adapting to climate change and a more attractive, well-designed and green city". London Plan Policy 4A.1: *Tackling Climate Change* requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of Carbon Dioxide (CO₂). The following hierarchy should be used to assess applications:
- Lean - Using less energy, in particular by adopting sustainable design and construction measures (Policy 4A.3);
 - Clean - Supplying energy efficiently, in particular by prioritising decentralised energy generation (Policy 4A.6); and
 - Green - Using renewable energy (Policy 4A.7).
- Integration of adaptation measures to tackle climate change should most effectively reflect the context of each development – for example, its nature, size, location, accessibility and operation. According to Policy 4A.3: *Sustainable Design and Construction*, the Mayor will and boroughs should ensure future developments meet the highest standards of sustainable design and construction.
- 6.2.8 Policy 4A.4 (Energy Assessment) of the London Plan states that boroughs should require an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from energy efficiency and renewable energy measures incorporated in the development. An energy report was submitted as part of the application as required by Policy 4A.4. The report demonstrates how the London Plan's Energy Hierarchy has been followed

in the design of the development.

- 6.2.9 Lean: Energy efficiency measures will result in a CO₂ reduction of approximately 35% over the Part L (building regulations) compliant building. To reduce space heating demand, building fabric performance has been improved by over 50% for walls, 35% for the windows and 40% for the floors and roof above Part L minimum specifications. These will be achieved through high levels of insulation and product specification. Hot water demand will be greatly reduced by the specification of water-efficient dishwashers and laundry equipment and flow restrictors on taps and showers in the hotel rooms. CO₂ emissions from electricity will be reduced by installing high efficiency, zoned lighting in the office space and by specifying low energy consumption appliances in the hotel. As a result it is predicted that the Part L compliant building CO₂ emissions of 409tCO₂ per annum should be reduced to 266tCO₂.
- 6.2.10 Clean: To provide a clean proportion of the energy required by the development, a gas-fired, micro-CHP has been proposed, which would reduce the CO₂ emissions by 4.5% or 12tCO₂ per annum. This CHP unit could provide approximately 30% of the heat and 20% of the electricity for the development.
- 6.2.11 Green: A variety of low carbon technologies and systems has been analysed, including biomass heating, wind, ground source heat pumps, solar thermal and photovoltaics (PV). The report concludes that a PV system is the preferred option since it would produce good CO₂ savings and would complement the CHP system unlike the biomass and solar thermal systems. Ground source heat pumps and wind turbines were discounted due to poor CO₂ savings and financial case. The proposed 100m² PV installation system would provide over 3% of the annual electricity demand and reduce CO₂ by a further 2.7% or 7.1tCO₂ per annum.
- 6.2.12 The applicant has made a commitment to design and specify the scheme to meet BREEAM Excellent for both the hotel and office use, which will be secured by s106 obligation. In combination a micro-CHP (accepted by the GLA as renewable technology in terms of London Plan policy) and 100m² of photovoltaics would reduce CO₂ emissions by 7.2% or 19.1tCO₂ per annum. Whilst this does not meet the London plan's renewable target the submitted Energy Report satisfactorily demonstrates that this strategy is the most efficient use of low and zero carbon technology for the development. It is considered that with the achievement of a BREEAM Excellent rating the proposed development makes a satisfactory contribution to the mitigation of and adaptation to climate change and to minimising emissions of Carbon Dioxide (CO₂).

6.3 Potential impact on the amenity of residents

- 6.3.1 Residential properties that could potentially be affected by the proposed development are located on the opposite side of Christina Street and adjacent to the application site on Motley Avenue.

Sunlight/Daylight

- 6.3.2 A Daylight and Sunlight (D&S) Report has been submitted for the proposed development. The reports states that daylight and sunlight calculations have been assessed in accordance with the Building Research Establishment (BRE) Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 1991 and British Standard 8206 – 2: 1992 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. Tests undertaken to various windows surrounding the site include: Vertical Sky Component (VSC) tests; Average Daylight Factor (ADF) tests; and Annual Probable Sunlight Hours (APSH) tests.
- 6.3.3 The surrounding daylight analysis undertaken for the report indicates that all the rooms tested within the existing surrounding properties will retain adequate levels of daylight in accordance with the BRE guide target for ADF criteria. In terms of sunlight of the 53 windows tested to the surrounding properties, 13 windows will not meet the target values as set out in the BRE guidelines. It should be noted that these windows mostly fail in relation to their capacity to receive winter sun and receive sufficient annual sunlight. Only 4 of the windows that do not meet the BRE guidelines serve living rooms but it should be noted that these living rooms also have other windows serving them which meet the BRE criteria for sunlight. It is therefore considered that these rooms will remain adequately sun-lit.
- 6.3.4 In summary it is considered that the design and layout of the proposed building is unlikely to adversely affect the levels of daylight or sunlight currently received by the surrounding buildings and the surrounding residential properties will receive adequate levels of natural light.

Loss of Privacy

- 6.3.5 Hotel windows on the Christina Street elevation directly facing residential properties in Butler House have been removed and replaced with ceramite-look-alike glazing. Terraced areas shown on the second floor plan and fifth floor plan are not accessible and therefore do not raise any privacy issues. It is considered that the design and layout of the proposed development is unlikely to adversely effect the privacy of nearby residential properties.

Noise and General Disturbance

- 6.3.6 The hotel proposals include a bar/dining area at ground floor. The use of the bar/dining area would be primarily associated with the main hotel use. A condition is recommended that the bar/dining area is closed to non-guests after 23.30 hours in order to safeguard the amenities of nearby residents. The application site is located within a busy mixed use area. Overall it is considered unlikely that the proposal would result in a significant increase in noise and general disturbance.

6.4 Traffic and transport considerations

- 6.4.1 The site has a Public Transport Accessibility Level (PTAL) of 6b and is

considered to have excellent accessibility to public transport. The site is well served by buses and is located within reach of Old Street Station and Liverpool Street Station. The site therefore has very good access to the London Bus, Underground and Rail networks.

- 6.4.2 The proposal does not include the provision of on-site car parking places. The Council is satisfied that the development will not generate a significant demand to travel by car, given the nature of the proposed development and being located within the London Congestion Charging Zone and within a Controlled Parking Zone. In fact it is considered that the traffic impact will likely be reduced on this site as hotels and B1(a) office uses generate less traffic based trips than B2 and B8 uses, which currently occupy the site.
- 6.4.3 The Hackney UDP 1995 Chapter 11 recommends that one suitably designed space per 2000sqm be provided for people with disabilities. The applicant has not provided on-site disabled parking but proposes to provide 2 no. disabled parking places on-street in the adjoining highway. Whilst this objection is not considered to be sufficiently strong transport grounds to support refusal of the proposal, the suitability of disabled parking places in the adjoining highway will need to be approved by LBH Parking Services before LBH Transportation can fully support the proposal.
- 6.4.4 The provision of an on-street service bay and 2 no. disabled parking places (as suggested in the TA) is not approved. In principle, the Council's transportation department does not object to on-street servicing; a similar arrangement to hotels in Inner London. However, the acceptability of an on-street loading bay and disabled parking bays falls within the remit of LBH Parking Services who are responsible for the management of on-street parking. The relocation/removal of existing parking bays on the adjoining highway will need to be approved by the Parking Services, and the Council recompensed for the loss of income. Additionally, the applicant is expected to meet the cost of amending the Traffic Management Order (where appropriate) in Scrutton Street, subject to the approval of the Council's Parking Service.
- 6.4.5 The TA do not state the number of cycle parking places provided but states that adequate secure cycle parking to the standards of the London Plan (1 cycle space per 10 bedrooms and 1 per 10 staff) is provided within the site. 15 no. cycle parking places are indicated on the ground floor plan (100/L302), adjacent to the refuse store in Christina Street. The cycle parking provision is considered satisfactory.
- 6.4.6 It is considered that the proposed development will not impact unduly on the borough's transport infrastructure. The transport impact assessment undertaken shows that the impact on traffic in the surrounding road network resulting from the proposal will be insignificant. The transport characteristics of the site i.e. being located in a PTAL area of 6b, located within the London Congestion Charge Zone and within a CPZ, suggest that the main mode of travel to the site will be by non-car modes – public transport and walking and cycling.

6.5 Response to objectors

6.5.1 There is inadequate parking facilities in the area.
See section 6.4.6 of the main report.

6.5.2 The proposal will cause general noise and disturbance.
See section 6.3.6 of the main report.

7. CONCLUSION

7.1 The proposed development is considered compliant with pertinent policies saved in the Hackney UDP (1995), the LDF Core Strategy Preferred Policy Options (April 2008) and the London Plan (Consolidated with Alterations since 2004). Accordingly, the granting of planning permission is recommended.

8. RECOMMENDATIONS

Recommendation A

8.1 **That permission be GRANTED, subject to the following conditions:**

8.1.1 **SCB0 – Development in accordance with plans**

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

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

8.1.2 **SCB1 - Commencement within three years**

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

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

8.1.3 **Materials to be approved**

Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing, shall be submitted to and approved by the Local Planning Authority in writing before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.4 **NSC**

Prior to the commencement of development details of the design and location of 100sqm of photovoltaic panels to be submitted to and approved by the Local Planning Authority. The development to be carried out in accordance with the approved details.

REASON: To secure mitigation of climate change measures.

8.1.5 NSC

Prior to the occupation of the development details of a gas fired micro CHP shall be submitted to and approved by the Local Planning Authority. The approved micro CHP to be installed within the development prior to occupation.

REASON: To secure mitigation of climate change measures.

8.1.6 SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building other than as shown on the drawings hereby approved.

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

8.1.7 SCI4 – Roof plant (Details to be approved)

Full details of all the roof plant enclosures (plans, sections, front and rear elevations, etc.) shall be submitted to 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 safeguard the appearance of the property.

8.1.8 NSC

No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) have been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather, dust screens, etc., as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order that the local planning authority may be satisfied that the demolition process is carried out in a manner which will minimise possible dust pollution to neighbouring properties.

8.1.9 NSC

Where fixed plants such as air conditioning are proposed then I recommend the following:

(i) The rating level of the noise emitted from the fixed plants on the site shall be 10dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.

(ii) Development shall not commence until details of a scheme complying with paragraph (i) of this condition have been submitted to and approved in writing by the local planning authority

(iii) The development shall not be occupied until the scheme approved pursuant to paragraph (ii) of this condition has been implemented in its entirety. Thereafter, the scheme shall be maintained in perpetuity.

REASON: To safeguard the residential amenities of nearby occupiers

8.1.10 NSC

Prior to the occupation of the development a Delivery and Servicing Management Plan for the hotel use shall be submitted to and approved in writing by the Local Planning Authority. Delivery and servicing to be carried out only in accordance with the approved Delivery and Servicing Management Plan. REASON: To ensure that the development does not adversely impact upon the surrounding highway.

8.1.11 NSC

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

8.1.12 SCH10 – Secure bicycle parking

8.1.13 SCH14 – Closure of existing access

Recommendation B

8.2 That the above recommendation be subject to the applicant, the landowners and their mortgagees enter into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended) in order to secure the following matters to the satisfaction to the satisfaction of the Assistant Director Regeneration and Planning and the Interim Head of Legal Services:

8.2.1 The owner shall be required to enter into agreement under Section 278 of the Highways Act to pay the Council to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements. Unavoidable works required to be undertaken by Statutory Services will not be included in LBH Estimate or Payment.

8.2.2 The owner shall be required to enter into agreement under Section 278 of the Highways Act to pay Transport for London to reinstate and improve the footway adjacent to the boundary of the site, and include if required, any access to the Highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements.

- 8.2.2** The owner must provide a Travel Plan (for the hotel and employment use) to be agreed by the Council's Transportation Officer, towards achieving sustainable travel targets, including the services of a Travel Plan Coordinator. The Travel Plan must be in place by the first year of occupancy and the developer must provide the sum of £1500 in the first year for yearly monitoring by LBH for 5 years.
- 8.2.3** Demolition and Construction Management Plan to be submitted at least 6 weeks prior to the commencement of works on site. The Demolition and Construction Management Plan shall include the following: Demolition Method Statement; Construction Method Statement; Construction Logistics Plan; and Site Waste Management Plan.
- 8.2.4** Considerate Constructors Scheme
- 8.2.5** The payment by the landowner of a contribution of £6,474.00 towards library facilities.
- 8.2.6** Construction Industry and Removing Barriers to Work: Appendix 1 (page 65) includes the relevant section 106 agreement clauses with regard to Local Labour in Construction while the Local Training in Construction formula can be found on page 66.
- 8.2.7** Removing Barriers to Work: provision for the use of local labour for construction of the development in the form of 25% on-site employment, including the facilitation of apprentices and adult improvers for a defined period.
- 8.2.8** The payment by the landowner of a contribution of £1918.80 towards open space.
- 8.2.9** The development to be built to BREEAM standards and achieve an 'excellent' rating.
- 8.2.10** The business occupier(s) should be excluded eligibility for local parking permit/contract, by the developer enters into a S106 'Car Free' agreement with TfL.
- 8.2.11** Payment of a s.106 contribution towards sustainable transport initiatives in the area on the basis that the proposal will generate an increase in non-car trips (walking and cycling) in the surrounding streets. The s.106 sustainable transport contributions will be put towards, but not restricted to, accessibility improvements schemes in the area [including footway improvements in Chrstina Street and Scrutton Street], street-lighting, improving links to the walking and cycle network in the area, increased cycle parking on the public highway for visitors, public realm improvements, etc.
- 8.2.12** The developer/ operator of the proposal to submit a Delivery & Servicing Plan (DSP), as referred in the London Freight Plan, for TfL's and LBH's approval prior to occupation of the site; and to adhere to the Plan further to occupation.
- 8.2.13** 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 Section 106 Agreement.

Recommendation C

8.3 That Conservation Area Consent be GRANTED subject to the following conditions

8.3.1 **SCB2- Commencement**

The development hereby permitted must be begun no later than the expiration of three years beginning with the date of this consent.

REASON: In order to comply with the provisions of Section 18 (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3.2 **NSC**

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

8.3.2 **NSC1 – Works of demolition**

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2009/0844 is granted and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

Reason: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the Kingsland and Regents Canal Conservation Areas.

Recommendation D

8.4 That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 30^h of March 2009, the Assistant Director of Regeneration and Planning be given the authority to refuse the application for the following reasons:

8.4.1 The proposed development, in the absence of a legal agreement for securing open space contributions, would be likely to contribute to pressure and demand on the Borough's open space provision contrary to policies to the provisions of Supplementary Planning Document: Planning Contributions (2006) and policy 3A.21 of the London Plan (2008).

8.4.2 The proposed development, in the absence of a legal agreement for securing a BREEAM 'excellent' standard building would make an inadequate contribution towards the mitigation of climate change.



Signed..... Date: 22 June 2009

**Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE**



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revisions:

- 0. Cycle storage (17)
- 1. Staff
- 2. Beer Store
- 3. Linen
- 4. Dry Goods
- 5. Freezer
- 6. Chiller
- 7. Kitchen
- 8. Holding Area
- 9. Locker Room
- 10. Communication
- 11. Retail
- 12. Admin
- 13. General Manager
- 14. Luggage Store
- 15. Laundry (12m2)
- 16. Gym (29m2)
- 17. Den
- 18. Living
- 19. Hub/Dining

Schedule of Accommodation:

Studio: 53.
1 Bed: 23.
Accessible Studio: 5.
Total Suites: 81.

Site area: 0.34 acre

Revision A omc 23.02.09
Ground Floor fenestration amended in line with
overall revised planning elevations

Revision B omc 3.06.09
Ground Floor columns, openings, & entrance
position amended in line with overall revised
planning elevations in response to planners
comments. Door swings amended and
dropped kerbs added.



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project title:
Curran Road, Shoreditch
Staybridge Suites Hotel
& Offices

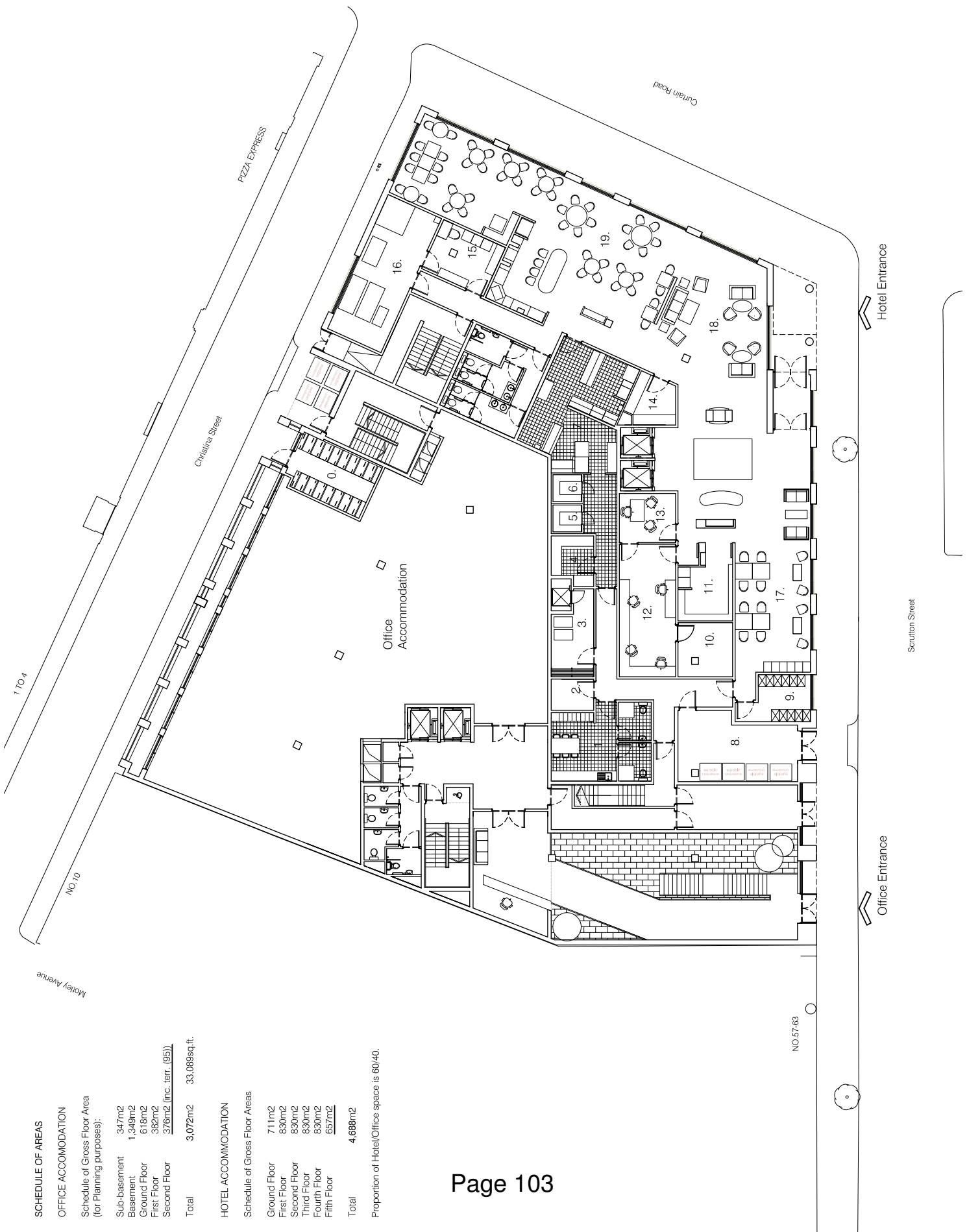
drawing title:
Ground Floor Plan

issue stage:
Planning

date: Feb 08
drawn: pmc
scale @ A3: 1:200

drawing number:
100/PL302

revision:
B



SCHEDULE OF AREAS

OFFICE ACCOMMODATION

Schedule of Gross Floor Area (for Planning purposes):	
Sub-basement	347m ²
Basement	1,349m ²
Ground Floor	618m ²
First Floor	382m ²
Second Floor	376m ² (inc. terr. (95))
Total	3,072m²

HOTEL ACCOMMODATION

Schedule of Gross Floor Areas	
Ground Floor	711m ²
First Floor	830m ²
Second Floor	830m ²
Third Floor	830m ²
Fourth Floor	830m ²
Fifth Floor	657m ²
Total	4,688m²

Proportion of Hotel/Office space is 60/40.

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revisions:

- 20. Accessible Suite
- 21. Bedroom
- 22. Studio

Schedule of Accommodation:

- Studio: 53.
- 1 Bed: 23.
- Accessible Studio: 5.
- Total Suites: 81.

Site area: 0.34 acre

Revision A pnc 23.02.09
 First floor fenestration amended in line with
 overall revised planning elevations & Lightwell
 amended

Revision B pnc 3.06.09
 Window openings & entrance position
 amended in line with overall revised planning
 elevations to planners comments.
 Door swing amended.



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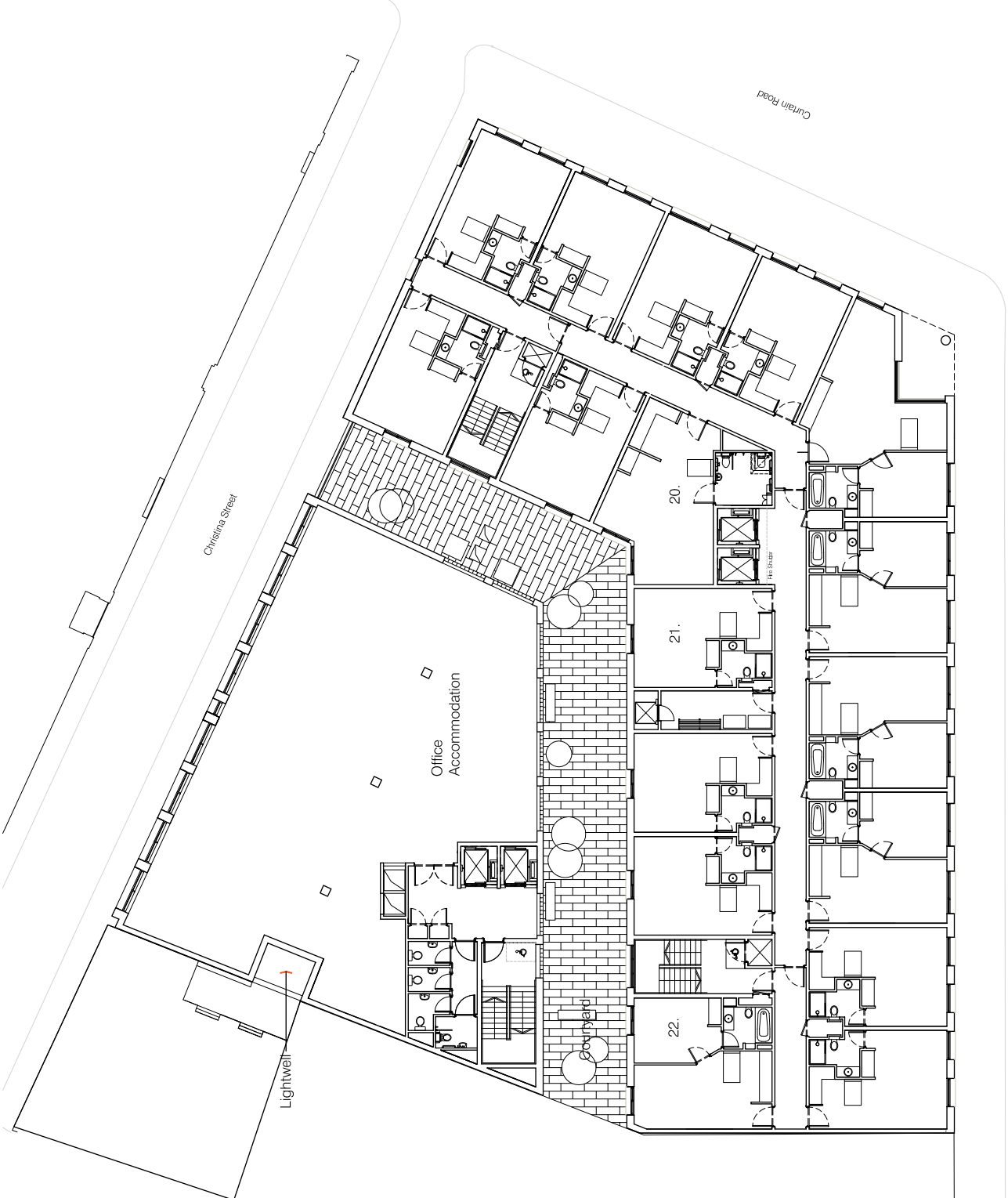
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 Curtain Road, Shorelitch
 Straybridge Suites Hotel
 & Offices

drawing title:
 First Floor Plan

Issue stage:
 Planning

date: Feb 08
 drawn: pnc
 scale @ A3: 1:200

drawing number: 100/PL303
 revision: B



Scrutton Street

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revisions:

MATERIALS:

- 1. **FACING BRICK**
Ibstock sandiaced 'Funtion Old Chelsea Yellow' with grey mortar throughout.
- 2. **NATURAL POLISHED GRANITE**
- 3. **NATURAL POLISHED GRANITE**
- 4. **WINDOWS/DOORS**
Aluminum windows and doors
PPC'd finish RAL 7046
- 5. **CURTAIN WALLING**
Kawneer 1202 series or similar
PPC'd finish RAL 7046
Solar Control glazing to South & East facades
- 6. **LOOK-ALIKE GLAZING**
Ceramaile look-alike glazing
- 7. **BALUSTRADING**
Galvanised mild steel
- 8. **METAL CLADDING**
VM Zinc (pre-patinated 'quartz' finish with standing seams)
- 9. **PLANT CLADDING**
As above
- 10. **FIRE GLASS BLOCKS**
La Rochere, 1F60, 200mm sq. by 150mm thick glass blocks by Glass Block technology or similar and approved.



Revision A 23.02.09
Top Floor set back in line with Urban Design Committee Presentation amended. Plinth and Balustrading set back in line with Urban Design Committee Presentation amended. Corner amended.

Revision B 06.05.09
Elevations revised in response to planners comments



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project title:

Curtain Road, Shorecliff
Staybridge Suites Hotel
& Offices

drawing title:
Proposed Elevations
South and East Elevation

issue stage:

Planning

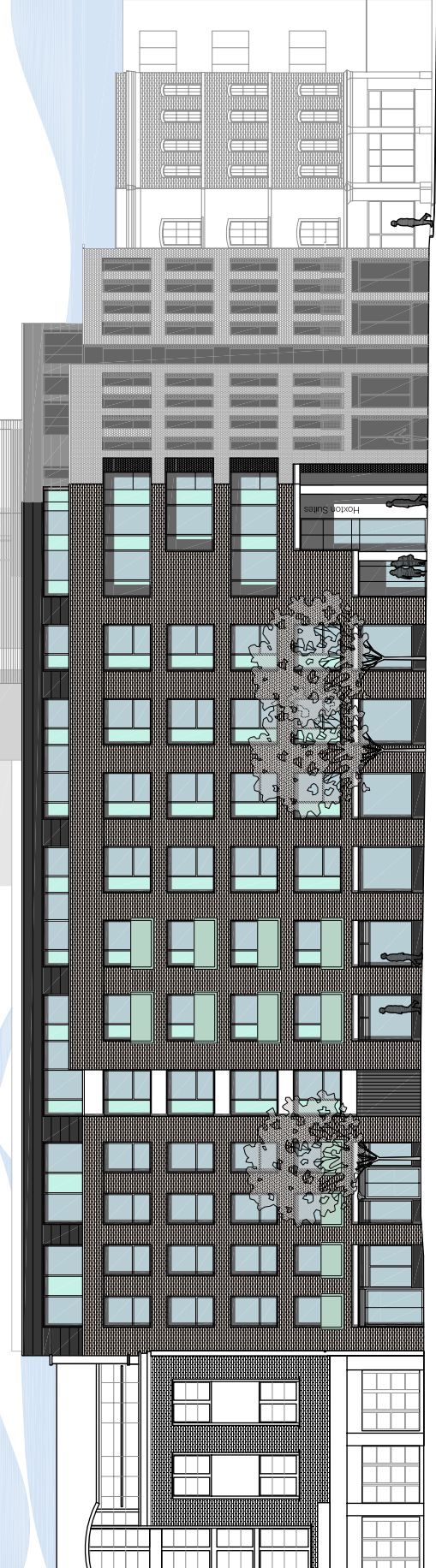
date: Nov 07
drawn: pttc
scale @ A3: 1:200

drawing number:
100/PL500

revision:
B



East Elevation



South Elevation

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revisions:

MATERIALS:

- 1. **FACING BRICK**
 Istock sandfaced
 'Fulton Old Chelsea Yellow'
 with grey mortar throughout.
- 2. **NATURAL POLISHED GRANITE**
- 3. **NATURAL POLISHED GRANITE**
- 4. **WINDOWS/DOORS**
 Aluminum windows and doors
 PPC'd finish RAL 7046
- 5. **CURTAIN WALLING**
 Kawneer 1202 series or similar
 PPC'd finish RAL 7046
 Solar Control glazing to
 South & East facades
- 6. **LOOK-ALIKE GLAZING**
 Ceramalite look-alike glazing
- 7. **BALUSTRADING**
 Galvanised mild steel
- 8. **METAL CLADDING**
 VM Zinc (pre-patinated
 'quartz' finish with standing
 seams)
- 9. **PLANT CLADDING**
 As above
- 10. **FIRE GLASS BLOCKS**
 La Rochere TF60.200mm sq.
 by 150mm thick glass blocks
 by Glass Block Technology or
 similar and approved.

Revision A pnc 23.02.09
 Top Floor set back in line with Urban Design
 comments. Fenestration amended. Plinth
 added. Stair riser amended. Brickwork
 amended. Corner amended.

Revision B sr 05.06.09
 Elevations revised in response to planners
 comments



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project title:
 Curtain Road, Shoreditch
 Staybridge Suites Hotel
 & Offices

drawing title:
 Proposed Elevations
 Hotel and Office

issue stage:
 Planning

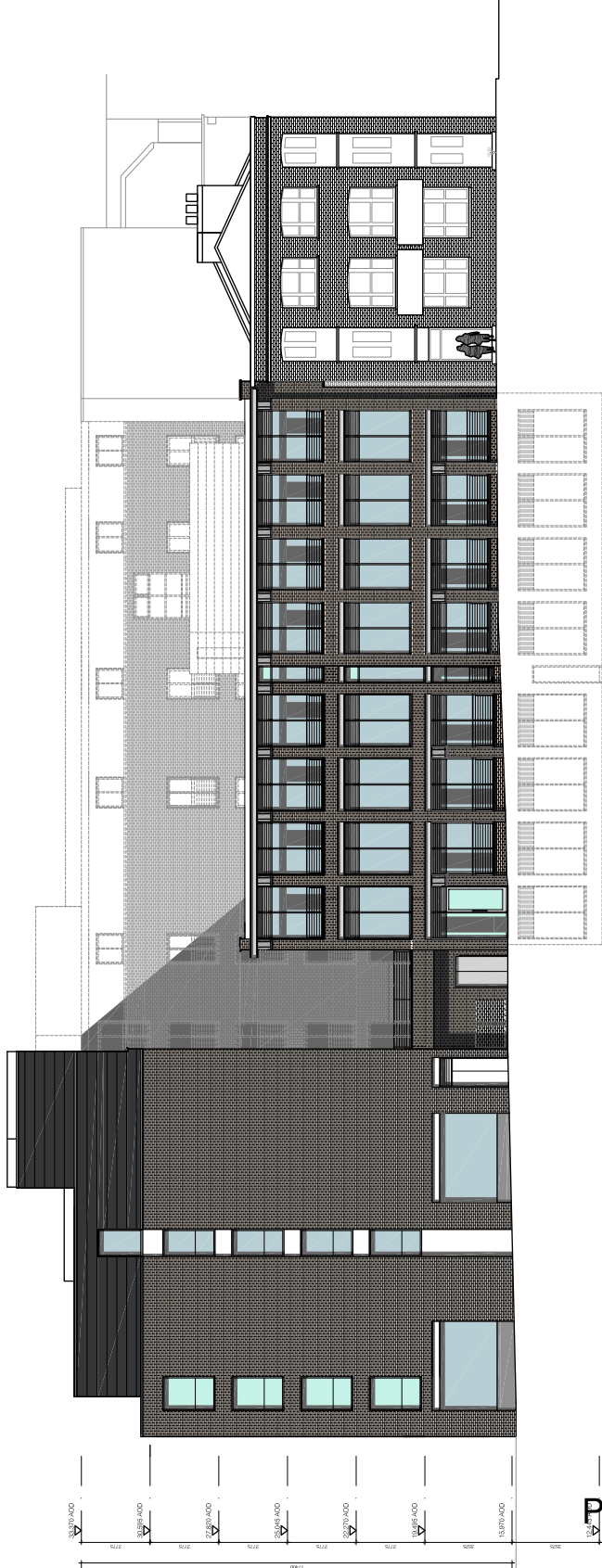
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drawn:
 pnc

scale @ A3:
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drawing number:
 100/PL501

revision:
 B



North Elevation

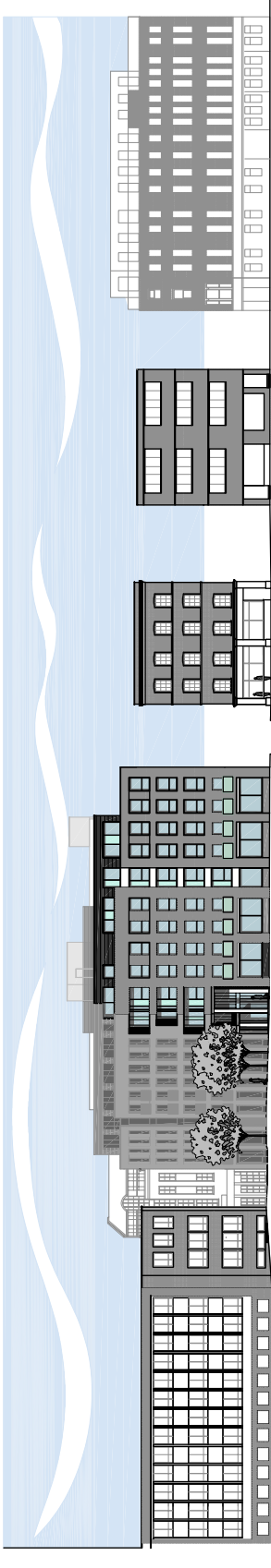


Office South Elevation

Office East Elevation

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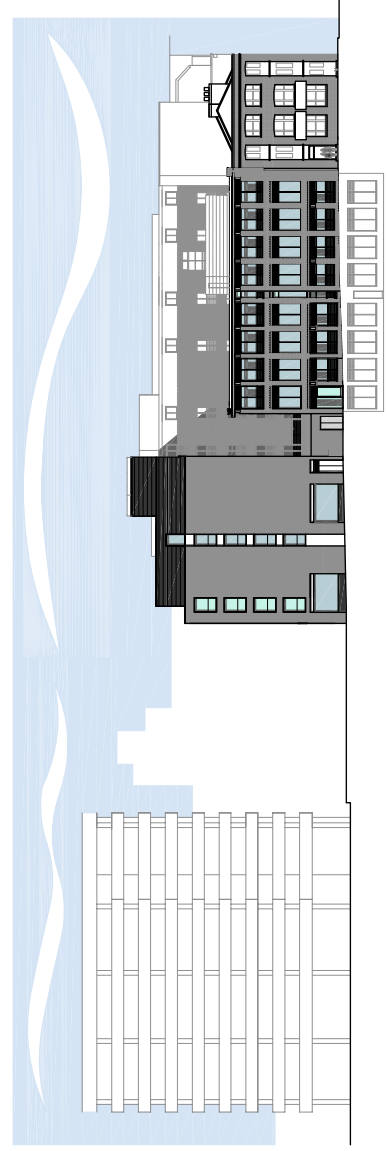
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 revisions:



East Streetscape Elevation



South Streetscape Elevation



North Streetscape Elevation

Revision A pmc 23.02.09
 Top floor set back in line with Urban Design
 comments. Repetition amended. Plinth
 level amended. Window
 amended. Corner amended.
Revision B sr 05.06.09
 Elevations revised in response to planners
 comments



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project title:
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 Straybridge Suites Hotel
 & Offices

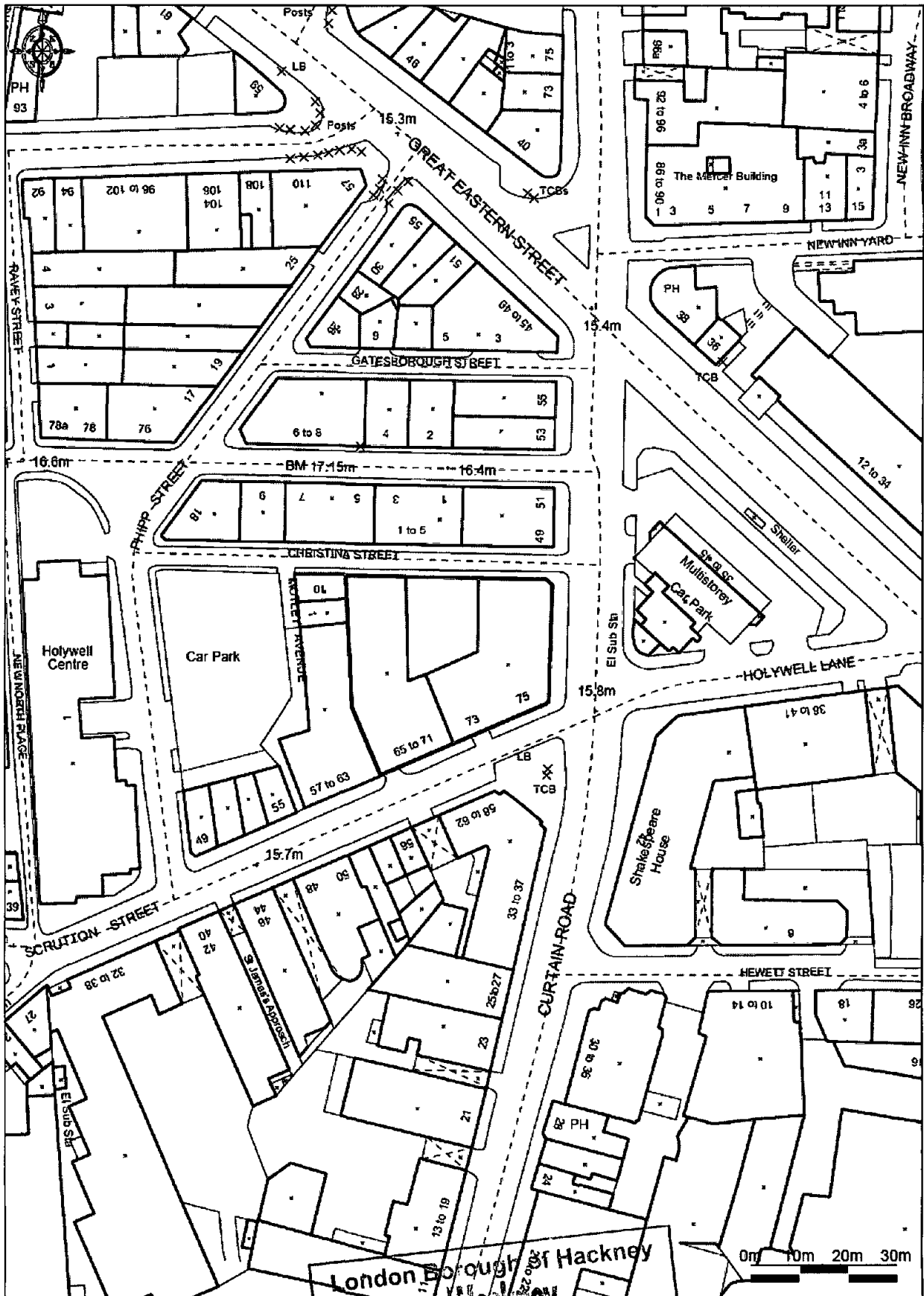
drawing title:
 Existing & Proposed
 Streetscape Elevations

issue stage:
 Planning

date:
 Nov 07
 pmc

scale @ A3:
 N.T.S.
 revision:
 B

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65-71 & 73-75 SCRUTTON STREET, LONDON E8 3JH

SITE PLAN

JUNE 2008

1:1250

Planning - Received



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Page 113

**MONTAGU
EVANS**
CHARTERED SURVEYORS

Premier House
44-48 Dover Street
London W1S 4AZ
Tel: 020-7493 4002
Fax: 020-7312 7548

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ADDRESS: Unit 11 Angel Wharf, Shepherdess Walk, London, N1 7JL	
APPLICATION NUMBER: 2009/0545	REPORT AUTHOR: Russell Smith
DRAWING NUMBER: 1492/PP-B1; 1492/PP-01	VALID DATE: 10/03/2009
APPLICANT: Mount Anvil (Shepherdess Walk) Ltd. 72 Courtlands Avenue Lee London SE12 8JA	AGENT: Frost Planning 72 Courtlands Avenue Lee London SE12 8JA
PROPOSAL: Change of use of unit 11 from Class A3 (restaurants and cafes) to a dual use Class A3 or Class B1 (Business).	
POST SUBMISSION REVISIONS: N/A	
RECOMMENDATION SUMMARY: That permission be GRANTED subject to conditions	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

	(Yes)	(No)
CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace sqm
Existing	A3	Café/restaurant	584
Proposed	A3/B1	Café/ restaurant/ business	584
PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	23	6	70
Proposed	23	6	70

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site is a vacant unit located on the ground floor of a recently completed mixed use development, known as the Angel Wharf Development. The application site is located on the eastern side of Shepherdess Walk, immediately to the south of Packington Street Bridge, and adjacent to the southern bank of the Regents Canal.
- 1.2 The surrounding area is characterised by a mixture of residential and commercial buildings and uses. Residential uses dominate to the south and west, while the Packington Estate, currently undergoing a significant programme of regeneration and construction, lies directly to the north of the Regents Canal. Directly to the east of the site lies Holborn Studios, comprising a number of B1 studios, with moorings for canal boats, used for both residential and commercial purposes. Holborn Studios also accommodates 'The Commissary', a Class A3 restaurant fronting onto the canal.

2. CONSERVATION IMPLICATIONS

- 2.1 The application site is located within the Regent's Canal Conservation Area. The proposal does not involve any physical alterations and therefore there are no conservation implications.

3. HISTORY

Application Number: 2005/2375

Decision Date: 10/10/2008

Decision Status: Granted subject to conditions

Decision Level: Committee

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

4. CONSULTATIONS

Date Statutory Consultation Period Started: 19/03/2009

Date Statutory Consultation Period Ended: 27/04/2009

Site Notice: Yes

Press Advert: Yes

4.1 Neighbours

139 notification letters sent to nearby occupiers.

A petition of objection has been received, which has been signed by 55 nearby occupiers. The grounds of objection are as follows:

- The original planning application listed a restaurant which would have added to the quality of the area, having another office does nothing to enhance the area.

1 individual letters of objection received from a nearby occupier stating that they agreed to the planning application on the basis that a restaurant would brighten the area.

4.2 Statutory Consultees

4.2.1 British Waterways

No representation received

4.2.2 Islington Borough Council

No objection

4.3 Local Groups

4.3.1 The Hackney Society

No representation received

4.4 Other Council Departments

4.4.1 Traffic and Transportation

No objection

4.4.2 Pollution Control

No representation received

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

TR19 - Planning Standards

5.2 London Plan (2008)

3B.1 - Developing London's economy

3B.2 - Office demand and supply

4B.1 - Design principles for a compact city

5.3 National Planning Policies

- PPS1 - Creating Sustainable Communities
- PPG13 - Transport

6. COMMENT

The application proposes to extend the use of Unit 11 to a dual use, which would allow either Class A3 (restaurants and café) or Class B1 (Business).

The proposed extension to the approved use would not result in any physical changes to the building.

The main considerations in the determination of this planning application are as follows:

- 6.1 Principle of the use;
- 6.2 Impact upon nearby residents;
- 6.3 Traffic and transportation issues;
- 6.4 Response to objectors

Each of these considerations is discussed in turn below.

6.1 Principle of the use

6.1.1 Planning permission 2005/2375 included the A3 use in Unit 11 because it was considered that it would complement the development and the surrounding area. However, a restaurant/café use is not considered essential to the mix of uses in the development nor can it be considered an essential facility for the local area. There are no policies within the adopted UDP that would resist the potential loss of the existing vacant A3 use on the site.

6.1.2 The site lies within a Defined Employment Area, where employment-generating uses are supported and encouraged. Unit 11 is in a prime corner location enjoying both road frontage and canal frontage. This would be suitable for a restaurant/café, but would also make an excellent B1 unit, capable of accommodating a range of business occupiers. This application would not preclude the use of the unit as a restaurant if an operator could be found. However, by allowing the unit to be let for B1 use, which is both acceptable and appropriate in line with Development Plan policy, it would provide flexibility and reduce the risk of a long vacancy period.

6.2 Impact upon nearby residents

6.2.1 It is considered unlikely that the proposed B1 use would have an adverse impact upon the residential amenity of nearby occupiers.

6.3 Traffic and transportation issues

6.3.1 It is considered unlikely that the proposed B1 use would generate significant increases in trip generation or have an adverse effect upon the surrounding highway network.

6.4 Response to objectors

6.4.1 The original planning application listed a restaurant which would have added to the quality of the area, having another office does nothing to enhance the area. There are no Development Plan policies that resist the loss of a restaurant use.

6.5 CONCLUSION

An A3 use is not considered to be an essential community facility or local amenity and the proposed B1 use is considered appropriate in this location.

7. RECOMMENDATION

That permission be GRANTED subject to the following condition:

7.1 SCB1 - Commencement within three years

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

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



Signed..... Date: 22 June 2009

**Steve Douglas
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION
DIRECTORATE**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Russell Smith	263 Mare Street, E8 3HT

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Victoria St
St Albans
Hertfordshire
AL1 3TF

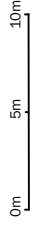
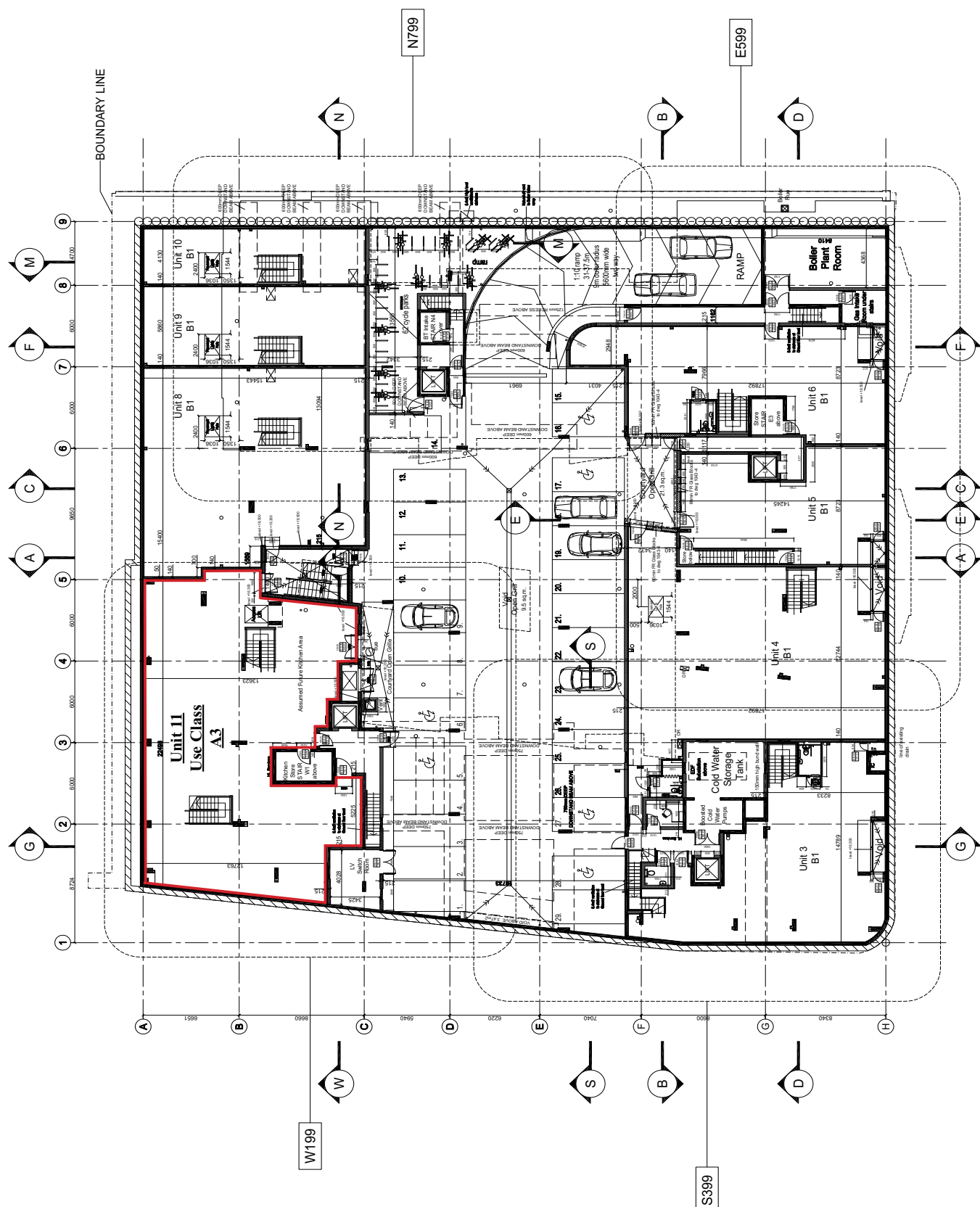
Project: Angel Wharf
Shepherdess Walk
London N1 7JL

Drawing: Basement Plan -
Existing

Drawn by: Scale: Date: Aug '06
LWK 1:100/0AMT200/03

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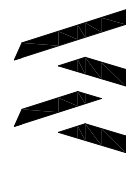
Scale Bar

Basement Floor Plan

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Hertfordshire
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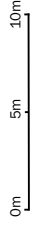
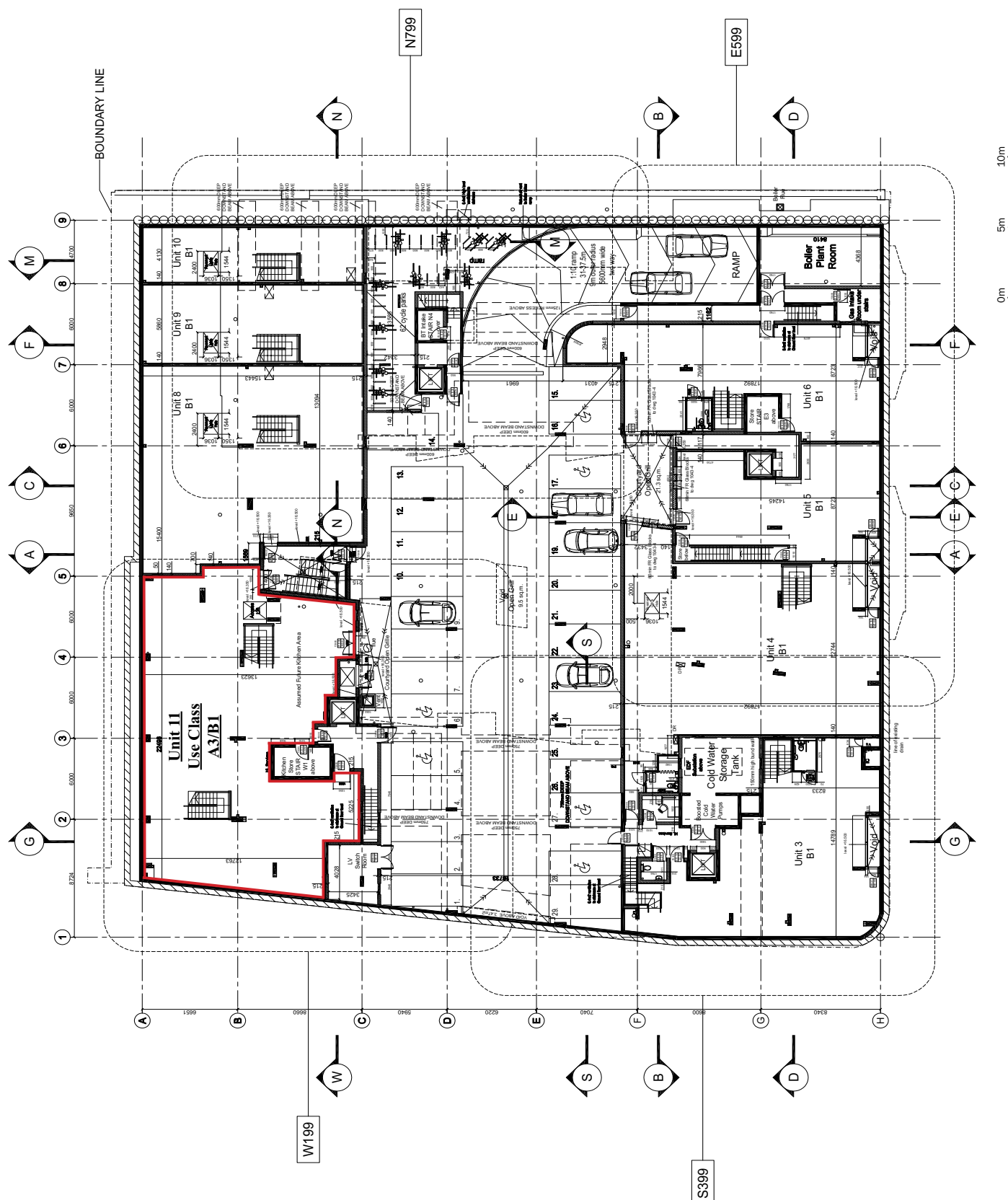
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Shepherdess Walk
London N1 7JL

Drawing: Basement Plan -
Proposed

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LWK 1:100/04/12/03 Aug '06

Date: Aug '06
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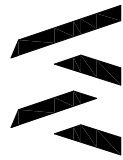
Rev: 1492/PP-B1



Scale Bar

Basement Floor Plan

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Tel: 01727 898 000 Victoria St
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Hertfordshire
AL1 3TF

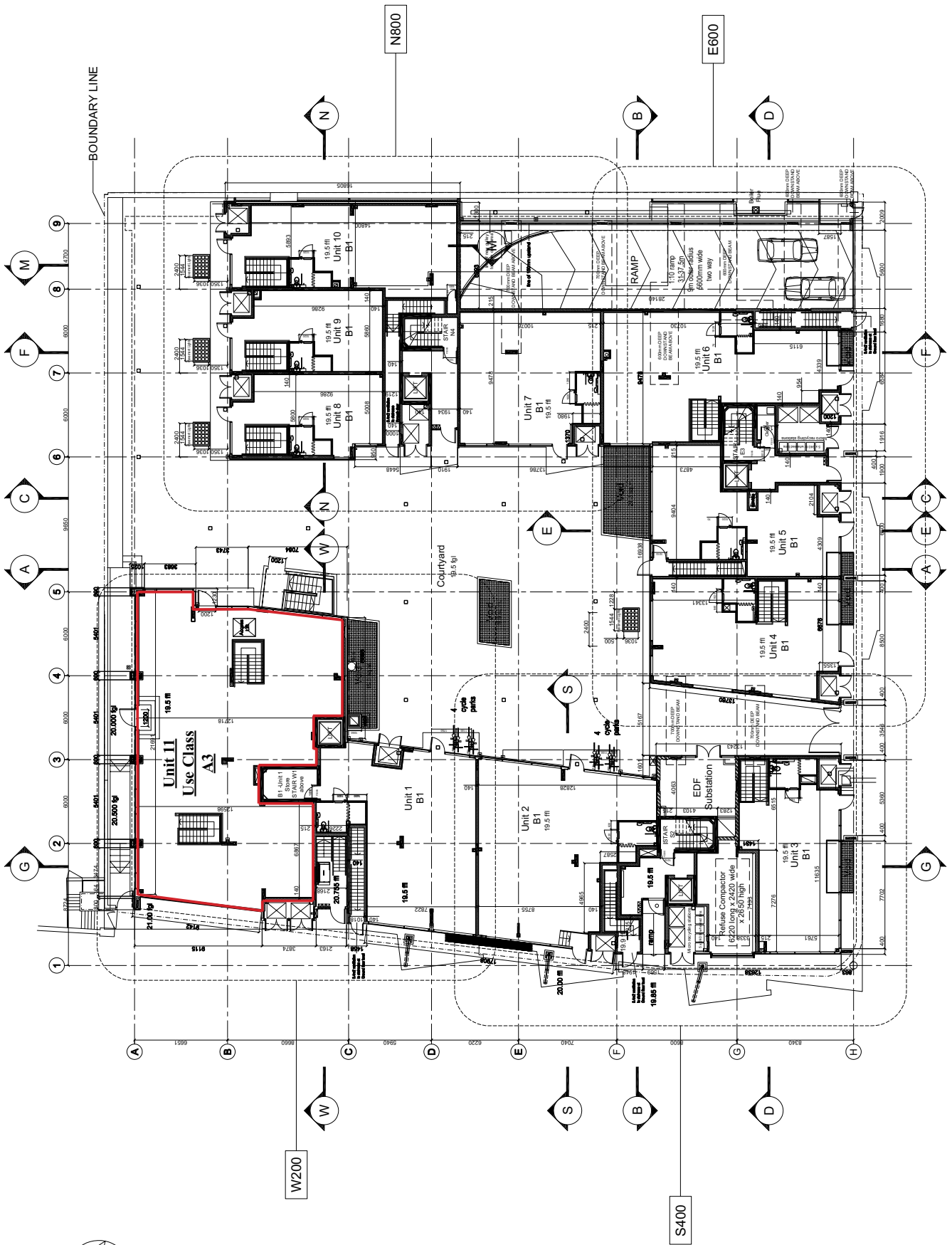
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Angel Wharf
Shepherdess Walk
London N1 7JL

Drawing:
Ground Floor Plan -
Existing

Drawn by: - Scale:
Date: 13/06/07
LWK: 13/06/07:280@A3 - Aug 06

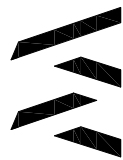
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Project: 1492/PE-01



Ground Floor Plan

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Hertfordshire
AL1 3TF

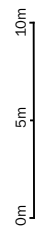
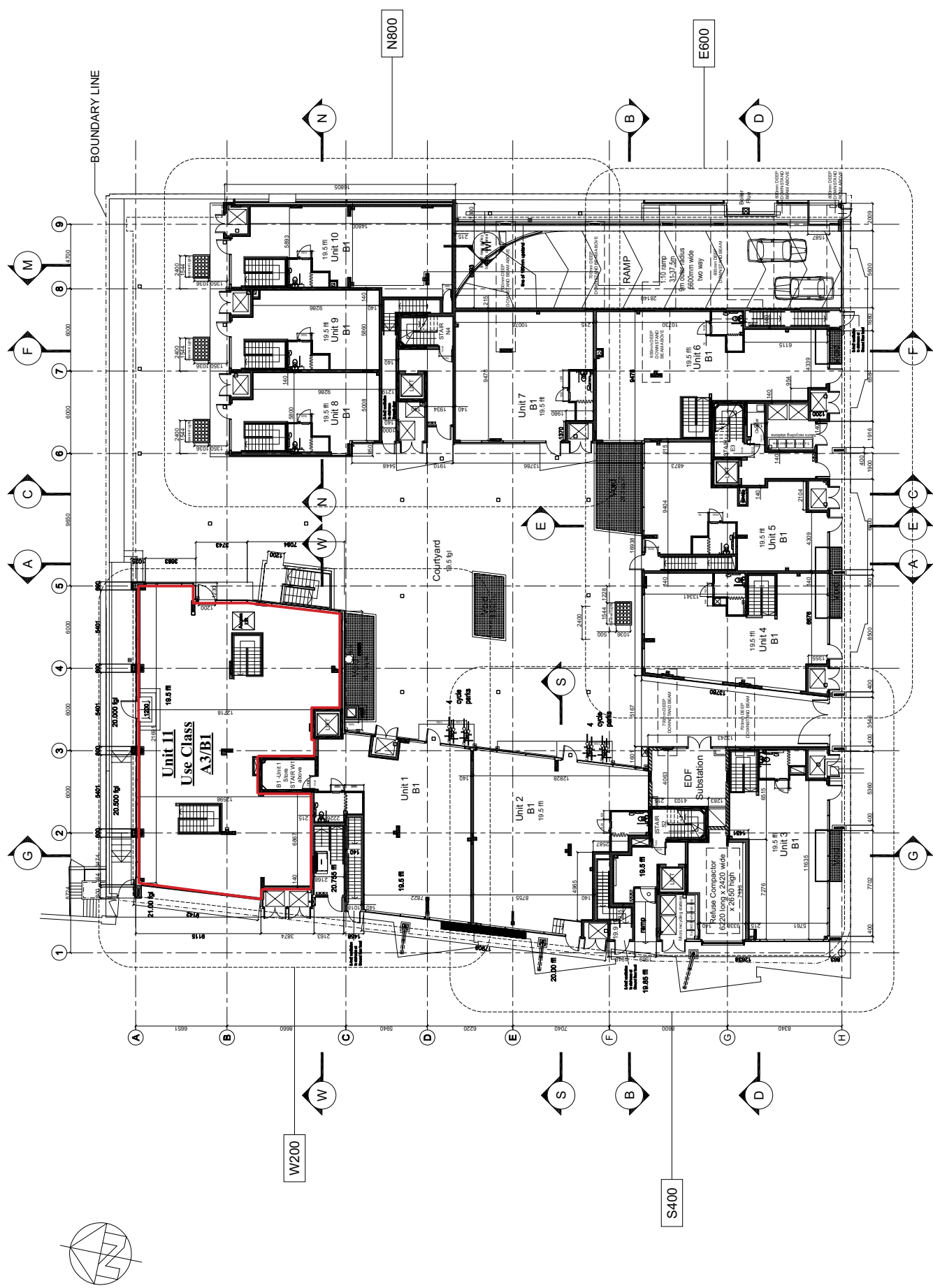
Project:
Angel Wharf
Shepherdess Walk
London N1 7JL

Drawing:
Ground Floor Plan -
Proposed

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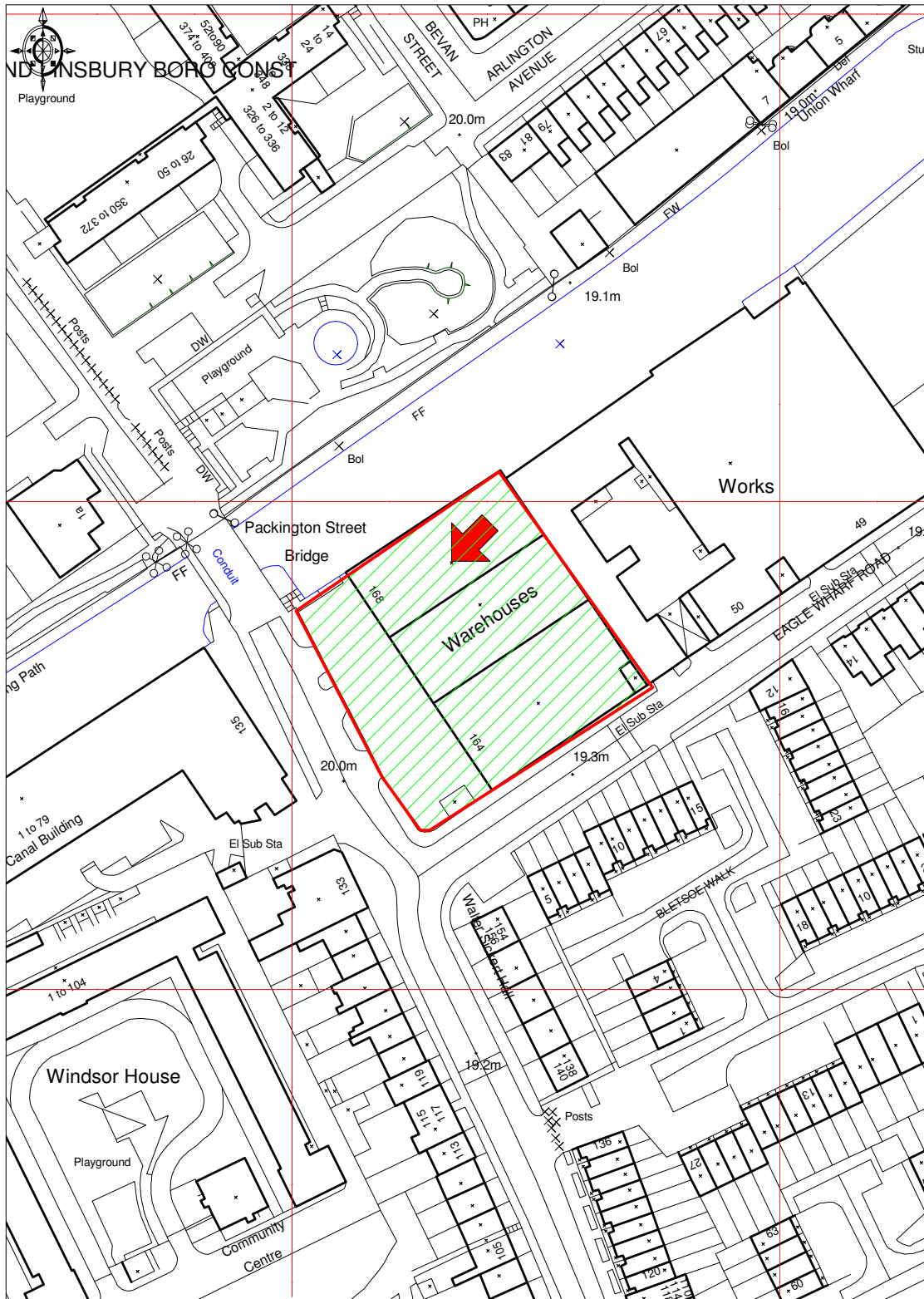
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Project: 1492/PP-01



Scale Bar

Ground Floor Plan

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ADDRESS: Units 3 - 6 Angel Wharf, Shepherdess Walk, London, N1 7JL	
APPLICATION NUMBER: 2009/0546 DRAWING NUMBERS: 1492/PP2-B1; 1492/PP2-01	REPORT AUTHOR: Russell Smith VALID DATE: 10/03/2009
APPLICANT: Mount Anvil (Shepherdess Walk) Ltd. 72 Courtlands Avenue Lee London SE12 8JA	AGENT: Frost Planning 72 Courtlands Avenue Lee London SE12 8JA
PROPOSAL: Change of use of units 3, 4, 5, & 6 from class B1 (Business) to a dual use class B1 (Business) / D1 (Non-residential institutions) to include the following uses only: Clinics, except those treating alcohol or drug addiction or dependency; or mental health problems; Health Centres; Day Centres; Art Galleries; Museums; Libraries; and Non-residential education and training centres.	
POST SUBMISSION REVISIONS: Following the submission of the application the proposal has been altered to exclude certain D1 uses. A list of the excluded uses can be found in section 6 of this report.	
RECOMMENDATION SUMMARY: That permission be GRANTED subject to conditions	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace sqm
Existing	B1	Business	1103
Proposed	B1/D1	Business/	1103
PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	23	6	70
Proposed	23	6	70

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site consists of a number of vacant units located on the ground floor of a recently completed mixed use development, known as the Angel Wharf Development. The application site is located on the eastern side of Shepherdess Walk, immediately to the south of Packington Street Bridge, and adjacent to the southern bank of the Regents Canal.
- 1.2 The surrounding area is characterised by a mixture of residential and commercial buildings and uses. Residential uses dominate to the south and west, while the Packington Estate, currently undergoing a significant programme of regeneration and construction, lies directly to the north of the Regents Canal. Directly to the east of the site lies Holborn Studios, comprising a number of B1 studios, with moorings for canal boats, used for both residential and commercial purposes. Holborn Studios also accommodates 'The Commissary', a Class A3 restaurant fronting onto the canal.

2. CONSERVATION IMPLICATIONS

- 2.1 The application site is located within the Regent's Canal Conservation Area. The proposal does not involve any physical alterations and therefore there are no conservation implications.

3. HISTORY

Application Number: 2005/2375

Decision Date: 10/10/2008

Decision Status: Granted subject to conditions

Decision Level: Committee

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

4. CONSULTATIONS

Date Statutory Consultation Period Started: 19/03/2009

Date Statutory Consultation Period Ended: 27/04/2009

Site Notice: Yes

Press Advert: Yes

4.1 Neighbours

139 notification letters sent to nearby occupiers.

A petition of objection has been received, which has been signed by 55 nearby occupiers. The grounds of objection are as follows:

- The proposal will lead to an increase in traffic to the area without any proper plan in place to deal with the need for additional parking and traffic flow plans.
- D1 use is far too wide a permission to be granted as it in effect gives up any say on what the premises are eventually used for which can be anything from an office to a place of worship, again the area cannot cope with large influxes of people and vehicles.
- There already exists a problem with anti-social behaviour in this area and anything that will draw youths to this area and anything that will draw youths to this end of Shepherdess Walk which is seldom policed is not acceptable.

4 individual letters of objection from nearby occupiers have been received. The grounds of objection are as follows:

- The change of use will lead to increased noise occurring after working hours;
- The change of use will lead to increased traffic;
- It is unreasonable to grant such a general change of use, the applicant should reapply when there is a specific use intended.

4.2 Statutory Consultees

4.2.1 British Waterways

No representation received

4.2.2 Islington Borough Council

No objection

4.3 Local Groups

4.3.1 The Hackney Society

No representation received

4.4 Other Council Departments

4.4.1 Traffic and Transportation

No objection

4.4.2 Pollution Control

No representation received

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

TR19	-	Planning Standards
CS2	-	Provision of Community Facilities as part of Development Schemes
CS4	-	Provision of Healthcare Facilities
CS6	-	Provision of Education Facilities
CS10	-	Planning Standards
ACE1	-	New Arts, Culture and Entertainment Development
ACE2	-	Promoting the Development of Arts, Cultural and Entertainment Facilities

5.2 London Plan (2008)

3D.4	-	Development and promotion of arts and culture
3B.11	-	Improving employment opportunities for Londoners

5.3 National Planning Policies

PPS1	-	Creating Sustainable Communities
PPG13	-	Transport

6. COMMENT

The application proposes to extend the use of Units 3, 4, 5 & 6 Angel Wharf to a dual use, which would allow either Class B1 (Business) or Class D1 (non residential institutions). It is proposed to limit the planning application to exclude the following D1 land uses:

- Clinics treating alcohol or drug addiction or dependency; or mental health problems;
- Education provision for 6-16 year olds;
- Places of Worship;
- Church Halls;
- Halls; and
- Law Courts.
- Crèches and day nurseries;

It is therefore proposed that permission will be sought for all other land uses within Class D1, including the following:

- Clinics, except those treating alcohol or drug addiction or dependency; or mental health problems;
- Health Centres;
- Day Centres;
- Art galleries;
- Museums;

- Libraries; and
- Non-residential education and training centres.

The proposed extension to the approved use would not result in any physical changes to the building.

The main considerations in the determination of this planning application are as follows:

- 6.1 Principle of the use;
- 6.2 Impact upon nearby residents;
- 6.3 Traffic and transportation issues;
- 6.4 Response to objectors

Each of these considerations is discussed in turn below.

6.1 Principle of the use

- 6.1.1 The application site is located within a Defined Employment Area (DEA) and such locations should be safeguarded for employment-generating development in line with policy E2 of the adopted UDP. However since 27/09/07, such policy has been replaced by policy 3B.1, 3B.2 and 4B.1 of the London Plan. Since the site has been defined and included as part of a DEA, there is a strong argument to resist loss of an employment generating use to other uses such as residential. However, the proposed D1 uses are by their very nature employment-generating. Specifically adult education and training centres directly contribute to the Boroughs targets of reducing worklessness by enhancing skills and is in accordance with London Plan Policy 3B.11 (Improving Employment Opportunities for Londoners.
- 6.1.2 Subsequent to the submission of this planning application the applicant has confirmed that a contract has been signed with the Bike Doctor to take Unit 6 subject to planning approval. The Bike Doctor would operate an adult training centre providing skills and qualifications for the bicycle industry. It is anticipated that up to 180 people a year would be trained within an industry that is experiencing rapid growth.
- 6.1.3 In addition to generating employment there are obvious community benefits to local residents associated with many of the D1 uses such as health centres. Consideration should be given to Policy CS2 of the adopted UDP, which states that new housing and commercial developments may be expected to provide community facilities appropriate to the scale of the development. Furthermore Policies CS4 and CS6 should be given consideration, which state that proposals for healthcare facilities and education facilities will be favourably considered.
- 6.1.4 The potential reduction in Class B1 floorspace, if all four units went over to Class D1 would be approximately 46% of the B1 space within Angel Wharf. However, as discussed above the proposed uses are considered appropriate when assessed against the Boroughs objective of reducing worklessness and would bring a positive benefit to the local economy and community. The current economic climate has resulted in high vacancy rates for new-build commercial

floorspace and it is difficult to predict how long it will take to find B1 occupiers for these units. By opening up Units 3, 4, 5 & 6 to the potential for either Class B1, as approved, or the proposed Class D1 uses the risk of a long vacancy period would be reduced.

6.2 Impact upon nearby residents

- 6.2.1 It is considered unlikely that the proposed D1 uses would generate significantly higher levels of noise and disturbance than the approved B1 uses. Those uses which it is considered might impact, such as places of worship have been omitted from the proposal.
- 6.2.2 There is currently no restrictions on the hours of operation for the approved B1 use. It is however reasonable to assume that the main periods of activity for B1 uses would be normal business hours. It is considered likely that some of the proposed D1 uses would have more significant periods of activity outside of normal business hours. Primarily this relates to health centres and adult education/training centres, which would be expected to operate in the evening. Nevertheless it is considered unlikely that the uses would result in significant noise and disturbance that would result in a loss of residential amenity. However, in order to safeguard the amenities of nearby residents it is recommended to impose restrictions upon hours of operation of 0700 – 2300hrs, which is in line with the approved A3 use.

6.3 Traffic and transportation issues

- 6.3.1 The development currently consists of 108 residential units, together with 310sqm of A3 restaurant and 3,000sqm B1 commercial – the latter includes Units 3, 4, 5 & 6 which have a gross internal area (GIA) of 1,103sqm. Units 3 – 6 span the ground and basement levels and range in size from 208sqm to 358.8sqm.
- 6.3.2 There are 29 car parking spaces, six of which are disabled spaces, within the basement car park of the development. One of the car parking bays is for car club use only. Vehicles associated with the B1 use are only permitted to use the disabled bays. There are 62 cycle parking spaces within the basement car park and a further 8 spaces on ground level in the courtyard area. On-street parking is very limited also, with the majority being 'Resident Permit Holder' bays, with some 'Pay & Display' bays at the eastern end of Eagle Wharf Road and the southern end of Shepherdess Walk. As set out in the approved Travel Plan (prepared by OCE) residents of the development are not entitled to permits.
- 6.3.3 It is considered that the introduction of the proposed D1 uses into the units would not result in any significant increase in trip generation over that of the approved B1 uses. The lack of on-site or on-street parking coupled with the provisions of the approved travel plan would ensure that visitors to the units would walk, cycle or use public transport. There is likely to be some demand for drop off and pick up trips associated with clinics and health centres. It is considered that drop off and pick up could be satisfactorily accommodated at

the northern end of Shepherdess Walk to the west of the Angel Wharf. Any requirement for ambulance / minibus type vehicles could be catered for by the single yellow lines as these vehicles would not be required to wait kerbside for long periods. It is considered that the demand for an ambulance bay can be assessed during the operation of the proposal and negotiated with LBH Parking Services at this time.

6.4 Response to objectors

6.4.1 The proposal will lead to an increase in traffic to the area without any proper plan in place to deal with the need for additional parking and traffic flow plans.

Transport consultants have been instructed by the applicant to examine the transport implications of the proposed uses

6.4.2 D1 use is far too wide a permission to be granted as it in effect gives up any say on what the premises are eventually used for which can be anything from an office to a place of worship, again the area cannot cope with large influxes of people and vehicles.

In response to this objection the applicant has agreed to specify, which uses within Class D1 are being applied for. Those uses that can potentially have a greater impact have been excluded. It is considered that the impacts of the remaining uses can be adequately considered. There are specific issues associated to certain proposed uses, which are discussed in the main body of this report. Conditions are recommended where additional details or restrictions are likely to be required for a specific use. As discussed above it is not considered that the proposed change of uses would result in a significant increase in trip generation.

6.4.3 There already exists a problem with anti-social behaviour in this area and anything that will draw youths to this area and anything that will draw youths to this end of Shepherdess Walk which is seldom policed is not acceptable.

There are no reasonable grounds on which to assume that the proposal would result in anti-social behaviour.

6.4.4 The change of use will lead to increased noise occurring after working hours.

The proposed uses are not considered likely to result in a significant increase in noise and general disturbance. The existing B1 uses have unrestricted hours of operation, whereas the proposed D1 uses would be restricted to 23.00hrs.

6.5 CONCLUSION

The proposed change of use is considered acceptable in principle as it would provide employment, contribute to the reduction of worklessness and provide community facilities with community benefits. It is considered unlikely that the proposal will have a detrimental impact upon the residential amenity of nearby occupiers in terms of noise and general disturbance and it is considered unlikely that the proposal will result in congestion or a detrimental impact upon highway safety.

7. RECOMMENDATION

That permission be GRANTED subject to the following conditions:

7.1 SCB1 - Commencement within three years

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

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

7.2 Hours of operation

The D1 uses hereby permitted shall only be carried out between the hours of 0700 to 2300 Mondays to Sundays.

Reason: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

7.3 Amendment to Travel Plan

Revision of the Travel Plan required by planning permission 2005/2375 as part of the yearly review in the event that any of the commercial units are occupied by an approved D1 use. The revision to include the requirements of any D1 uses including any requirements for drop off/pick up.

Reason: To reduce the reliance on the private car by promoting more sustainable forms of the transport.



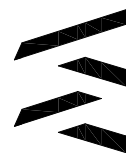
Signed..... Date: 22 June 2009

Steve Douglas
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION
DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Russell Smith	263 Mare Street, E8 3HT



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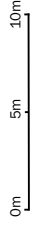
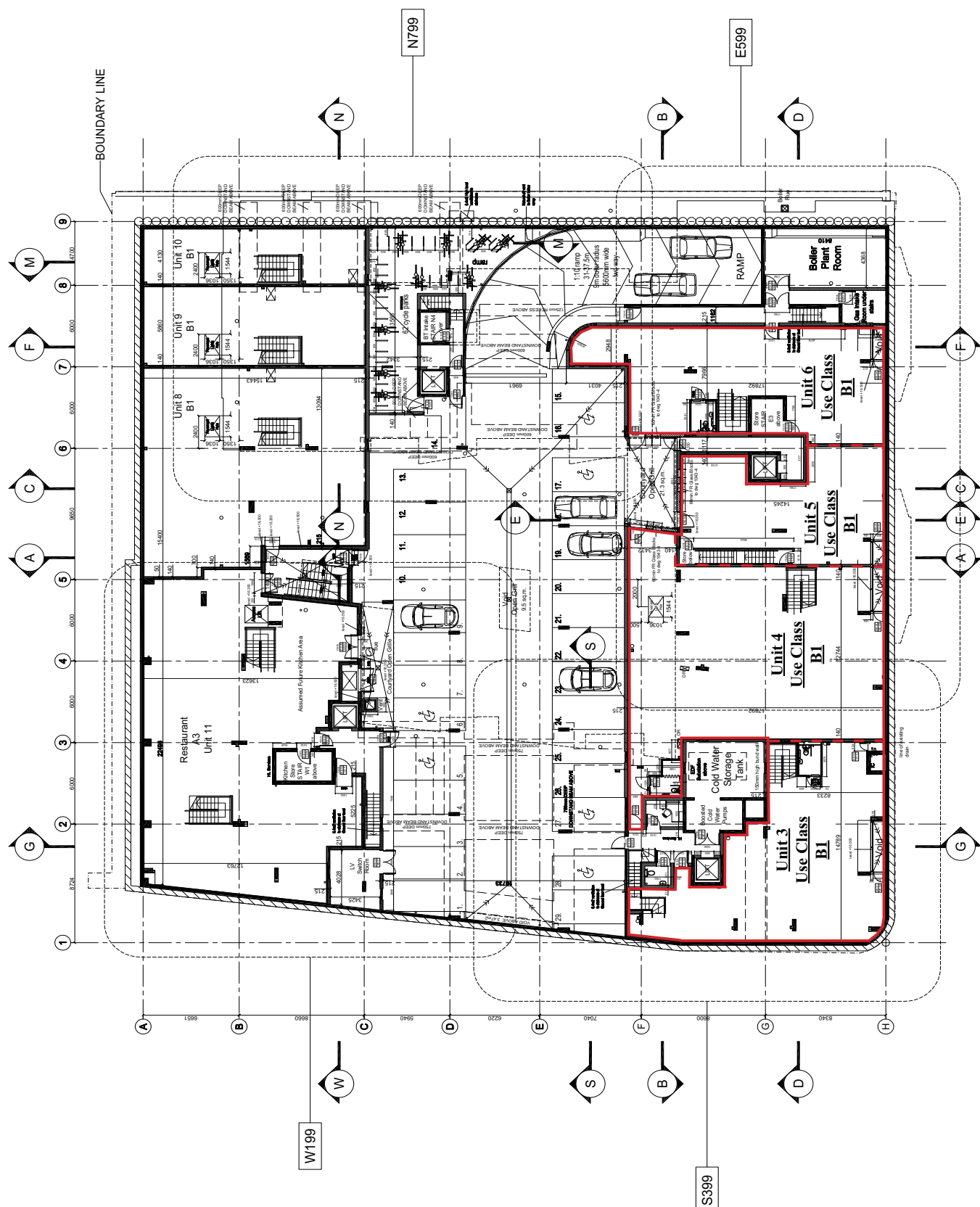
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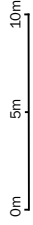
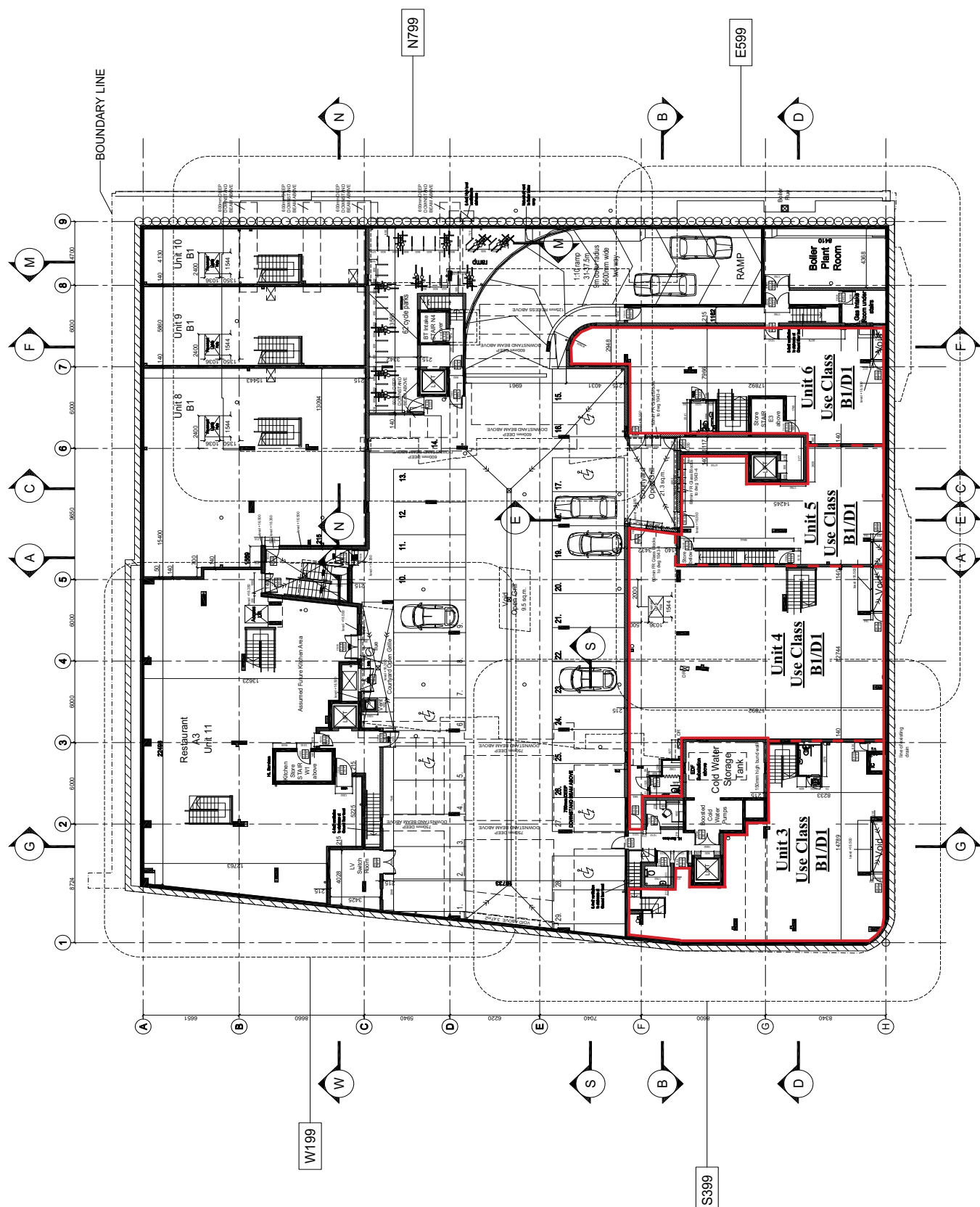
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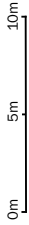
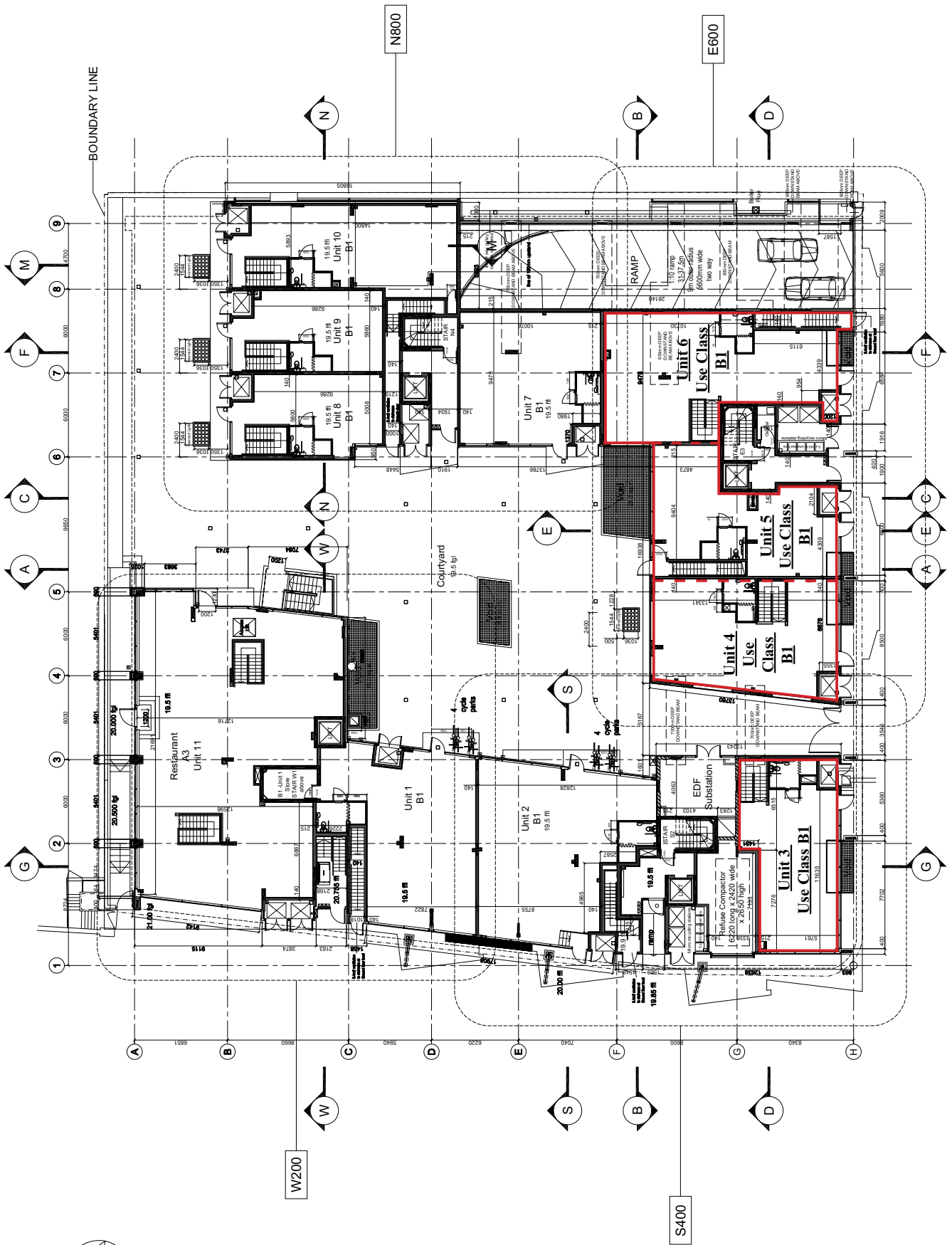
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Ground Floor Plan

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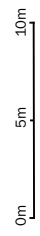
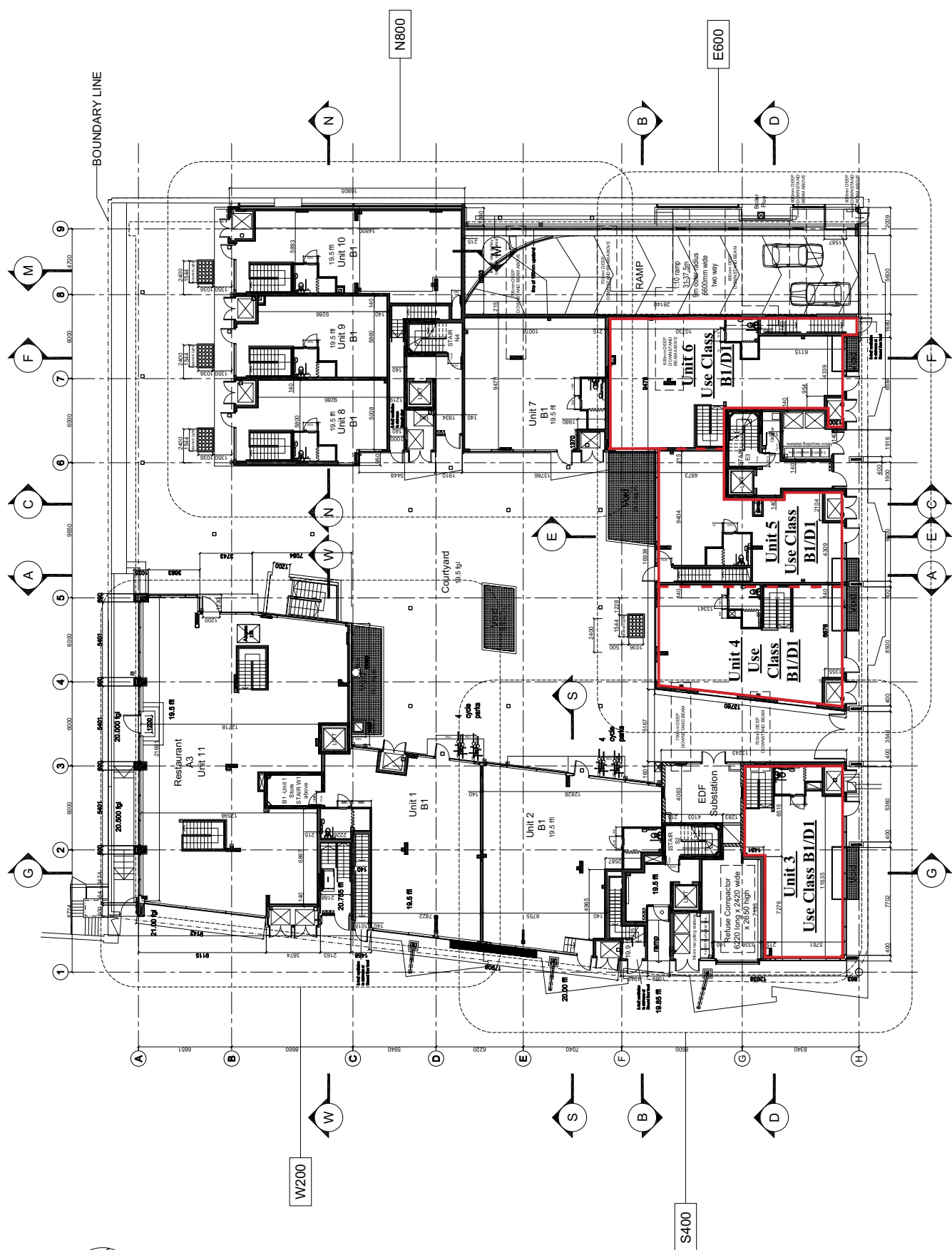
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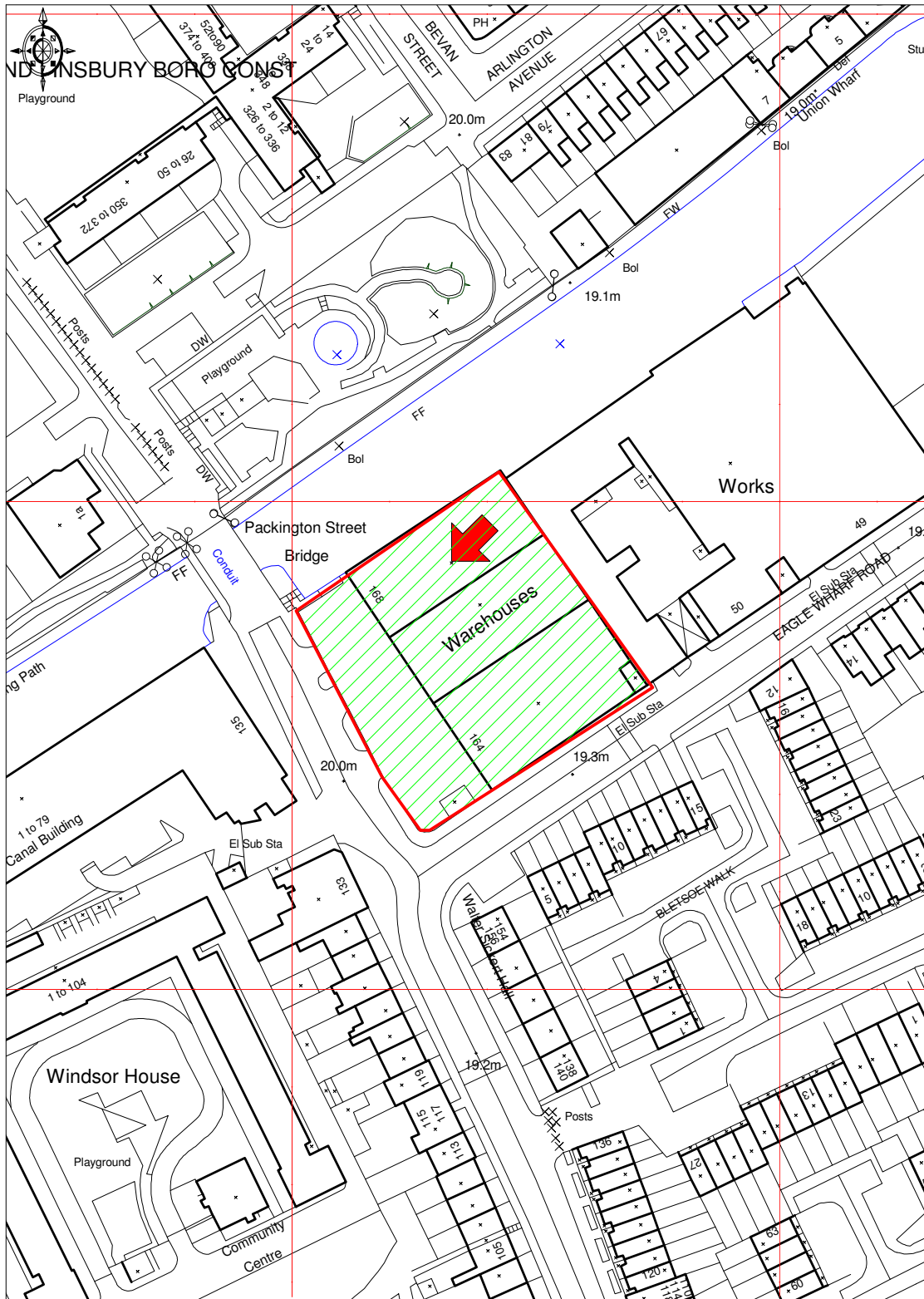
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Planning Committee – 01.07.2009

ADDRESS: Senate House, Tyssen Street, Dalston, E8 2ND	
WARD: Dalston	REPORT AUTHOR: Anthony Traub
APPLICATION NUMBER: 2009/0811 DRAWING NUMBERS: 208075/120a, 121a, 122a, 123a, 124a, 130a, 133a, 125. - Planning Statement; - Design and Access Statement; - Transport Statement; - Energy and Renewable Technology Statement; - Daylight/Sunlight Report.	VALID DATE: 08/04/2009
APPLICANT: Family Mosaic 113 The Timberyard Drysdale Street London N1 6ND	AGENT: CMA Planning 113 The Timberyard Drysdale Street London N1 6ND
PROPOSAL: Erection of four and five storey buildings to facilitate a mixed use development of 27 residential units (3 x 1 bed, 14 x 2 bed, 6 x 3 bed, and 4 x 4 bed) and 595 sqm of commercial floorspace (Class B1) and associated landscaping, cycle parking, and refuse/recycling storage. AMENDMENTS: - Letter dated 26 th May 2009 changing the use class of the commercial floor space. On the application form it stated A1 and B1 flexible. The applicant requested this be changed to B1 only. - Letter dated 4 th June 2009 providing amended plans (stated above under 'drawing numbers') amending some façade and material treatments, in line with comments received by the Council's Sustainability and Design team.	
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to S106 Legal Agreement.	

ANALYSIS INFORMATION

ZONING DESIGNATION:

CPZ	YES
Conservation Area	NO
Listed Building (Statutory)	NO
Listed Building (Local)	NO
DEA	YES

LAND DETAILS:	USE	Use Class	Use Description	Floorspace
Existing		B1	Office (Senate House)	1000sq.m. (approx)

		now demolished)	
Proposed	B1		595 sq.m.
	C3	Residential dwelling houses	2100 (approx) sq.m.

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	None					
Proposed	Flat	3	16	4	4	0
Totals	(Total =)	29				

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0 (Car Free Development)	0
Cycle Parking - Proposed	29	

OFFICERS REPORT

1. SITE DESCRIPTION:

- 1.1 The site is located to the northern side of Dalston Lane and fronts Tyssen Street and Ramsgate Street.
- 1.2 The site was previously occupied by a three to four storey commercial buildings which are currently vacant.
- 1.3 The surrounding area is mixed. To the south there is a new mixed use development consisting of ground floor commercial floorspace and 8 flats. Opposite the site on Tyssen Street is Springfield House, a large live work conversion. Adjoining to the north is a commercial warehousing building with an older building adjoining to the east.
- 1.4 Opposite the site on Ramsgate Street is a newly built residential development consisting of 3 storey residential units. The northern adjoining site known as 15 Ramsgate Street has had planning permission granted for a part 14 storey tower consisting of 66 residential units and approximately 1100 sq m of B1 floor space with the portion of the new development adjoining the application site being 4 storeys.

- 1.5 Hackney Downs is located approximately a mile away to the north west of the application site.

2. CONSERVATION IMPLICATIONS

- 2.1 None.

3. HISTORY

- 3.1 2003/1672: Change of use of first floor B1 space to Live/Work, erection of a two storey extension above existing two storey building & erection of five storey buildings to rear to create 836m² of A1 (ground floor) accommodation, 19 Live Work units and 6 x 2 bedroom flats. **Withdrawn.**
- 3.2 2004/0746: Demolition of existing building and construction of a four storey residential building comprising eleven flat units and one five storey with commercial on ground floor and twenty flats on upper floors. **Withdrawn.**
- 3.3 2007/1844: Demolition of existing building on the site and erection of a four storey and five storey buildings to facilitate a mixed use development consisting of 28 residential units (18 x two bed, 4 x three bed and 6 x four bed) and 1173 sq meters of commercial floor space (use class B1) and associated landscaping. **Approved.**

4. CONSULTATIONS:

Date Statutory Consultation Period Started: 17 April 2009.

Date Statutory Consultation Period Ended: 08 May 2009.

Site Notices: Yes

Press Notice: Yes

4.1 Neighbours

315 surrounding occupiers have been consulted. No letters of objection or support have been received.

4.2 Statutory Consultees

- 4.2.1 Metropolitan Police: No reply received.

- 4.2.2 Thames Water: No reply received. TW had commented on the previously approved scheme (2007/1844) suggesting informatives should the application be approved. These informatives are

recommended to be carried over to this scheme should the proposal be recommended for approval.

4.2.3 The Learning Trust: No reply received.

4.2.4 Crossrail: No objection to the application. Suggests conditions regarding foundation detail should the application be approved.

4.3 Community Groups

4.3.1 Invest in Hackney: Considers the loss of employment generating floorspace acceptable in lieu of a contribution towards an employment scheme, affordable workspace scheme and/or a business support project.

4.3.3 The Hackney Society: No reply received.

4.3.4 London Fire and Emergency Planning Authority (LFEPA): No objection.

4.4 Other Council Departments:

4.4.1 Waste Management: Considers the proposal acceptable regarding requirements for storage of domestic and commercial waste.

4.4.2 Planning Policy: Considers the loss of employment generating floorspace acceptable subject to a financial contribution (in line with Invest in Hackney's comments).

4.4.3 Arboricultural Officer: No comments received.

4.4.4 Housing Association Team: No objection. Considers the overall housing tenure mix acceptable.

4.4.5 Pollution: No comments received. Previously under 2007/1844, the Pollution team objected to the proposal because of the potential noise level of the proposed business activities and plant equipment and its impact on the proposed residential flats. It is recommended that those conditions recommended by the Pollution team on the previously approved scheme be carried forward onto this application should it be granted. The condition related to the submission of details ensuring suitable noise insulation is provided to the residential accommodation.

4.4.6 Conservation and Design: Recommend approval subject to conditions.

4.4.7 Streetscene: Previously under 2007/1844, Streetscene objected as the proposal did not provide the required disabled car parking spaces on site (2 spaces). It was considered then that the removal of disabled spaces would provide for a built frontage to the street thus improving the streetscene and was duly approved on this basis. The Streetscene team have viewed the current proposal and do not raise any new matters to what was previously suggested under 2007/1844. These other matters related to, travel plans, access, cycle stores, and are recommended as conditions and S106 agreements should this application be approved.

4.4.8 Building Control: No comments received.

4.4.9 Highways: Estimate provided of £37,270.00 for foreseeable highway works.

5. POLICIES:

5.1 Hackney Unitary Development Plan 1995

EQ1 - Development Requirements
H03 - Other sites for housing
E12 - Office Development
E14 - Access and Facilities for People with Disabilities
E18 - Planning Standards
TR19 - Planning Standards

5.2 Other Relevant Planning Policies

SPG1 - New Residential Development
SPG11 - Access For People With Disabilities
SPD - Affordable Housing
SPD - Planning Contributions

5.3 London Plan Policies

2A.1 - Sustainability Criteria
3A.1 - Increasing London's Supply of Housing
3A.2 - Borough Housing Targets
3A.4 - Housing Choice
3A.5 - Large residential developments
3A.6 - Definition of Affordable Housing
3A.7 - Affordable Housing Targets
3A.8 - Negotiating Affordable Housing in Residential and Mix-used Schemes

- 3A.14 - Addressing the Needs of London's Diverse Population
- 3C.1 - Integrating Transport and Development
- 3C.2 - Matching Development to Transport Capacity
- 3C.3 - Sustainable Transport in London
- 4A.2 - Spatial policies for waste management
- 4A.7 - Energy efficiency and renewable energy
- 4A.9 - Providing for renewable energy
- 4B.1 - Design principles for a compact city
- 4B.3 - Maximising the potential of sites
- 4B.4 - Enhancing the quality of the public realm
- 4B.5 - Creating an inclusive environment
- 4B.6 - Sustainable design and construction
- 4B.7 - Respect local context and communities
- 4C.12 - Sustainable growth priorities
- 4C.21 - Design Statements
- 5C.1 - Strategic Priorities for East London

5.4 National Guidance and Other Relevant Planning Policies

- PPS1 - Creating Sustainable Communities
- PPS3 - Housing
- PPS9 - Biodiversity and Geological Conservation
- PPG13 - Transport
- PPS22 - Renewable energy

6. OFFICERS COMMENT:

6.1 Proposal

- 6.1.1 The site is currently vacant, although previously, Senate House had occupied the site. Senate House provided some 1000 square metres of B1 floor space (vacant at the time of the previous planning application 2007/1844).
- 6.1.2 The proposal involves the erection of a four storey building (fronting Ramsgate Street) and a five storey building (fronting Tyssen Street) to facilitate a mixed use development consisting of 27 residential units (3 x one bed, 16 x two bed, 4 x three bed and 4 x four bed) and 595 square metres of commercial floor space (use class B1) and associated landscaping, cycle parking, and refuse/recycling storage.
- 6.1.3 The building will be formed from a yellow stock brick with metallic elements (balustrades, roofing material and metal inserts near fenestration) and a metallic cladding at the uppermost floor. The material for window framing is not clear from the submitted plans.

6.1.4 Considerations

The main considerations relevant to this application are:

- The principle of the use;
- Design and appearance of the proposed development;
- Sustainability;
- Quality of commercial floor area;
- Traffic and transport considerations;
- Consideration of representations;
- Planning Contributions.

Each of these considerations is discussed in turn below.

6.2 Principle of Use

6.2.1 The principle of mixed use development is considered to be acceptable at this site.

6.2.2 The site is situated within a Defined Employment Area, the proposal replaces 595 square metres of the previously existing 1000 square metres of commercial (B1) floor space. There is a net loss of 405 square metres. Both Policy and Invest in Hackney have provided comments accepting this proposed loss of the commercial floorspace subject to the payment of a financial contribution. £75,000 has been offered through negotiation with the applicant and the figure considered an acceptable sum to be put towards an employment scheme, affordable workspace scheme and/or a business support project. Furthermore, the current proposal is to be 100% affordable housing with both intermediate and socially rented units on site. This will provide much needed housing within the Hackney Borough and more importantly much need affordable family sized units.

6.2.3 On balance, it is considered that the overall loss of 405 square metres of B1 floor space on site is offset through the payment of a financial contribution and the provision of 100% affordable housing.

Housing Provision

6.2.4 The residential element would accommodate a residential mix of 27 units consisting of 3 one bed units, 16 two bed units, 4 three bed units and 4 four bed units. This unit mix is considered acceptable and the number of family sized accommodation (three and four bed) is welcomed.

6.2.5 The proposal includes an internal courtyard (approximately 150

square metres) accessible to the Tyssen Street Block. Ground floor family units within the Ramsgate Street Block have direct access from living rooms to a private garden with above ground units having access to balconies. First floor units within the Tyssen Street block have direct access to a patio area. These provisions for onsite amenity are considered acceptable.

6.2.6 Bedrooms 1 and 2 of units B1.2 and B2.2 and bedroom 2 of unit B3.1 are slightly below the Council's residential standards (SPG1 – New Residential Development). However, all other remaining rooms comply with these standards comfortably or exceed them considerably. Therefore, on balance, the overall room sizes and layout of flats is considered acceptable. The residential units are built to Lifetime Homes standards.

6.2.7 The proposal would provide 100% for affordable housing, brought forward by the applicant, Family Mosaic. This quantum is above the required 50% as stipulated in the London Plan and is therefore welcomed. The layout of tenures is considered acceptable.

6.2.8 Mix of housing table:

	Market Sale	Intermediate	Social Rented	Totals
1 Bed	0	3	0	3
2 Bed	0	6	8	16
3 Bed	0	2	4	4
4 Bed	0	0	4	4
Totals	0	11	16	27

6.3 Design and Appearance

6.3.1 The subject site is located in the heart of an area subject to new development. The overall design, massing and scale of four and five storeys fits in with the type of development occurring in the immediate locale.

6.3.2 The proposal has been reviewed by the Council's Conservation and Design team who raise no objection to the proposed development.

6.3.3 Conditions of consent requiring further details regarding sustainability, materials and boundary treatments are recommended should the application be approved.

6.4 Sustainability

- 6.4.1 The planning statement indicates that the development will achieve standards set out in the Code for Sustainable Homes. The Council expects a minimum of Level 3 Code of Sustainable Homes with the emerging LDF Core Strategy preferring new residential developments to achieve a level 4 rating. This matter will be addressed via a Section 106 agreement requiring that best endeavours are used in providing up to level 4 with a minimum rating of level 3.
- 6.4.2 The commercial B1 office space is expected to meet BREEAM excellent rating.
- 6.4.3 Both matters above will be addressed as s106 obligations should the application be approved.

6.5 Quality of Commercial Floor Space

- 6.5.1 The proposal provides for 595 square metres of B1 commercial floor space to replace approximately 1000 square metres of existing B1 floor space. Whilst a financial contribution has been accepted in mitigating the loss of 405 square metres of B1 space on site, it is also accepted on the basis that the 595 square metres is of high quality. Therefore, it is recommended as a condition, should permission be granted, that details be submitted clearly depicting the layout of any proposed commercial units within the basement and ground floors to ensure the most viable commercial unit sizes are created.

6.6 Traffic and Transport Considerations

- 6.6.1 The Council's Transportation Team have viewed the proposal reiterate their comments provided under the previously approved scheme 2007/1844 for a similar development.
- 6.6.2 Whilst they do not consider the proposal to unduly impact on the surrounding road network, they do object to the under provision of disabled car parking spaces within the site. Several other matters regarding cycle parking, travel plans and sustainable transport contributions were suggested as S106 matters.
- 6.6.3 With the exception of the disabled car parking, it can be acknowledged that the principle of the development is acceptable as the proposal would not "unduly impact on the surrounding road network".

- 6.6.4 Whilst the absence of disabled car parking is contrary to policy, in this instance given the wider visual amenity benefits to the street scene and the building itself, on balance this is considered acceptable.
- 6.6.5 The development is 'car free'. The Council's Transportation Officer recommends that a s106 requirement restricting residents' parking permits unless for a holder of a Disabled Person's Badge and securing a sum of £9,240.00 for sustainable transport initiatives. Should the application be granted, these are recommended as s106 requirements.
- 6.6.6 The Council's Highways Officer has also recommended securing a sum of £37,270.00 for upgrading works required to facilitate the development. Should the application be granted, this is recommended as a s106 requirement.

6.7 Pollution

- 6.7 Previously under 2007/1844, the Pollution team objected to the proposal because of the potential noise level of the proposed business activities and plant equipment and its impact on the proposed residential flats. It is recommended that those conditions recommended by the Pollution team on the previously approved scheme be carried forward onto this application should it be granted. The condition related to the submission of details ensuring suitable noise insulation is provided to the residential accommodation.

6.8 Planning Contributions

The following matters are being sought as part of the Section 106 legal agreement to offset the impact of the development proposal:

- Securing 100% of the housing as affordable housing with a tenure mix of 16 units social rented and 11 units intermediate housing.
- Contribution of £83,469.83 towards education and libraries.
- Contribution of £1,697.40 towards open space.
- Contribution of £75,000.00 towards an employment scheme, affordable workspace and/or business support project.
- The signing of a Section 278 legal agreement under the Highways Act for works to the public highway and securing £37,270.00 to fund these works.
- Contribution of £9,240 towards sustainable transport initiatives.
- The provision of a Green Travel Plan to all residents and commercial lease holder/employees on occupation of the site.
- The development is to be car free.

- Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
- Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme.
- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the negotiations and completion of the proposed Section 106 Agreement.
- Achievement of a minimum Level 3 under the Code for Sustainable Homes with best endeavours to achieve Level 4.
- B1 to shell and core prior to occupation of any residential unit.
- B1 office space to be rated BREEAM 'excellent'.

7.0 CONCLUSION

- 7.1 Planning permission is sought for the redevelopment of the site at Senate House, Tyssen Street London E8 2NDB. The proposal involves the erection of a four storey building (fronting Ramsgate Street) and a five storey building (fronting Tyssen Street) to facilitate a mixed use development consisting of 27 residential units (3 x one bed, 16 x two bed, 4 x three bed and 4 x four bed) and 595 sq metres of commercial floor space (class B1).
- 7.2 The proposal will provide 100% of the residential component for affordable housing, brought forward by the applicant, Family Mosaic.
- 7.3 Overall, for the reasons discussed above, the proposed development is considered to accord with national, strategic and Unitary Development Plan Policies. Accordingly, approval is recommended subject to conditions and the signing of a Section 106 legal agreement.

8 RECOMMENDATION A:

8.1 That permission be GRANTED, subject to the following conditions:

8.1.1 SCBO – In accordance with plans

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

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

8.1.2 SCB1N - Commencement within three years

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

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

8.1.3 SCM2 - Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building and boundary walls shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.5 SCN1 – Soundproofing

Full particulars and details of provisions for soundproofing between the B1/B1 use and residential units shall be submitted to and approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences.

REASON: In order to minimise the transmission of noise between and within units in the interests of providing satisfactory accommodation.

8.1.6 SCD2 - Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

8.1.7 SCT1 - Landscaping

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and

shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed including the overall layout of the proposed communal roof terrace; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

8.1.8 SCR3 - Mobility standards

Ten-percent of all housing units proposed must be designed to mobility standards and be in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest in providing satisfactory and convenient housing accommodation for persons with disabilities.

8.1.9 SCS5 - Waste

Except on day(s) of collection, all refuse and waste shall be stored in sealed containers in the refuse area shown on the plans hereby approved.

REASON: To ensure refuse is not left in the street in the interests of visual amenity and to reduce the likelihood of infestation.

8.1.10 SCH10 - Cycle spaces

Provision for 29 cycles. Both residential and commercial cycle spaces should be separated and clearly signposted. The spaces are to be secure. Details of which are to be submitted to an approved by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of cycles/motorcycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

8.1.11 NSC - Wheel washing facilities

Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

Reason: In the interest of highway safety.

8.1.13 NSC - External ventilation

Full details of mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be submitted for approval by the Local Planning Authority, in writing, before the commencement of works on site, and subsequently installed in the building in a satisfactory manner, before the development is first occupied/use commences. Mechanical ventilation equipment from kitchen areas, bathroom areas and any air conditioning units must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents as a result of fume or odorous discharge.

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.14 NSC - External Fixed Plant Items

Any external fixed plant items must be so positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of residents. As such they shall be designed to operate at a cumulative noise level of $L_{Aeq Tr}$, measured or predicted at 1 metre from the façade of the nearest noise sensitive premises and shall be a rating level of 10dB(A) below the background noise level of L_{AF90} .

REASON: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.15 NSC - Noise Levels

Upon completion of the development, internal noise levels must comply with BS 8233:1999. A validation noise report demonstrating that this has been achieved must be submitted for approval by the Local Planning Authority prior to occupation of the residential units.

REASON: To ensure that the amenity of the future occupants of the residential units is protected.

8.1.16 NSC - Dust emissions

An environmental plan demonstrating how dust emissions from the site, traffic and plant during the construction phase will be controlled shall be submitted to and agreed by the Local Planning Authority in writing, and implemented, prior to any works commencing on site.

REASON: To ensure that the development is not prejudicial to the health of environment and prospective occupiers.

8.1.17 NSC - Highway works

The development hereby permitted will not be implemented until/unless the owner of the site has entered into a legal agreement with the Local Planning Authority for works to Ramsgate St and/or Tyssen St pursuant to a Section 278 Highways Act 1980 and provided a copy of the same to the Local Planning Authority.

8.1.20 Renewable energy

Full details of renewable energy provision 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 development achieves the level of renewable energy provision on site as proposed.

8.1.21 Layout of Commercial Units

Full details of the layout/fitout of the commercial floorspace within the ground floor levels fronting Tyssen Street shall be submitted to the Local Planning Authority and approved in writing prior to the occupation of any commercial floorspace on site.

REASON: To ensure the size and layout of the commercial floorspace is appropriate.

8.1.22 Crossrail Condition

No construction work of any part of the development forming part of this permission shall begin until detailed design and method statements for all the ground floor structures, foundations, basements and/or other structures, including piling (both temporary and permanent), below ground level (the Foundation Works) which accommodate:

- i) the proposed location of the Chelsea-Hackney Line structures and tunnels;
- ii) the ground movement arising from the construction of structures, and tunnels;

- iii) the effects of noise and vibration arising from the use of the running tunnels;

have been submitted to and approved, in writing, by the Local Planning Authority; after consultation with Crossrail Limited; all such works which form part of the design and method statements shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

RECOMMENDATION B:

9.2 That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Corporate Director of Neighbourhoods and Regeneration and the Secretary and Solicitor to the Council:

- 9.2.1 Securing 100% of the residential units as affordable housing with a tenure mix of 16 units social rented and 11 units intermediate housing.
- 9.2.2 Contribution of £83,469.83 towards education and libraries.
- 9.2.3 Contribution of £1,697.40 towards open space.
- 9.2.4 Contribution of £75,000.00 towards an employment scheme, affordable workspace and/or business support project.
- 9.2.5 The signing of a Section 278 legal agreement under the Highways Act for works to the public highway and securing £37,270.00 to fund these works.
- 9.2.6 Contribution of £9,240 towards sustainable transport initiatives.
- 9.2.7 The provision of a Green Travel Plan to all residents and commercial lease holder/employees on occupation of the site.
- 9.2.8 The development is to be car free.
- 9.2.9 Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 9.2.10 20% reduction in carbon emissions through the use of renewable energy sources and use of low energy technology.
- 9.2.11 Considerate Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme
- 9.2.12 Achievement of a minimum Level 3 under the Code for Sustainable Homes with best endeavours to achieve Level 4.
- 9.2.13 B1 to shell and core prior to occupation of any residential unit.
- 9.2.14 B1 office space to be rated BREEAM 'excellent'.
- 9.2.15 Payment by the landowner/developer of all the Council's legal

and other relevant fees, disbursements and Value Added Tax in respect of the negotiations and completion of the proposed Section 106 Agreement.

RECOMMENDATION C

9.3 That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 07 July 2009, the Head of Planning be given the authority to refuse the application for the following reasons:

- 9.3.1 The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the borough and would fail to promote a mixed and inclusive community, and as such would be contrary to policy HO3 of the Hackney UDP (1995), policies 3A.7 and 3A.8 of the London Plan (2004), the LDF Planning Contributions SPD (2006), and advice contained in PPS1 and PPG3.
- 9.3.2 The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the borough's education provision, contrary to policies EQ1 and CS2 of the Hackney UDP (1995), the LDF Planning Contributions SPD (2006) and policy 3A.21 of the London Plan (2004).
- 9.3.3 The proposed development, in the absence of a legal agreement for securing open space contributions, would be likely to contribute to pressure and demand on the borough's existing open spaces, contrary to policies EQ1 and OS5 of the Hackney UDP (1995), the LDF Planning Contributions SPD (2006) and policy 3D.8 of the London Plan (2004).
- 9.3.4 The proposed development, in the absence of a legal agreement for a Green Travel Plan, would be likely to lead to an adverse impact on local traffic and pedestrian flow and the unsustainable use of transport contrary to policies ST3, ST31, ST32, ST33, TR6 and TR19 of the Hackney Unitary Development Plan and policies 3C.16 of the London Plan 2004.
- 9.3.5 The proposed development, in the absence of a legal agreement for securing best endeavours to use local labour on-site, would be likely to harm the employment opportunities in the Borough contrary to policies ST3, EQ1, E15 and E18 of the Hackney Unitary Development Plan.

10. REASONS FOR APPROVAL

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission:

- EQ1 - Development Requirements
- H03 - Other sites for housing
- E12 - Office Development
- E14 - Access and Facilities for People with Disabilities
- E18 - Planning Standards
- TR19 - Planning Standards

11. INFORMATIVES

The following informatives should be added:

- 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.8 Soundproofing
- SI.19 Health, Safety and Welfare at Work
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 1971
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with TWU

NSI.1 The hours of construction work on site that are audible at the nearest noise sensitive premises shall be restricted to 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday and at no time on Sundays & public holidays except by written permission of the Council or where the works are approved under section 61 Control of Pollution Act 1974.

NSI.2 The best practice detailed within the Building Research pollution control guides Parts 1 to 5 for controlling particles, vapour and noise pollution from construction sites must be followed throughout the enabling works, demolition and construction phase of the development.

NSI.3 The applicant is advised that they will be required to enter into a Section 61 agreement under the Control of Pollution Act 1974 with the

Pollution Section before commencing work on site in order to control noise and vibration from the demolition/construction work.

NSI.4 Your attention is drawn to the need to comply with the provisions of the Regulatory Reform (Fire Safety) Order 2005 where applicable. The provision of satisfactory means of escape in the event of a fire is the concern of the London Fire and Emergency Planning Authority as fire authority, and information relating thereto may be obtained from the Fire Safety Department, 210 High Street, East Ham, E6 3RS.

NSI.5 There is a Thames Water main crossing the development site which may need to be diverted at the developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.

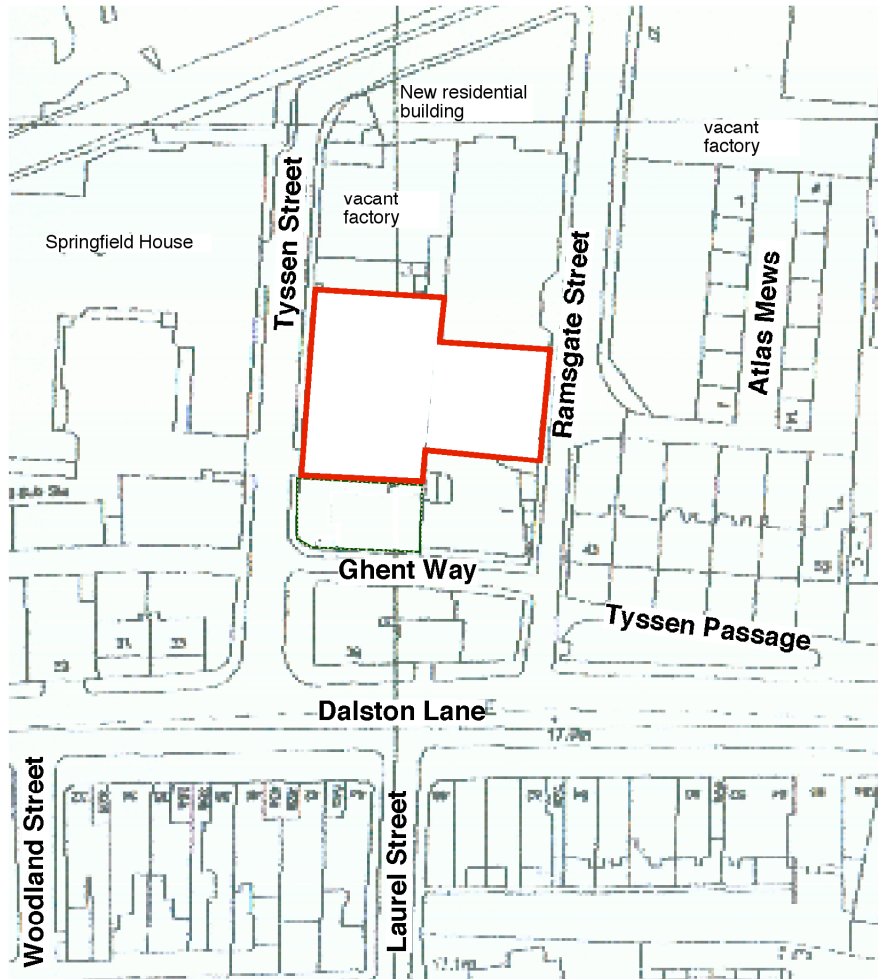
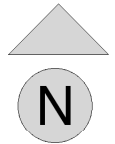
NSI.6 Crossrail Limited (25 Canada Square, Canary Wharf, London E14 5LQ) has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea-Hackney Line structures and tunnels, ground movement arising from the construction of the running tunnels, and the noise and vibration arising from the use of the running tunnels. Applicants are encouraged to discuss the guidelines with the Chelsea-Hackney Line Engineer in the course of preparing detailed design and method statements. Please contact the Crossrail switchboard on 020 3023 9100 for guidance.


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

**Graham Loveland
Interim Assistant Director - Planning
Regeneration and Planning**

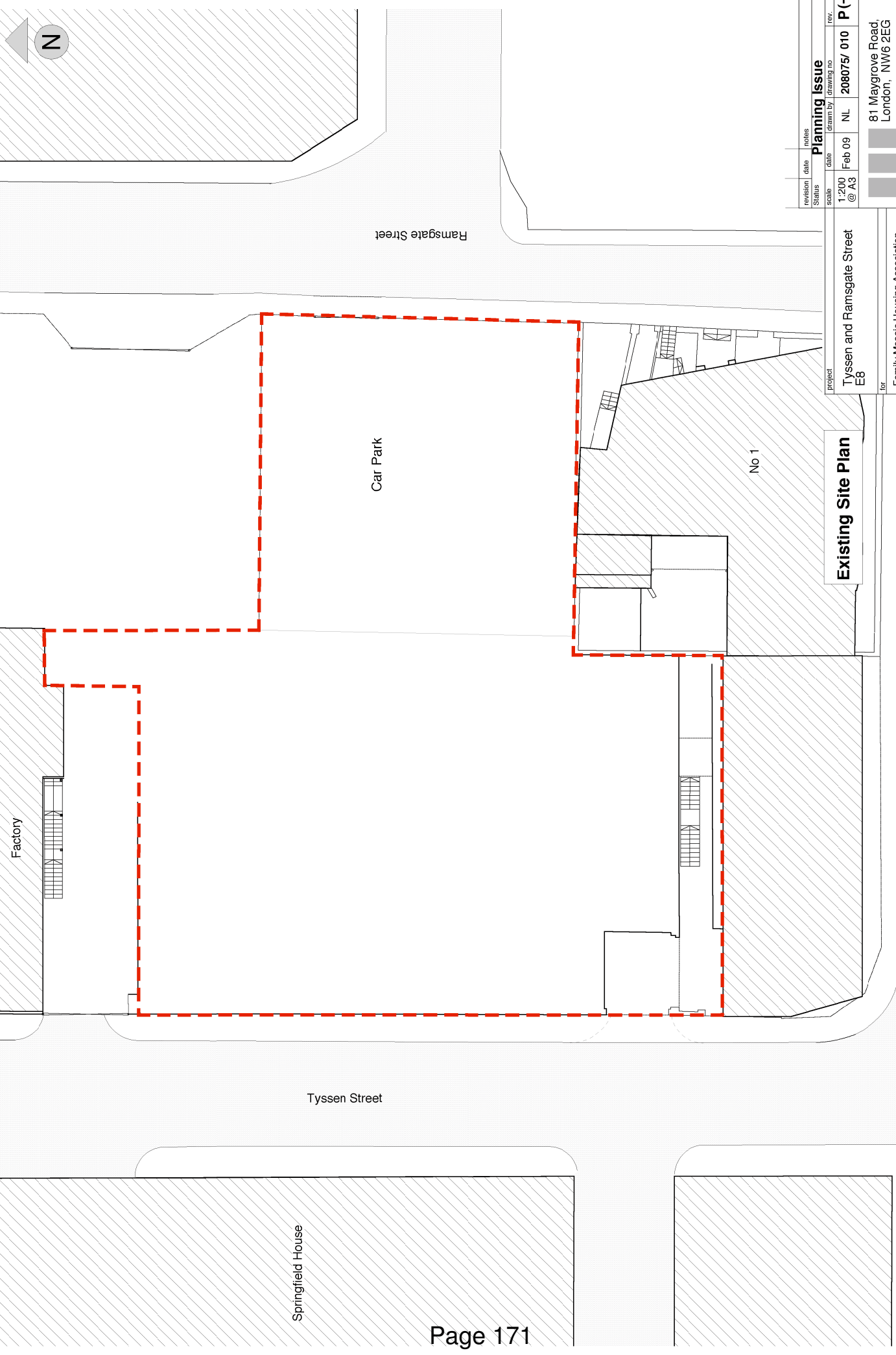
NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Anthony Traub (ext. 7219)	263 Mare Street, E8 3HT

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project		revision		date		notes	
Tyssen and Ramsgate Street E8		1:1250 @ A4		Feb 09		BB	
for		scale		date		drawn by	
Family Mosaic Housing Association		1:1250 @ A4		Feb 09		BB	
drawing title		scale		date		drawing no	
Location Plan		1:1250 @ A4		Feb 09		208075/ 001	
						rev.	
						P (-)	
						 81 Maygrove Road, London, NW6 2EG Telephone 020 7328 8122 Fax 020 7328 9849 E-mail info@kkmarchitects.com	

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revision	date	notes
Status		Planning Issue
scale	1:200 @ A3	date drawn by drawing no
	Feb 09	NL 208075/ 010 P (-)



81 Maygrove Road,
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Project Tyssen and Ramsgate Street E8
for Family Mosaic Housing Association
drawing title Existing Site Plan

Existing Site Plan

Ghent Way

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revision	date	notes	status	scale	date	drawing no	rev.
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				1:200	Feb 09	NL 208075/110	P (-)
				@ A3			

Project: Tyssen and Ramsgate Street E8
 for: Family Mosaic Housing Association
 drawing title: Proposed Site Plan

Site Plan

KKM architects
 81 Maygrove Road,
 London, NW6 2EG
 Telephone 020 7328 8122
 Fax 020 7328 9439
 E-mail info@kkmarchitects.com

Ghent Way

Springfield House

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Planning drawing only
Indicative layout subject
to detailed design

Ramsgate Street

Tyssen Street

revision	date	notes
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2.000	Feb 09	NL
2.007/1	120	P (-)

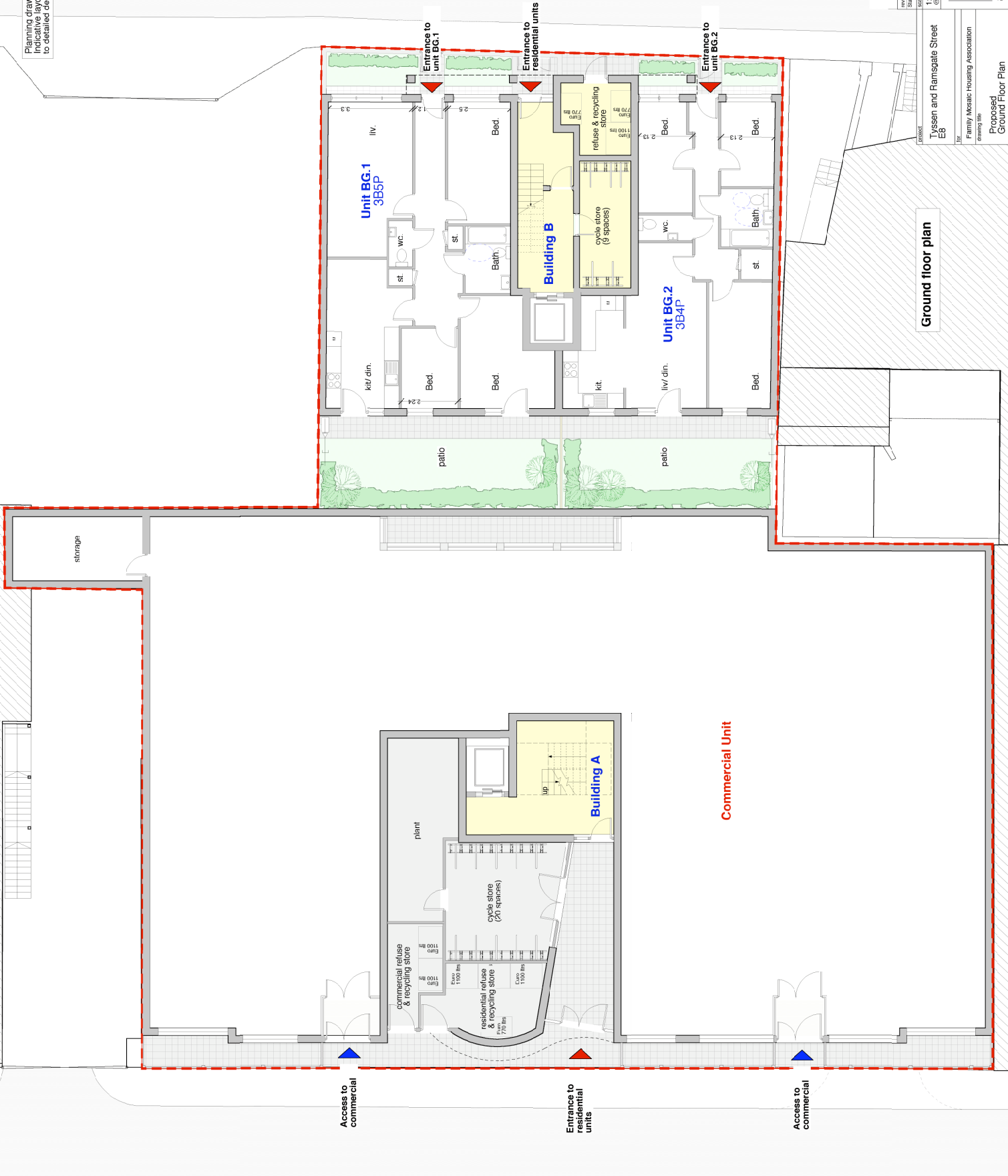
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 Tyssen and Ramsgate Street
 E8
 @ 7A2

91 Maygrove Road,
 London, NW6 2EG

Telephone 020 7258 8122
 Fax 020 7258 8689
 Email info@kkmarchitects.com

Family Mosaic Housing Association
 Planning Title
 Proposed
 Ground Floor Plan

Ground floor plan



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Planning drawing only
indicative layout subject
to detailed design

Ramsgate Street

revision	date	notes
1.1.00	Feb 09	NL
1.1.00	Feb 09	NL
1.1.00	Feb 09	NL

Planning Issue
 E8
 81 Maygrove Road,
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Tyssen and Ramsgate Street
 E8
 Family Mosaic Housing Association
 Proposed
 First Floor Plan

First floor plan



Tyssen Street

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Indicative layout subject
to detailed design

Ramsgate Street

revision	date	notes
1.100	Feb 09	NL
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1.100	Feb 09	NL

Planning Issue
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 Date: Feb 09
 No: 2007/9/122
 P (C)
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Tyssen and Ramsgate Street
 E8
 Family Mosaic Housing Association
 Planning Use:
 Proposed
 Second Floor Plan

Second floor plan



Tyssen Street

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Indicative layout subject
to detailed design



Ramsgate Street

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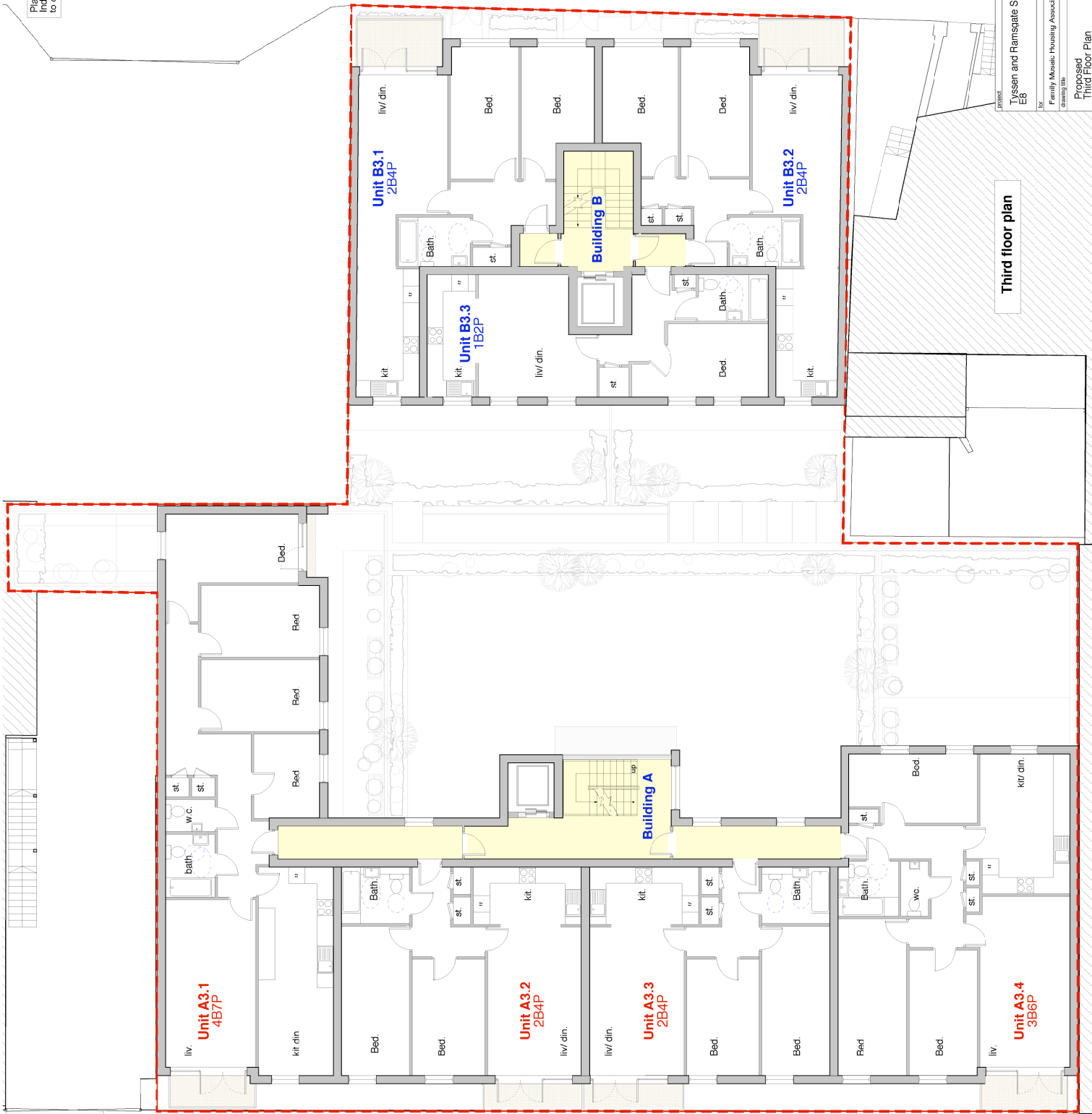
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KKIM
architects

Tyssen and Ramsgate Street
E8
Family Mosaic Housing Association
Planning Issue
Proposed
Third Floor Plan

Third floor plan



Tyssen Street

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Ramsgate Street

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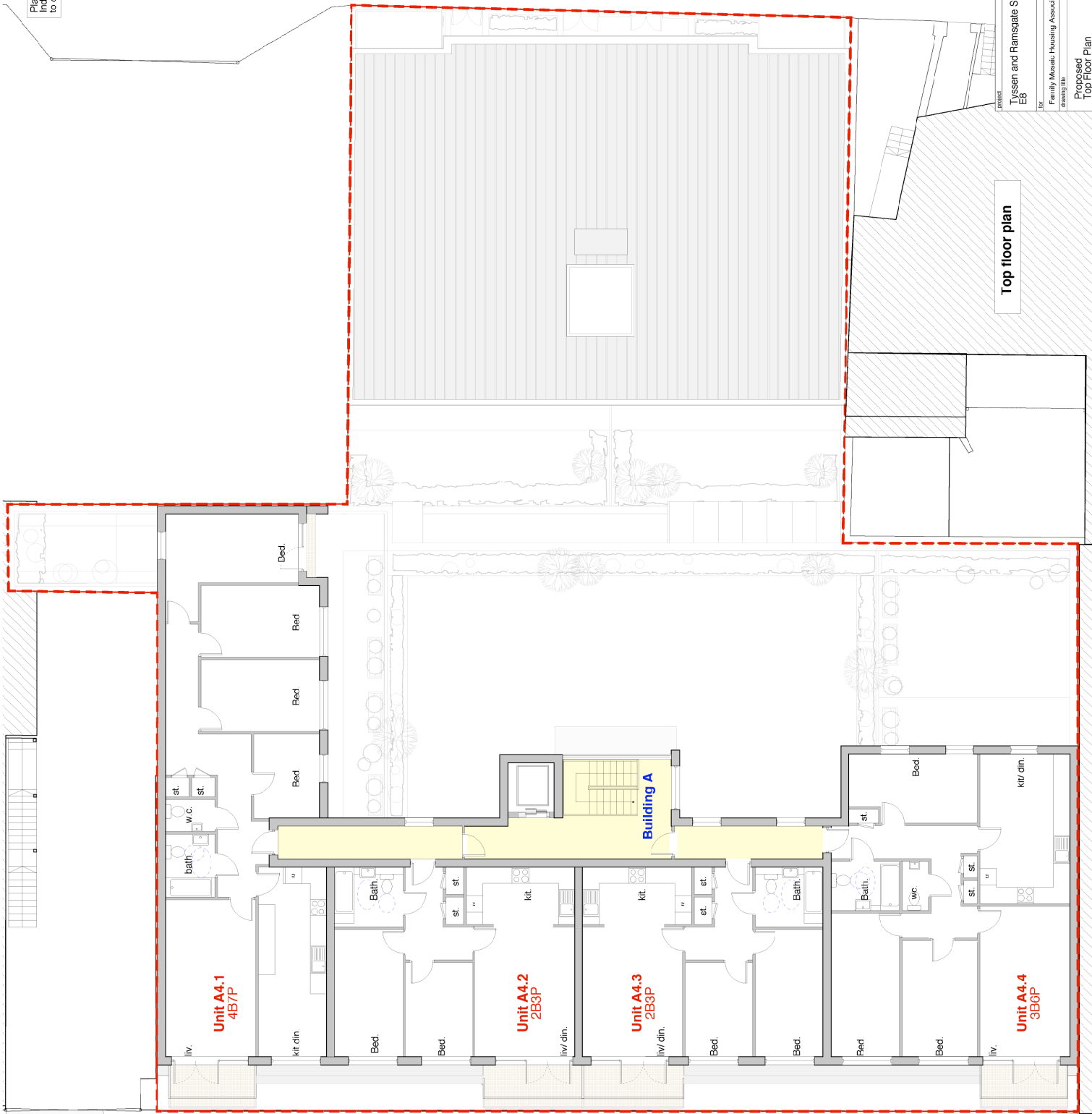
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Tyssen and Ramsgate Street
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 Family Mosaic Housing Association
 Planning Use
 Proposed
 Top Floor Plan

Top floor plan



Tyssen Street

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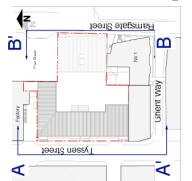
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Proposed West Elevation (A-A')



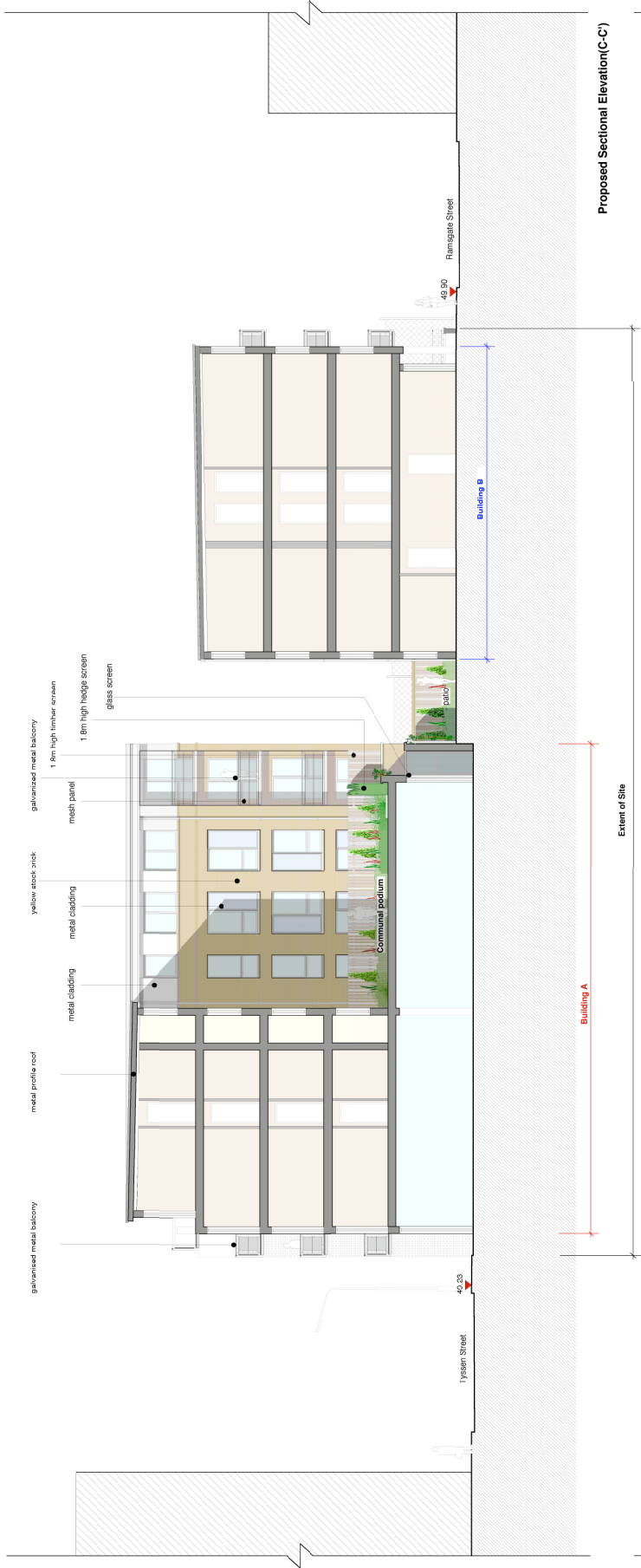
Proposed East Elevation (B-B')



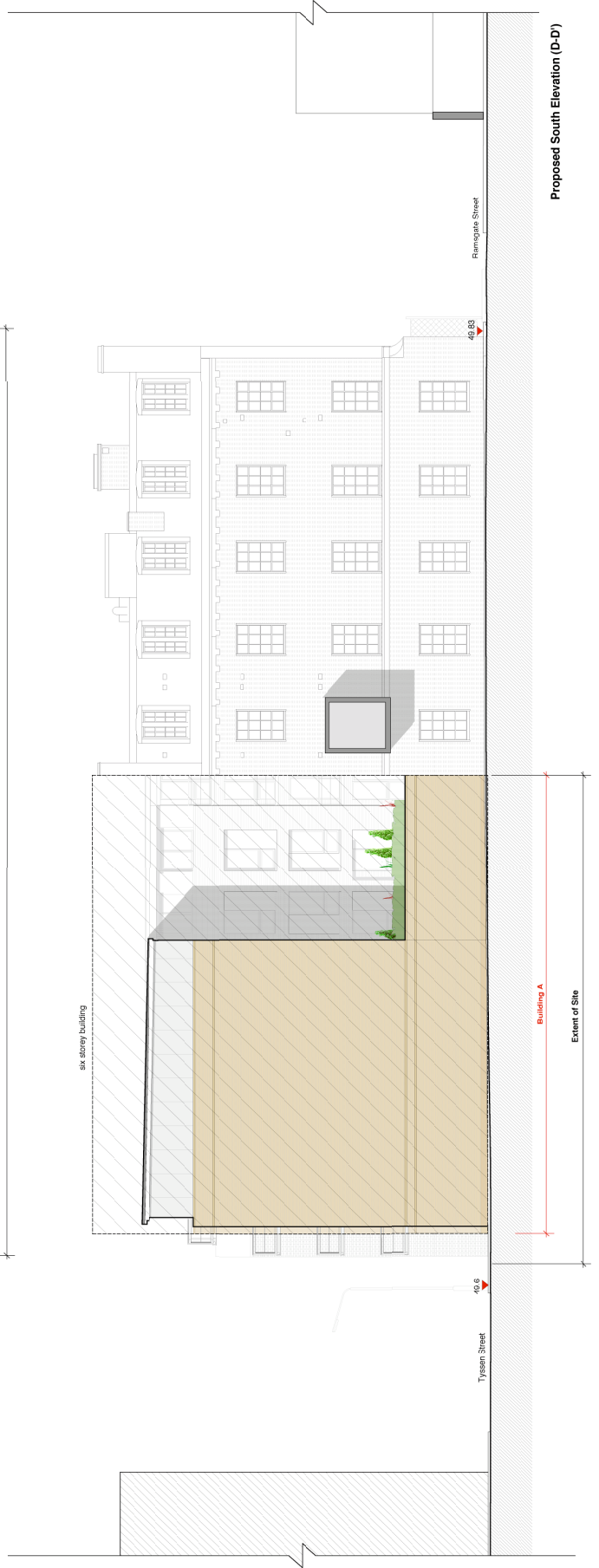
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DATE	1.09.20	DATE	1.09.20
BY	BB	BY	BB
NO.	200079/100	NO.	P(1)
81 Maygrove Road, London, NW6 2EG		K K M architects	
Family Mutual Property Association		Tel: 020 7269 8500 Fax: 020 7269 8500	
West(A-A') & East(B-B') Elevations		www.kkmarchitects.com	

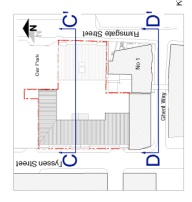
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Proposed Sectional Elevation (C-C)

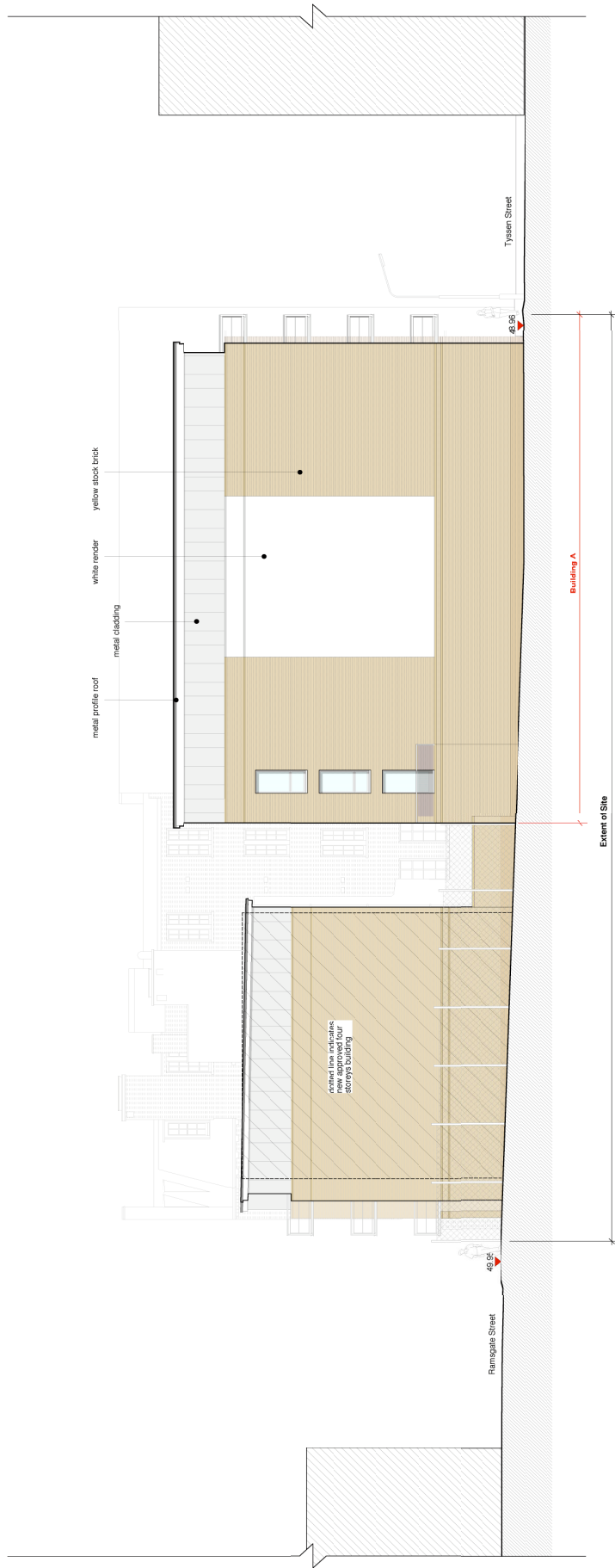


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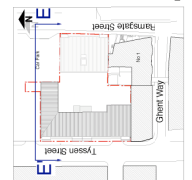


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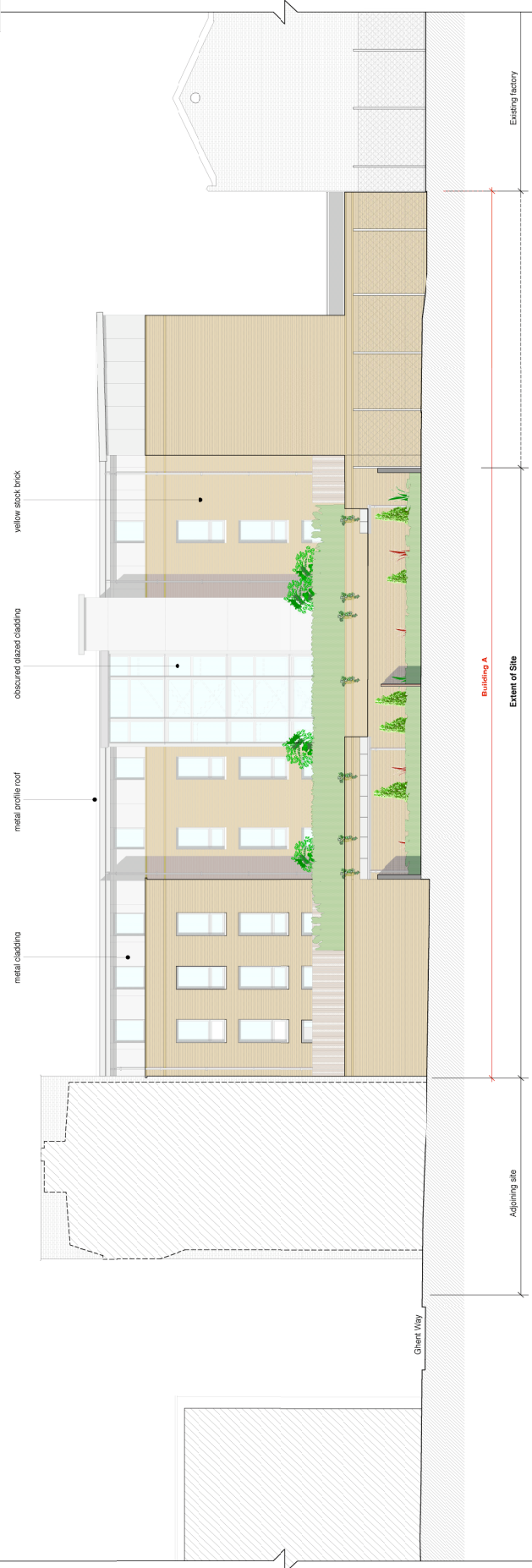
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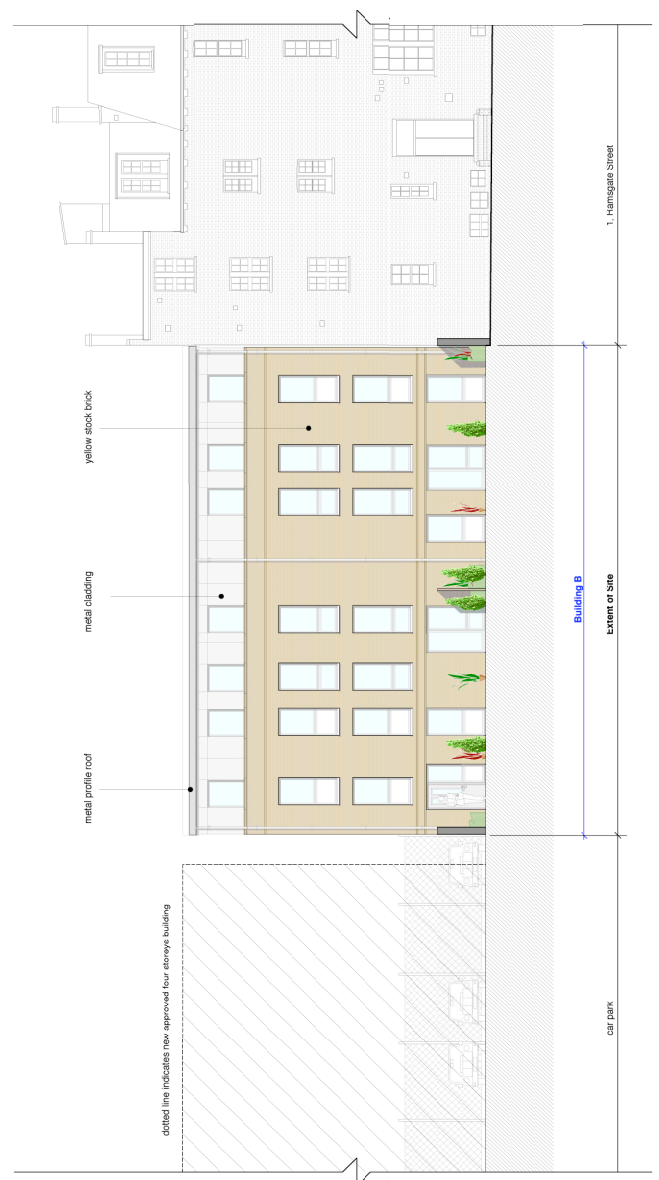
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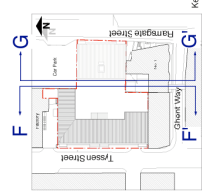
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Proposed East Elevation (F-F)



Proposed West Elevation (G-G)



Key Plan 1:1000

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<p>FRENCH ROAD FAMILY MOBILE INDUSTRY ASSOCIATION ARCHITECTS</p>		<p>KIM ARCHITECTS</p>	<p>TEL: 020 789 8302 WWW.KIMARCHITECTS.COM</p>

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ADDRESS: South Marsh, Hackney Marshes, Homerton Road, London, E9 5PF	
WARD: Haggerston	REPORT AUTHOR: Russell Smith
APPLICATION NUMBER: 2009/1052	VALID DATE: 13/05/2009
DRAWING NUMBERS:	
APPLICANT: London Borough of Hackney	AGENT: Firstplan
PROPOSAL: Erection of part 1, part 2 storey building to provide changing room facilities with associated café, office and education room and associated car parking and landscaping (including green roof).	
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to S106 legal agreement.	

ANALYSIS INFORMATION

ZONING DESIGNINATION: (Yes) (No)

CPZ		X
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		x

LAND USE DETAILS:	Use Class	Use Description	Floorspace sqm
Existing	D2	Assembly & Leisure	1498
Proposed	D2	Assembly & Leisure	3062
			(+1564)

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	205	0	0
Proposed	162	18	106

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The application site forms part of Hackney Marshes, a large area of open recreational land which has the largest concentration of football pitches in Europe and is used by local leagues, clubs and schools. Over 900 football matches are played on the marshes annually with the majority being played at the weekend.
- 1.2 The application site currently comprises a single storey changing room facility providing 20 changing rooms, a hard surfaced car park of 205 spaces, and the edge of the area set out as football pitches. There are a number of trees on the site.
- 1.3 The site abuts the southern boundary of the football pitches area, and is bounded to the north and east by the River Lea. To the south of the site is a Parks Depot and Plant Nursery. The site is accessed from Homerton Road.
- 1.4 On the opposite (eastern) bank of the River Lea is the East Marsh. This area falls within the Olympic Delivery Authority area and will be used in conjunction with the 2012 Olympics and subsequently returned to green space. The existing changing rooms at East Marsh will be demolished and will not be rebuilt. We understand that a footbridge may be constructed across the River Lea between East Marsh and South Marsh, however, no planning application had been submitted for the footbridge at the time of this application.

2. CONSERVATION IMPLICATIONS

- 2.1 The application site is not located within a conservation area and there are no listed buildings on or near the site.

3. HISTORY

- 3.1 Site: Hackney Marshes, Land bordered to the west by the River Lea Navigation/Hackney Cut, to the south by Homerton Road. To the east by Eastway and new Spitafields Markets and the River Lea. And Mabley Green, bounded by Homerton Road and the Lea Conservation Road.
Development Description: Demolition and erection of a single storey changing room building on North Marsh, the demolition of a single storey changing room building, and erection of a two storey changing room building including ancillary activities on South Marsh. The demolition and erection of a single storey changing room building on Mabley Green. The temporary relocation of the East Marsh pitches to the North and South Marshes and the reconfiguration of sporting pitches; the resurfacing of one of the two existing all weather sports pitches at Mabley Green including the addition of 15m high flood lighting to replace existing floodlights. Associated landscaping.
Decision: Granted
Decision Date: 25/07/2008:

4. CONSULTATIONS

4.1 Date Statutory Consultation Period Started: 18/05/2009

4.2 Date Statutory Consultation Period Ended: 29/07/2009

4.3 Site Notice: Yes

4.4 Press Advert: Yes

4.5 652 letters were sent to adjacent occupiers. 1 letter of objection received, objecting to the proposal on the grounds that it will create traffic and noise. 1 response received in support of the application.

4.6 *Local Groups*

4.6.1 Hackney Marshes Users Group

No response received

4.7 **Statutory Consultees**

4.7.1 Thames Water

No objection with regard to sewerage or water infrastructure.

4.7.2 Transport for London

Support the reduction in car parking spaces and would encourage a further reduction. Accept that the development will not lead to change in the trips generated by the site. Bus stop No. 35256 on Lee Conservancy Road is likely to be used in connection with this development. TfL therefore requests mitigation to bring this stop up to full accessibility standards. A contribution of £5,000 is therefore requested. TfL welcomes the provision of 106 cycle parking spaces. The developer should also consider additional security measures for the cycle parking area such as CCTV coverage. TfL requests that the applicant provides a financial contribution towards improving the pedestrian and cycle routes along the Hackney Marsh which form part of the London Cycle Network (LCN) and Strategic Walk Network (SWN). TfL welcomes the developer's commitment to producing a Construction Logistics Plan (CLP) which should be secured by condition. A Travel Plan Statement has been submitted with the application and is considered as acceptable in accordance with TfL's Workplace Travel Plan guidance.

4.7.3 London Fire and Emergency Planning Authority

Deficiencies relating to public safety:

- Suitable and sufficient access for fire brigade appliances is to be provided and maintained.
- Compliance with Section B5 of The Building Regulations will be deemed to comply.
- Particular attention is to be paid to width and height restrictions on access

road.

- Suitable and sufficient water supplies for fire-fighting purposes are to be available and maintained.

4.7.4 Sport England

No objection. Access condition recommended.

4.7.5 Natural England

Supportive of the aims of the development as set out in Section 2 of the Design and Access Statement, in particular those which relate to biodiversity and landscape. Generally concur with the recommendations set out in the Extended Phase 1 Habitat Survey Report.

4.8 ***Other Council Departments***

4.8.1 Conservation and Design:

The direct views from the proposed low-rise linear building to the green, grand football grounds are very successful, whilst the relationship between the building and the River Rea seems to be ignored. While it successfully reinforces the edge of the playing field, forming a boundary between the South Marsh and the car park, the huge car park, placed between the River Rea riverside walkway and the community hub, weakens its potential since a hub should also consider connecting pedestrian movement routes and provide appropriate pocket squares for potential activities. In addition to serving the users, the community hub could generate additional activities by exploiting the advantage of its proximity to the River Lea. It is a pity that the car park is the solution to the spatial relationship between the community hub and the River Lea.

The building design matches up the requirements of functionality and good spatial quality. The entrance, located in the centre with the linear building form, provides efficient circulation for changing rooms. The upper storey is certainly best located at the northern end of the site towards the taller trees adjacent to the river bank, and the entrance is properly addressed by the joining of the two box volumes with different heights. In addition, the variation of the heights from one storey at the south end to two storeys at the north end is also considered to be properly integrated into the landscape.

The proposed elevations and materials successfully deliver a deliberately restrained palette of highly durable materials that will weather gracefully in the setting of Hackney Marshes and blend into the surrounding landscape. The two main materials, gabion walling and weathered steel cladding, compose the two different high volumes respectively. The gabion walling is used for the ground floor envelope of the one storey volume. It is proposed that this is viewed as a landscape wall, similar to an agricultural dry stone wall. The weathering steel is an industrial material, reminiscent of industrial structures found in the Lea Valley. The design of the elevations and the choice of the materials are a very creative solution to integrating the building into Hackney Marsh.

We have no objections to this scheme since the building quality is more than

satisfactory. The arrangement of external layout is functional, and it is a pity that a better considered external arrangement could have provided a more active entrance square to generate more activities for Hackney South Marsh Community Hub.

4.8.2 Highways

No representation received.

4.8.3 Policy:

No representation received.

4.8.4 Pollution:

With regards to the proposed A3 use the applicant has not provided any information on how the noise and odour will be mitigated. I therefore recommend the following condition:

VENTILATION SYSTEM INSULATION

No development shall commence on site until detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s), and anti-vibration mountings where necessary) have been submitted to the local planning authority. After the system has been approved in writing by the authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences, and shall thereafter be permanently maintained in accordance with the approved specification.

Reason

To safeguard the amenities of the adjoining premises and the area generally.

With regards the construction of the changing room facilities I recommend the following informative:

CONSTRUCTION HOURS

No deliveries shall be taken at or despatched from the site and no work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays, and not at all on Sundays or Public Holidays.

Reason

In order to safeguard the amenities of adjoining occupants at unsocial periods.

4.8.5 Transport:

No objection subject to conditions.

4.8.6 Waste management:

No response received

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

- EQ1 - Development Requirements
- EQ21 - Metropolitan Open Land
- EQ48 - Designing Out Crime

- E14 - Access and Facilities for People with Disabilities
- E18 - Planning Standards

5.2 Supplementary Planning Guidance /Document

- SPG11 - Access for People with Disabilities

5.3 London Plan (2004)

- 2A.1 - Sustainability criteria
- 3C.1 - Integrating transport and development
- 3C.2 - Matching development to transport capacity
- 3C.3 - Sustainable transport in London
- 3C.23 - Parking strategy
- 3D.10 - Metropolitan Open Land
- 4A.1 - Tackling climate change
- 4A.3 - Sustainable design and construction
- 4A.4 - Energy assessment
- 4A.6 - Decentralised energy: Heating, cooling and power
- 4A.7 - Renewable Energy
- 4B.1 - Design principles for a compact city
- 4B.2 - Promoting world-class architecture and design
- 5C.1 - The strategic priorities for North London

5.4 National Planning Policies

- PPS1 - Creating Sustainable Communities
- PPG13 - Transport
- PPS22 - Renewable Energy

6. COMMENT

The proposed scheme comprises new changing rooms and ancillary activities at South Marsh. The facilities to be provided are 26 changing rooms, a cafe/bar, offices, educational facilities and a terrace overlooking the pitches. The existing changing room building will be demolished.

The new facilities would be provided in a part 1, part 2 storey building. The proposed building is linear in form with a strong horizontal emphasis. The overall ground floor footprint is 117.46 x 23.36m, giving a gross external area of 2389m². The overall height of the proposed building is 7.1m to the top of the upper floor parapet (and 8.1m to the top of the flues). The overall height occurs at the double storey volume only, which is approximately a third of the length of the overall building. The single storey height is 4.0m. The principle materials proposed for the external envelope are gabion walling for the ground floor, weathered steel cladding primarily for the two storey volume and glazing.

The proposed café is located at first floor and provides an internal seating area of approximately 160m². Additionally the café connects to an external terrace of approximately 200m². The mechanical extract systems for the proposed café would vent via 4 flues located on the roof of the proposed building, these flues extend 1m above the parapet level. The proposed café will be predominantly used in association with the football matches, for example for players wanting refreshments after a game, the café opening hours will therefore be restricted from 09.00 – 17.00 hours in the winter and 09.00 – 20.00 hours in the summer.

The proposal includes 2no. office spaces located on the first floor of the building for use by LBH officers in connection with the management of the football pitches and facilities. One of these offices provides a permanent space for 5no. full time users, whilst the other is more flexible and can be used on an occasional basis or as an extension to the café space.

The proposal includes 2 open plan teaching spaces, which can be used for a range of uses including use by local schools. Both of the open plan teaching spaces are of sufficient size to accommodate typical class sized groups of 32 persons. An acoustic central partition can be folded back to provide a single larger space.

Considerations

The main considerations relevant to this application are:

- 6.1 The principle of the use.
- 6.2 Design and appearance of the proposed development.
- 6.3 Loss of trees and other ecological impacts
- 6.4 Traffic and transport considerations.
- 6.5 Response to objectors.

Each of these considerations is discussed in turn below.

6.1 The principle of the use

- 6.1.1 The July 2008 planning permission, detailed in the planning history section of this report, established that the redevelopment of the changing facilities at South Marsh is acceptable in terms of: relocation of facilities to the application site; the principle of demolition of the single storey existing facility and erection of a two storey facility in a similar location; the principle of the building having a larger footprint than the existing building; and the provision of ancillary facilities on the site including café, offices and educational facilities.
- 6.1.2 Policy 3D.10 of the London Plan states that essential facilities for appropriate uses on MOL are considered acceptable where they do not have an adverse impact on the MOL itself. PPG2 also reiterates the statement of essential facilities for outdoor sport and recreation being acceptable. The site is part of

Hackney Marshes South Marsh, which is designated as MOL and dedicated to the provision of formal sports and recreation.

- 6.1.3 Policy EQ21 Metropolitan Open Land of the adopted UDP states that any development on the MOL should be associated with the open space, nature conservation and/or recreational use of MOL and meet the following requirements: its prime function should be ancillary to the maintenance or use of the adjoining open land; new buildings should be sited close to existing built development or on the periphery of open land; and that it has a high standard of design and landscaping.
- 6.1.4 The proposed changing rooms are considered to be essential ancillary facilities to the continual successful use of the South Marsh for the provision of formal sporting and recreational grounds. The café is ancillary to the buildings primary function as a changing facility with the size of the café area considered commensurate to an ancillary facility given the number of changing rooms. Furthermore the café and adjoined terrace provide good views across the football pitches strengthening the connection with the sports/recreation use of the South Marsh. The café opening hours would be restricted from 09.00 – 17.00 hours in the winter and 09.00 – 20.00 hours in the summer to coincide with the use of the football pitches. The proposed office space would be used by LBH staff in connection with the administration of the football pitches and management of the Marshes and is therefore considered appropriate use on the MOL. The proposed teaching rooms would enhance the appropriate use of the Marshes for educational purposes. For example it is envisaged that local schools would be able to use these space following field trips to the marshes.
- 6.1.5 MOL is effectively afforded the same protection as green belt land by Policy 3D.10 of the London Plan and therefore the impact upon the openness of the Marshes should be considered. The proposed building is located on the periphery of what is currently green space. Whilst the existing changing room facilities would be demolished and the land reinstated as green space, overall the proposal would result in the net developed area of the site increasing. However, this must be weighed against the benefits of vastly improved community facilities that will support the recreational and educational use of the MOL. The proposed building reinforces the boundary with the playing fields and the car park and direct views from the open part of the Marshes are very successful. A detailed landscape plan has been submitted, which successfully integrates the building and car park into the wider landscape. Further discussion on the design and appearance of the building and landscaping can be found in section 6.2.
- 6.1.6 In light of the above it is considered that the proposed building and car parking are essential facilities for appropriate uses on the MOL. The proposal would enhance the open space by further encouraging the use of the Marshes, promoting sport and recreation, realise the educational potential of the space and provide a focus for local communities. The proposal is considered acceptable in line with Policy EQ21 of the adopted UDP. However, the proposal would impact upon the openness of the MOL this is considered acceptable for the reasons given above. Nevertheless the application has been advertised as

a departure from Development Plan policy due to the impact upon the openness of the MOL and has been referred to the GLA.

6.2 Design and appearance of the proposed development

- 6.2.1 The site is land designated as Metropolitan Open Land (MOL) and also forms part of the area designated as the Lee Valley Regional Park. Developments within these designations must take into account the values of such areas. In particular, the visual impacts any development will have on these areas.
- 6.2.2 The Council's Conservation and Design (CD) team have viewed the proposal and do not object to the principle of the proposal. It is considered that the direct views from the proposed low-rise linear building to the green, open football grounds are very successful. The proposed building successfully reinforces the edge of the playing field, forming a boundary between the South Marsh and the car park.
- 6.2.3 The building design matches up the requirements of functionality and good spatial quality. The entrance, located in the centre with the linear building form, provides efficient circulation for changing rooms. The upper storey is certainly best located at the northern end of the site towards the taller trees adjacent to the river bank, and the entrance is properly addressed by the joining of the two box volumes with different heights. In addition, the variation of the heights from one storey at the south end to two storeys at the north end is also considered to be properly integrated into the landscape.
- 6.2.4 The proposed elevations and materials successfully deliver a deliberately restrained palette of highly durable materials that will weather gracefully in the setting of Hackney Marshes and blend into the surrounding landscape. The two main materials, gabion walling and weathered steel cladding, compose the two different high volumes respectively. The gabion walling is used for the ground floor envelope of the one storey volume. It is proposed that this is viewed as a landscape wall, similar to an agricultural dry stone wall. The weathering steel is an industrial material, reminiscent of industrial structures found in the Lea Valley. The design of the elevations and the choice of the materials are a very creative solution to integrating the building into Hackney Marsh.
- 6.2.5 CD comment that the relationship between the building and the River Lea seems to have been ignored and that a better considered external arrangement could have provided a more active entrance square to generate more activities for Hackney South Marsh Community Hub. However, the external arrangements are to an extent dictated by the car parking requirements (discussed in section 6.4). Furthermore they represent a significant improvement over the previously approved application as the design includes a pedestrian link from the building to the proposed new footbridge and a detailed landscape proposal.
- 6.2.6 The hard and soft landscape scheme is considered key to the successful integration of the building with the wider landscape of the Marshes. The hard landscaping has been developed to generate a contemporary design language

unique to this place and situation and in keeping with the design language of the new building. Planting design is an important element in the design of the external landscape serving a number of key functions such as defining spaces, creating clear and legible routes and providing enhanced amenity for both the development site and the wider landscape experience. Design proposals aim to ensure visual linkage and continuity and consistency in finished planting. Critically, the species chosen are appropriate to the flood plain environment and the local ecology.

- 6.2.7 The existing trees will make a strong positive contribution to the development, particularly in the early years as new planting becomes established, existing groups of trees are strengthened through extensive new planting blocks of *Alnus glutinosa*, *Fraxinus excelsior* and *Sorbus aucuparia*. The boundary between the car park and the existing maintenance depot and tree nursery will be clearly defined by substantial hedge planting. The utilitarian function of the car park and access routes will be broken up by a grid of hedge and tree planting. Planting is proposed that wraps around the cartilage of the building and climbing plants to the west elevation will create a living wall. A green roof is proposed which follows the desire to integrate the Hub building with the local ecology and make a strong link between the building and the Hackney Marshes complex. In summary it is considered that the landscape proposals successfully integrate the building into the wider landscape of the Marshes. Further discussion on the landscaping proposals can be found in section 6.5.

Sustainability

- 6.2.8 The Mayor's 'London Plan 2008' identifies six main objectives, one of which is, "to make London an exemplary world city in mitigating and adapting to climate change and a more attractive, well-designed and green city". London Plan Policy 4A.1: *Tackling Climate Change* requires developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of Carbon Dioxide (CO₂). The following hierarchy should be used to assess applications:

- Using less energy, in particular by adopting sustainable design and construction measures (Policy 4A.3);
- Supplying energy efficiently, in particular by prioritising decentralised energy generation (Policy 4A.6); and
- Using renewable energy (Policy 4A.7).

Integration of adaptation measures to tackle climate change should most effectively reflect the context of each development – for example, its nature, size, location, accessibility and operation. According to Policy 4A.3: *Sustainable Design and Construction*, the Mayor will and boroughs should ensure future developments meet the highest standards of sustainable design and construction.

- 6.2.9 The Mayor's Supplementary Planning Guidance (SPG) on Sustainable Design and Construction sets out what can be done in the current policy framework to design and construct new developments in ways that contribute to sustainable development and provides a mechanism for addressing climate change impacts through new developments. It contains Essential Standards and the Mayor's

Preferred Standards.

- 6.2.10 The proposal includes a range of measures to improve the energy efficiency of the building. These measures include: passive solar design; natural ventilation; improved U-values; and increasing thermal mass. The building has been designed to be sustainable with gabion walls which will support climbing plants, a green roof to provide a habitat for local wildlife, and the use of rain water storage and grey water recycling.
- 6.2.11 In terms of renewable technology it is proposed to use 4 oil fired boilers firing B100 biodiesel to provide renewable energy for heating and hot water generation. Calculations show that providing all hot water generation and heating by means of B100 biodiesel fired equipment would reduce the buildings carbon emissions by 43%.

6.3 Potential impact on the amenity of residents

- 6.3.1 There are no residential properties within the immediate vicinity of the proposed building. Furthermore the use of the proposed building is directly related to the use of the existing football pitches and would therefore not introduce any significant intensification of activity.

6.4 Traffic and transport considerations

- 6.4.1 The site is located along the banks of the River Lea and is accessed via Homerton Road. Bus services W15, 308 and the N26 serve the site, just east of the site entrances on Homerton Road. Additional bus routes 276 and 236 can also be accessed 460m south west of the site along Lee Conservancy Road. Hackney Wick rail and Overground station is located approximately 1 km to the south. The nearest section of the Transport for London Road Network (TLRN) is the A12 Eastway. The site records a Public Transport Accessibility Level (PTAL) of 1b/2, where 1 is considered to be poor.
- 6.4.2 The proposed car parking provision will be below exiting provision (-25) however a parking occupancy survey was carried out in addition to a capacity survey on neighbouring streets. The results demonstrate that on the day of the survey 63 on site bays were available in addition to 73 on street spaces available during the busiest time of the survey. Based on the study submitted as part of the Transport Statement traffic and transportation are satisfied that the loss 25 bays will not have a significant impact on neighbouring roads. Traffic and Transport (TT) recommend that at this stage the proposed parking provision is not reduced any further as the survey does not reflect the worst case scenario as the site was not fully occupied (full pitch use) at the time of the survey. TT recommend that the occupancy is monitored as part of the travel plan and adjusted accordingly as travel patterns change as expected.
- 6.4.3 The car parking layout provides good lines of sight and minimises the amount of manoeuvring required to access the bays. The location of the disabled bays (18) are considered accessible and arranged in accordance with national guidance. The provision of formal minibuss bays in place of vehicular parking is

welcomed as a more sustainable mode of travel; however the management of these bays must be part of an overall parking management's strategy in order to ensure the parking occurs in accordance with approved plans. It is expected that the disabled bays will be clearly signed, marked and provided prior to occupation and reserved for the sole use by users with mobility impairments. A parking management plan should also be submitted detailing how the applicant will manage the onsite parking including the use of disabled bays prior to occupation.

- 6.4.4 Vehicular tracking drawings for the largest vehicle expected to service the site demonstrates that the width of the site access as shown on drawing number PL_004 P2 will provide sufficient access without causing a hazard to pedestrians, vehicles and cyclists. The site access is expected to provide sufficient pedestrian visibility splays along the back edge of the footway provided that an area measuring 1.5 meters at a height of no more than 0.6 meters is kept clear on either side of the vehicular access. The kerb radiuses as shown on the above drawing are considered excessive and may limit cyclist and pedestrian sight lines. In accordance with the councils transport objectives that include encouraging walking and cycling the above proposal should include the provision of works towards improving the design of the existing access in accordance with current standards.
- 6.4.5 The proposal accommodates 106 cycle parking spaces which should be kept under review as part of the travel plan monitoring process and increased accordingly. Prior to occupation the applicant should submit specific details of cycle parking to include 106 sheltered cycle parking bays in order to ensure that adequate sheltered and secure cycle parking provision is in place prior to occupation.
- 6.4.6 The site has a low PTAL rating and whilst the trip rate analysis provides justification for the high level of car parking, this should not be used to assume that the predicted maximum vehicular trip rates represent an acceptable mode share. The applicant has submitted an outline travel plan with a number of measures contained within it that seek to ensure that the parking is managed in a way that contributes towards reduced vehicular trips by encouraging more sustainable means of travel. The measures contained within the outline travel plan are considered acceptable in accordance with TfL's Workplace Travel Plan Guidance, although there is a lack of commitment to a detailed marketing strategy and information on how the travel plan will be managed, funded and monitored, which should be addressed in the full travel plan.

6.5 Ecology and trees

- 6.5.1 The site forms part of the East London Green Grid as set out in the East London Green Grid Framework Supplementary Planning Guidance (2008) and is identified as comprising part of a Regional Park (the Lea Valley) which forms the top of the open space hierarchy as set out in the guidance. The site falls within the Lea Valley sub area of the framework and a strategic corridor runs through the Regional Park. The River Lea which runs to the north and east of the site is designated as a Site of Metropolitan Importance for Nature

Conservation (SMI). The proposals fall outside of this designation but it is important that the SMI area is adequately protected during the works and enhanced by the proposed landscaping.

- 6.5.2 An Extended Phase 1 Habitat Survey prepared by Middlemarch Environmental has been submitted to support this application. This survey recommends that:-
- A habitat/ species enhancement scheme should be incorporated into the landscaping scheme of any proposed works to maximise the ecological value of the site;
 - Any trees and/or hedgerows which are to be retained should be protected during construction;
 - A bat survey should be conducted;
 - A breeding bird survey should be conducted (if scrub or tree removal is to take place between March – August);
 - A full invasive plant survey should be undertaken to assess the extent of giant hogweed, Japanese knotweed and Himalayan balsam.
 - Any excavations that are to be left overnight should be covered or fitted with ramps to allow trapped mammals a means to escape.

Natural England have been consulted on the application and generally concur with the recommendations set out in the Extended Phase 1 Habitat Survey. It is recommended that the recommendations of the survey are secured by condition.

- 6.5.3 A detailed landscaping scheme has been submitted with the planning application. Planting design is an important element in the design of the external landscape serving a number of key functions such as defining spaces, creating clear and legible routes and providing enhanced amenity for both the development site and the wider landscape. Critically the species chosen are appropriate to the flood plain environment and the local ecology. Natural England have stated that they are generally supportive of the developments aims with regards to biodiversity and landscape. The proposed green roof is intended to integrate the building with the local ecology, although exact species have not been proposed, plants that compliment and are common to the local ecosystems will be selected. A condition requiring details of the proposed green roof is recommended.

- 6.5.4 An Arboricultural Survey has been submitted to support the application. The survey found the riverside trees to be a highly valued component of this major green network through Hackney and London itself and of a high ecological value. The riverside trees fall outside of the planning application boundary. It is not proposed to remove any of these trees and they will be protected during the construction phase. The survey also found that the trees near the entrance to the park (on either side of the entrance at the car park) are important for the creation of the mature woodland character. Similarly the application does not propose to remove any of these trees and they will be protected during the construction phase. It is recommended that appropriate tree protection measures be secured by condition.

- 6.5.5 The proposal will necessitate the removal of a number of trees on the boundary between the car park and the football pitches to enable the building to be

appropriately sited. Additionally a number of existing trees will be removed to facilitate the revised car parking arrangements. In total 39 trees will be lost as a result of the development. Quite a number of the trees to be removed (21 x category A & B) could be argued to be worthy of tree preservation orders while at least some of the others (category C) contribute to the landscape setting; tree loss must be balanced against the benefit of the new facilities. However, the loss of trees should be seen in the context of the overall landscape of this area. An extensive tree replanting scheme involving 125 replacement trees is proposed to compensate for the loss, this will be secured by landscaping condition.

7. CONCLUSION

7.1 In summary it is considered that the proposed building and car parking are essential facilities for appropriate uses on the MOL. The proposal would enhance the open space by further encouraging the use of the Marshes, promoting sport and recreation, realise the educational potential of the space and provide a focus for local communities. Whilst the proposal would impact upon the openness of the MOL this is considered acceptable for the reasons given above.

8. RECOMMENDATIONS

Recommendation A

8.1 That permission be GRANTED, subject to the following conditions:

8.1.1 SCB0 – Development in accordance with plans

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

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

8.1.2 SCB1 - Commencement within three years

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

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

8.1.3 Materials to be approved

Full details, with samples, of the materials to be used on the external surfaces of the buildings, including glazing, shall be submitted to and approved by the Local Planning Authority in writing before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that the external appearance of the building is satisfactory

and does not detract from the character and visual amenity of the area.

8.1.4 Ground surface treatment to be approved

Full details of all ground surface treatment to the site shall be submitted to and approved, in writing, by the Local Planning Authority, in writing, before any work on the site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure the satisfactory development of the site

8.1.5 NSC – Landscaping details to be approved

A landscaping scheme illustrated on detailed drawings shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site, for the planting of trees and shrubs showing species, type of stock, numbers of trees and shrubs to be included and showing areas to be grass seeded or turfed; all landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

8.1.6 Tree/ hedgerow protection

No development will take place on site until full details of existing tree and hedgerow protection measures have been submitted to, and approved in writing by, the Council and until such approved protection has been erected on site.

REASON: To safeguard the visual amenity and ecology of the site.

8.1.7 Bat survey

Prior to the commencement of demolition works on site a Bat Survey shall be conducted and the findings submitted to and approved in writing by the Local Planning Authority. The development to be carried out in accordance with any recommendations made in the approved survey report.

REASON: To safeguard protected species and the ecology of the site.

8.1.8 Bird survey

Prior to the commencement of any scrub or tree removal on site a breeding bird survey shall be conducted (if scrub or tree removal is to take place between March – August); and the findings submitted to and approved in writing by the Local Planning Authority. The development to be carried out in accordance with any recommendations made in the approved survey report.

REASON: To safeguard protected species and the ecology of the site.

8.1.9 Plant survey

Prior to the commencement of development a full invasive plant survey should be undertaken to assess the extent of giant hogweed, Japanese knotweed and Himalayan balsam. The findings of the survey to be submitted to and approved

in writing by the Local Planning Authority.

REASON: To safeguard the wildlife and ecology of the site

8.1.10 Excavations left overnight to be covered or filled

During construction works and excavations left overnight to be filled or securely covered or fitted with ramps to ensure that any trapped mammals can escape.

REASON: To protect wildlife during construction.

8.1.11 Green roofs

Details (including planting specifications) of the bio diverse, substrate-based green roof (75mm minimum depth) as shown on the approved plans, to be submitted to and approved in writing by the local planning authority, prior to occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.12 NCS – Lighting Strategy

A detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. All external lighting within the application site to be in accordance with the approved lighting strategy unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the ecology and visual appearance of the Metropolitan Open Land and adjacent River Lea corridor.

8.1.13 SCM9 - No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building other than as shown on the drawings hereby approved.

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

8.1.14 SCI4 – Roof plant

No roof plant, including all external enclosures, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building other than as shown on the approved drawings and/or details.

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

8.1.15 SCD2 – Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with

disabilities are provided in order to ensure that they may make full use of the development.

8.1.16 SCH8 – Parking for people with disabilities

No part of the development shall be occupied until 18 car parking spaces shall be marked out for use by persons with disabilities and retained permanently for use by the vehicles of people with disabilities.

REASON: In order to ensure that a reasonable number of parking spaces are located conveniently for use by people with disabilities.

8.1.17 SCH2 – Loading/ Unloading within the Site/ Building

No loading or unloading of goods, by vehicles arriving at or departing from the premises shall take place otherwise than within the site.

REASON: To assist in ensure that the Public Highways is available for the safe and convenient passage of vehicles and pedestrians.

8.1.18 SCH4 – Forward Vehicle Ingress/ Egress Only

All vehicles shall enter and leave the site only in a forward direction.

REASON: In the interests of road safety generally and avoidance of obstruction of the highway.

8.1.19 SCH5 – Provision of parking, turning and unloading space

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/ loading and unloading purposes.

8.1.20 SCH9 - Marking parking areas

Before the use hereby permitted first commences, appropriate markings shall be used to delineate all car parking spaces and service areas within the site/development as shown on the permitted plans, and such marking is to be retained permanently.

REASON: In the interests of orderly and satisfactory parking provisions being made on the site to ensure that the proposed development does not prejudice the free flow of traffic or public safety along the adjoining highway.

8.1.21 SCH11 - Adequate visibility to Entrance

Adequate visibility shall be permanently retained at a height of 0.6 metre from footpath level for a distance of 1.5 metres along the back edge of the footway on both sides of the permitted points of vehicular access, in accordance with the permitted plans.

REASON: To provide adequate indivisibility for drivers and pedestrians in the interests of road safety.

8.1.22 Construction Traffic Management

Details of the construction traffic route and a construction traffic management plan shall be submitted to the local authority in accordance with the details contained in the transport statement, prior to the commencement of construction works on site.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s)

8.1.23 NSC

Provision for 106 cycles within a covered secure facility. Details of which are to be submitted to and approved by the local planning authority, in writing, and subsequently installed in a satisfactory manner, before the development is first occupied/ use commences.

Reason: To ensure that a reasonable provision is made within the site for parking of cycles in the interest of relieving congestion in surrounding streets and improving highway condition in general.

8.1.24 NSC

A parking management plan shall be submitted prior to occupation/use detailing all marking, signage, security and management measures to be implemented.

Reason: To ensure that parking operations are implemented and maintained in accordance with the approved plans.

8.1.25 NSC

A full travel plan shall be submitted in accordance with the details contained in the transport statement hereby approved. Details of which are to be approved by the local planning authority, in writing, before the development is first occupied/ use commences.

Reason: In order to ensure that the development is implemented in accordance with the approved travel plan.

8.1.26 Bio-diesel boilers

Prior to the occupation of the development 4 equally sized oil firing boilers firing B100 biodiesel shall be installed and connected.

REASON: To secure the sustainable design and construction of the development.

8.1.27 BREEAM

Prior to the commencement of development a full BREEAM Assessment shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To secure the sustainable design and construction of the development.

8.1.28 Hours of operation

The café/restaurant hereby approved shall only be open to members of the public between the hours of 09.00 and 17.00 in British wintertime and 09.00 and 20.00 in British summertime.

REASON: To safeguard the residential amenity of nearby occupiers.



Signed.....

Date: 22 June 2009

Graham Loveland
Interim Assistant Director - Planning
Regeneration and Planning

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Notes
Compared to check of dimensions on site. Do not scale from this drawing. Stanton Williams to be notified of any variation between the drawing and site conditions.

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MAIN APPLICATION SITE

LAND IN CONTROL OF APPLICANT

P2 11.05.09 Revised Scheme Resubmitted for Planning
P1 03.02.09 Issued for Planning
Revision Date Description
Location

Stanton Williams
36 Gresham Street
London EC2A 3DF
Phone: +44 (0)20 7862 0400
Email: admin@stantonwilliams.com
www.stantonwilliams.com

STANTON WILLIAMS

Project
Hackney Marshes
South Mains Community Hub

Drawing Title
Existing Location Plan

Drawn CS

Checked NI

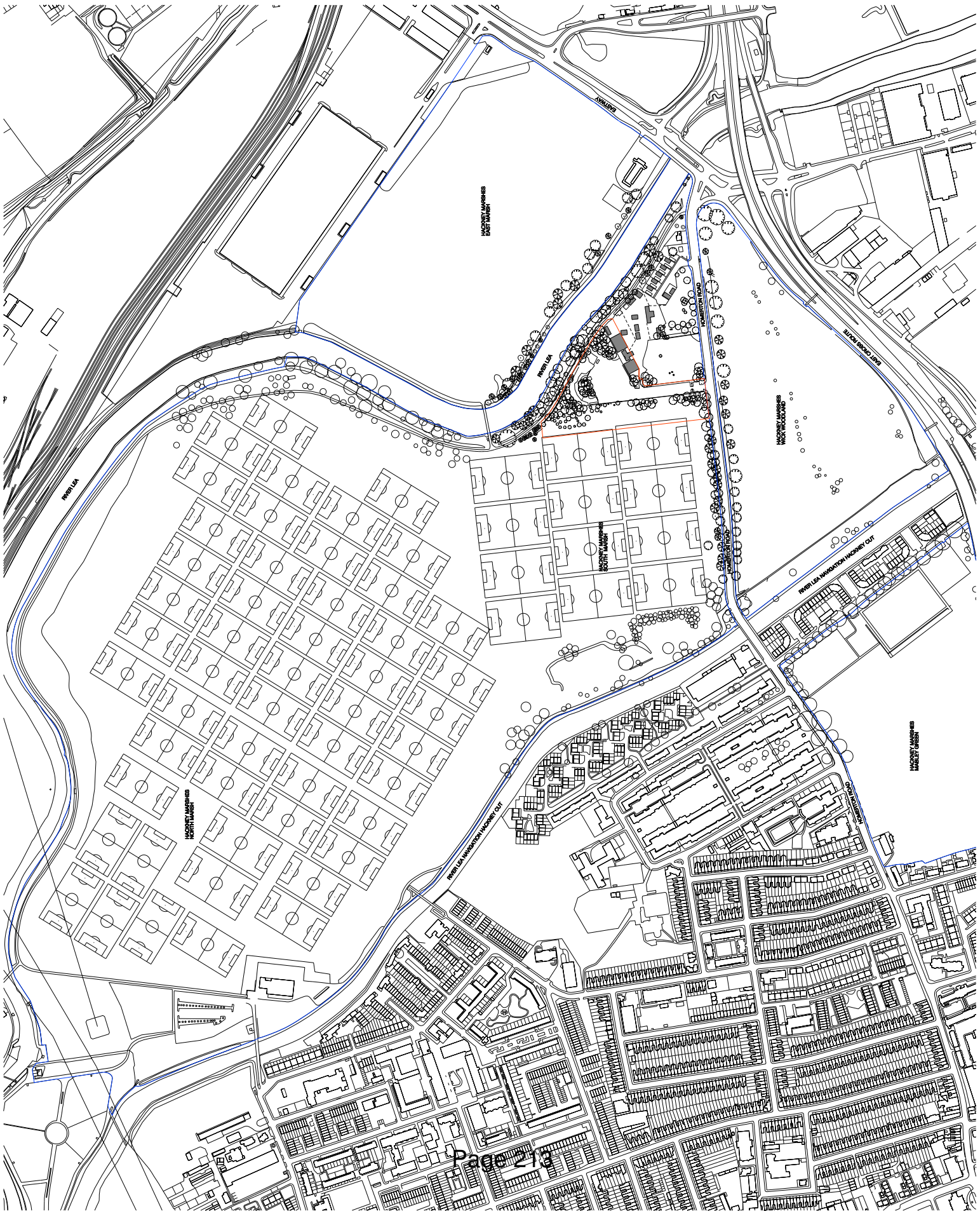
Approved Approved

Date Scale @ A1 (A3) Status

30.11.09 1:2000(1:5000) Planning

Project No. Drawing No. Revision

404 PL_001 P2



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P2 11.05.09 Revised Scheme Resubmitted
 for Planning
 P1 03.02.09 Issued for Planning
 Revision Date Description
 Location

Stanton Williams
 36 Gresham Street
 London EC2A 3DF
 Email: stantonwilliams.com
 www.stantonwilliams.com

**STANTON
 WILLIAMS**

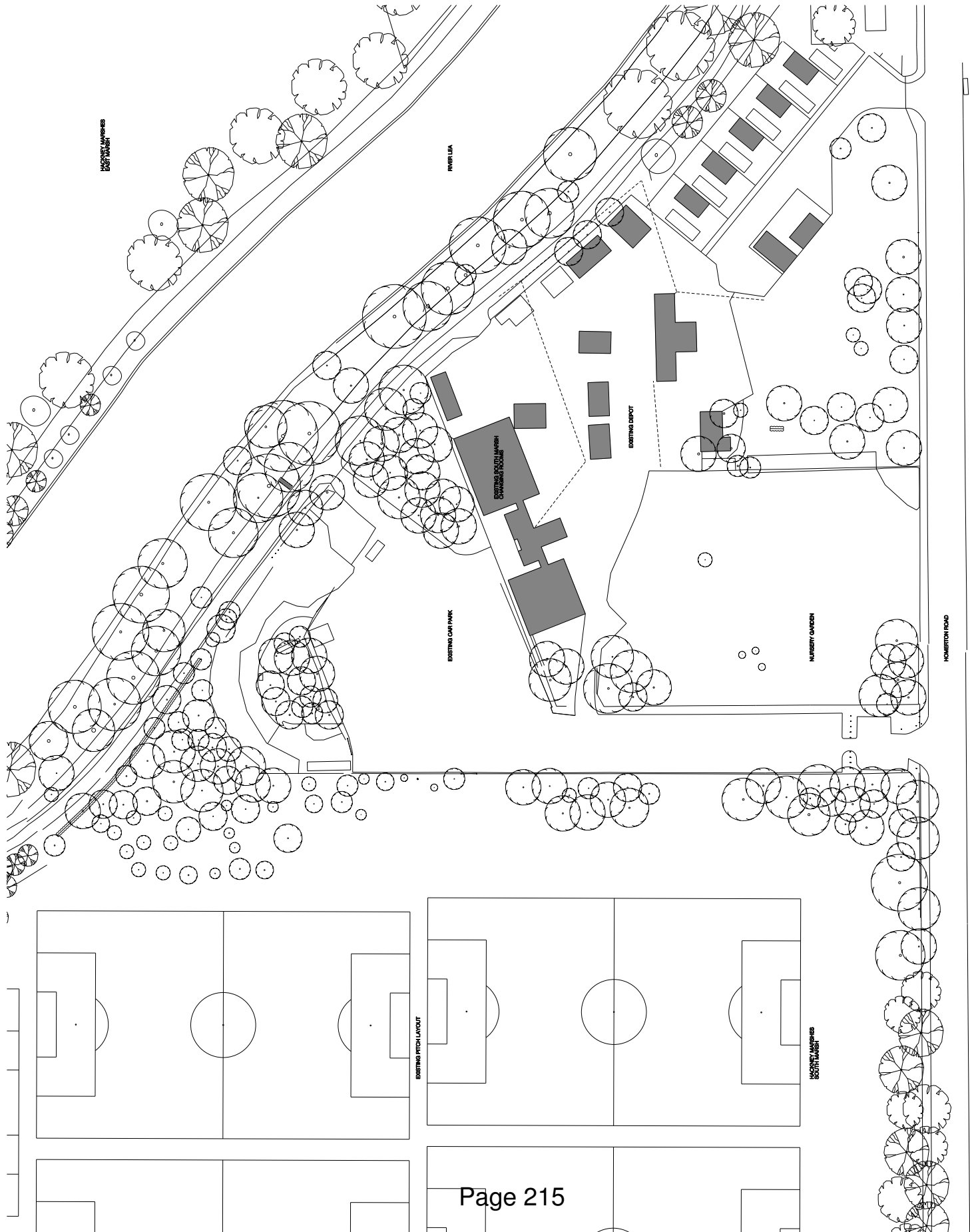
Project
 Hackney Mosaic
 South Mosaic Community Hub

Drawing Title
 Existing Site Plan

Drawn Checked Approved
 CS NI

Date Scale @ A1 (A3) Status
 30.01.09 1:500 (1:1000) Planning

Project No. Drawing No. Revision
 404 PL_002 P2



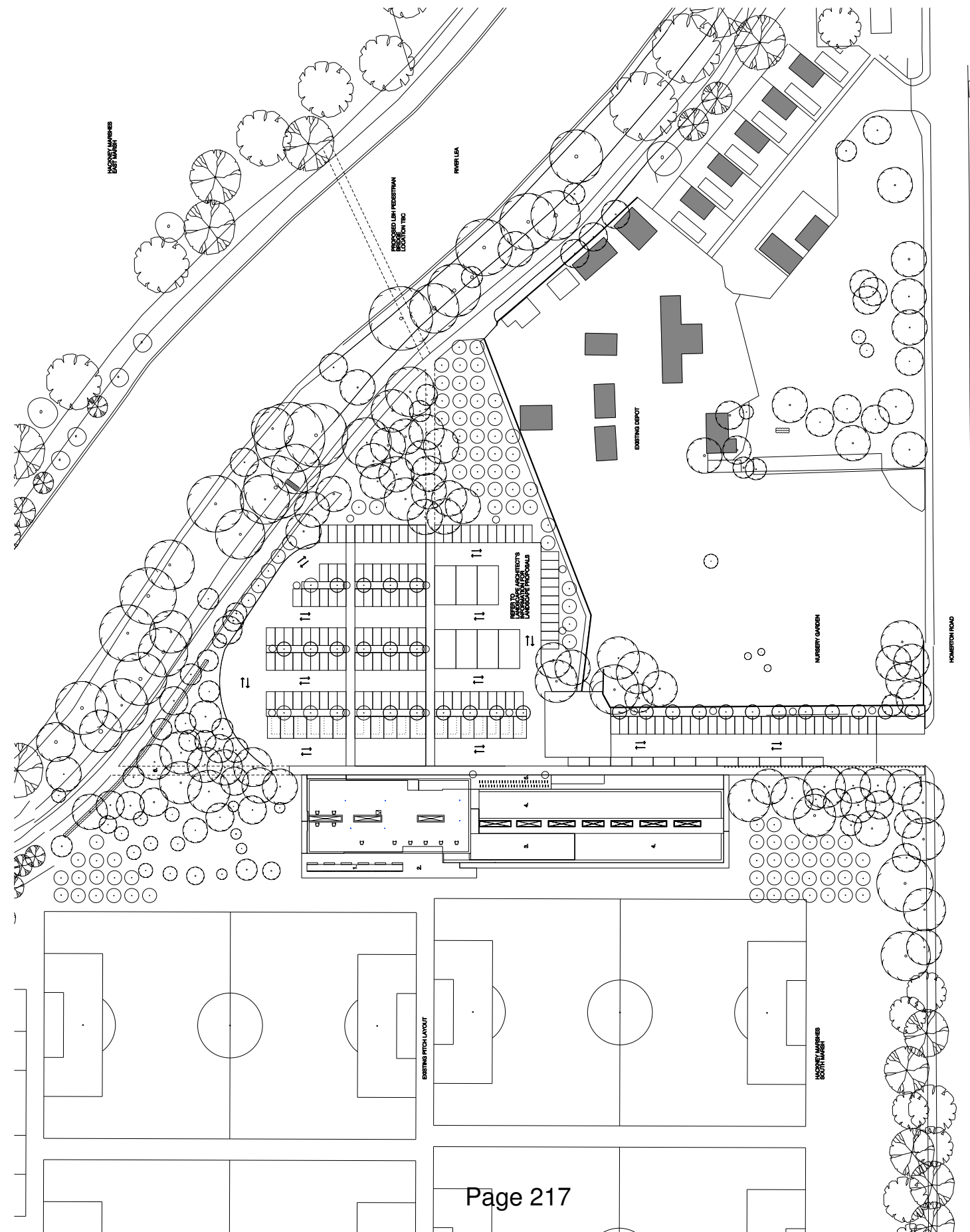
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KEY

- 1. EXISTING LANDSCAPE / SCOTTMARSH AREA
- 2. EXISTING LANDSCAPE / SCOTTMARSH AREA
- 3. EXISTING LANDSCAPE / SCOTTMARSH AREA
- 4. EXISTING LANDSCAPE / SCOTTMARSH AREA
- 5. EXISTING LANDSCAPE / SCOTTMARSH AREA
- 6. NEW PATH CONNECTING TO EXISTING REVERSE PATH



P2	11.05.09	Revised Scheme Resubmitted for Planning	
P1	03.02.09	Issued for Planning	
	Revision	Date	Description
			Location



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STANTON WILLIAMS

Project
Heddeny Meades
South Meads Community Hub

Drawing Title
Proposed Site Plan

Drawn	Checked	Approved
LJ	KI	

Date	Scale	Sheet	Status
30.01.09	1:500 (1:1000)	1100	Planning
Project No.	Drawing No.	Revision	
404	PL_004	P2	

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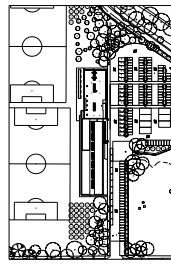
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ROOM LIST:

1. PERSON CHANGE ROOM
2. PERSON CHANGE ROOM
3. ACCESSIBLE CHANGE ROOM / SHOWER / WC
4. PERSON CHANGE ROOM
5. PERSON CHANGE ROOM
6. PERSON CHANGE ROOM
7. PERSON CHANGE ROOM
8. PERSON CHANGE ROOM
9. PERSON CHANGE ROOM
10. PERSON CHANGE ROOM
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42. PERSON CHANGE ROOM
43. PERSON CHANGE ROOM
44. PERSON CHANGE ROOM

Revision	Date	Description	Location
P2	11.06.09	Revised Scheme Resubmitted for Planning	
P1	03.02.09	Revised for Planning	



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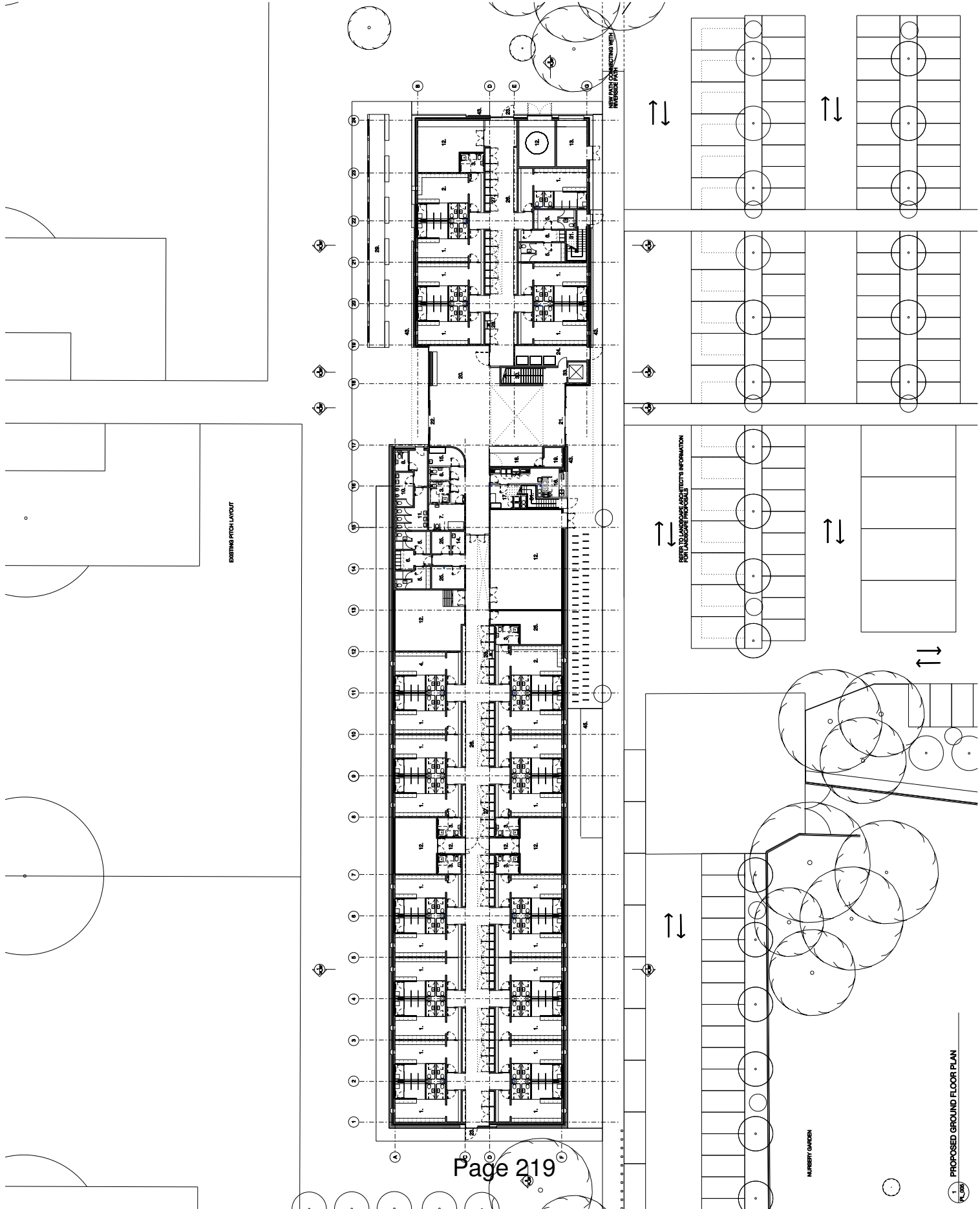
Project
Headley Mead
South West Community Hub

Drawing Title
Proposed Plans
Ground Floor Plan

Drawn	Checked	Approved
LJ	KI	

Date	Scale	Author	Status
30.01.09	1:200 (1:400)	Planning	

Project No. 404
Revision PL_005 P2



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NOTES:

All levels in Metres above Ordnance Datum (mAOD) unless otherwise shown.
 The following tree removals are proposed to be retained for the following reasons:
 For architectural and setting out details refer to Architects drawings.
 For drainage and engineering details refer to Engineers drawings.

EXISTING TREES:
 Existing trees to be retained to undergo remedial works as recommended by the Arboricultural Consultant in their Arboricultural Survey C10/16055 (McDermott Environmental).

TREE PROTECTION:
 Tree Protection Areas for trees bordering construction areas are shown. Root Protection Holes are based on Arboricultural Survey recommendations.

TREE REMOVALS:
 The following tree removals are proposed pending approval from the Planning Authority.

Tree	Species	Category
0065	Ash	B2
0066	Ash	R
0069	Ash	R
0111	Balsam Poplar	C1,2
0112	Balsam Poplar	B2
0113	Sycamore	B2
0114	Balsam Poplar	C1,2
0115	Balsam Poplar	R
0116	Balsam Poplar	R
0117	Sycamore	B2
0118	Sycamore	B2
0119	Sycamore	A1,2
0120	Sycamore	B2
0121	Sycamore	B2
0122	Norway Maple	C2
0123	Sycamore	B2
0124	Sycamore	B2
0125	Sycamore	B2
0126	Sycamore	B2
0127	Sycamore	B2
0128	Ash	C2
0129	Ash	C2
0130	Ash	C2
0131	Sycamore	B2
0132	Sycamore	B2
0133	Ash	B2
0134	Norway Maple	B2
0135	Sycamore	C2
0136	Sycamore	C2
0137	Elm sp.	C1
0138	Rowan	B1
0139	Rowan	B1
0140	Rowan	C1
0141	Rowan	B2,2
0142	Rowan	B2,2
0143	Rowan	C1,2
0144	Rowan	C1,2
0145	Ash	C1
0146	Silver Birch	A1

KEY:



Hackney Marsh South Hub
 London Borough of Hackney

Tree Removals and Tree Protection Plan
 Drawing No.: LL345000/002 Rev: Scale: 1:500@ A1 Date: 06.05.09

CAMILIN LONSDALE LANDSCAPE ARCHITECTS
 Parc Bach, Langquidlan, Y Trillick, Poyrys, SY21 0PJ
 Tel: 01938 820 822 Fax: 01938 820 825 Email: cjl@camilinsdale.com

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ADDRESS: 87-95 Curtain Road, London, EC2A 3BS	
WARD: Haggerston	REPORT AUTHOR: Ian Bailey
APPLICATION NUMBER: 2009/0914 (Full Planning Application) and 2008/0917 (Conservation Area Consent)	VALID DATE: 22 April 2009
<p>DRAWING NUMBERS:</p> <p>Plans:</p> <p>301_PL_700; 301_PL_701; 301_PL_710; 301_PL_711; 301_PL_712; 301_PL_713; 301_PL_714; 301_PL_715; 301_PL_716; 301_PL_720; 301_PL_721; 301_PL_722; 301_PL_723; 301_PL_725; 301_PL_730; 301_PL_740 Rev C; 301_PL_741 Rev A; 301_PL_742; 301_PL_743; 301_PL_744; 301_PL_745; 301_PL_746 Rev A; 301_PL_747 Rev A; 301_PL_748; 301_PL_749; 301_PL_750 Rev A; 301_PL_751; 301_PL_752; 301_PL_753; 301_PL_755; 301_PL_756; 301_PL_760 Rev A.#</p> <p>Reports:</p> <p>Design and Access Statement; Planning Statement; Noise Impact Assessment; Air Quality Assessment; Energy Statement; Sustainability Statement; Code for Sustainable Homes Report; BREEAM Report; Daylight and Sunlight Report; Transport Statement and Travel Plan Framework; Open Space Assessment; Heritage Statement; Town Centre Uses Statement; Structural Statement.</p>	

APPLICANT: Curtain Road Limited Audley House 9 North Audley Street London W1K 6WF	AGENT: Ms Yuli Toh Toh Shimazki Architecture 14 Weller Street London SE1 1QU
PROPOSAL: Demolition of 87-95 Curtain Road and erection of an 8-storey building plus basement to provide 720sqm of A1 (Retail) and/or A3 (Restaurant), 2204sqm of B1(a) (office) and 8 residential units (1x1-bed, 5x2-bed and 2x4-bed).	
POST SUBMISSION AMENDMENTS: <ul style="list-style-type: none"> - Minor revision to the lower floors of the Curtain Road elevation to address design with regards to the location and prominence of service doors and building entrances; - Revision to the ground floor plan to include commercial waste store, and; - Revision to the upper floor family size units (4-beds) to provide separate kitchen from living rooms. 	
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to S106 legal agreement.	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area	X (South Shoreditch)	
Listed Building (Statutory)		X (NB: 43-49 Charlotte Street (<i>adjacent</i>) are Grade II Listed)
Listed Building (Local)		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace			
Existing	B1(a)/B8	Office/Storage	2,202 sq.m			
Proposed	A1/A3	Retail/Restaurant	720 sq.m			
	B1(a)	Office	2,264 sq.m			
	C3	Residential	7,57 sq.m			
RESIDENTIAL USE DETAILS:	Residential Type	No. of Bedrooms per Unit				
Type		1	2	3	4	5
Existing		0	0	0	0	0

Proposed:						
Private		1	5	0	2	8
Affordable	Flats	0	0	0	0	0
Total		1	5	0	2	8

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	18

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The site is located on the western side of Curtain Road, and between its junctions with Great Eastern Street to the south and Rivington Street to the north. The site is opposite the junction with Batemans Row. The site is currently occupied by two separate buildings. Cordy House (87-89 Curtain Road) is a 1960s industrial storage building with a solid brick façade. It is a five storey building, with a steel shuttered loading bay to the ground floor. The fourth floor is set back from the front elevation. 91-95 Curtain Road is from a similar period, but only three storeys in height (plus basement). The two buildings are joined internally. Both buildings were previously used as offices (Use Class B1(a)) and storage facilities (Use Class B8). It is understood that the buildings are now used as event/exhibition space on a temporary basis.
- 1.2 The surrounding area contains a varied mix of uses. In the main the ground floors of buildings in Curtain Road are in a commercial use (shops, estate agents, office entrances, cafes, restaurants and bars) with the upper floors in a mix of offices or residential uses. The surrounding buildings are also of varied building heights, scale and periods. The adjoining property to the south is a 5-storey Victorian building. To the north is a purpose built residential development of 6-storeys (and dating from the late-1990s).
- 1.3 To the rear of the site is Mills Court. This is a small alleyway that provides access to the rear of a number of properties off Curtain Road and Charlotte Street.

2. CONSERVATION IMPLICATIONS

- 2.1 The development is located in the South Shoreditch Conservation Area. No's 43-49 Charlotte Street, to the west of the site, and to the opposite side of Mills Court, are Grade II Listed.

3. HISTORY

- 3.1 2008/0511 - Planning permission **Approved** on 25 March 2009 for: Demolition of 91-95 Curtain Road and demolition of fourth-storey of 87-89 Curtain Road,

erection of three-storey extension to 87-89 and new seven-storey building at 91-95, to provide 529m² A1 (retail) at ground floor and basement levels, 1780m² B1 (offices) at first, second, third, fourth and fifth storeys, 50m² ancillary B8 (storage) at basement level, and 8 residential flats (4 x 1-bed, 1 x 2-bed and 3 x 3-bed) at fourth, fifth and sixth storeys.

3.2 There are also a number of applications at the site that were not determined and withdrawn within recent years, and can be summarised, as follows:

- 2005/2704 - Erection of an eight-storey plus basement building to provide 1475sq.m Class A1 (retail) and or A2 (Financial and professional services) and/or B1 (business), and/or B8 (storage distribution) floor space at basement ground, first and second floor levels and 25 residential (C3 units comprising 15x1 bed, 3x2 bed and 7x3 bed flats at third to seventh floor levels including demolition of the existing buildings. – **Withdrawn 27/01/2006.**
- 2005/1371 - Erection of an eight-storey (plus basement) building to provide 1103 sqm class A1 (retail) and/or A2 (financial and professional services), and/or B1 (business) floorspace at basement, ground and first floor levels and 31 residential (class C3) units comprising 5x3 bed, 11x2 bed and 15x1 bed flats at second to seventh floor levels including demolition of the existing buildings. – **Withdrawn 21/11/2005.**
- 2004/2429 - Demolition of existing building and erection of a seven storey, plus basement level building to provide 68 students units (Class C2) comprising 63 x studio units and 5 x 1 bedroom units and 848sqm of Class A1 (Retail) Class A2 (Financial/Professional services); Class B1 (office) or D1 (Non Residential) floorspace. – **Withdrawn 11/05/2005.**

3.3 Previous to this application an application for the redevelopment of the site was refused as follows:

- 2004/1019 - Demolition of existing building and erection of a seven storey plus basement level building to provide seventy-five key worker/student studio units and 400sqm of A1 (retail) space together with thirteen basement level parking spaces. – **Refused 05/10/2004**

3.4 Prior to this date there is history of a planning permission and renewal of planning permissions for the redevelopment of the site for a '6-storey building plus basement for industrial and business purposes'. This dates from approximately 1993 to 2002. The latest consent has now expired.

4. CONSULTATIONS

4.1 Date Statutory Consultation Period Started: 11 May 2009

4.2 Date Statutory Consultation Period Ended: 1 June 2009

4.3 Site Notice: Yes

4.4 Press Advert: Yes

4.5 286 individual letters were sent to adjacent occupiers. Five letters of objection were received. One letter was received that raised neither objected or supported the proposal (and queried the viability and timing of the proposed development).

The grounds of objection raised are as follows:

- Excessive height of development - in comparison both the neighbouring buildings in the area, and previously approved development. This would also set a precedent for other developments in the area
- Out of keeping with the area (as a Conservation Area)
- Impact on light to residential and work units to the rear (Charlotte Street)
- Impact on daylight and sunlight, sense of enclosure to rooms and terraces (Upper Floor, 97-113 Curtain Road)
- Impact on views

4.6 **Local Groups**

4.6.1 Invest in Hackney:
No comments received.

4.6.2 South Shoreditch Community/Residents Association:
Object for the following reasons:

- Cordy House is part of the fabric of Shoreditch and to demolish would severely undermine the aims of the conservation area
- The height of the proposed building
- The proposed restaurant use – The site is part of a Special Policy Area which precludes granting of new licenses or extending existing ones. Retail is needed for the daytime economy and not more restaurants
- The rear of the development should be in line with 99-110 Curtain Road so it is not to close to the properties on Charlotte Street

4.6.3 Shoreditch CAAC:

No objection to the application for Conservation Area Consent for the demolition of the existing buildings.

Objection is raised to the application for Full Planning Permission for the following reasons:

- The height and mass of the existing buildings add to the uniqueness of the Conservation Area and a uniform height (to parapet) of the building would not be representative of the built form;
- The additional floors set back from the parapet were considered too high and would set an unwelcome precedent;
- The existing buildings are two separate forms and this arrangement should be kept;

- The façade is not consistent within the context of the conservation area – but in considering this the northern view would have benefited from a more industrial appearance.

No objection is raised to the use of the building.

4.7 **Statutory Consultees**

4.7.1 Primary Care Trust:
No comments received.

4.7.2 English Heritage:
Has strong concerns regarding the development proposal. While recognising that the site is suitable for redevelopment and intensification of use, they do not consider the proposals to be sympathetic to the character and appearance of the Conservation Area. Their reasoning can be summarised as the following:

- Replacing two smaller plots with a single larger structure of larger scale and massing, will result in an amalgamation of plot sizes which contributes to the character of the Conservation Area and is contrary to policy 3.3 in the London Borough of Hackney's South Shoreditch Supplementary Planning Document;
- The scale and massing of the proposed development is inappropriate;
- Unconvinced of the architectural quality of the Curtain Road frontage, and the ziggurat form of the façade has no precedent within the Conservation Area;
- The staggered elevation treatment will be at odds with the robust, geometric, appearance of other properties on Curtain Road, and;
- Concerned with the lack of interaction with the street at pavement level, and this maybe at odds with the character of the Conservation Area.

English Heritage urges that the above issues are addressed, but otherwise the application should be determined in line with local and national planning policy, and our specialist conservation advice. They would not need to be consulted further on the application.

4.7.3 GLAAS (Archaeology – English Heritage):
Identify the site as part of an Archaeological Priority Area. It is opposite a site of the medieval Holywell Priory. There is also evidence for Roman activity in the area. It is therefore recommended that investigations should be undertaken before development works, and a condition and informative is suggested to secure this.

4.7.4 The Learning Trust:
No comments received.

4.7.5 London Fire and Emergency:
The Brigade is satisfied with the proposal.

4.7.6 Thames Water:
Water Comments – No objection. An informative is suggested to advise on the minimum water pressure that will be provided.

Waste Comments – It is requested that the applicant includes a non-return valve into the design, and it is recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. Further discussions with Thames Water Developer Services are advised.

4.7.7 Transport for London:

Given that the site is situated on Curtain Road, which forms part of the Transport for London Road Network (TLRN), TfL comments as follows:

- The Transport Statement does not include details of any on-site cycle parking provision; TfL therefore request confirmation for which cycle parking facilities will be provided in accordance with the current TfL Cycle Parking Standards. *NB: The applicants have confirmed that the TfL standards will be met. Recommended to be secured by condition*
- As no general car parking will be provided for the proposed development, TfL requests that the development be designated as 'car free' and a S106 'car free' agreement should be entered into with the local authority to prevent future occupants of the site from obtaining local parking permits. *Recommended for inclusion in the S106 Legal Agreement.*
- TfL requests that all opens adjacent to the public highway footway on Curtain Road must be designed to open inward and must not encroach upon the footway, this is to adhere to Section 153 of the Highways Act 1980. *Recommended as a condition.*
- TfL accepts that servicing for the proposal can be undertaken at the existing loading bay opposite the site on Curtain Road, however it must be noted that that the existing facility is subject to high level of demand; therefore TfL request that a Delivery & Servicing Plan (DSP) to be submitted and approved by TfL to rationalise servicing activities for the site; and it is requested that servicing activities should be carefully planned to be undertaken outside the peak periods in accordance with the existing on-street restrictions. TfL also request that the requirement for DSP submission should be secured by appropriate planning condition/ obligation prior to occupation of the site. *Recommended as a condition.*
- TfL requests that a Construction Management Plan (CMP) and Construction Logistics Plan (CLP), be submitted and approved by TfL. The Plans should provide details on the proposed temporary highway and traffic management measures required during the course of construction, routing of construction vehicles, types of vehicles expected and their frequencies and expected times of arrivals & departures, and site access arrangements. In addition, a programme of the work should also be submitted to enable TfL to assess the likely highway and traffic to the TLRN resulting from the construction of the proposal. TfL also request that the requirement for CMP and CLP submission should be secured by appropriate planning condition/ obligation at least 4 months prior to work commence on site, this is to allow TfL sufficient time to examine and establish the acceptable temporary

construction traffic management measure which may be required for the construction phase of the development. *Recommended as a condition.*

- TfL requires that the developer to consult the TfL Streets for the requirement of technical approval for the construction of basement at least 4 months prior to work commence on site. Please contact John Hakewill, the TfL Streets Structural Advisor on 020 30541203 for further advice. *Recommended as an informative.*
- TfL requests that the developer enters into a S278 agreement with TfL under the Highways Act 1980, this is to enable TfL to undertake footway improvements along the frontage of the site and to reinstate the existing vehicular crossovers as footway, it is expected that developer will bear the cost of the works. TfL further request that the requirement for S278 agreement should be secured by appropriate planning condition/ obligation. *Recommended for inclusion in the S106 Legal Agreement.*
- The footway and carriageway on the Curtain Road must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road. *Recommended as an informative.*
- It must noted that TfL would not usually permit construction vehicles access/ egress the site by undertaking reverse movement to/ from the public highway on Curtain Road. *Recommended as an informative.*
- No skip/ construction materials shall be kept on the footway or carriageway of Curtain Road at all times. *Recommended as an informative.*

In conclusion, TfL would only be able to support the proposal, subject to all of the conditions set out above are met in full.

4.8 **Other Council Departments**

4.8.1 Sustainability and Design:

4.8.2 Comments have been provided from both the Urban Design Officer, and the Sustainability and Climate Change Officer, as follows:

4.8.3 Design –

The current two buildings are in very poor condition on the site, and include a 5 storey warehouse and a 3 storey B8/B1 building, respectively. Both of the buildings are out of use, would have difficulties being transformed for new uses, and sit uncomfortably between the higher buildings, breaking the continuity of street activity.

The main design issue for the new development concerns the character of the main façade, since the site is located in South Shoreditch Conservation Area. The façade must either preserve or enhance the character and appearance of

the conservation area, and therefore, its external appearance and the materials used on the elevations are the key components to the success of the scheme.

Massing, Scale & Height - The proposed building is six storeys with two additional, significantly recessed storeys on the seventh and eighth floor. The west side of Curtain Road is predominantly made of 5-6 storey height façades with some additional set-back top floors. Therefore, the main façade successfully continues this street frontage and keeps a similar parapet height with the other adjacent buildings, which is an important character on Curtain Road. During the pre-application period, the top two floors have been widely discussed because they have a potential impact on Curtain Road, and the listed building to the rear on Charlotte Street. In the final proposal, the volume of the top two floors has been much reduced, and they are hardly seen from the street level and from the listed building. In addition, we accept the two top floors based on the fact that the scheme is a new build scheme, and has a larger site and wider street frontage.

In terms of the scale of the development, English Heritage has raised some concerns regarding the amalgamation of the two plots. While we respect the comments from English Heritage and value the varied plot pattern of historic development within the conservation areas, there are additional modern requirements for a mix of uses and for functionality. The street frontage needs to provide three main entrances for commercial, residential, and ground floor shop uses. It also needs to provide bin storage and sub-station entrances. All of these entrances would be very difficult to provide adequately through 2 smaller individual development plots. If the existing facades had more merit, there might be a means to keep the smaller façade scales through retaining the existing façade as a fake wall. However, the existing buildings on the site do not provide any quality façades. In addition, the amalgamation of the two smaller plots in this scheme does not create a very large plot by Shoreditch standards. A lot of historic warehouses in Shoreditch are much larger than this scheme.

Elevation & Street Frontage - The scheme provides a very interesting approach to the elevation design. In responding to the strong vertical elements and the horizontal sub-divides in South Shoreditch, the scheme proposes a sculptural façade which creates 'waves' (folded elevation) as a contemporary interpretation of the strong verticality prevalent in the area. The 'waves' are composed of two main vertical elements, which are solid vertical slabs and glazed vertical openings. The two vertical elements are placed in a rhythm following the two directions of a 'zig zag'. The glazed section of the 'zig zag' faces North to benefit from natural light, but also visually engages the passer-by. The solid slabs with brick tiles bear a 'weighty' appearance as a response to the robustness of Shoreditch. The two vertical elements are interestingly interwoven with some gaps. However, there were some issues regarding the street frontage due to the difficulties of integrating the priority entrances into the 'waves' elevation. This is because there are too many service gates, and they have become more dominant than the main entrances. The final solution successfully places the main entrances at higher gaps in the solid slabs with the glazing, and service entrances situated at lower gaps.

Internal Layout - The internal layout is generally satisfactory. All of the flats are provided with a decent size and a balcony, and the family flats also have very generous balconies or terraces. However, there are some minor issues regarding the long, deep corridor used for the residential entrance, security for the bicycle storage, and a number of kitchens without windows.

Conclusion - We recommend supporting this scheme. We think the scheme delivers a sensitive approach to the conservation area, and responds to the character of South Shoreditch with an appropriate and innovative design. We understand the concerns raised by English Heritage; however, based on the existing surrounding buildings, the substantial requirements to develop this site, the design quality of the proposal, and the evaluation of the impacts on the area, we think the scheme provides a very good solution for this site.

Sustainability –

Energy Strategy - The strategy proposes to incorporate Ground Source Heat Pumps (GSHP) and Solar PV to reduce CO2 emissions onsite. The energy strategy provided follows the format recommended by the GLA in Appendix D of the Sustainable Design and Construction SPG and provides full justification of other technologies. The chosen technologies are considered to be appropriate to the site and acceptable. The proposed combination of technologies provides a 20% reduction in carbon dioxide emissions.

Whilst it is accepted that CHP and district heating on the site are not feasible, there is no evidence that the opportunity to future-proof the development or potential future networks has been fully considered.

Breeam Assessment (Office) - The development is proposing to attain the 'Very Good' standard which equates to a score on this development of 56.03%. It is considered that there are several areas in the design of the development which could be improved for the future occupants as well as bringing the standard of the development closer to the BREEAM Excellent standard.

- Security – The applicant has failed to consult with a Crime Prevention Design Advisor (CPDA) during the design of the development. Consultation with the Council's CPDA should be held prior to construction.
- Natural Ventilation - from the BREEAM pre –assessment it is anticipated that there will be no natural ventilation in the development. That the windows will not be opened and ventilation will come from a mechanical source – however in the sustainability assessment (page 13) it states that heating will be delivered passively. The council's preference would be for natural ventilation however it is accepted that this may not be feasible within the development. The applicant should confirm with the council which type of ventilation will be utilised at the site.
- Materials – generally there is a lack of evidence in the BREEAM pre assessment on materials and it is considered that this is the main area where the development could be improved.

- Waste - evidence of a Site Waste Management Plan has been provided for the residential element, but not for the office development. It is not clear whether the SWMP for the office element will be part of the residential element no evidence was provided for the pre assessment. The applicant is strongly encouraged to include the office element in the SWMP.

Code for Sustainable Homes - The proposed residential element of this development will reach code level three. This complies with the government's time line to meet zero carbon by 2016. As with the office element of the development, no discussion with a CPDA has taken place.

Sustainability Statement - The sustainability statement reports that the incorporation of a green roof into the development will result in an increase in biodiversity but no further mention or details of a living roof or wall anywhere else in the sustainability statement or the other planning reports. The installation of a living roof or wall would be supported by the Council but full details should be provided to the council prior to construction.

Page 8 of the sustainability statement refers to the measures which will be taken to maximise the use of materials from sustainable sources but no evidence of this was provided in the BREEAM or Code for Sustainable Homes pre-assessments.

The intentions stated in the statement are not all reflected in the pre-assessments submitted which has resulted in some confusion as to what will be going on-site.

Conclusion - It is evident from the assessments submitted that the intention of the developments supports the Council's requirement for sustainability and climate change objectives to be incorporated into the design of developments. There are some missed opportunities detailed above which would further support this. On balance however, the sustainability and energy elements of this proposal are acceptable.

Conditions should be applied to any grant of permission to ensure that all opportunities and stated intension to reduce carbon emissions and provide an environmentally sustainable development are fulfilled.

4.8.4 Highways:

No comments received.

4.8.5 Private Sector Housing:

Are unable to make comprehensive comments. Request that it is ensured that there is sufficient storage for refuse.

4.8.6 Pollution:

The Noise Report submitted with the application has been reviewed and is acceptable. It proposes a proposed rating level of 10dB below background

noise for fixed plant/equipment which is acceptable. Three conditions are suggested which are summarised as follows:

- Full details of proposed works of sound insulation between the residential and commercial units;
- Full details of appearance and specification of any ventilation system for any A3 use, and;
- Details of a scheme to minimise dust pollution during site clearance and construction.

4.8.7 Transport:

No objection. Given the limited scale of the proposal it is not expected that the proposal will have any significant impact on London Borough of Hackney roads. Curtain Road and Great Eastern Road are part of Transport for London's Road Network and therefore their observations must be taken into account. It is recommended that the implementation of the Travel Plan is secured as part of the S106 agreement.

4.8.8 Waste management:

The design and access statement demonstrates that sufficient space is provided for waste and recycling storage for residential units (5 x 360l bins to meet the requirement for 1750l for weekly collection). However, further details are required of the refuse storage for the commercial storage. Based on a weekly collection this would require storage for 8 x 1100litre euro bins, although this could be reduced by increasing the frequency of collection. The applicant anticipates that collection would be of a frequency of up to 5 to 6 times a week.

4.8.10 Crime Prevention Design Advisor:

No comments received.

4.8.11 Policy and Strategy:

No comments received.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved policies)

EQ1- Development Requirements
EQ12 - Protection of Conservation Areas
EQ13 - Demolition in Conservation Areas
EQ48 - Designing out Crime
HO3 - Other Sites for Housing
HO16 - Housing for People with Disabilities
TR19 - Planning Standards

5.2 Supplementary Planning Guidance

SPG1 – New Residential Developments

5.3 Local Development Framework (LDF)

SPD – Planning Contributions Supplementary Planning Document (2006)
SPD – South Shoreditch (2006)

5.4 London Plan (Consolidated with Changes since 2004)

- 2A.1 – Sustainability Criteria
- 3A.1 – Increasing London’s Supply of Housing
- 3A.2 – Borough Housing Targets
- 3A.3 – Maximising the Potential of Sites
- 3A.5 – Housing Choice
- 3A.6 – Quality of New Housing Provision
- 3A.11 – Affordable Housing Thresholds
- 3B.1 - Developing London’s Economy
- 3C.1 – Integrating Transport and Development
- 3C.2 – Matching Development to Transport Capacity
- 3C.3 – Sustainable Transport in London
- 3C.23 – Parking Strategy
- 4A.1 – Tackling Climate Change
- 4A.3 – Sustainable Design and Construction
- 4A.7 – Renewable Energy
- 4A.20 - Reducing Noise and Enhancing Soundscapes
- 4A.22 – Spatial Policies for Waste Management
- 4B.1 – Design Principles for a Compact City
- 4B.3 – Enhancing the Quality of the Public Realm
- 4B.5 – Creating an Inclusive Environment
- 4B.6 – Safety, Security and Fire Prevention and Protection
- 4B.8 – Respect Local Context and Communities

5.5 National Planning Policies

- PPS1 – Creating Sustainable Communities
- PPS3 – Housing
- PPS6 – Town Centres
- PPS10 – Planning for Sustainable Waste Management
- PPS12 – Local Spatial Planning
- PPG13 – Transport
- PPS22 – Renewable energy
- PPS23 – Planning and Pollution Control
- PPG24 – Planning and Noise

6. COMMENT

6.1 Proposal

- 6.1.1 Planning Permission is sought for the demolition and redevelopment of 87-95 Curtain Road. Conservation Area Consent is sought for the demolition of the existing buildings.
- 6.1.2 The proposal is for a mixed use development for an 8-storey building plus basement. The basement and northern part of the ground floor is predominantly proposed to be used as a retail/restaurant use (Use Class A1/A3). The basement will also house a number of plant rooms and cycle storage for the commercial element of the proposal.

- 6.1.3 The ground floor proposes 100% site coverage. To the south side of the ground floor is the proposed entrance area to the office development from Curtain Road, and which leads to a stair and lift core to the south west of the site. Between the office and retail/restaurant are the entrance, hallway, and cycle parking for the residential flats, with a separate stair and lift core provided to the west of the site. Also located on the ground floor, with access from Curtain Road are a plant room (for an electrical sub-station) and rubbish and recycling store. To the rear there are accesses to the basement and upper floors from Mills Court.
- 6.1.4 The first, and second floor are proposed to be in office use and are set in from the ground floor to the Mills Court elevation. The third, fourth and fifth floors locate office floorspace to the Curtain Road frontage, and with a residential unit (2-bed) to the Mills Court.
- 6.1.5 The sixth and seventh floor will be entirely in residential use and accommodate 1 x 1-bed, 2 x 2-bed, and 2 x 4-bed units. Both floors are at a reduced floorplate, with increased set-back from the front, side and rear elevations. At the sixth floor the proposal is 2.5m from the main front elevation, and at the seventh floor 4.5m from the main front elevation.
- 6.1.6 The Curtain Road frontage is design with a ziggurat (zig-zag) design. This results in a façade which comprises of vertical strips, six south east facing and six north east facing. The south east facing elements will be predominantly solid, and constructed of light coloured glazed bricks, interspersed with areas of glazing which wrap around to the north east elements. The north east element of the elevation will be predominantly glazing. At the lower floors the brick is proposed to be of a darker shade to reflect the design characteristic of adjoining buildings. The ground floor provides a greater amount of glazing at the entrances to the office, residential and retail/restaurant unit. There are also entrances to the bin store and plant room which will be louvre doors.
- 6.1.7 The parapet height to the sixth floor is of a similar height to the adjoining building. As well as being set back from the front elevation, the sixth and seventh floor do not follow the ziggurat design but are for a more regular form and are proposed as a mix of glazing and render.
- 6.1.8 Small balconies are proposed to the Mills Court elevation over the second to fifth storey, with areas of terraces to the north and east of the sixth and seventh floor. No on-site parking is proposed as part of the proposal.

6.2 Considerations

- 6.2.1 The main considerations relevant to this application are:
- a. Principle of Development and Housing Mix
 - b. Design and Layout
 - c. Sustainability
 - d. Transport and Highways
 - e. Residential Amenity

- 6.2.2 Consideration needs to be also given to the previous planning permission for the development of the site.
- 6.2.3 Each of these considerations is discussed in turn below. This allowed the partial retention of Cordy House and the demolition of 95 Curtain Road, but resulted in a extension/redevelopment of the site for a 7-storey building (with the upper floor recessed).

a. Principle of Development and Housing Mix

- 6.2.4 The development of the site for a mix of uses is considered acceptable within the existing context of the site and wider area, which comprises of commercial, employment and residential uses. A mixed use development is also in line with policies 1.2 and 12.1 contained within the South Shoreditch Supplementary Planning Document (SSSPD) which are supported of the general mix of uses within the area, and the specific mix of residential and office uses within the sub-area of the 'Shoreditch Triangle'.
- 6.2.5 In addition, the proposal re-provides the existing employment floorspace which would be lost by the demolition of the existing warehouse and storage buildings, and this is welcomed. This is in line with policies of the SSSPD which outlines that the loss of employment floorspace will be resisted.
- 6.2.6 In total eight residential units are proposed. This falls below the threshold of ten units identified with the London Plan at which a percentage of affordable units would be sought. Within the context and constraints of the site, and the proposed layout and proposed mix of uses and unit sizes, eight units is an appropriate provision of residential accommodation. Whilst the majority of units are 1- and 2-bed, two 4-bed family sized units are also provided (i.e. 25%).
- 6.2.7 The provision of a retail/restaurant unit to the ground floor would provide an active frontage at the location to the back edge of the pavement. This is reflective of the pattern of development at nearby properties. The SSSPD recognises that the introduction and increase in number of Use Class A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food take-aways) within Shoreditch, whilst introducing and establishing a vibrant night-time economy has also resulted in concerns with anti-social behaviour and general noise and disturbance at unsociable hours. For this reason, the recommendation within guidance contained within the SSSPD is that applications for night-time economy uses (including use class A3), where it is in a building with residential uses to the upper or with residential uses in an adjoining property (both circumstances which would be applicable in this case) will only be permitted where there is no cumulative impact on the area and a condition secures the terminal opening hours to 11 pm. As there are no night-time economy uses at adjacent or opposite buildings at this part of Curtain Road this use will be acceptable in this case (and subject to a restriction on opening hours). (NB – issues of Licensing and the 'Special Policy Area' are discussed in the 'Response to Objections' section below).

b. Design and Layout

- 6.2.8 The existing buildings at 87 to 95 Curtain Road are of a low visual amenity value and are not reflective of the general character or appearance of the area being of a much later period to the majority of the area of particular architectural interest. As such, the permitting of Conservation Area Consent for their demolition is accepted, subject to the provision of a redevelopment which is of a high design standard and that preserves or enhances the character and appearance of the Conservation Area (an approach that is outlined in policy EQ13 of the UDP 1995).
- 6.2.9 Within the design of the new building there are a number of issues that have been highlighted as part of the consultation process, and whilst the design proposal is supported by the Council's Design and Conservation Officers, need to be considered as part of the determination of the application. These include the acceptability of:
- The amalgamation of 'plots' as a single development site;
 - The design of the Curtain Road elevation;
 - The height of the building (in terms of its overall height to eight floors, and height to the 6 floor parapet)

Amalgamation of Plots

- 6.2.10 The South Shoreditch SPD advises at policy 3.3 that the "Council will encourage the retention of the varied plot pattern of historic development within the conservation area". English Heritage has raised concerns with the proposal on this basis as it results in a single development coming forward over two different existing building plots.
- 6.2.11 However, it is considered that the amalgamation of plots in this case can be accepted as it does not result in an overly large site within the context of adjoining and near by sites. Within Curtain Road and the immediate surrounding streets there will remain a range of plots sizes including a number that are in excess of that proposed. Furthermore, the application will not result in an increase in the width of plot sizes.
- 6.2.12 The Council's Design and Conservation Officer, in reviewing the application, also raises a number of practical reasons why it would be difficult to accommodate the building and the uses as proposed within a development proposal which attempts to respect the existing plots. It is also the case that this is unlikely to set a precedent for the amalgamation of plots as (notwithstanding that all applications are considered on their own merits) it is unlikely that two or more adjoining sites which are of low architectural merit where the retention of one or the other is not considered important will come forward for redevelopment often within the conservation area.

The Design of the Curtain Road Elevation

- 6.2.13 The proposed main front façade to Curtain Road is of an interesting and

innovative design solution that will improve the visual amenity of the area. This is particularly the case when reviewed in the context of the existing buildings at the site. The supporting information supplied within the planning application, and in particular within the Design and Access Statement, demonstrates that a high quality design standard will be delivered. The proposed treatment, and the intended 'zig zag' elevation design will result in a varied and changing perspective of the building as it is approached from the north or south and passed, and this is considered to be highly commendable design approach. At the same time it successfully draws and responds to a number of the broader characteristics that are represented in the adjoining and nearby Victorian warehouses including the provision of a strong vertical emphasis and the continuation of a horizontal delineation of the lower floors by including a darker shade of material at this level.

- 6.2.14 Furthermore, and as previously referred to, significant consideration of the appropriateness of this particular design solution has been given at the pre-application and application stage by Design and Conservation Officers, endorse this approach. There was an earlier presentation to the Design Review Panel who were also supportive of the design intentions.
- 6.2.15 Overall, whilst it is recognised that the building and the main elevation is of a contemporary design approach which differs for the historical architectural approach in the conservation area, as the proposal is of a high design quality it therefore can be supported as it would result in an enhancement of the character and appearance of the conservation area. It therefore complies with National, and local planning policy contained within the UDP1995 and SSSPD regarding design of developments with conservation areas.

The Height of the Building

- 6.2.16 The proposed building has been designed so as to respect the height of adjoining buildings in the area whilst also minimising its visual impact on the area and it is for these reasons that the height of the building is acceptable. With respect to the existing planning permission this proposal will represent only an extra storey (albeit at a reduced scale as discussed below).
- 6.2.17 The height to the parapet (to the top of the fifth floor) is broadly similar to the adjoining historic warehouse buildings to the south and the more recent development to the north. At the same time it is not at the exact height to reflect that slight variance between building heights and that is apparent between 83 and 85 Curtain Road.
- 6.2.18 Above this line, the upper two floors have been designed to have a minimal visual impact on the area by significantly reducing their scale. They are significantly set-back from the front main Curtain Road elevation and are reduced in width compared to the lower floors (in both cases the seventh floor more so than the sixth). The adopted design approach is also different being of a more 'light weight' design and appearance. Overall, this will result in minimal views of these upper floors when viewed from the ground as they are unlikely to be visible above the parapet of the sixth floor and this has been demonstrated

in the submitted cross sections. Further more it is considered this proposal can accommodate this extra height as it is proposed as a part of a comprehensive redevelopment of a wider site and where the upper floors would be less apparent.

- 6.2.19 In addition to the above, the general layout of the proposal makes the best use of the site, whilst the residential units are all of a good standard and layout with room sizes that exceed the minimum standards as outlined in SPG1.

c. Sustainability

- 6.2.20 The accompanying reports and preliminary assessments submitted with the application outline a number of initiatives proposed at the development. At least a 20% reduction in carbon emissions through the use of renewable and low energy sources (Ground Source Heat Pumps (GSHP) and Solar Photovoltaic) will be achieved. It is currently shown that the proposal will meet Code for Sustainable Housing level 3, and BREEAM office 'Very Good' standard.

- 6.2.21 The Council's Sustainability and Climate Change Officer has recognised in their assessment that the proposal complies with the Council's aims and objectives for achieving sustainable forms of development. However, there are a number of areas where it is suggested there are inconsistencies between the various assessments and areas where improvements can be made to achieve higher scores. As such it is recommended that this is dealt with by an appropriate condition, whilst the S106 proposes that reasonable endeavours are used to reach Code for Sustainable Housing level 4.

d. Transport and Highways

- 6.2.22 No on-site parking is proposed for the development. As the site is within an area with a very good level of public transport accessibility, and given the relatively minor increase in floorspace and residential accommodation proposed, it is unlikely that the increase in car-borne travel to the site as a result of the proposal would be significant. However, it is recommended to secure, via a S106 agreement, that the residential element of the development is 'car-free', which will further minimise any potential parking stress in the area as a result of the development. It is therefore acceptable for no parking to be provided.

- 6.2.23 In addition, a draft Travel Plan Framework has been provided for the commercial elements of the proposal and which proposes a number of initiatives to encourage travel to the site by non-car means. Cycle parking for both the residential use and commercial use has been provided at an acceptable level.

- 6.2.24 Curtain Road is part of Transport for London's Road Network (TLRN), and is a red route with associated restrictions for on-street parking, loading/unloading etc. Transport for London has been consulted and have provided comments on the development including a number of recommendations that ensure the free-flow of traffic is not impeded by the development (see section 4.7.7). These are reflected in the recommendations for the S106 agreement, conditions for the

permission and informatives.

6.2.25 With regards to servicing of the proposal there is an on-street loading bay on the opposite side of Curtain Road which permits loading/unloading for delivery vehicles for 20 minutes.

e. Impact on Residential Amenity

Sunlight/Daylight

6.2.26 The applicant has submitted a Sunlight and Daylight Assessment which provides an assessment of the potential impact of the development on adjoining and nearby residential properties. This identifies the nearest residential properties being:

- 97-113 Curtain Road to the north (and in particular the upper floors which are presently site above the buildings at the application site);
- 104-108 Curtain Road (the opposite side of Curtain Road to the northeast), and;
- 44 Charlotte Road (the upper floors of which are identified as the only ones that address Mills Court that are in residential use, and are identified within the applicants assessment as bedrooms. These are to the northwest of the site).

6.2.27 The remainder of adjoining sites are within a commercial or employment use.

6.2.28 The Daylight assessment initially looks at the level of Vertical Sky Component (VSC) in line with BRE Guidelines. This recommends that if the VSC is of 27% or more at the centre of a window, then enough skylight should be reaching the window so as to provide a good level of amenity. If, when the development is in place 27% is not achieved, but it remains more than 0.8 times its former value, then guideline state that skylight is unlikely to be seriously affected. There are instances where this guidance is not met and therefore the assessment goes on to review Average Daylight Factor (ADF). ADF also factors in the size of the window and the area of the room and the guidelines recommend minimum levels of light distribution for the rooms windows serve.

6.2.29 For 104-108 Curtain Road, there are a number of examples of where windows fail the VSC test (this totals 12 windows over 3 floors). However these rooms all compile with minimum daylight levels (ADF test).

6.2.30 For 97-113 Curtain Road, windows to the upper floors fail the VSC test (4 in total). However, these rooms are either dual aspect or kitchens and the ADF analysis shows the minimum is achieved.

6.2.31 For 44 Charlotte Road, the VSC test is failed for all windows. However, the minimum ADF for a bedroom is achieved.

6.2.32 The Sunlight assessment looks at all windows that are within 90 degrees of due south. If the windows achieve 25% of annual probable daylight hours, including

at least 5% of annual probable sunlight hours during the winter months or more than 0.8 times its existing value, than this would not represent an adverse affect on sunlight. This assessment is therefore only relevant for the upper floor of 97-113 Curtain Road. This shows no loss in the summer months but a loss in the winter months. Overall all windows exceed annual and winter minimum probable daylight hours, however in relation to the decrease for 3 of the windows this is very close to 20% (18.83, 19.31 and 19.39), and for one window is slightly over 20% (21.05).

- 6.2.33 On balance, it is considered that the Sunlight and Daylight assessment demonstrates that, although there are a number of properties where sunlight and daylight would be affected this is not at a significant level that would warrant the refusal of the application.

Loss of Privacy

- 6.2.34 The main potential impacts on privacy are the relation to the residential properties to the upper floors of 44 Charlotte Road and the upper floors of 97-113 Curtain Road. The proposal does not directly face the rear elevation 44 Charlotte Road being at a slight offset angle, and there is an approximate separation distance of 12.5m (at the angle). In this built-up and very urban environment this arrangement is considered acceptable, particularly as the principle of this distance has been previously accepted at the neighbouring property, 97-113 Curtain Road. There are balconies proposed to the rear elevation but these are located to the south of the rear elevation and therefore further from the rear of 44 Charlotte Road.
- 6.2.35 A further potential impact is overlooking from proposed windows in the north elevation and the proposed sixth floor terrace to the north, to the windows in the south elevation of upper floors flats of 97-113 Curtain Road and terraces to the south. The level difference between the two buildings and set-back at seventh helps to alleviate most of this potential impact, and the application shows the installation of a privacy screen towards the north of the terraces to remove any opportunities of overlooking. The material and design of the screen should be secured by condition.

Noise

- 6.2.36 As the proposal is for predominantly office and residential use, there is not likely to be any significant increase in noise over and above that already experienced in a commercial area.

Overbearing/Enclosure

- 6.2.37 The proposal is considered sufficiently distanced from the neighbouring properties to the west to not create an increased sense of enclosure or to be overbearing on these properties. The proposed building follows the building lines of the adjoining properties, so will not create any enclosure impacts on these buildings. The upper two storeys are also set back from the building frontage so will further minimise any enclosure issues. In addition the proposal

is comparable to the recent permission in terms of its scale and massing with the exception of the additional proposed floor (albeit set in from all elevations).

Response to objectors

6.5.1 The following are responses to the reasons for objecting raised by residents and the South Shoreditch Community/Residents Association or where appropriate references to the appropriate section of the Committee Report:

- Excessive height of development/this would also set a precedent for other developments in the area.

This is discussed at section 6.2.16 to 6.2.18 of the report.

- Out of keeping with the area (as a Conservation Area)

This is discussed at section 6.2.13 to 6.1.5 of the report.

- Impact on light to residential and work units to the rear (Charlotte Street)

In terms of impact of adjoining residential units, this is discussed at section 6.2.26 to 6.2.33 of the report. The BRE Guidelines do not require an assessment on impact of daylight and sunlight to employment uses.

- Impact on daylight and sunlight, sense of enclosure to rooms and terraces (Upper Floor flat, 97-113 Curtain Road)

This is discussed at section 6.2.30 and 6.2.34 of the report. Overall there would not be detrimental impact on amenity to this property as an open aspect is maintain to the west/south west as the terrace and habitable rooms are dual aspect.

- Impact on views

This is not a material planning consideration.

- Cordy House is part of the fabric of Shoreditch and to demolish would severely undermine the aims of the conservation area

This is discussed at section 6.2.28 of the report.

- The proposed restaurant use would be contrary to the Special Policy Area which precludes granting of new licenses or extending existing ones.

This is discussed at section 6.2.4 of the report. In addition, it can be confirmed that the application site is within the 'Special Policy Area' as outlined within the Council's Statement of Licensing Policy. In summary Policy LP13 outlines that within this area if "a relevant representation from either a responsible authority

or an interested party to any application for a new premises licence... [is received]... the Council's policy is that that the application is refused unless it can be demonstrated that the operation of the premises would not add to the cumulative impact already being experienced".

- The rear of the development should be in line with 99-110 Curtain Road so it is not too close to the properties on Charlotte Street.

This is discussed at section 6.2.34 which confirms the development is in line with the adjoining building to the north at the rear.

6.6 Planning Contributions

- 6.6.1 The heads of Terms outlined at Recommendation C have been agreed with the applicants for inclusion within the Section 106 legal agreement to mitigate the impact of the development proposal. The contributions and clauses are in line with the Council's SPD on Planning Contributions (November 2006).

7. CONCLUSION

- 7.1 The proposal is considered acceptable in terms of design, bulk, scale, and massing, and will not materially impact on the amenity of the surrounding properties. It is considered to be of a high design standard that will positively contribute to the character and appearance of the Conservation Area. As such, the proposed development is considered compliant with pertinent policies saved in the Hackney UDP (1995), the London Plan (Consolidated with Alterations since 2004), and national planning policies. Accordingly, the granting of Conservation Area Consent for the demolition of the existing buildings and Full Planning Permission for the redevelopment of the site is recommended.

8. RECOMMENDATIONS

Recommendation A

- 8.1 **That permission be GRANTED for Conservation Area Consent (ref 2009/0917), subject to the following conditions:**

1. Commencement:

The development hereby permitted must be begun no later than the expiration of three years beginning with the date of this consent.

REASON: In order to comply with the provisions of Section 18 (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Works of demolition:

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission reference 2009/0914 is granted and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the Kingsland and Regents Canal Conservation Areas.

3. Highways:

The footway and carriageway on the Curtain Road must not be blocked during the demolition of the buildings. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

Recommendation B

8.2 That permission be GRANTED for Full Planning Permission (ref 2009/0914), subject to the following conditions:

1. Development in accordance with plans:

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

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

2. Commencement:

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.

3. All materials to be approved:

Full details, including samples, of the materials to be used on the external surfaces of the building, including glazing, and ground surfaces (to the space to the front of the site) shall be submitted to and approved by the Local Planning Authority, in writing, before any work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

4. Details to be approved:

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before any work is commenced. The development shall not

be carried out otherwise than in accordance with the details thus approved.

- Windows and Doors
- The design and materials (including sample) of the privacy screen to the east of the sixth and seventh floor terrace

REASON: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area, and to ensure that the proposal does not detrimentally impact on the amenities of adjacent residents.

5. No extraneous pipework:

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

6. Provision of access and facilities:

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

7. Soundproofing:

Full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D_{nT,w} + C_{tr}$ dB of not less than 55 between commercial and residential units shall be submitted to and approved in writing by the local planning authority.

REASON: In order to safeguard the amenities of future occupiers of the site.

8. Ventilation for A3 uses:

Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system for the A3 use hereby approved, which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s), and anti-vibration mountings where necessary) have been submitted to the local planning authority. After the system has been approved in writing by the authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences, and shall thereafter be permanently maintained in accordance with the approved specification.

REASON: To safeguard the amenities of the occupiers of proposed dwellings, amenity of adjoining premises and the area generally.

9. Dust Mitigation:

No development shall commence on site until a scheme to minimise the threat of dust pollution during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete) have been submitted to and approved in writing by the local planning authority. The approved scheme shall include a watering regime in the event of dry weather, dust screens, etc., as appropriate, and shall be implemented in its entirety once development has commenced.

REASON: In order that the local planning authority may be satisfied that the demolition process is carried out in a manner which will minimise possible dust pollution to neighbouring properties.

10. Secured by Design:

The development shall achieve a Certificate for Compliance to Secure by Design or alternatively achieve Secure by Design standards to the satisfaction of the Metropolitan Police, details of which, to include consultation with the police during the construction period, shall be provided in writing to the Local Planning Authority within one month of the completion date.

REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

11. No roof plant:

Other than the area of roof indicated for plant on drawing 301_PL_747 Rev A hereby approved, no plant, machinery and other installations shall be placed upon or attached to the roof or other external surfaces of the building.

REASON: In the interests of maintaining an acceptable appearance of the building.

12. Construction Methods Statement:

Full details of a work method statement including measures to control and minimise noise and dust emissions, and details of measures for the disposal of materials from the site, during demolition and construction, shall be submitted to, and approved by, the Local Planning Authority prior to any work commencing on the site. The development, including disposal of materials from the site, shall in all respects be carried out in accordance with the approved details.

REASON: In order to safeguard the amenities of neighbouring properties and the area generally.

13. Transport Construction Plans:

Full details of a Construction Management Plan and Construction Logistics Plan, shall be submitted to and approved by the Local Planning Authority, in consultation with TfL. The Plans should provide details on the proposed temporary highway and traffic management measures required during the course of demolition, construction, routing of construction vehicles, types of vehicles expected and their frequencies and expected times of arrivals &

departures. In addition, a programme of the work should also be submitted to enable TfL to assess the likely highway and traffic to the TLRN resulting from the construction of the proposal.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

14. Transport Delivery Plan:

Full details of a Delivery & Servicing Plan (DSP) shall be submitted to and approved by the Local Planning Authority, in consultation with TfL. The Plan should provide details of rationalised servicing activities for the site; including, where possible, that servicing activities should be planned to be undertaken outside the peak periods in accordance with the existing on-street restrictions.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

15. Footways:

All doors opening onto the public highway footway on Curtain Road must be designed to open inward and must not encroach upon the footway, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the proposal does not result in an unacceptable impact to the Transport for London Road Network (TLRN).

16. Waste storage within the premises:

Except on days of collection, all refuse and waste shall be stored in sealed containers in the refuse areas shown on the plans hereby approved.

REASON: In the interests of the appearance of the street and the amenity of adjoining occupiers.

17. Archaeological investigation:

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

18. Hours of Operation:

The A3 use hereby approved to the ground and basement floor may only be carried out between 0900 hours and 2300 hours on any day.

REASON: In the interest of adjoining residential amenity.

19. No subdivision of Retail/Restaurant unit:

The ground and basement Retail/Restaurant unit hereby approved must not be sub-divided unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of adjoining residential amenity and to allow the full impact of this development to be assessed by the Local Planning Authority.

20. No signage to the frontage:

Notwithstanding the plans hereby approved no shop signs or signage shall be attached to the outside of the building without the prior written consent of the Local Planning Authority.

REASON: In the interest of the visual amenity of the area and architectural quality of the development.

21: Cycle Parking:

Details shall be submitted to and approved by the Local Planning Authority of the provision of secure cycle parking to accord with Transport for London's Cycle Parking Standards for the residential, office and retail/restaurant uses. No part of the development shall be occupied until the cycle parking as agreed has been provided, and at no time shall the cycle parking be removed, unless otherwise agreed in writing.

REASON: To provide appropriate facilities for cyclist and therefore to encourage sustainable form of transport to the development.

Recommendation C

8.2 That the above recommendation (B) be subject to the applicant, the landowners and their mortgagees entering into a section 106 agreement in order to secure the following matters to the satisfaction of the Interim Assistant Director Planning and Interim Head of legal Services of the Council:

- Payment by the landowner/developer of an education and libraries contribution of £42,210.94 with respect to anticipated child yield from the additional residential housing units being provided in accordance with the DFES cost of providing a school place.
- Payment by the landowner/developer of an open space contribution of £2,448.52 towards the supply and quality of open space in the immediate locale.
- The landowner/developer covenants to ensure that the residential development is retained as car free with the exception of those who are certified disabled.
- All residential units to be built to Lifetime Home standards.

- Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 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 Section 106 Agreement.
- Achievement of a Level 3, and best endeavours to achieve Level 4, rating under the proposed Code for Sustainable Homes and achievement of a BREEAM 'Very Good' rating for the office element.
- 20% reduction in carbon emissions across the whole site through the use of renewable energy sources and use of low energy technology.
- Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
- At least 10% of units provided shall be wheelchair accessible.
- The applicant is advised that they will be required to enter into a highways Section 278 legal agreement with TfL.
- Submission and agreement of a Travel Plan for the office and retail/restaurant.
- Provision to allow the placement of street lighting on the proposed buildings where appropriate.

Recommendation D

- 8.3 That in the event of the Section 106 agreement referred to in Recommendation C not being completed by 21st July 2009, the Interim Assistant Director Planning be given the authority to refuse the application for the following reasons:
- 8.3.1 The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to contribute to pressure and demand on the Borough's education provision contrary to Policies EQ1 and CS2 of the Hackney Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

9. REASONS FOR APPROVAL

For Conservation Area Consent (ref: 2009/0914):

The following policies contained in the Hackney Unitary Development Plan 1995

are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ12 – Protection of Conservation Areas; South Shoreditch SPD.

For Full Planning Permission (ref: 2009/0917):

The following policies contained in the Hackney Unitary Development Plan 1995 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 – Development Requirements; EQ12 – Protection of Conservation Areas; EQ13– Demolition in Conservation Areas; EQ48 - Designing out Crime; HO3 – Other sites for Housing; ho16 – Housing for People with Disabilities; TR19 – Planning Standards; SPG1 New Residential Development; SPD Affordable Housing; SPD Planning Contributions; South Shoreditch SPD.

The following policies contained in the London Plan 2004 are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 – Sustainability Criteria; 3A.1 – Increasing London’s Supply of Housing; 3A.2 – Borough Housing Targets; 3A.3 – Maximising the Potential of Sites; 3A.5 – Housing Choice; 3A.6 – Quality of New Housing Provision; 3A.11 – Affordable Housing Thresholds; 3B1 – Developing London’s Economy; 3C.1 – Integrating Transport and Development; 3C.2 – Matching Development to Transport Capacity; 3C.3 – Sustainable Transport in London; 3C.23 – Parking Strategy; 4A.1 – Tackling Climate Change; 4A.3 – Sustainable Design and Construction; 4A.7 – Renewable Energy; 4A.20 – Reducing Noise and Enhancing Soundscapes; 4A.22 – Spatial Policies for Waste Management; 4B.1 – Design Principles for a Compact City; 4B.3 – Enhancing the Quality of the Public Realm; 4B.5 – Creating an Inclusive Environment; 4B.6 – Safety, Security and Fire Prevention and Protection; 4B.8 – Respect Local Context and Communities.

10. INFORMATIVES

The following Informatives should be added to Conservation Area Consent (ref 2009/0917):

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.27 Fire Precautions Act 2005

NSC – It must be noted that Transport for London will not permit construction vehicles to access/egress the site by undertaking reverse movement to/from the public highway on Curtain Road.

NSC – It must be noted that Transport for London has advised that no refuse containers or construction materials shall be kept on the footway or carriageway of Curtain Road at all times. The footway and carriageway on the Curtain Road must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space

needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

The following Informatives should be added to Full Planning Permission (ref 2009/0914):

- 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.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultations with Thames Water

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

NSC – Servicing for the proposal should be undertaken in accordance with existing on-street restrictions.

NSC – It must be noted that Transport for London will not permit construction vehicles to access/egress the site by undertaking reverse movement to/from the public highway on Curtain Road.

NSC – It must be noted that Transport for London has advised that no refuse containers or construction materials shall be kept on the footway or carriageway of Curtain Road at all times. The footway and carriageway on the Curtain Road must not be blocked during the construction and maintenance of the proposal. Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on Curtain Road.

NSC – The development of the site is likely to damage archaeological remains. The applicant should therefore submit proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.



Signed..... Date: 22 June 2009

**Stephen Douglas
Interim DIRECTOR, NEIGHBOURHOODS & REGENERATION**

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP (1995) and the London Plan	Ian Bailey (020 8356 8442)	263 Mare Street, London E8 3HT

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<p>Do not scale off this drawing. This drawing is for information only and is not to be used for construction. Any discrepancies are to be reported to the architect immediately. Information to be provided by contractor for statutory requirements, and all other ways.</p>	<p>A: 15.04.09 Plan coordinated with services and structure B: 20.03.09 Final size amended C: 16.06.09 Final size updated</p>	<p>PLS. B. Richards Architects 14 Weller Street London SE1 1QU T 020 7798 9171 F 020 7798 9172 mail@b-richards.co.uk www.b-richards.co.uk</p>	<p>87 - 95 CURTAIN ROAD, EC2A PROPOSED GROUND FLOOR PLAN FOR DISCUSSION</p>	<p>DATE: 12/03/09 SCALE: 1:100 SIZE: A2 DRAWN: JF CHECKED: JF</p>	<p>JOHN 301 DRAWING NO: 301_A/SK_710 REV: C</p>
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Toh Shimazaki Architecture
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 mail@t-sa.co.uk
 www.t-sa.co.uk



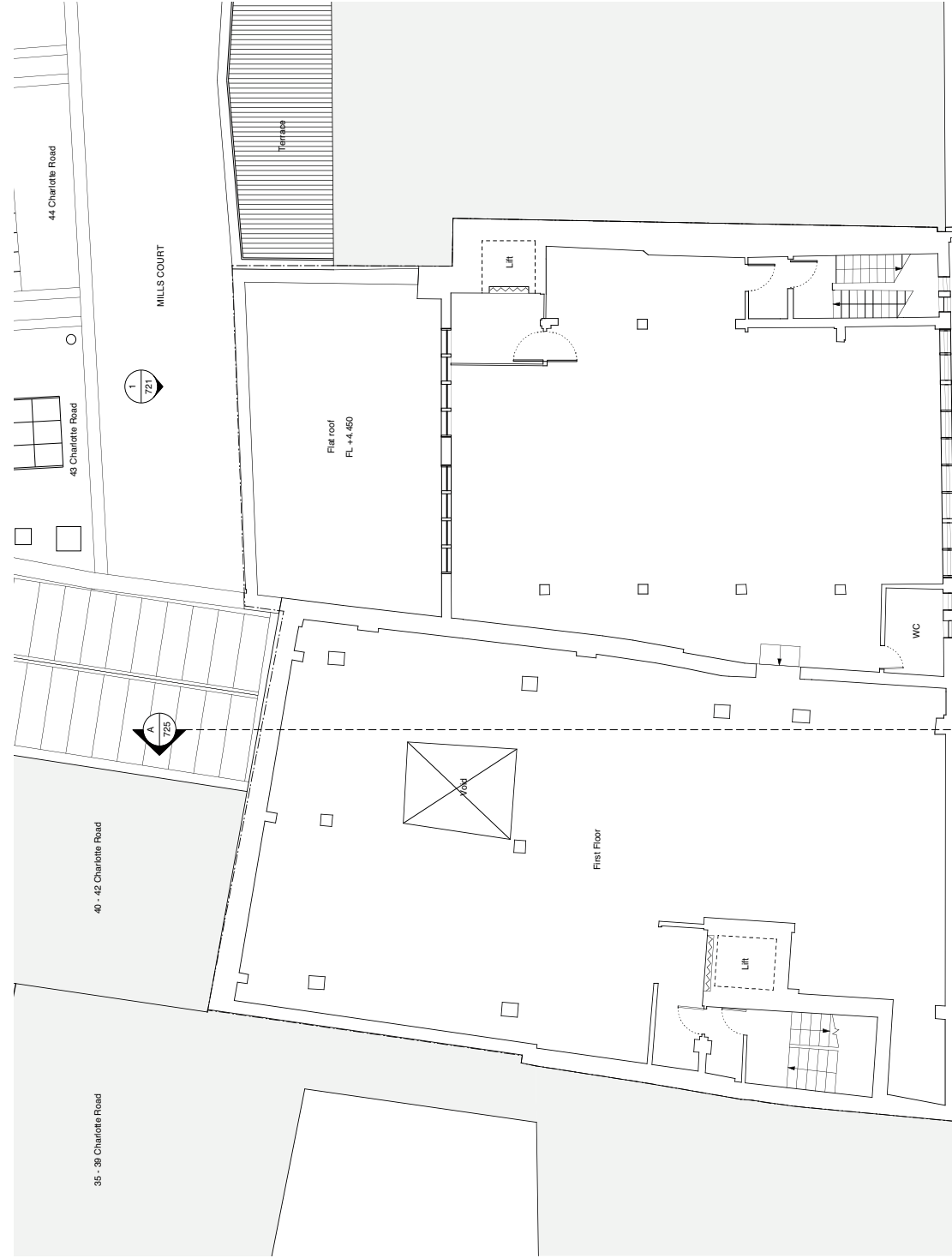
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 JOB NO. 301
 REV.



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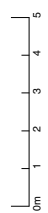
T.A. Stephens Architects
 14 Avon Street London SE11 0UJ
 t 020 7938 9171 f 020 7938 9172
 mail@ta.co.uk www.ta.co.uk

87 - 95 CURTAIN ROAD, EC2A
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Nos. 853-85 Nos. 87-95 Nos. 97-113

Curtain Road

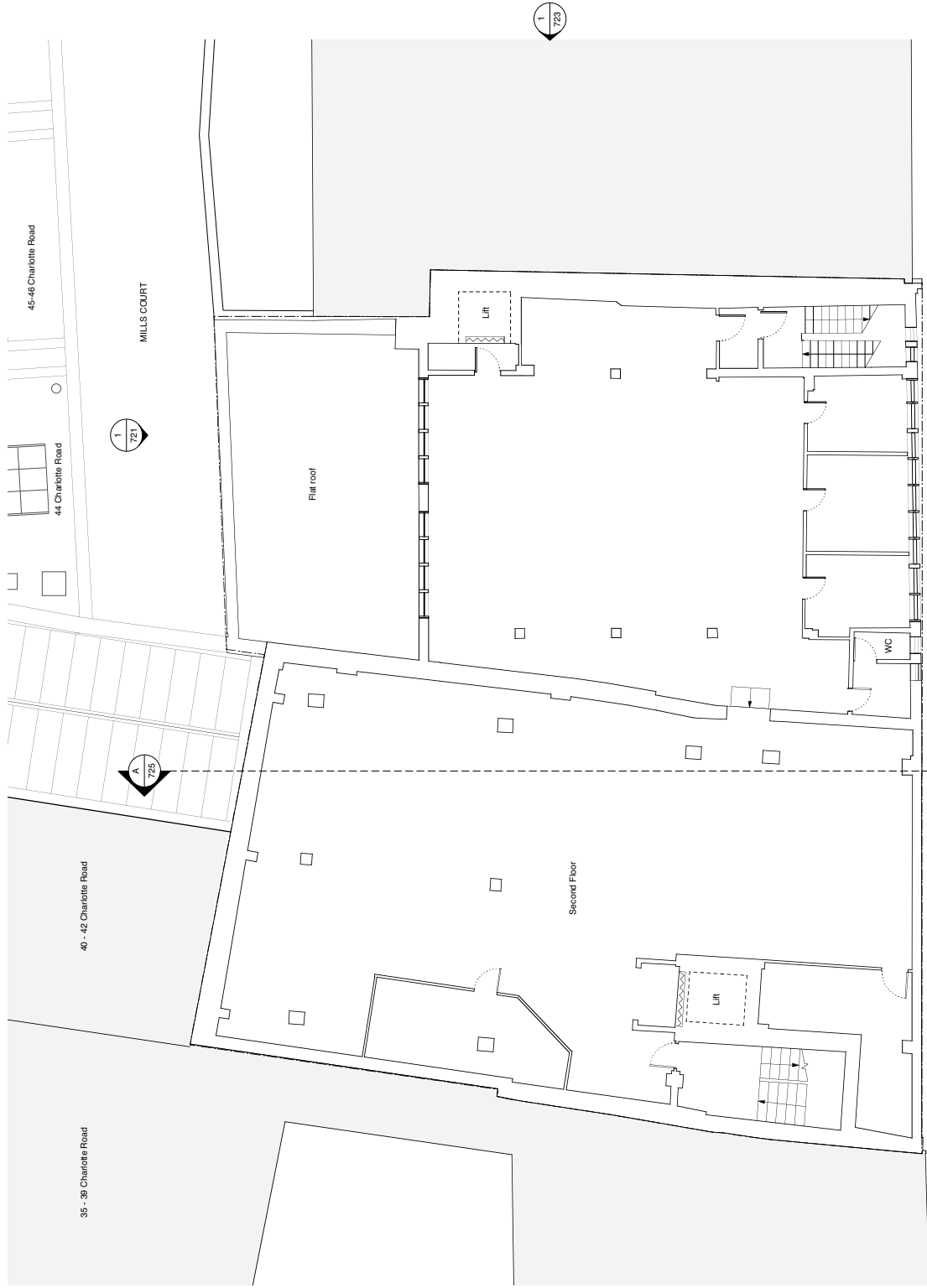


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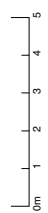
Tom Shimazaki Architecture
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87 - 95 CURTAIN ROAD, EC2A
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DATE: 17.04.09
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 SIZE: A2
 DRAWN: BR
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 PROJECT NO: 301_PL_711
 DRAWING NO: 301
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Nos. 853-85 Nos. 87-95 Nos. 97-113



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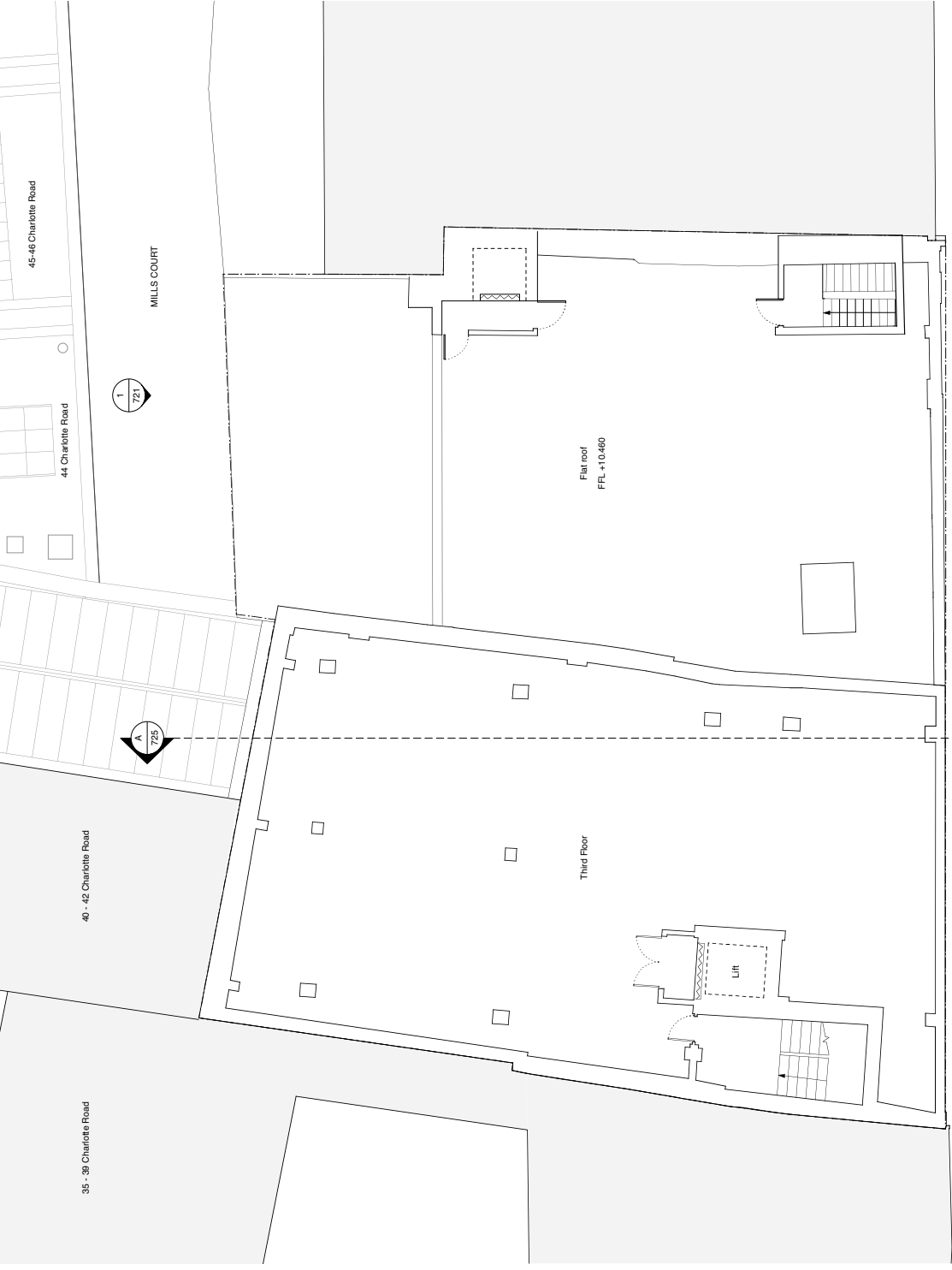
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 DATE: 17.04.09
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Nos. 853-85 Nos. 87-95 Nos. 97-113

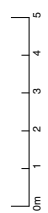
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mail@t-sa.co.uk	www.t-sa.co.uk	17.04.09	1:100	A2	BR
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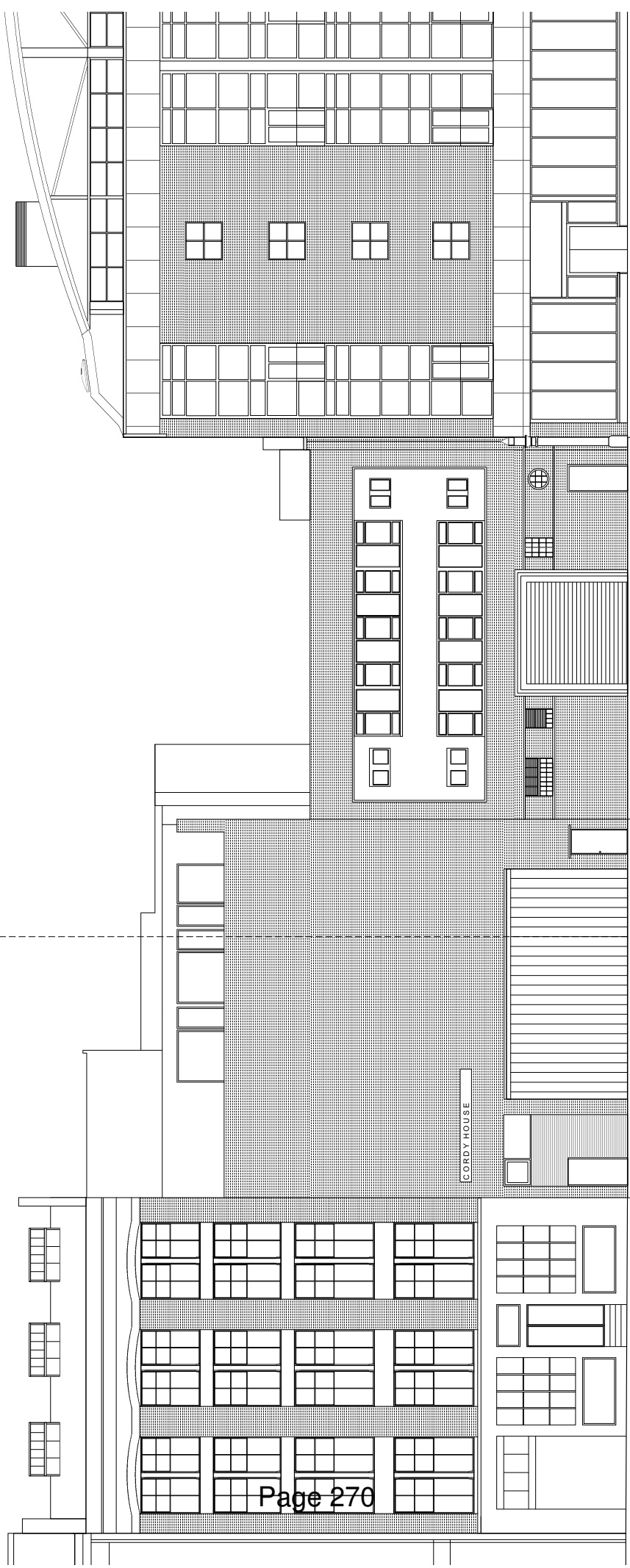
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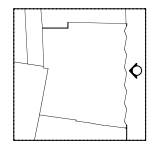
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Nos. 853-85
 Nos. 87-95
 Nos. 97-113



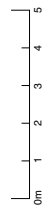
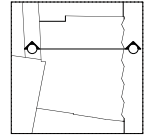
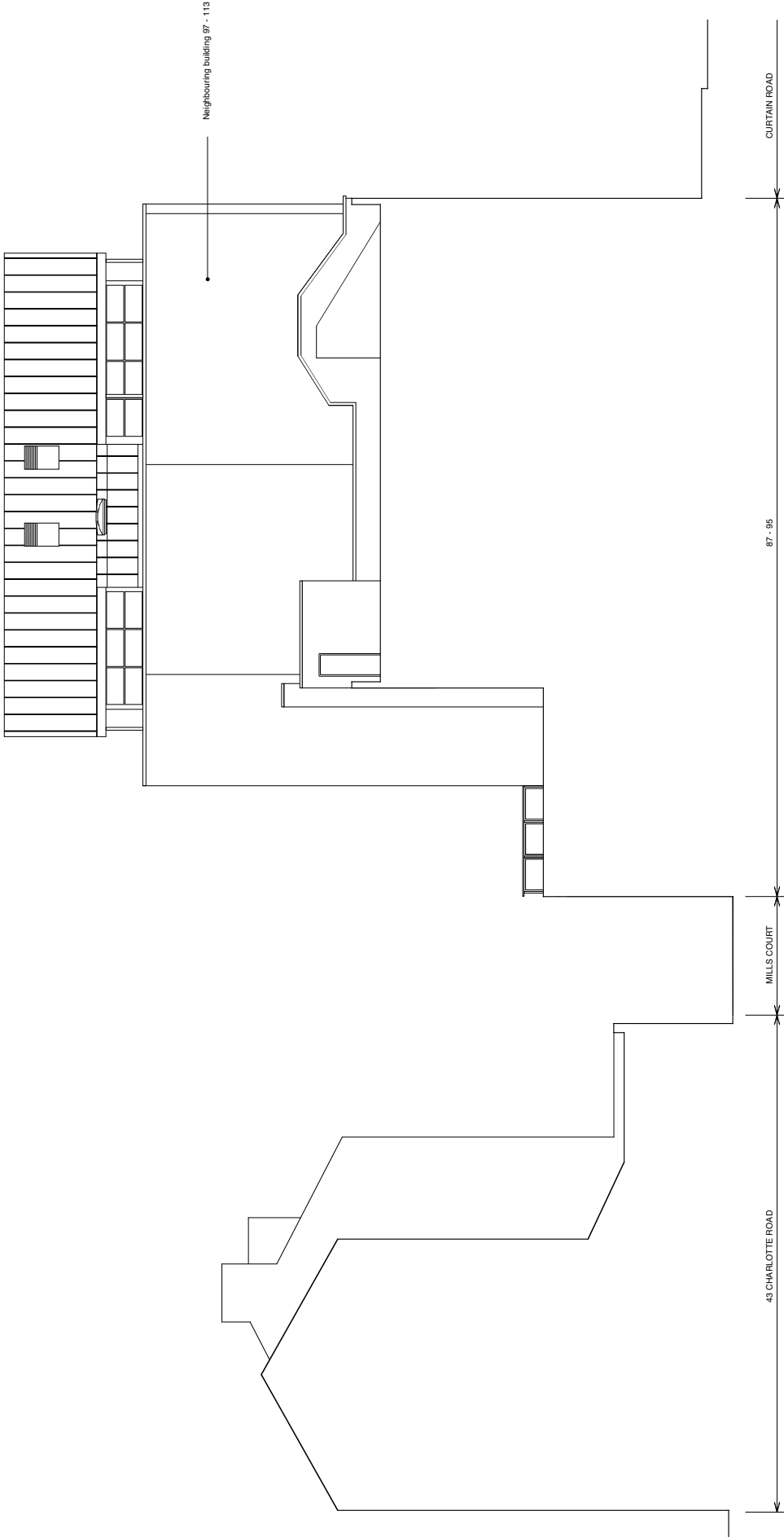
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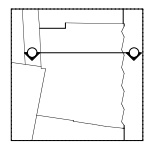
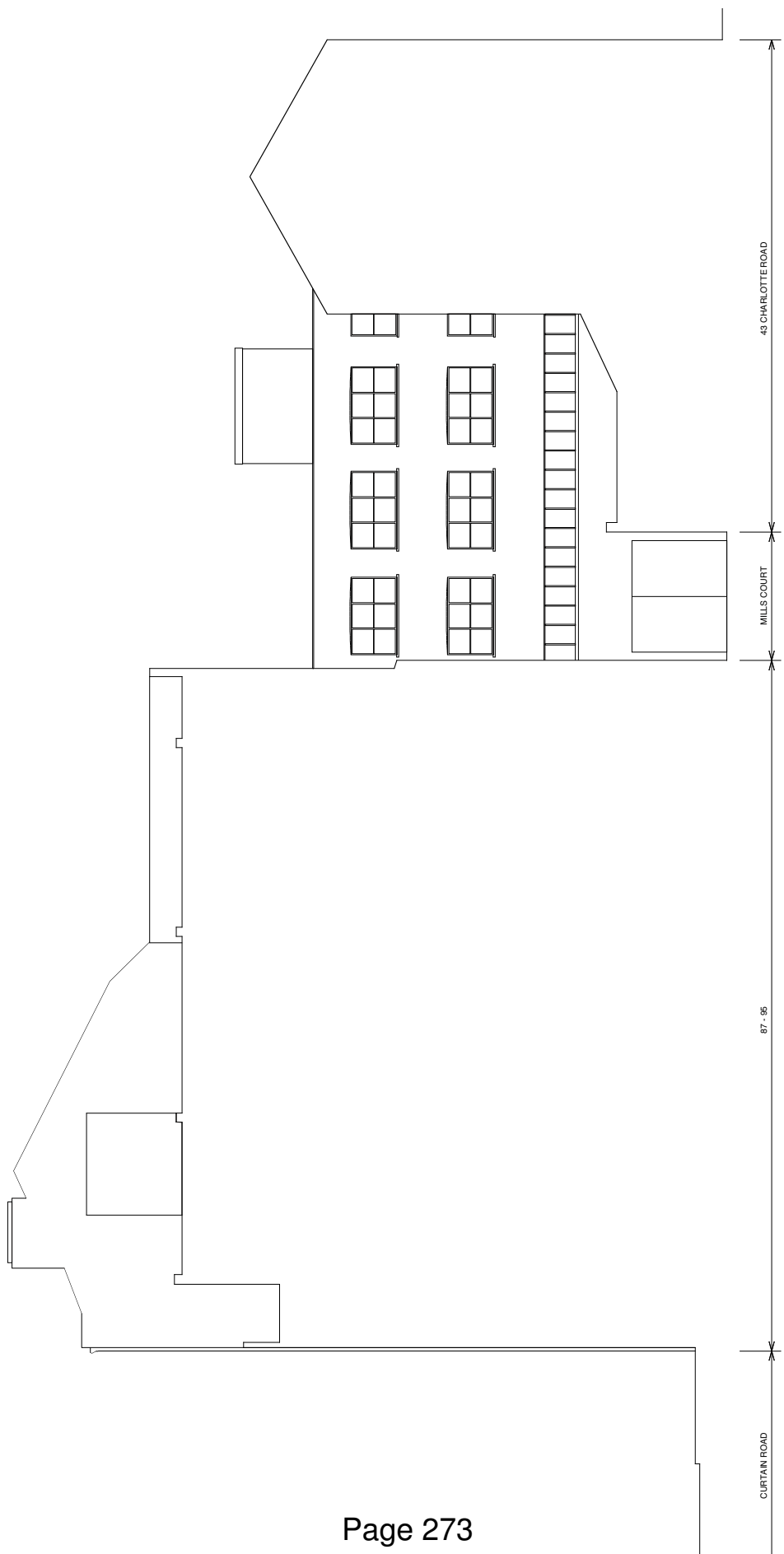
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 DATE 30.11.12
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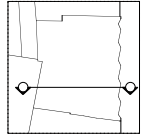
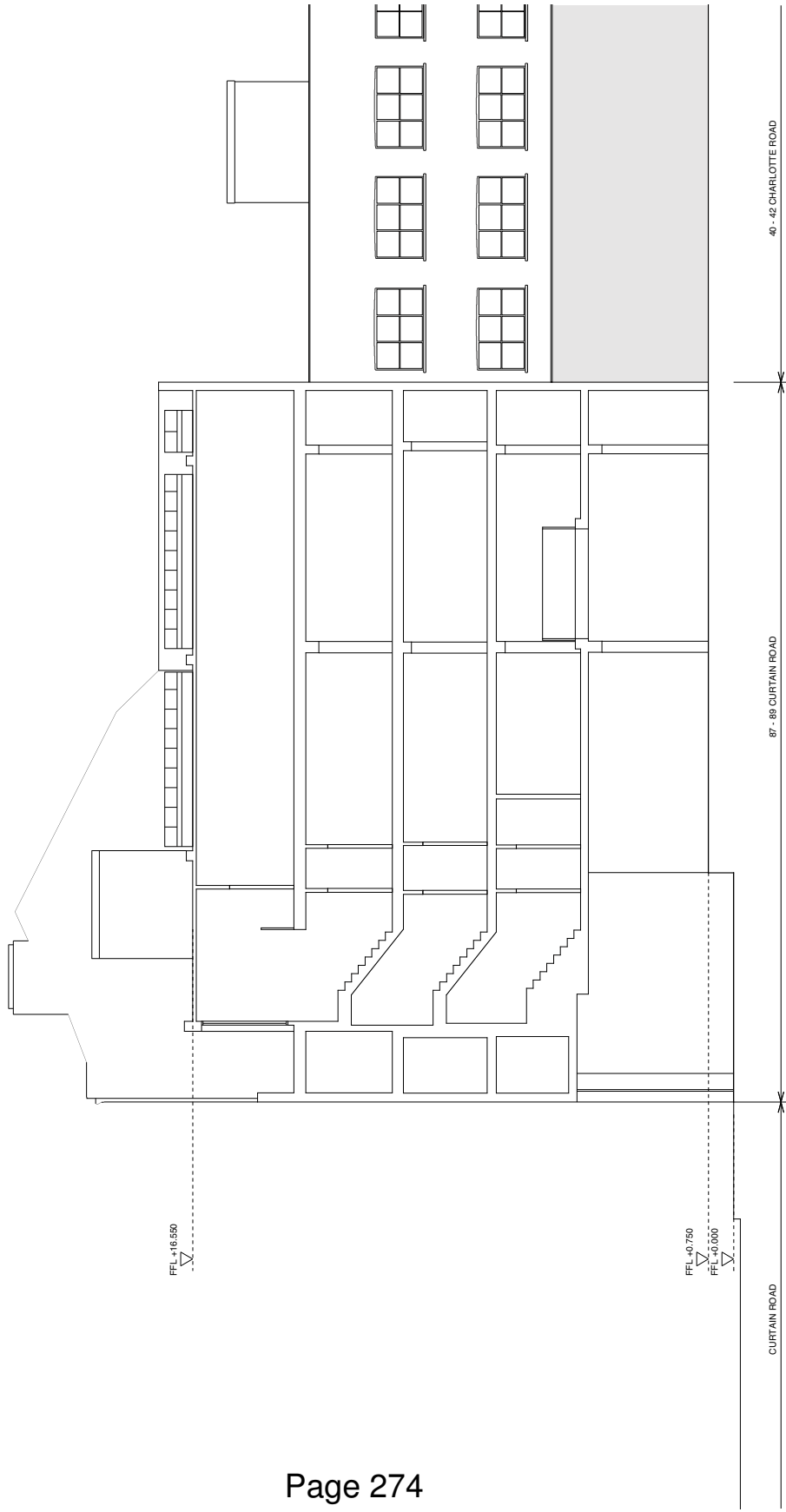
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	<p>DATE: 17.04.09 SCALE: 1:100 SHEET: A2</p>	<p>JOB NO: 301 DRAWING NO: 301_PL_722 REV: BR</p>	<p>DATE: 17.04.09 SCALE: 1:100 SHEET: A2</p>	<p>JOB NO: 301 DRAWING NO: 301_PL_722 REV: BR</p>



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JOB NO. 301	
87 - 95 CURTAIN ROAD, EC2A	REV.
EXISTING NORTH ELEVATION	301_PL_723
DATE 17.04.09	SCALE 1:100
DESIGNER TSH	903 A2
DRAWN BY BR	REV.

Toh Shimwaid Architecture 14 Weller Street London SE11 0QU Tel: 020 7928 9172 toh@tsh.co.uk www.tsh.co.uk	

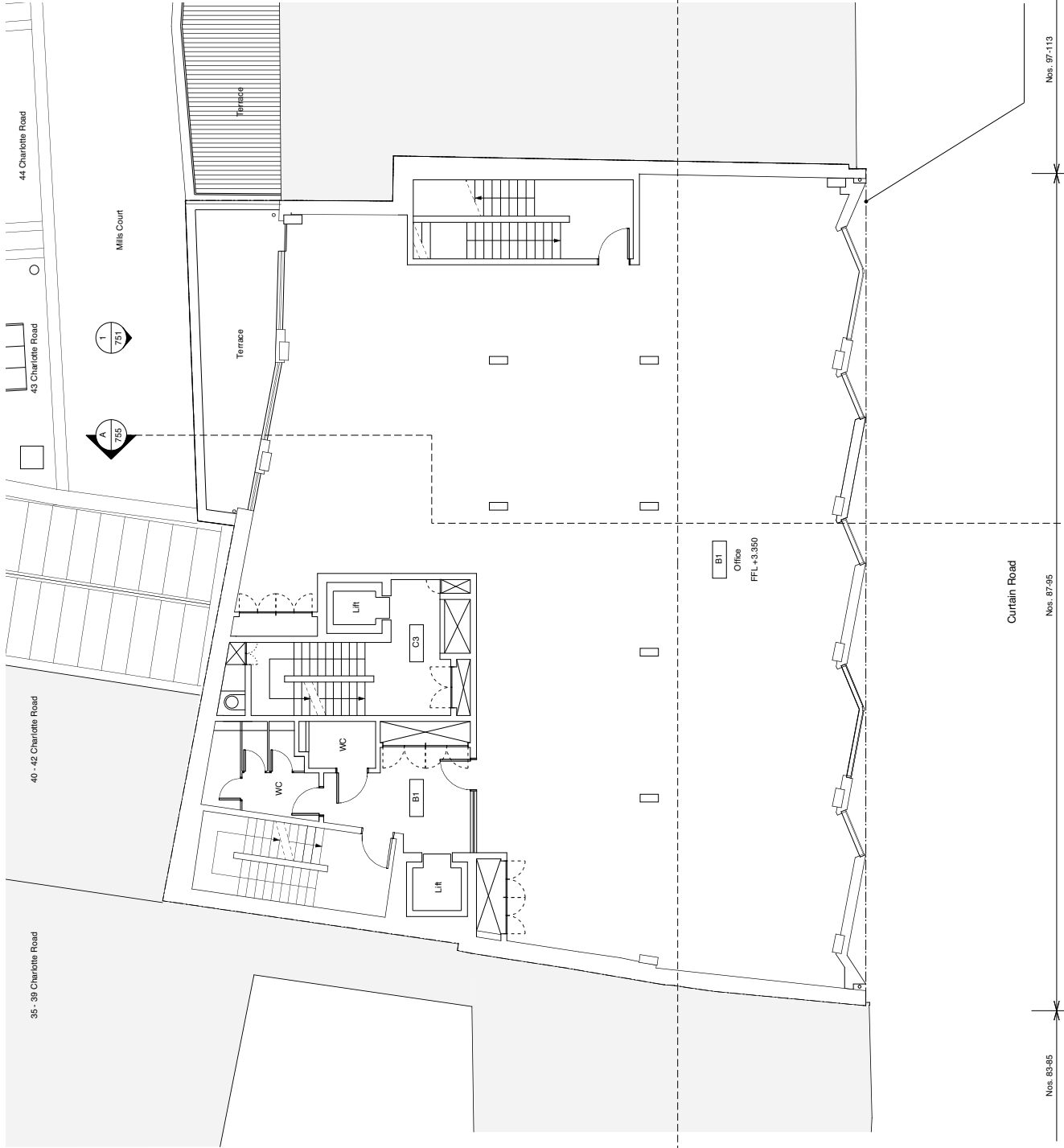


JOB NO. 301
 DRAWING NAME 87 - 95 CURTAIN ROAD EC2A
 DRAWING STATUS EXISTING SECTION AA
 DATE 17.04.09
 SCALE 1:100
 SIZE A2
 DRAWN BR
 CHECKED
 REV. -
 DRAWING NO. 301_PL_725

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 design intent only. All information to be
 checked against the site survey and
 approved and signed by the architect.





0m 1 2 3 4 5

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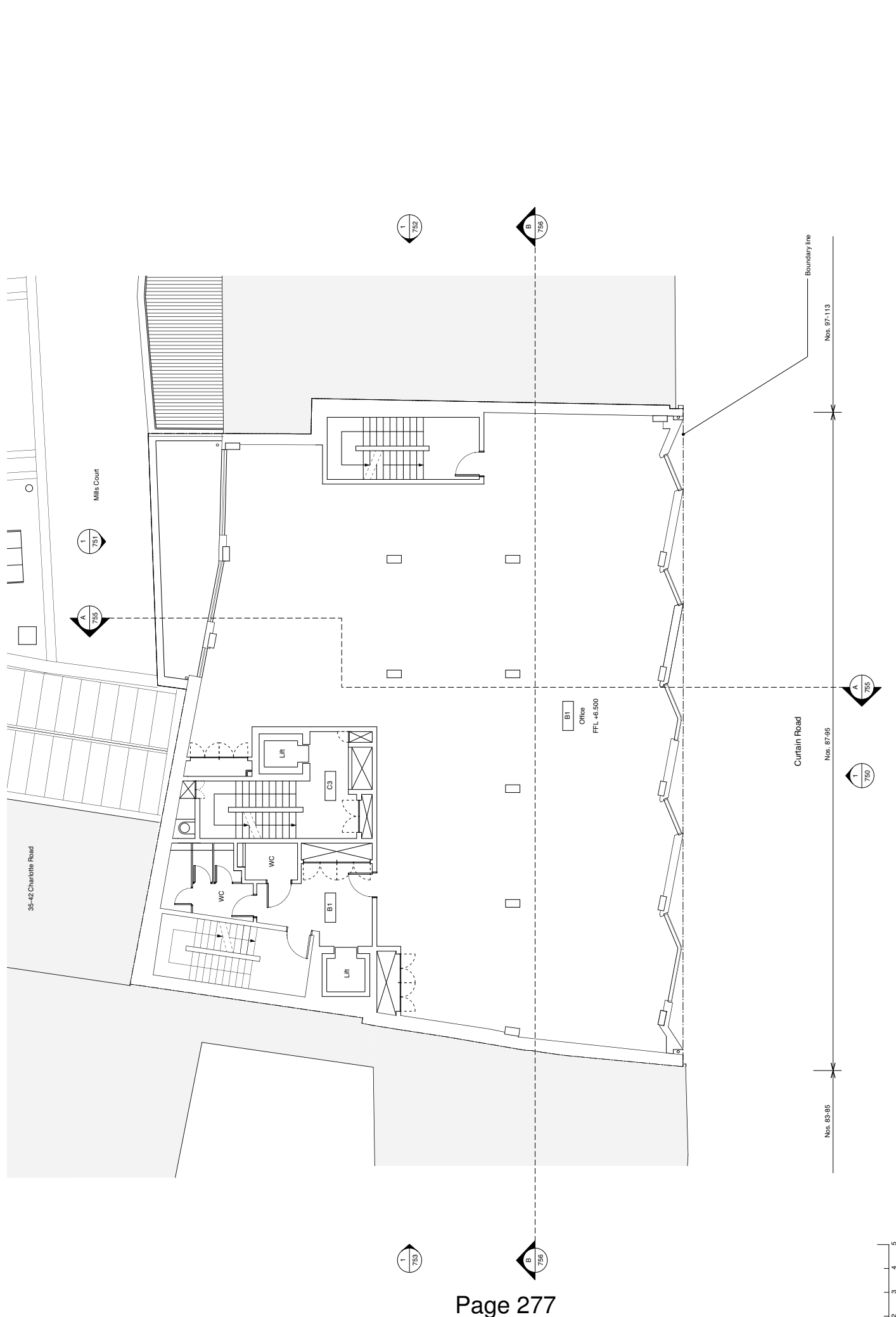
Rev. A:09.09.09 Issued for planning

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 Architects
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 muller-saccouk
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87-95 CURTAIN ROAD EC2A
 PROPOSED FIRST FLOOR PLAN
 DRAWING NO. PLANNING
 DATE 17.04.09
 SCALE 1:100
 SIZE A2
 DRAWN JF
 CHECKED JF
 301_PL_741
 REV. A

301



35-42 Charlotte Road

Mills Court

B1
Office
FFL - 6.500

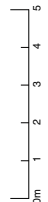
Curtain Road

Boundary line

Nos. 97-113

Nos. 37-39

Nos. 63-65

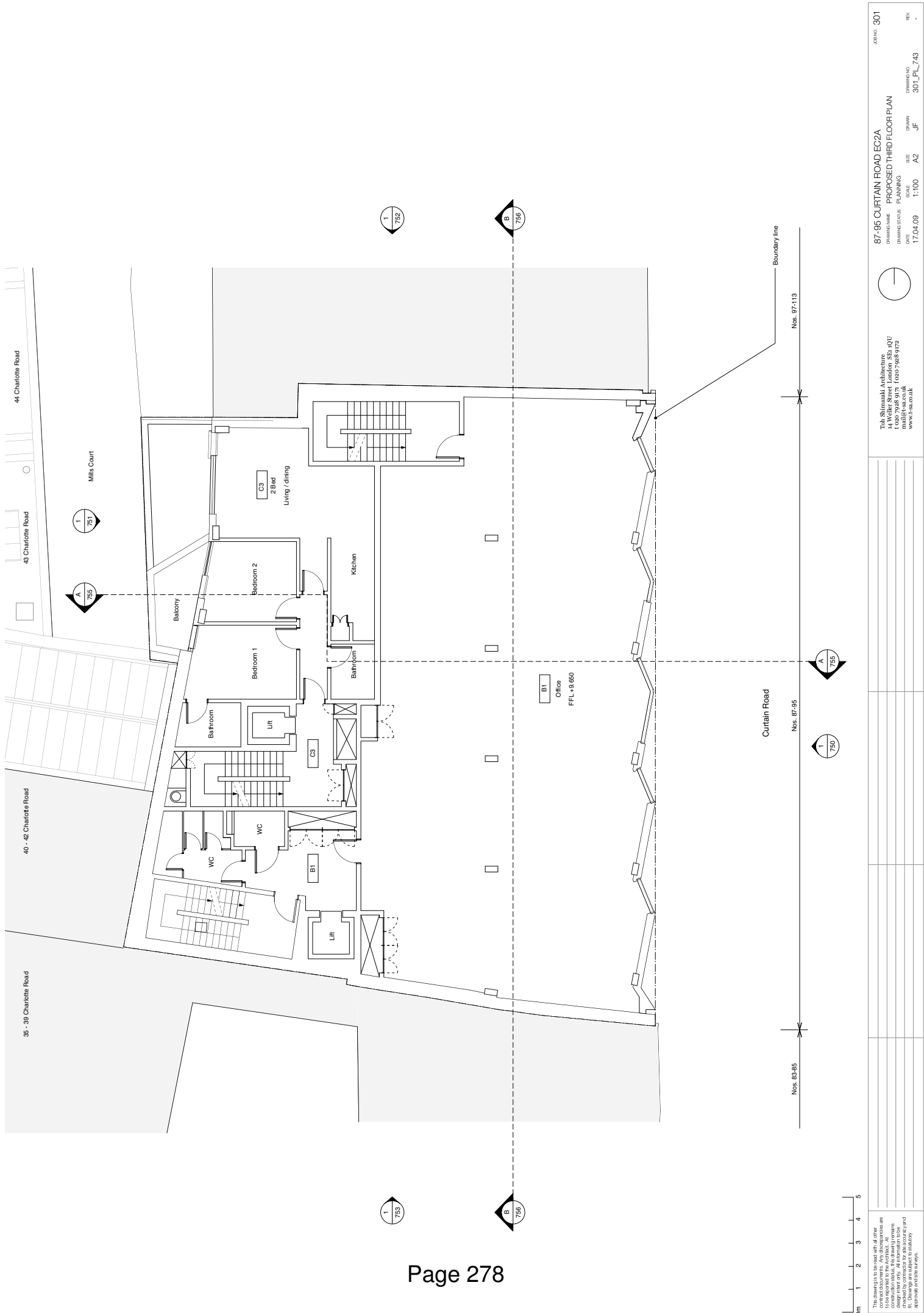


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87-95 CURTAIN ROAD EC2A
PROPOSED SECOND FLOOR PLAN
SCALE: AS SHOWN
DATE: 17.04.09

JOB NO: 301
DRAWN: JF
CHECKED: JF
DATE: 17.04.09



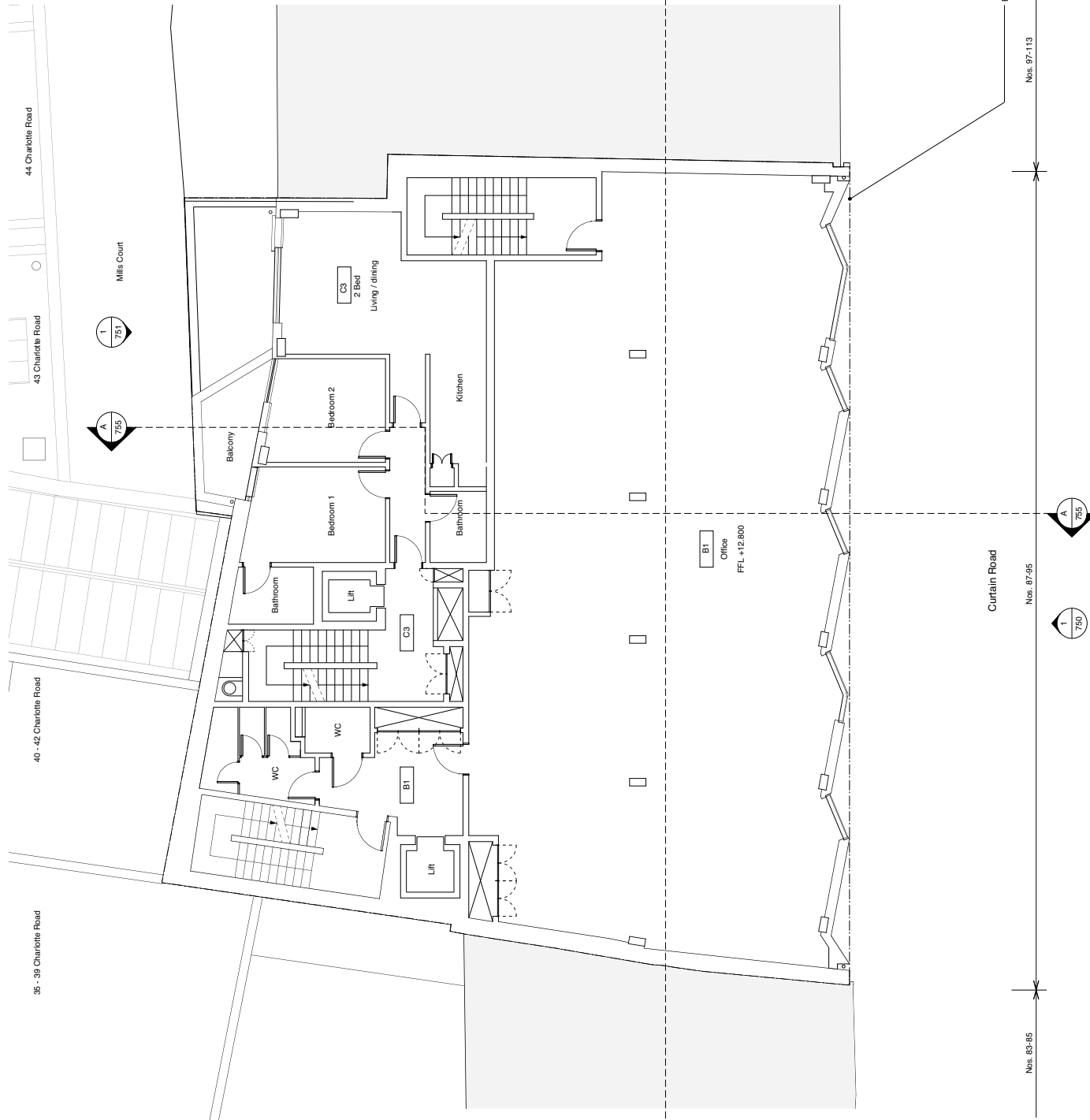
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87-95 CURTAIN ROAD EC2A
 DRAWING NAME PROPOSED THIRD FLOOR PLAN
 DRAWING STATUS PLANNING
 DATE 17.04.09 SCALE A2 SIZE A2 JF DRAWN JF
 DRAWING NO. 301_PL_743 REV. -

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JOINT NO. 301

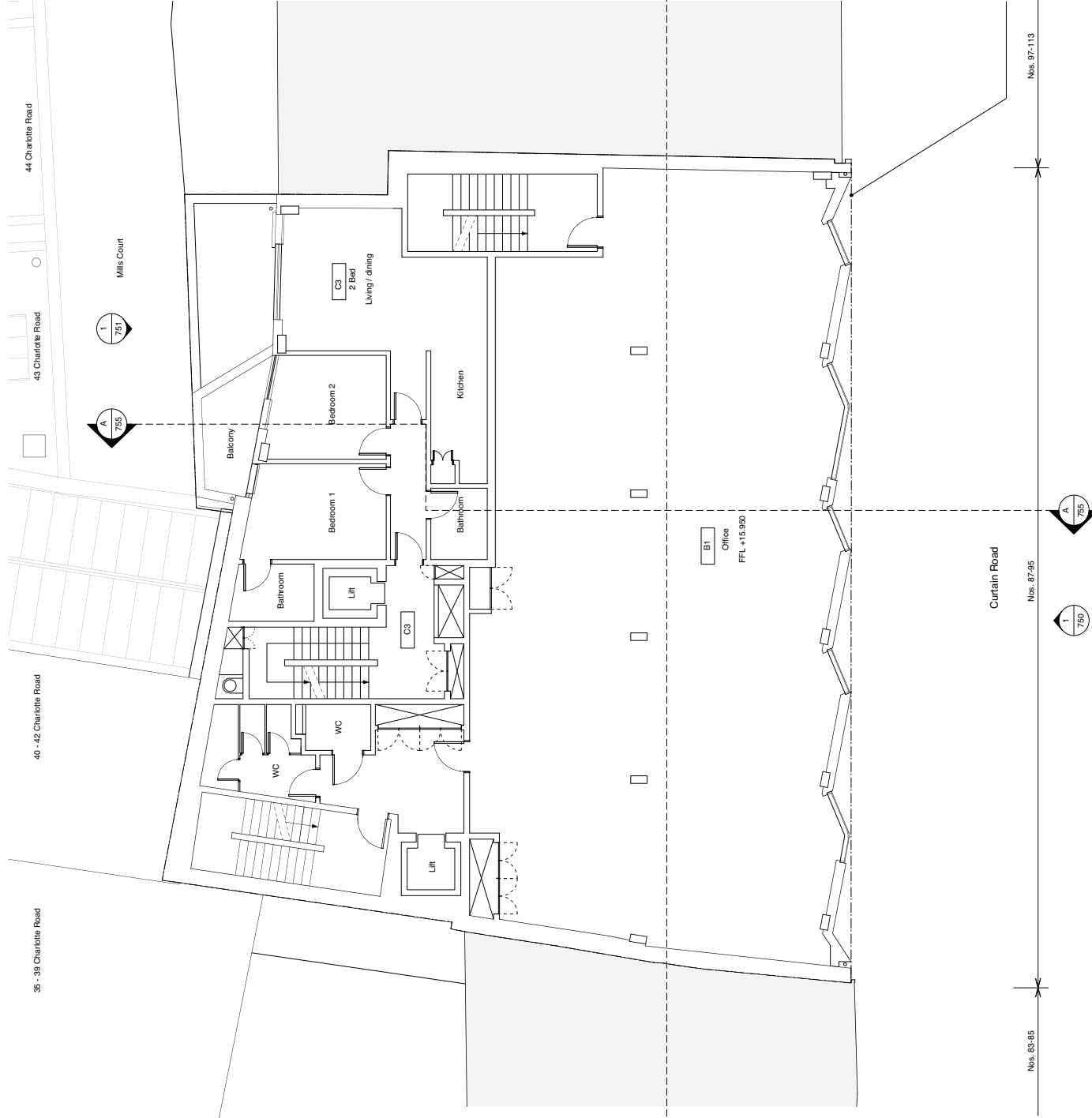


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 www.t-sa.co.uk

87-95 CURTAIN ROAD EC2A
 PROPOSED FOURTH FLOOR PLAN
 SCALE: A2
 DATE: 17.04.09
 DRAWN: JF
 CHECKED: JF
 JOB NO: 301_PL_744



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 mullif@sa.co.uk
 www.sa.co.uk

87-95 CURTAIN ROAD EC2A
 DRAWING NAME PROPOSED FIFTH FLOOR PLAN
 DRAWING SCALE A2
 DATE 17.04.09
 DRAWN BY JF
 CHECKED BY JF
 DRAWING NO. 301_PL_745



Nos. 83-85
Curtain Road
Nos. 87-85
Nos. 97-113



0m 1 2 3 4 5

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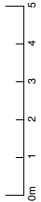
<p> Toh Shimazaki Architecture 14 Wellesley Street, London, SE11 1QU Tel: 020 7461 9174 mail@tsa.co.uk www.tsa.co.uk </p>	<p> 87-95 CURTAIN ROAD EC2A PROPOSED SIXTH FLOOR PLAN DRAWING NO. 301_A_746 DATE 17.04.09 SCALE A2 DRAWN JF CHECKED JF </p>
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ARCH NO. 301
 REV. A



Curtain Road

Nos. 83-85 Nos. 87-89 Nos. 97-113



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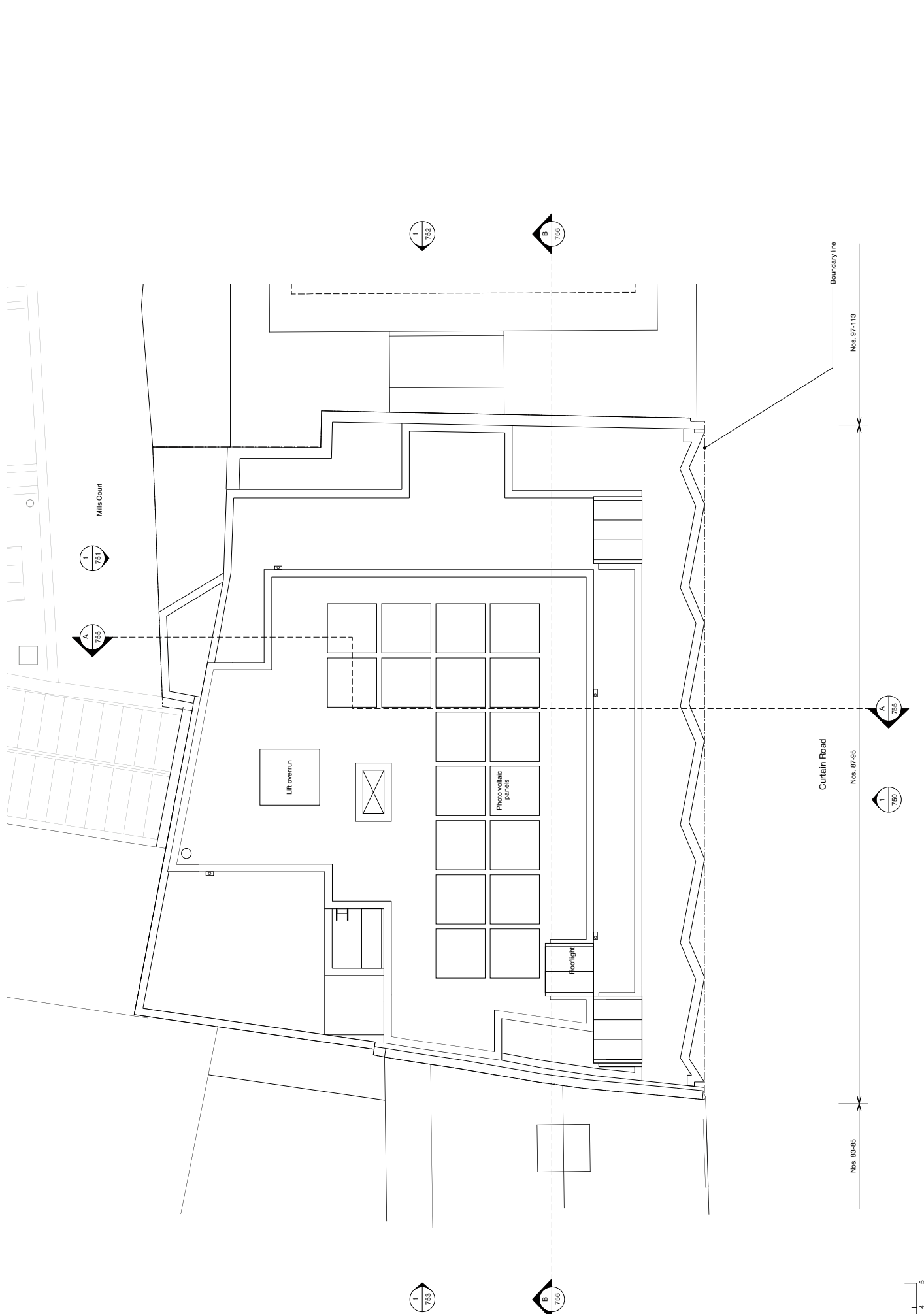
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87-95 CURTAIN ROAD EC2A
 PROPOSED SEVENTH FLOOR PLAN
 DATE: 17.04.09
 SCALE: 1:100
 DRAWN: JF
 CHECKED: A2
 REV. A

NO. 301



Mills Court

Lift overrun

Photo voltaic panels

Bedlight

Curtain Road

Boundary line

Nos. 97-113

Nos. 37-35

Nos. 63-65

1
751

A
755

1
752

B
756

1
750

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755

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753

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0m 1 2 3 4 5

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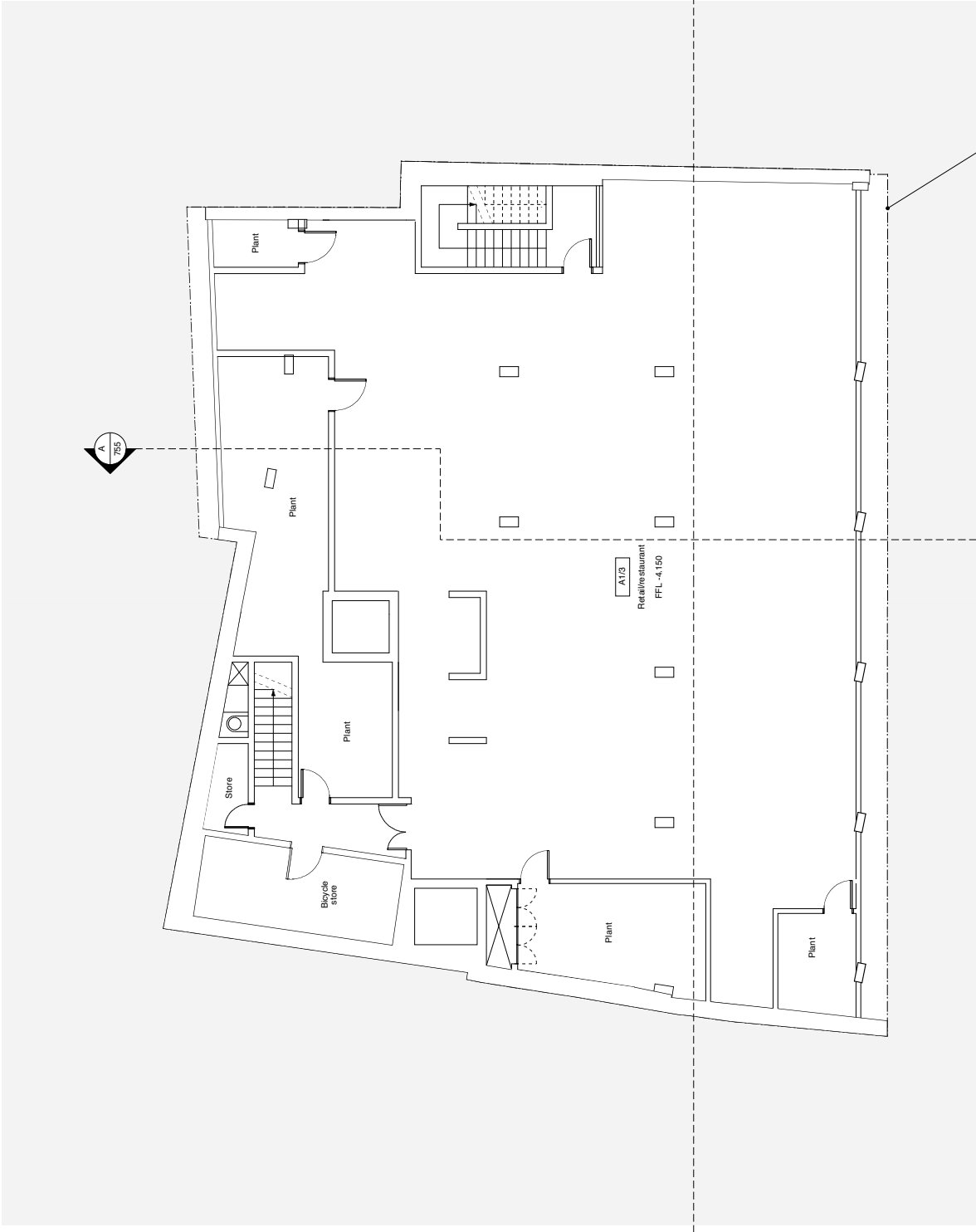
Toy Shimazaki Architecture
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mullif@t-sa.co.uk
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87-95 CURTAIN ROAD EC2A
DRAWING NAME PROPOSED ROOF PLAN
DRAWING STATUS PLANNING
DATE 17.04.09 SCALE A2
JOB NO. JF

JOB NO. 301

DRAWING NO. 301_PL_748

REV. -



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756

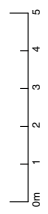
B
756

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Boundary line

Nos. 87-95



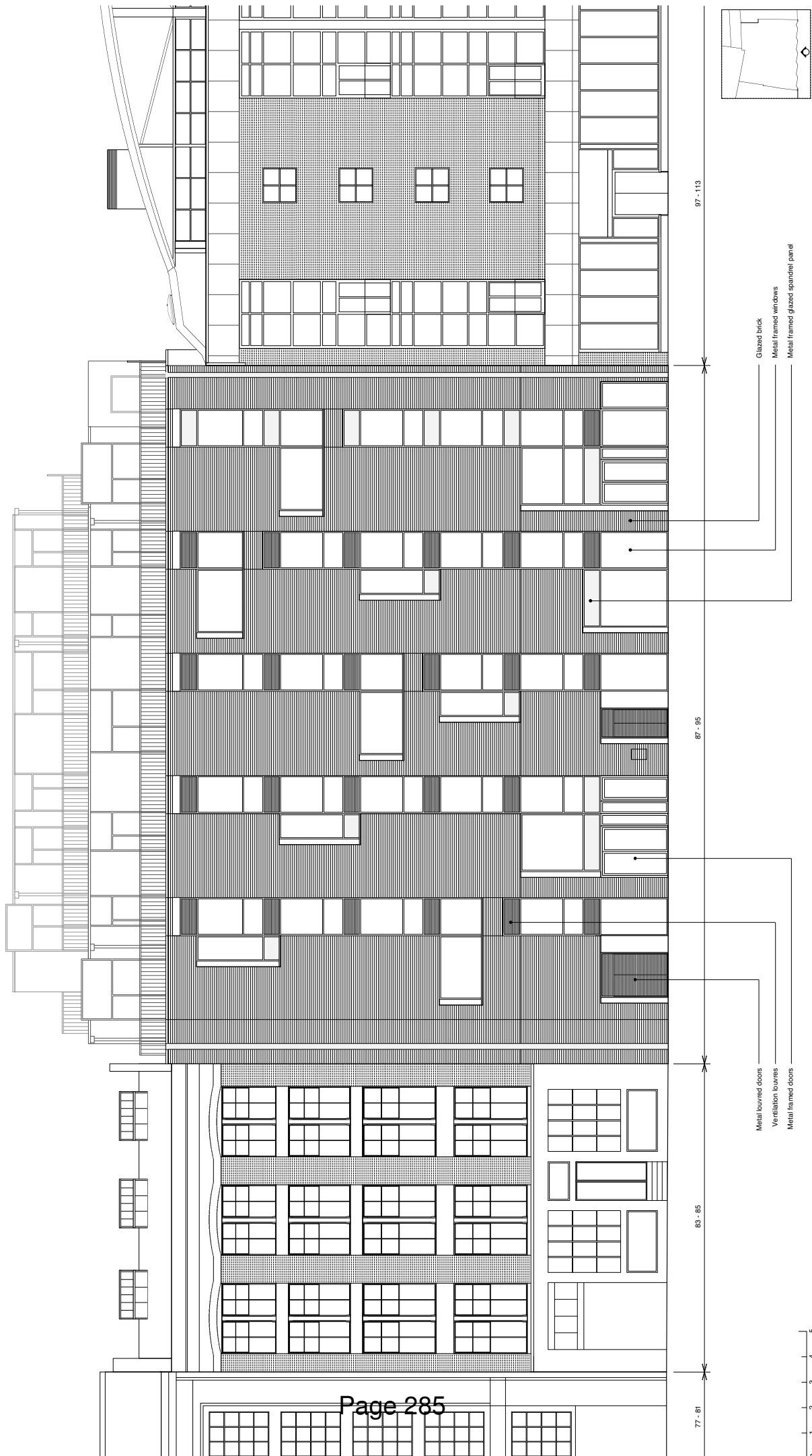
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87-95 CURTAIN ROAD EC2A
 DRAWING NAME PROPOSED BASEMENT PLAN
 DRAWING STATUS PLANNING
 DATE 17.04.09 SCALE A2
 SIZE A2
 DRAWN JF
 CHECKED JF
 DRAWING NO. 301_PL_749
 REV.



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JOHN 301

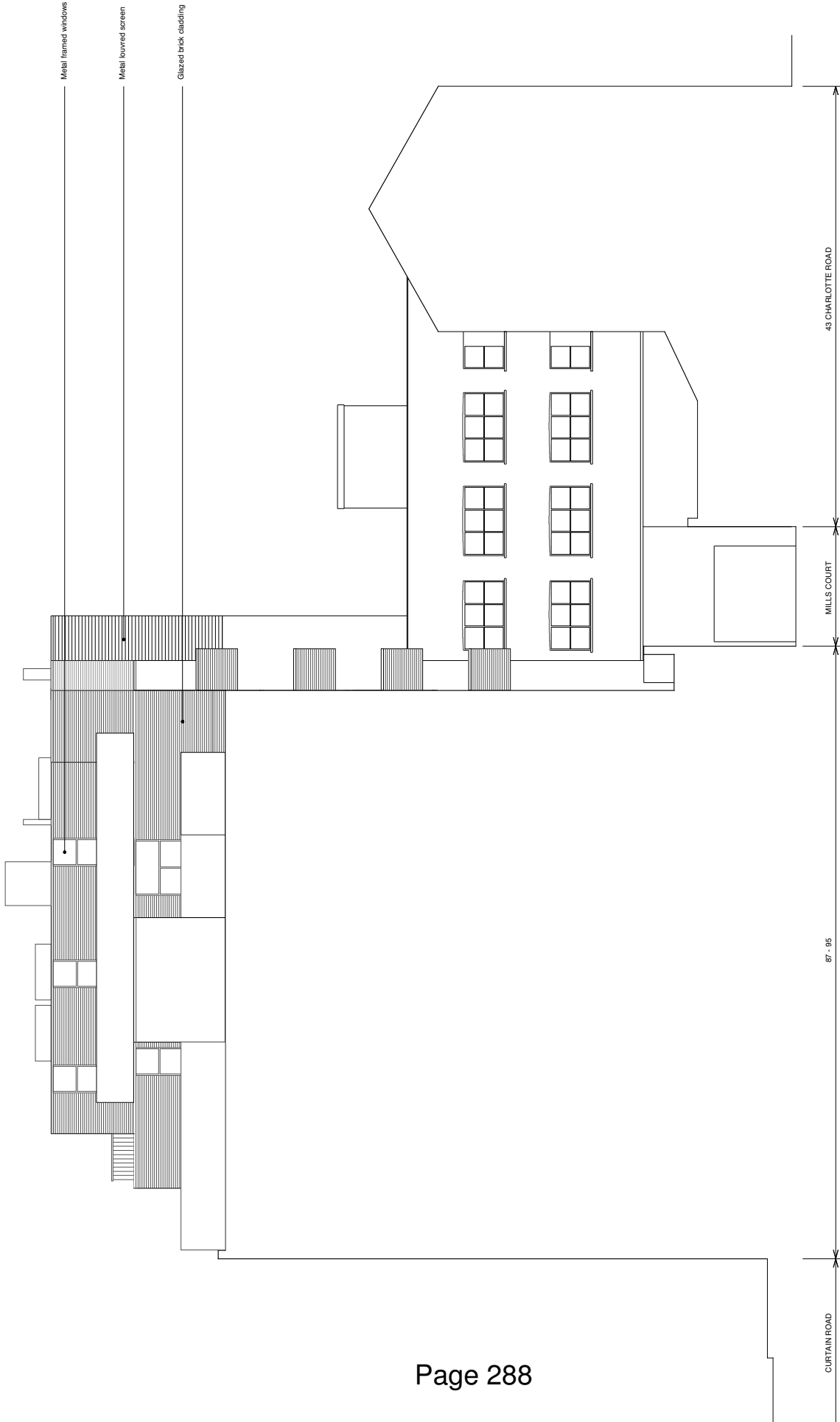


JOB NO. 301
 DRAWING NAME: 87 - 95 CURTAIN ROAD, EC2A
 DRAWING NO. 301_P_L_750
 DRAWING DATE: 17.04.09
 DRAWING SCALE: 1:100
 DRAWING SIZE: A2
 DRAWING BY: JF
 DRAWING REV: A

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 t: 020 7928 9071 f: 020 7928 9172
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 www.tandaa.co.uk

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Metal framed windows

Metal louvre screen

Glazed brick cladding

43 CHARLOTTE ROAD

MILLS COURT

87 - 85

CURTAIN ROAD

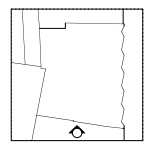


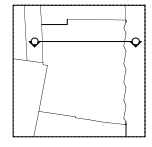
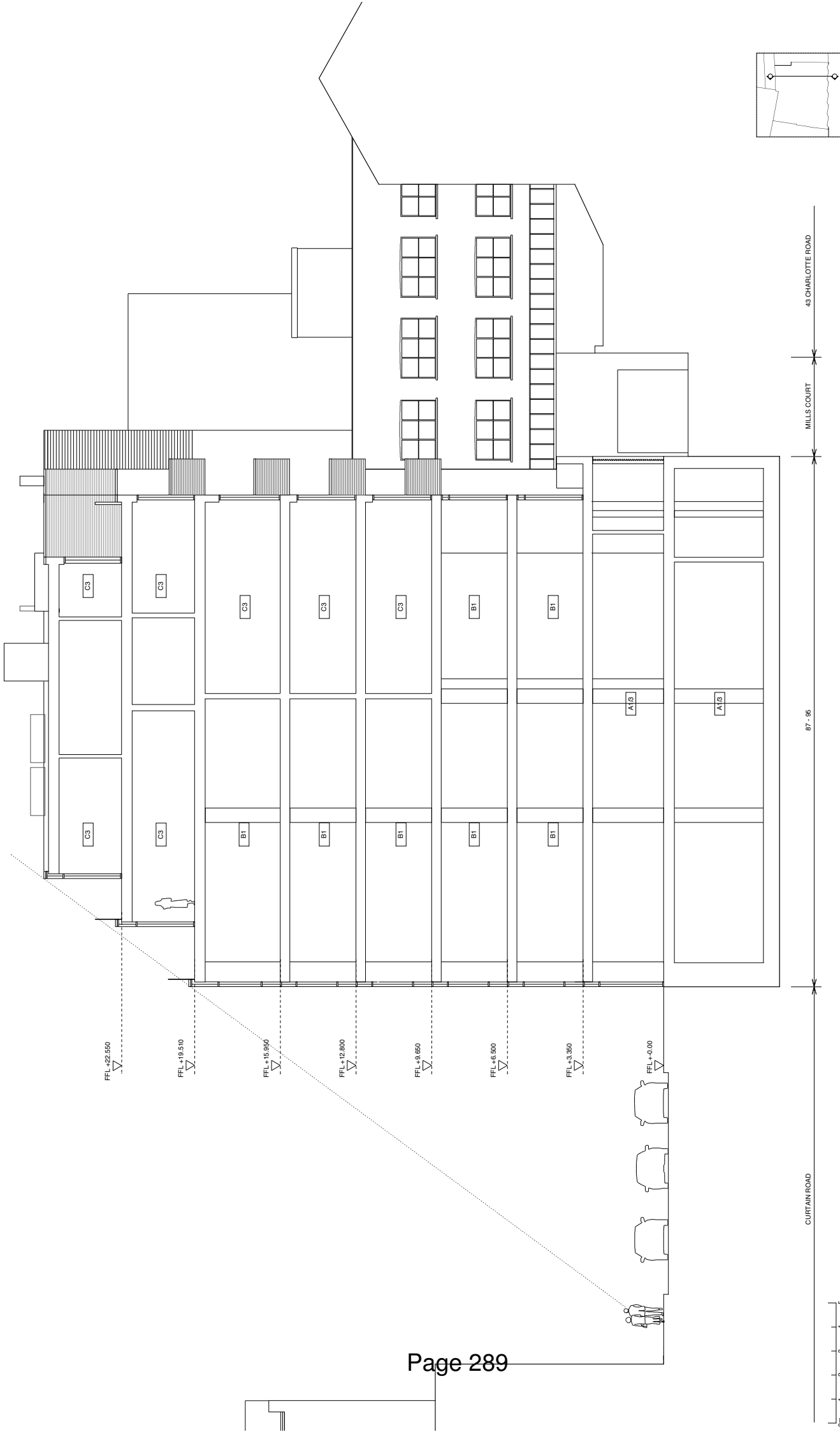
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87 - 85 CURTAIN ROAD, EC2A
 PROPOSED NORTH ELEVATION
 DRAWING NO: 301_PL_753
 DATE: 17.04.09
 SCALE: 1:100
 DESIGNED BY: AS
 DRAWN BY: BR
 CHECKED BY: BR

JOB NO. 301
 REV: -





87 - 95
MILLS COURT
43 CHARLOTTE ROAD

87 - 95
CURTAIN ROAD

CURTAIN ROAD

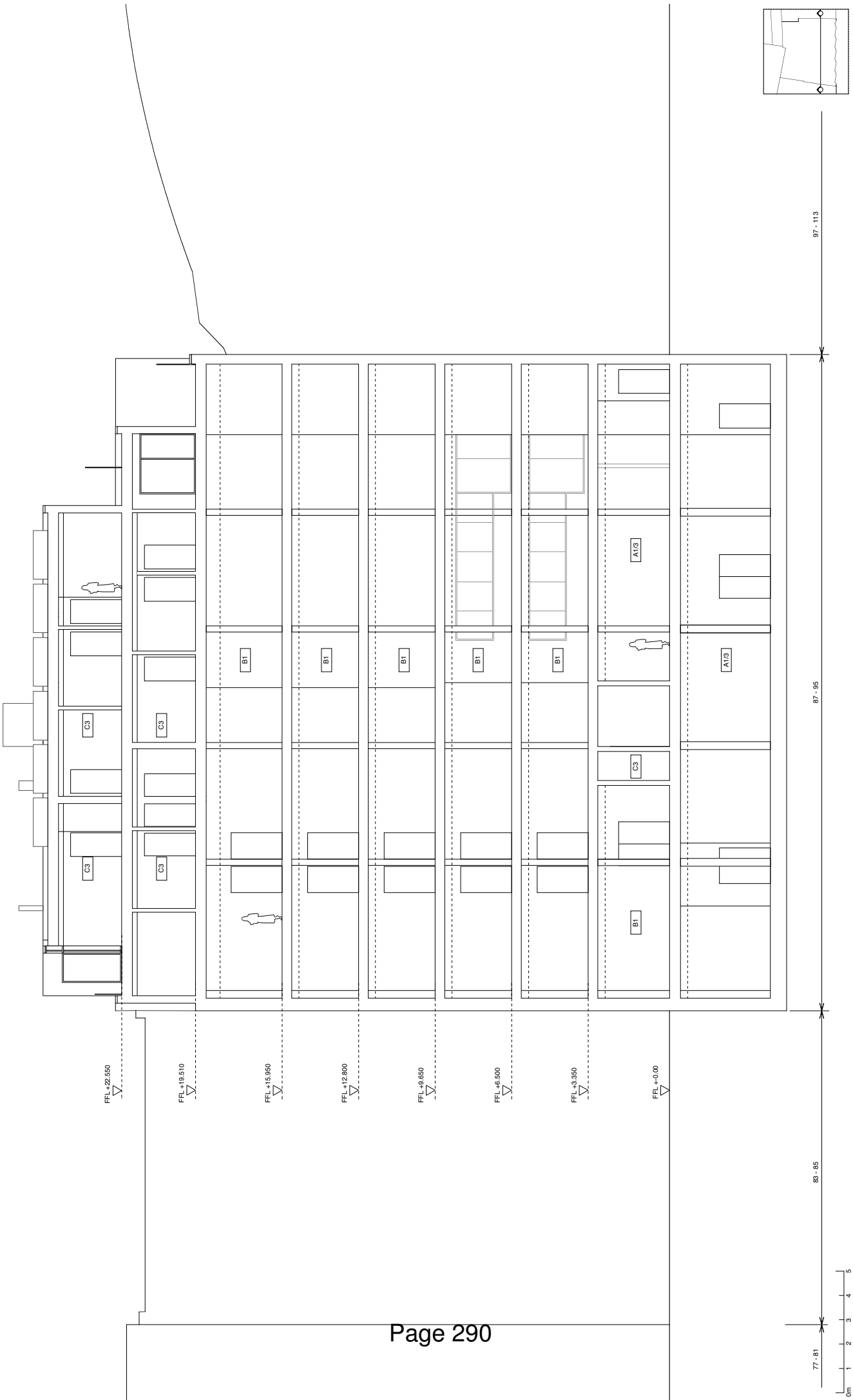


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documents. Information to be
designer only. All information to be
approved and signed by the
designer and the architect.

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87-95 CURTAIN ROAD, EC2A
DRAWING NAME PROPOSED SECTION AA
DRAWING STATUS PLANNING
DATE 17.04.09
SCALE 1:100
SIZE A2
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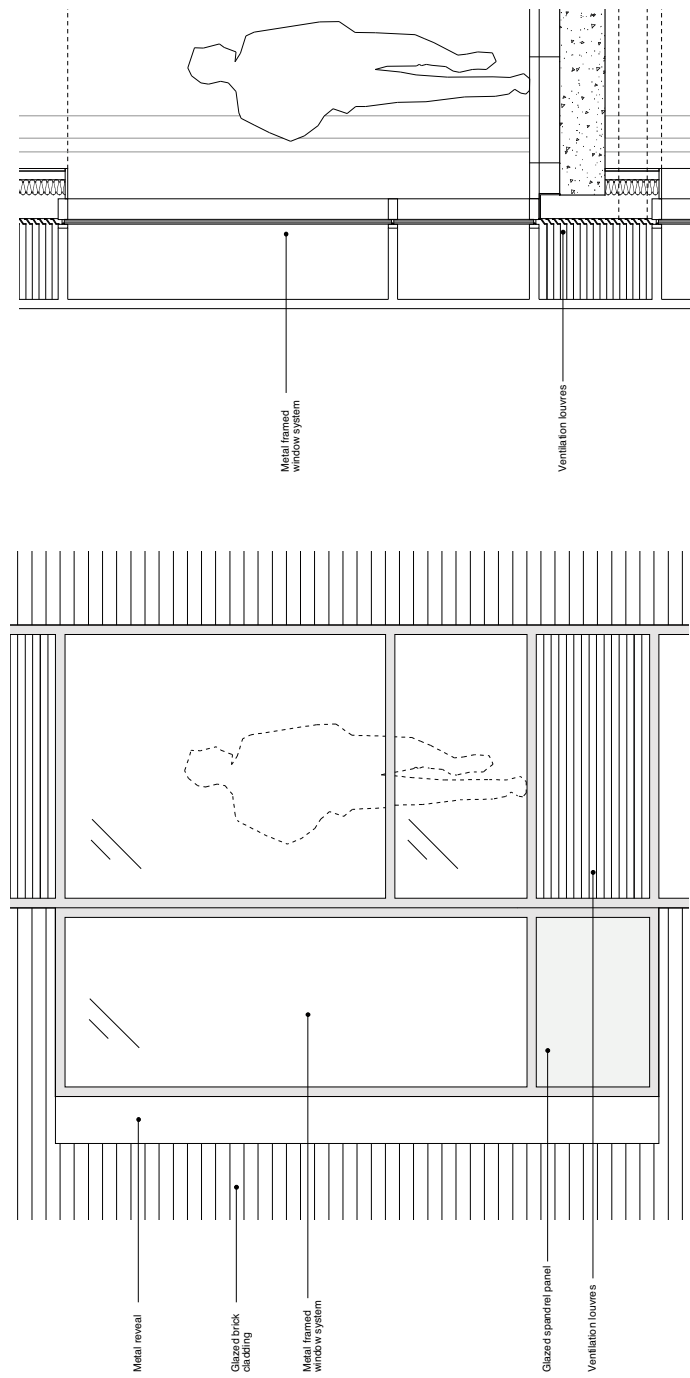
301
DRAWING NO.
301_PL_755



87-95 CURTAIN ROAD, EC2A
 DRAWING NO. 301
 DRAWING TITLE PROPOSED SECTION BB
 DRAWING STATUS PLANNING
 DATE 17.04.09
 SCALE 1:100
 SIZE A2
 DRAWN BR
 CHECKED
 APPROVED

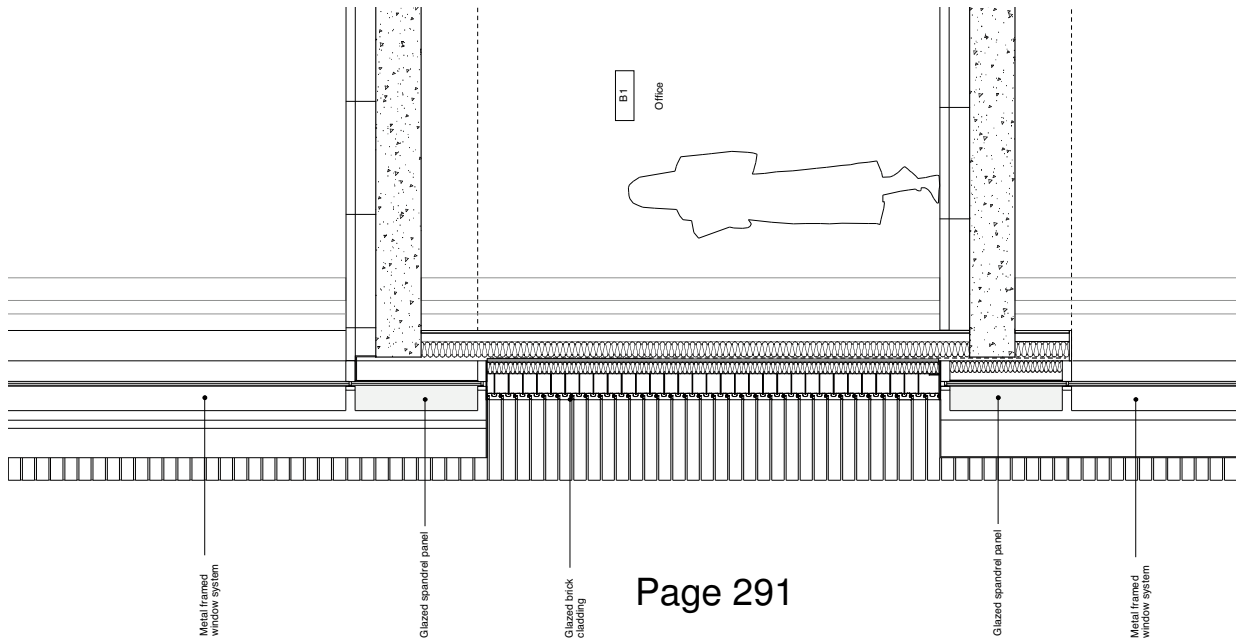
Toh Shimazaki Architecture
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 It does not constitute a contract and
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 approval and site surveys.



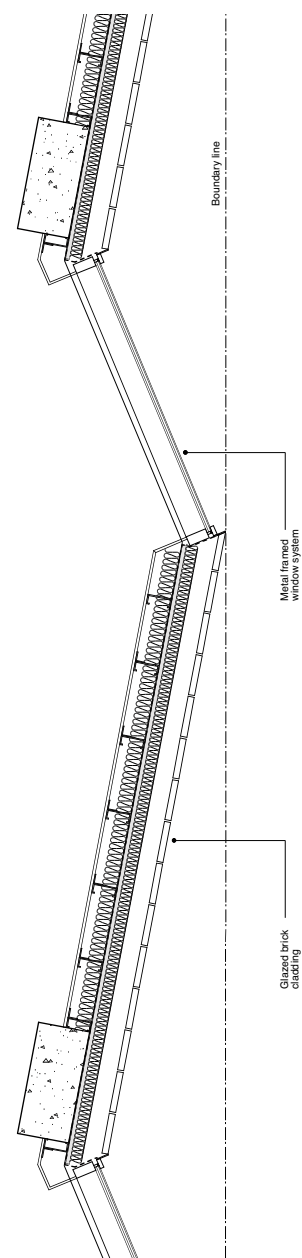
03 SEC SKETCH SECTION 1:20

02 ELE SKETCH ELEVATION 1:20



01 SEC SKETCH SECTION 1:20

04 PLAN SKETCH PLAN 1:20



04 PLAN SKETCH PLAN 1:20

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ADDRESS: 326-330 Green Lanes, London, N4 1BX	
WARD: New River	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2008/2019	VALID DATE: 29/09/2008
DRAWING NUMBERS: 0663-20-201; 0664_00_901; 0664_Sk1_Front; 0664-20-202; 0664-98-001,100, 201, 202, 210 to 212; 0664-00-200 B, 201 B, 210 B, 211 B, 212 B, 213 C; 0665-00-202 B, 203 B, 204 B.	ACCOMPANYING DOCUMENTS: Daylight and Sunlight Report, Design and Access Statement, Energy Report, Sustainability Statement, Transport Assessment.
APPLICANT: Let's Buy Ltd 137 Tottenham Lane Crouch End London N8 9BJ	AGENT: Papa Architects Ltd 222 Archway Road Highgate London N6 5AX
PROPOSAL: Demolition of existing building and erection of a five-storey building to be used as a hostel (use class sui generis) containing twenty-eight self-contained units.	
POST-SUBMISSION REVISIONS: None.	
RECOMMENDATION SUMMARY: Grant conditional planning permission.	

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	Sui generis	Hostel	773 sq.m.
Proposed	Sui generis	Hostel	1109.5 sq.m.

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+

Existing	Rooms with shared facilities	N/A (35 rooms)				
Proposed	Studio flats	19	0	0	0	0
	Non-studio flats	9	0	0	0	0
Totals	(Total = 28)					

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	3	0	0
Proposed	1	1	12

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The site consists of three conjoined Victorian terraced villas of four storeys in height, which have been converted to hostel accommodation. The converted buildings are on the eastern side of Green Lanes, opposite Finsbury Park, in the adjoining borough of Haringey.
- 1.2 The surrounding area contains other examples of Victorian villas converted to flats, HMOs (houses in multiple occupation) and hostels, particularly along Green Lanes and Seven Sisters Road. Beyond these thoroughfares, the area is largely characterised by blocks of interwar and post-war municipal housing, many of which are between five and ten storeys in height and form part of the Woodberry Down estate (to the east and south-east of the application site).
- 1.3 The application site's location close to the junction of Green Lanes and Seven Sisters Road means it enjoys a high level of public transport accessibility, with frequent buses to other parts of north London, elsewhere in the borough as well as to the West End and the South Bank. Manor House Underground station is only fifty metres away. The intersection contains local shops and amenities at ground-floor level.

2. CONSERVATION IMPLICATIONS

- 2.1 No statutorily listed or locally listed buildings are affected by the application. The site is not situated in a conservation area.

3. HISTORY

- 3.1 08/03/2002: Planning permission granted for the retention of conversion works to provide three studio units (2001/0890).

- 3.2 15/06/2001: Planning permission refused for the retention of conversion works to provide one self-contained flat and two studio flats. (NORTH/818/00/FP).
- 3.3 21/09/1998: Planning permission granted for use as a house in multiple occupation providing eleven two-person and two one-person rooms (NORTH/347/98/FP).

4. CONSULTATIONS

- 4.1 Date statutory consultation period started: 27/10/2008
- 4.2 Date statutory consultation period ended: 08/12/2008
- 4.3 Site notice: Yes
- 4.4 Press advert: Yes

4.5 Neighbours

115 surrounding occupiers have been consulted by personal letter. Three letters of objection have been received, of which one is from Councillor Maureen Middleton (New River).

Councillor Middleton's objection is as follows:

'Please will you take this e-mail as a serious objection on behalf of residents surrounding this property that they are against yet another hostel being built. The feeling is that there are enough hostels in the area and as this is a regeneration area it should not even be considered for such uses.'

[It should be noted that the proposal is to replace an existing hostel currently accommodated in substandard buildings with a new hostel building, and so the proposal would not introduce a new hostel use to the area. The number of hostel rooms is 35 as existing and 28 as proposed.]

The only other objection for which details were provided is on the following basis:

- Already enough hostels in the immediate area. 'There are limited recreational facilities for people living in this type of accommodation. The property would be better left as it is as a hotel, or converted into flats for local families.'

4.6 Statutory Consultees

- 4.6.1 Thames Water: No objection.
- 4.6.2 Crossrail Safeguarding: No comment.

4.7 Local Consultees

4.7.1 Metropolitan Police (Secured by Design Officer): No response received.

4.7.2 London Fire and Emergency Planning Authority: Unable to determine if the proposals in relation to the precautionary arrangements meet the requirements of Section B5 of the current Building Regulations for fire brigade access. [Note: following this response from the London fire brigade, the applicant forwarded a copy of an earlier letter from the fire brigade, which states: 'I can confirm... that access into the proposed site will not be required as the distance from public road is within the parameters set out in Approved Document B5'.]

4.7.3 Transport for London: No response received.

4.8 Other Council Departments

4.8.1 Urban Design and Conservation: We have no objections to this project in principle since the scheme provides a relatively good main elevation and reasonable massing. However, some design issues regarding the lift lobby, the location of the refuse & recycling store and cycle store and the spatial quality of the street frontage and the landscape on Green Lanes should be further addressed.

4.8.2 Highways: No response received.

4.8.3 Traffic and Transport: The proposal is generally acceptable. The cycle parking provision is satisfactory. TfL cycle standards for hostels are one per four bedrooms. They have provided twelve cycle parking places, which exceeds TfL requirements. The level of parking provision is also satisfactory – one normal parking place and one disabled parking place. Provision for delivery by transit vans has been provided within the site and is considered acceptable. Vehicular ingress is via the existing vehicular crossover in Green Lanes and egress is at the other end of the shared access road in Woodberry Grove. The main concern is the width of the shared access road, which is required to be minimum 3.7 metres for emergency access. However, the access road is an existing access road which is in use. The DfT Manual for Streets 2007 allows the absolute minimum width of 2.75 metres to be applied (and this might apply in this instance), providing that the proposed width of 3.0 metres is approved by the local fire safety officer.

4.8.4 Waste Management: 'All OK.'

4.8.5 Policy: No response received in relation to this planning application. However, comment was provided on another hostel-related planning application, which is reproduced here for Members' information:

'The issue of hostels, bed and breakfasts and low-budget hotels was a great concern in the Finsbury Park and Manor House area in the 1980s, owing to hoteliers exploiting residents and local authorities placing homeless people there. The area was also associated with anti-social behaviour, prostitution and a lack of play facilities for children based in the B&Bs.

'As a result, the Council prepared a hostels SPG, which we have on file... However, it appears that the issues in this area have abated to an extent, although some concerns have been expressed recently by Woodberry Down residents regarding migrant workers located in local hostel accommodation.

'[With regard to the UDP policy HO15] the reference to 'unacceptable impact on the character of the surrounding area or living conditions of local residents' seems pretty vague. Reading the justification of the policy, it seems that it is very much orientated towards providing accommodation for certain sectors of that population that, due to market prices, would not be able to have access to a decent house – but it does state that the Council will also have regard to the number of existing premises of this type within the local area, in order to avoid increasing the potential stress on local amenities. Therefore, if we don't have a written letter, evidence, study, etc. from health clinics in the area, libraries, schools, or any other social and community facilities stating that they are over-stretched as it is, and cannot accommodate any more population growth, then we don't have a case, in terms of policy, to refuse this planning application.'

4.8.6 Pollution Control: No response received.

4.8.7 Private Sector Housing: No objections to the proposal as submitted.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)

EQ1 - Development Requirements
HO15 - Residential Hostels

5.2 Supplementary Planning Guidance (SPG)

SPG1 - New Residential Development
SPG11 - Access For People With Disabilities

5.3 London Plan (Consolidated with Alterations since 2004)

2A.1 - Sustainability criteria
3A.1 - Increasing London's supply of housing
3A.3 - Maximising the potential of sites
3A.6 - Quality of new housing provision
3A.13 - Special needs and specialist housing
3A.16 - Loss of hostels, staff accommodation and shared accommodation
3C.2 - Matching development to transport capacity

- 3C.17 - Tackling congestion and reducing traffic
- 3C.23 - Parking strategy
- 4A.1 - Tackling climate change
- 4A.3 - Sustainable design and construction
- 4A.4 - Energy assessment
- 4A.6 - Decentralised energy: heating, cooling and power
- 4A.7 - Renewable energy
- 4A.11 - Living roofs and walls
- 4A.14 - Sustainable drainage
- 4A.16 - Water supplies and resources
- 4B.1 - Design principles for a compact city
- 4B.2 - Promoting world-class architecture and design
- 4B.3 - Enhancing the quality of the public realm

5.4 National Planning Policies

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport

6. COMMENT

Planning permission is sought to demolish the existing buildings (which are used as a hostel) and erect in their place a five-storey building, also to be used as a hostel (use class sui generis), containing twenty-eight self-contained units. The hostel would contain nine one-bedroom flats and nineteen studio flats. Although all of these units are self-contained, the building will operate as staffed hostel accommodation.

The existing premises are used primarily for housing Council referrals of homeless persons or those requiring temporary or emergency accommodation. The quality of the hostel accommodation currently provided in the existing premises has been identified as sub-standard. The accommodation needs to be upgraded to meet current standards (the requirements of which include self-containment). The new hostel would house the same users in modern accommodation.

Considerations

The main considerations relevant to this application are:

- 6.1 The principle of the development
- 6.2 Design and appearance
- 6.3 Sustainability measures
- 6.4 Potential impact on the amenity of nearby residents
- 6.5 Acceptability of the accommodation

6.6 Traffic and transport considerations

6.7 Consideration of objections

Each of these considerations is discussed in turn below.

6.1 The principle of the development

6.1.1 Policy HO15 (Residential Hostels) in the Hackney UDP (1995) makes provision for the 'use of houses as residential hostels', subject to certain stipulations – including that which states 'the use will not lead to an unacceptable concentration of hostels within a residential area,' such as would be to the detriment of existing residents, their amenities, and 'often stretched' local services and educational facilities.

6.1.2 Although the policy doesn't specifically refer to the construction of new hostels but only to conversions from existing residential dwellings, it is not considered unreasonable to assume that the essence of the policy should apply equally to all proposals for hostel use, whether new-build or conversion. However, although it is known that there are other hostels in the area, there are no defined barometers of how many hostels would constitute an 'unacceptable concentration' nor any demonstrable means of identifying whether such a concentration is detrimental to existing residents and local services. Furthermore, in this instance, the fact that the existing buildings are already used as hostel accommodation establishes the use on site and is considered to constitute a material planning consideration that overrides the 'unacceptable concentration' proviso in policy HO15.

6.1.3 Finally, although the existing buildings on site have some architectural and historic merit, they have been much-altered over the years and accordingly enjoy no statutory protection; therefore there is no policy basis to resist their demolition.

6.1.4 Overall, therefore, it is considered that the principle of the proposed development is acceptable.

6.2 Design and appearance

6.2.1 The proposed building is taller than the existing buildings by approximately half a storey (1.7 metres to be exact), and 1.3 metres taller than the adjacent part of the terrace that falls outside the application site (no. 332). The front elevation of the proposed building is aligned to that of the existing buildings and continues the building line from no. 332, apart from a 5.6-metre-wide bay, which projects forward of no. 332's bay by approximately 0.3 metres. The overall footprint of the proposed building is bigger than the existing buildings, with a depth of 18.57 metres that extends backwards into the tarmac area to the rear of the current buildings (used for parking).

- 6.2.2 The aforementioned bay is five storeys high, with most of the remaining fifth storey set back from the building line. The building is contemporary in style, with the bay finished in reconstituted stone cladding with openings containing powder-coated double-glazed metal doors and windows, and a corresponding number of powder-coated metal fixed louvers. Approximately a quarter of the bay is recessed to allow for small balconies, the glass balustrades of which are flush with the rest of the bay. The remainder of the front and side elevations are treated with white self-coloured render, apart from a narrow strip of frameless glass curtain-walling at the join with no. 332. The set-back element of the fifth storey is finished with zinc cladding. The rear elevation is clad mostly in brick.
- 6.2.3 The height and massing of the proposed building is considered to be acceptable. The surrounding buildings provide a height range within which the proposed new building sits comfortably. It is considered that a height which exceeds that of the existing buildings by a maximum of 1.7 metres constitutes neither an unacceptable increase nor an excessive height such as would have an overbearing impact on the street scene. The detailed design is simple, coherent and unornamented, with an attractive materials palette appropriate to a competent contemporary design, and generously proportioned window apertures.
- 6.2.4 Overall, the proposed development is considered acceptable in design terms and complies with local, regional and national policies.

6.3 Sustainability measures

- 6.3.1 Although the Code for Sustainable Homes is now the preferred methodology for calculating the sustainability criteria of a new housing development, BREEAM Multi-Residential is the applicable sustainability assessment for sheltered-housing-type accommodation. It is intended that the proposed development attains a BREEAM rating of 'very good'. Proposed energy efficiency measures include low-energy lighting, improved building fabric and reduced air infiltration, and will reduce the overall carbon emissions of the development by approximately sixteen per cent. A further twenty per cent of the proposed building's post-efficiency carbon emissions would be reduced through a district biomass heating system, comprising a wood pellet boiler, wood pellet store and thermal store in the plant room. The total carbon reduction of the proposed scheme is estimated to represent a thirty-three per cent reduction over the same development built to current buildings regulations, thereby complying with the London Plan's twenty per cent reduction target. It is recommended that a condition be imposed to secure this compliance with the London Plan's energy policies.
- 6.3.2 Rainwater harvesting is proposed for toilet flushing and outdoor space irrigation. Each unit will contain a dedicated recycling storage space as well as a central dedicated storage space for recyclable materials at ground-floor level. Solar water-heating and photovoltaic panels aren't proposed for the

roof, however, nor is a green roof (although this can be secured by use of the appropriate condition).

- 6.3.3 Overall, however, the proposed development is considered acceptable in sustainability terms and complies with the relevant London Plan policies.

6.4 Potential impact on the amenity of nearby residents

- 6.4.1 There are residential properties to the north and south, comprising the continuation of the terrace on either of the existing buildings that comprise the application site; gable walls therefore face each other here. There is also a residential block to the north-east of the application site, 2a Woodberry Grove, from which the rear elevation of the proposed building is separated by only six metres. However, again it is the (windowless) gable wall of this block that the rear windows of the proposed development look onto.
- 6.4.2 The only residential building with habitable-room windows that face the rear windows of the proposed development is a small two-storey building containing two studio flats (326a and 326b Green Lanes), the front elevation of which is separated from the rear elevation of the proposed building by a distance of thirteen metres. The Council's Supplementary Planning Guidance document SPG1: New Residential Development (1998) states that habitable rooms directly opposite each other should be at least twenty-one metres apart. However, as this building already faces onto a rear extension to the existing buildings with a separation of approximately thirteen metres (with the rest of the rear elevation seventeen metres away), it is considered that existing levels of daylight and sunlight will not be significantly depleted – nor any existing overlooking sufficiently exacerbated – such as would warrant the refusal of the application on these grounds.
- 6.4.3 Furthermore, the submitted Daylight and Sunlight Report measures the availability of natural light to the affected windows and confirms compliance with the BRE (Building Research Establishment) guidelines.
- 6.4.4 Therefore, it is considered that the proposal will not result in any materially detrimental impact on the amenity of adjoining occupiers by way of overlooking, loss of daylight, sunlight, overshadowing or an increased sense of enclosure. Overall, the proposed development is considered to be acceptable with regard to amenity and complies with the relevant policy in the Hackney UDP (1995).

6.5 Acceptability of the accommodation

- 6.5.1 In terms of internal living accommodation, unit sizes range from 32 to 49 square metres. Given that the minimum size of a one-bedroom flat in the Council's minimum floorspace standards, as set out in SPG1: New Residential Development, is 27-28 square metres (studios aren't covered), it is considered that the unit sizes proposed are generous. All of the units enjoy satisfactory outlook, and four of the units have access to balconies. There are also communal outdoor amenity areas to the front and rear of the

building, although given their size it is likely that usability will be limited and the benefit of these will be restricted to visual amenity only. However, with Finsbury Park just across the road the lack of more substantial outdoor amenity provision is considered acceptable.

- 6.5.2 Furthermore, the proposal complies with the most up-to-date standards available, as set out in the 2002 document 'Standards for Houses and Flats in Multiple Occupation' (administered by the Temporary Accommodation Services department in the Council's Private Sector Housing service unit). Separate regulations exist in relation to the maximum number of people that can be accommodated in the space, and this is administered under the 1985 Housing Act (Sections 324-326), again by the Temporary Accommodation Services department.

6.6 Traffic and transport considerations

- 6.6.1 The proposal comprises temporary accommodation for a client base unlikely to have their own means of transportation. It is therefore considered that the proposed development will have no detrimental impact upon circulation and parking in the vicinity, particularly in view of the site's high level of public transport accessibility. Overall, therefore, there are no traffic and transport issues with the proposed development that constitute grounds for concern or refusal.

6.7 Consideration of objections

- 6.7.1 There are enough hostels in the area already

This objection is addressed in paragraph 6.1.2 of this report.

7. CONCLUSION

- 7.1 In summary, it is considered that the proposed development is of an appropriate use and of an acceptable standard of design, and will not have a materially adverse impact on the amenity of neighbouring occupiers by way of loss of light, privacy, outlook, increased traffic generation, nor on the character and appearance of the surrounding area.
- 7.2 Having regard to the above considerations, it is considered that the proposal complies with all pertinent policies in the Hackney UDP (1995) and the London Plan (2004), and on that basis the granting of permission is recommended.

8. RECOMMENDATION

- 8.1 **That permission be GRANTED, subject to the following conditions:**

8.1.1 SCB0 – Development in accordance with plans

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

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

8.1.2 SCB1 – Commencement within three years

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

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

8.1.3 SCM6 – Materials to be approved

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.4 SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

8.1.5 SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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

8.1.6 SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, at least one car parking space shall be marked and retained permanently for use by the vehicle of a person with a disability.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

8.1.7 SCH10 – Secure bicycle parking

Internal lockable space shall be made available within the curtilage of the building for the secure parking of twelve bicycles before the first occupation of the development, and retained in perpetuity.

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 and improving highway conditions in general.

8.1.8 NSC1 – Non-standard condition

A biodiverse, substrate-based extensive green roof (75mm minimum depth) is to be established on the roof of the proposal. Full details thereof shall be submitted and approved in writing by the local planning authority, prior to occupation. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.9 NSC2 – Non-standard condition

A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby approved first commences.

REASON: In the interests of maximising the environmental performance of the building.

8.1.10 NSC3 – Non-standard condition

The building shall only be used as a hostel for referrals from Hackney Council or other local authorities, and shall not be used as any other type of hostel or any other use without the prior approval, in writing, of the local planning authority.

REASON: In order that the use is restricted to the particular type of hostel proposed, in the interest of maintaining control over the distribution and location of hostels in accordance with local and regional planning policies.

8.1.11 NSC4 – Non-standard condition

The building shall achieve a twenty per-cent reduction in carbon dioxide emissions and achieve a BREEAM (Multi-Residential) rating of 'Very Good',

with certification to that effect submitted to the local planning authority and acknowledged in writing prior to occupation of the building.

REASONS: In the interests of maximising the environmental performance of the building.

9. REASONS FOR APPROVAL

- 9.1 The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; HO15 - Residential Hostels.
- 9.2 The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.3 - Maximising the potential of sites; 3A.6 - Quality of new housing provision; 3A.13 - Special needs and specialist housing; 3A.16 - Loss of hostels, staff accommodation and shared accommodation; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion and reducing traffic; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

10. INFORMATIVES

The following Informatives should be added:

- 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.25 Disabled Person's Provisions
 - SI.27 Regulatory Reform (Fire Safety) Order 2005
 - SI.28 Refuse Storage and Disposal Arrangements
- NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application 2008/2019, and accompanied by

coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

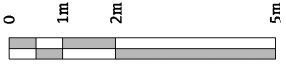
NSI.2 Your attention is drawn to Sections 324 to 326 of the 1985 Housing Act in relation to preventing overcrowding of the hostel space hereby approved.



Signed..... Date: 22 June 2009

Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT

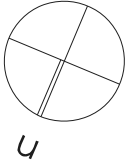


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Drawing title	Front Elevation
Client	Lets Buy Ltd
Scale	1:100 @ A3
Date	August 2008
Dwg. no.	0664_SK1_Front
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NOTE: SHARED SERVICE ACCESS USED
 BY BOTH APPLICATION SITE AND
 2A WOODBERRY GROVE

Revision B 22 10 07
 service access increased to 3m,
 staircases reduced to 1,7m

Revision A 01 10 07 adding ramp,
 drop off area & parking spaces

Revision

Project title

326-330 green lanes
 london n4

Drawing title

proposed site plan

Client

Lets Buy Ltd.

Scale

1:200@A3

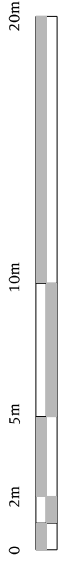
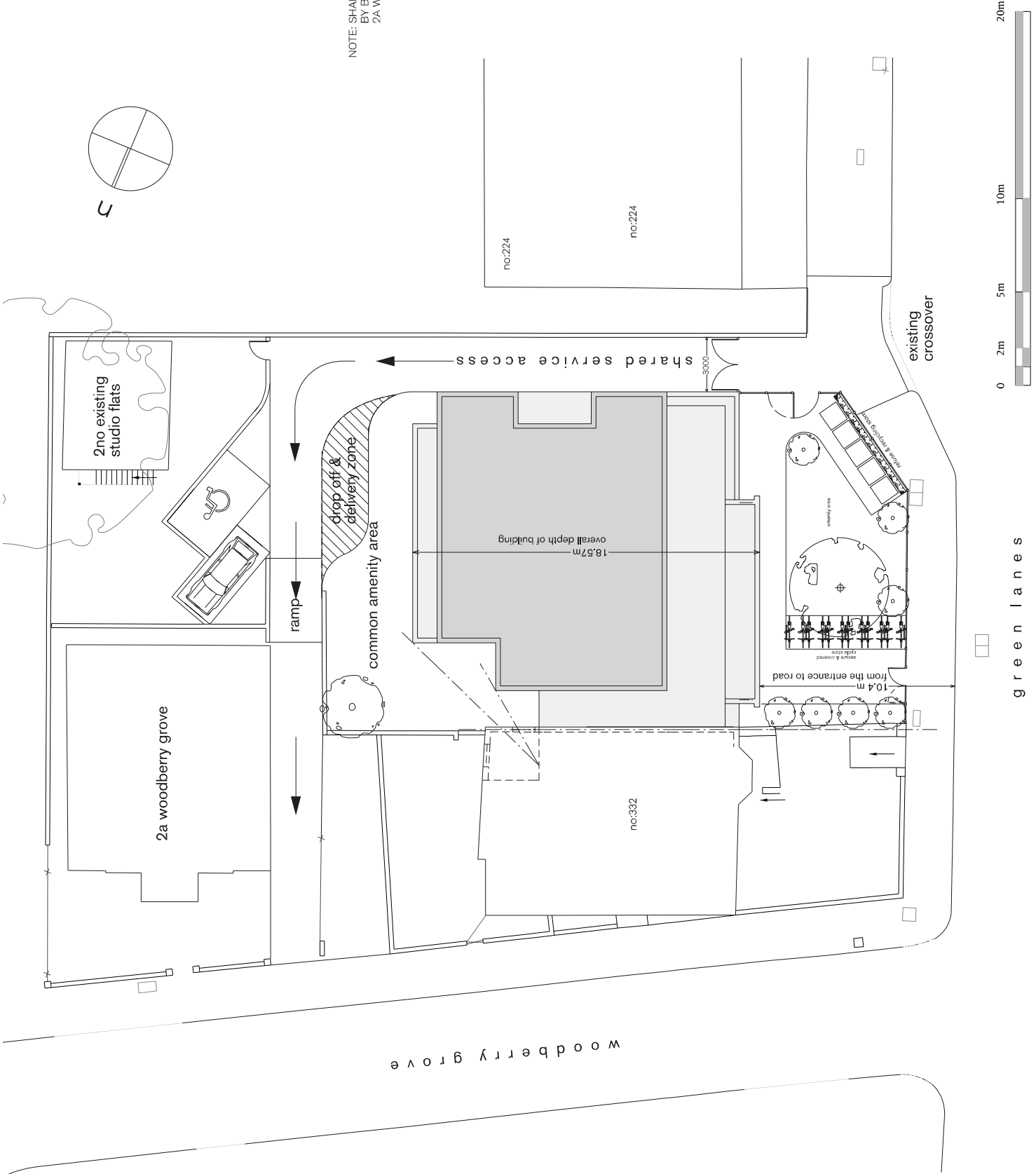
Date

July 2007

Drwg.no.

0664-00-200 B

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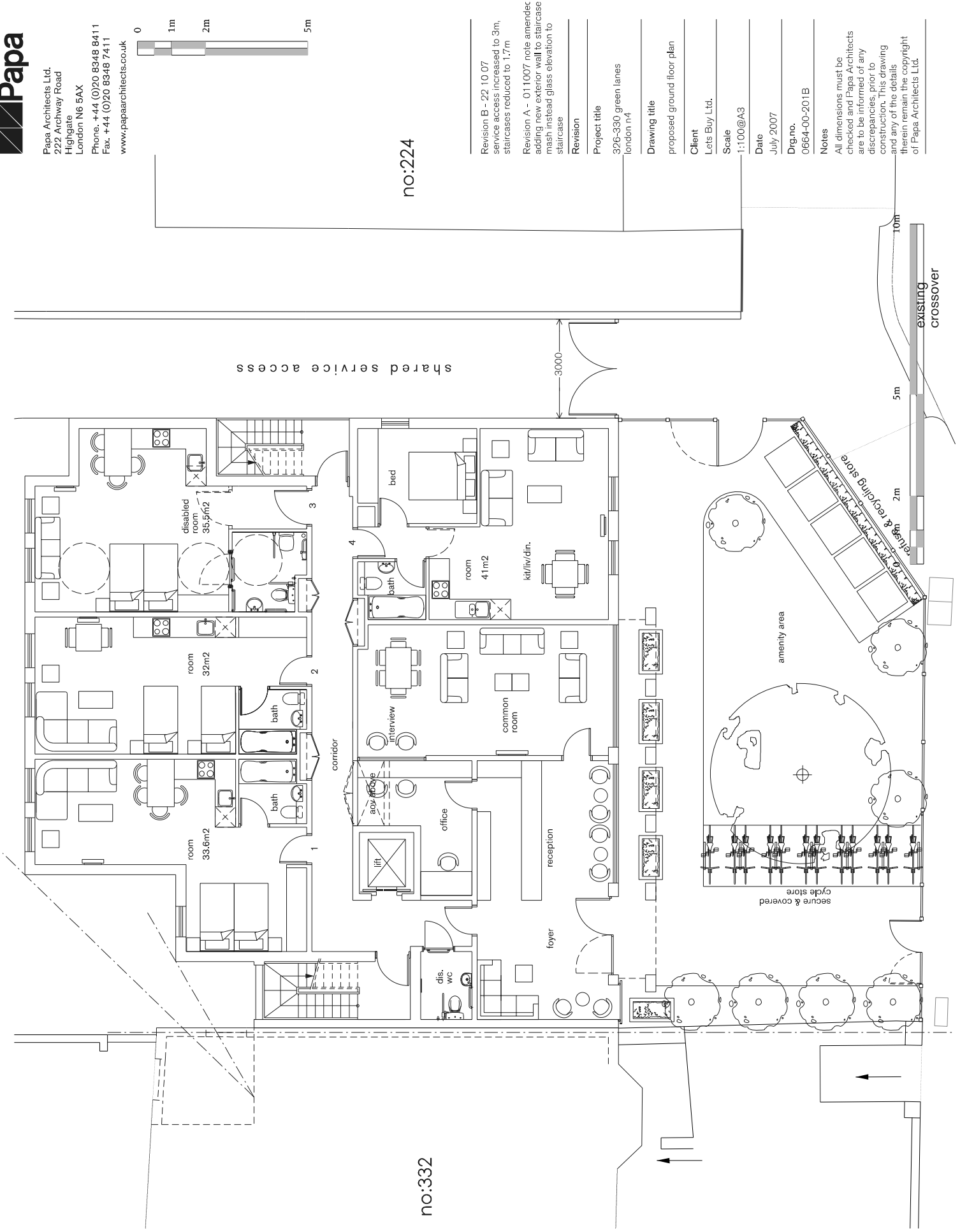


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no:224

no:332



Revision B - 22 10 07
 service access increased to 3m,
 staircases reduced to 1.7m

Revision A - 01 10 07 note amendec
 adding new exterior wall to staircase
 mesh instead glass elevation to
 staircase

Revision
 Project title
 326-330 green lanes
 london n4

Drawing title
 proposed ground floor plan

Client
 Lets Buy Ltd.

Scale
 1:100@A3

Date
 July 2007

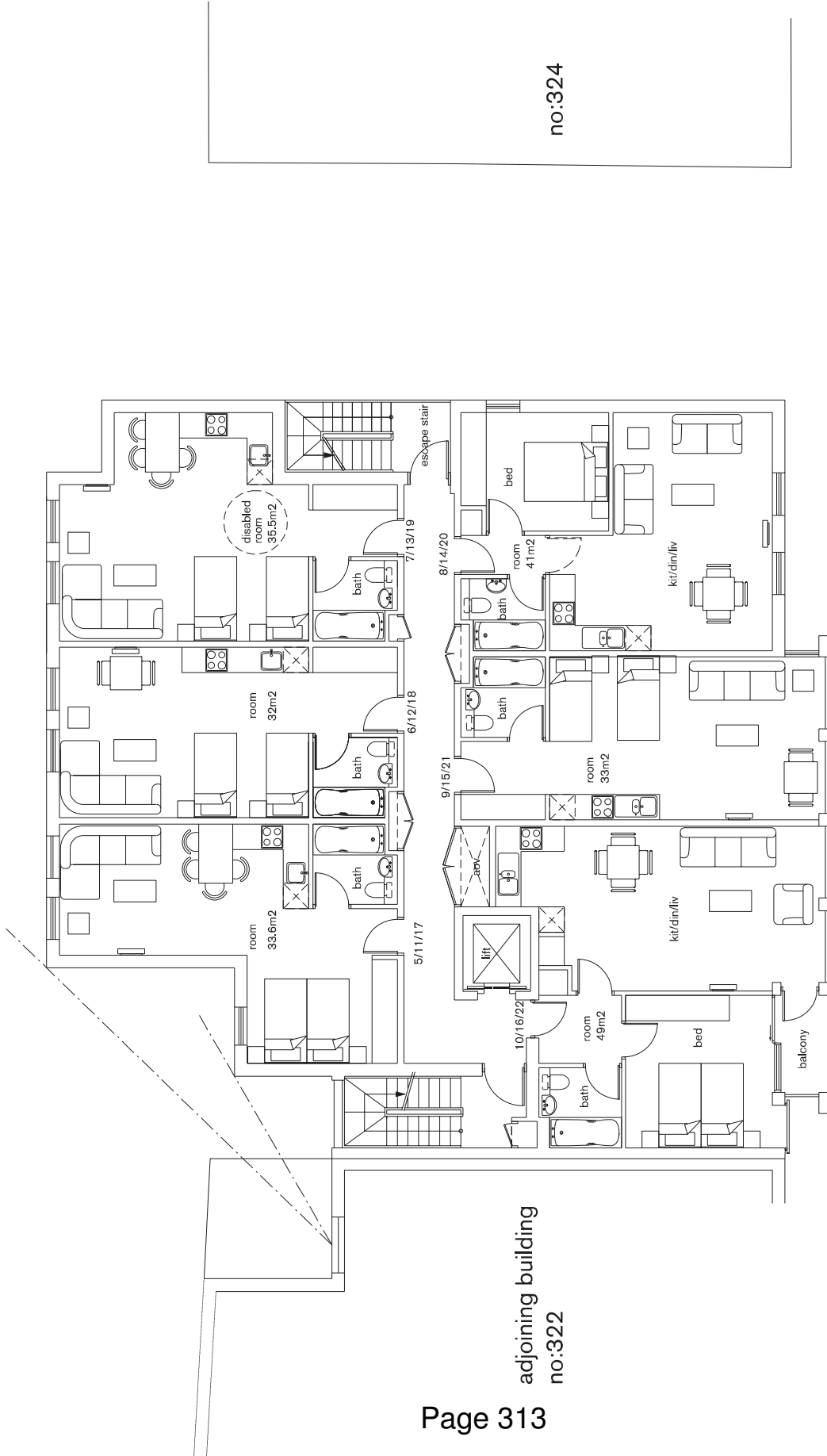
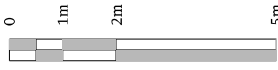
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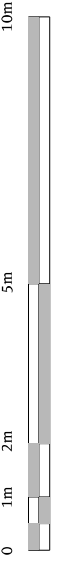
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adjoining building
 no:322



Revision B.22 10.07
 service access increased to 3m,
 staircases reduced to 1.7m

Revision A.011007 adding new
 exterior wall to staircase,
 mesh instead glass elevation to
 staircase

Revision

Project title

326-330 green lanes
 london n4

Drawing title
 proposed typical
 first, second and third floor plan

Client

Lets Buy Ltd.

Scale

1:100@A3

Date

July 2007

Drg.no.

0665-00-202 B

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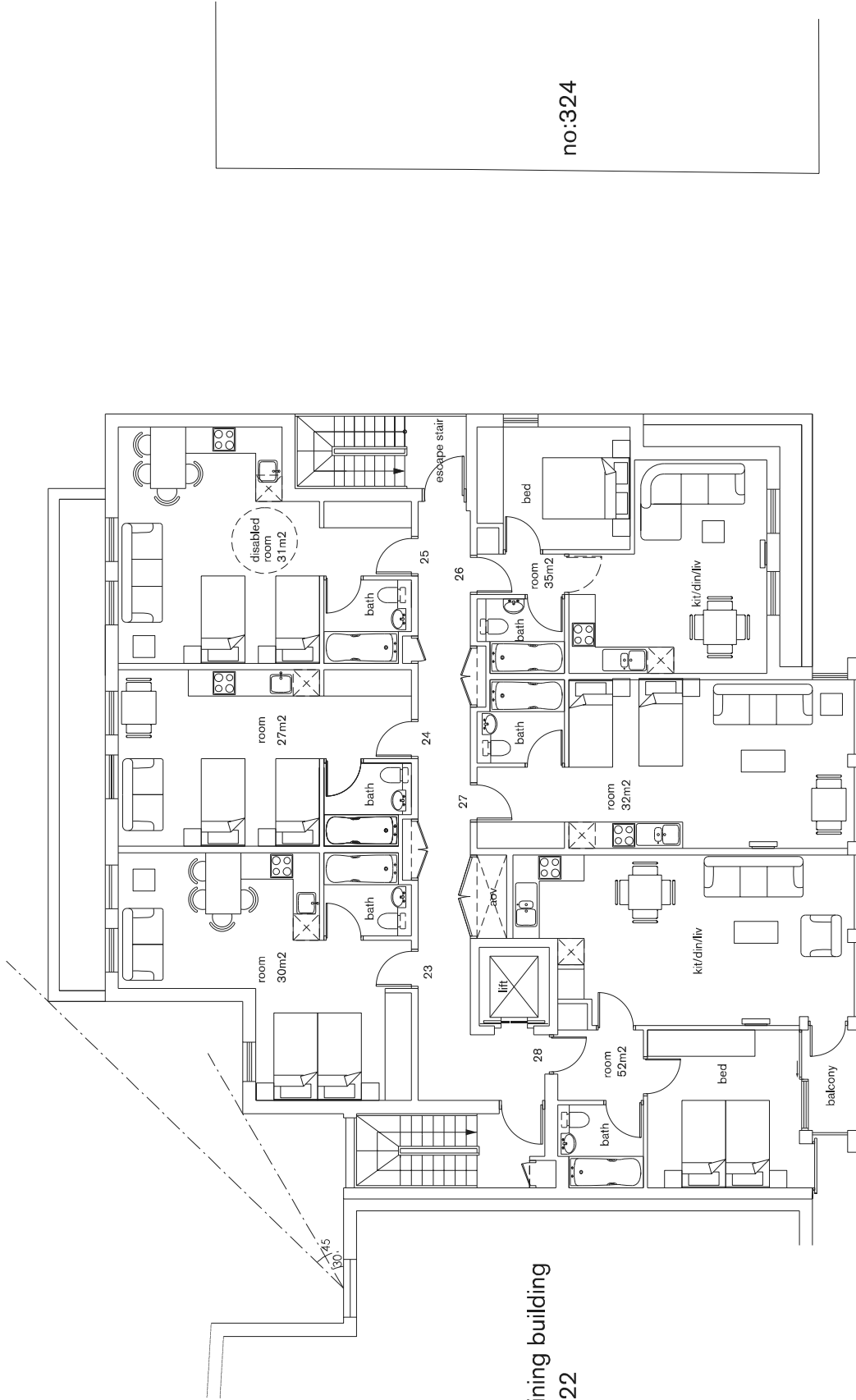
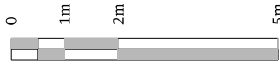
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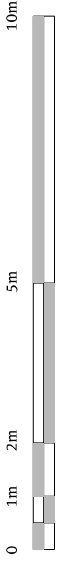
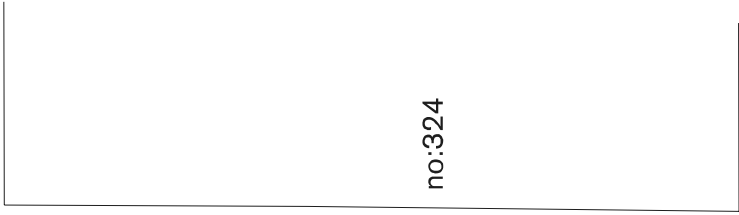
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adjoining building
 no:322



Revision B.22.10.07
 service access increased to 3m,
 staircases reduced to 1.7m

Revision A.011007 adding new
 exterior wall to staircase,
 mesh instead glass elevation to
 staircase

Revision

Project title

326-330 green lanes
 london n4

Drawing title

proposed fourth floor plan

Client

Lets Buy Ltd.

Scale

1:100@A3

Date

July 2007

Drwg.no.

0665-00-203 B

Notes

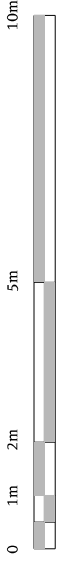
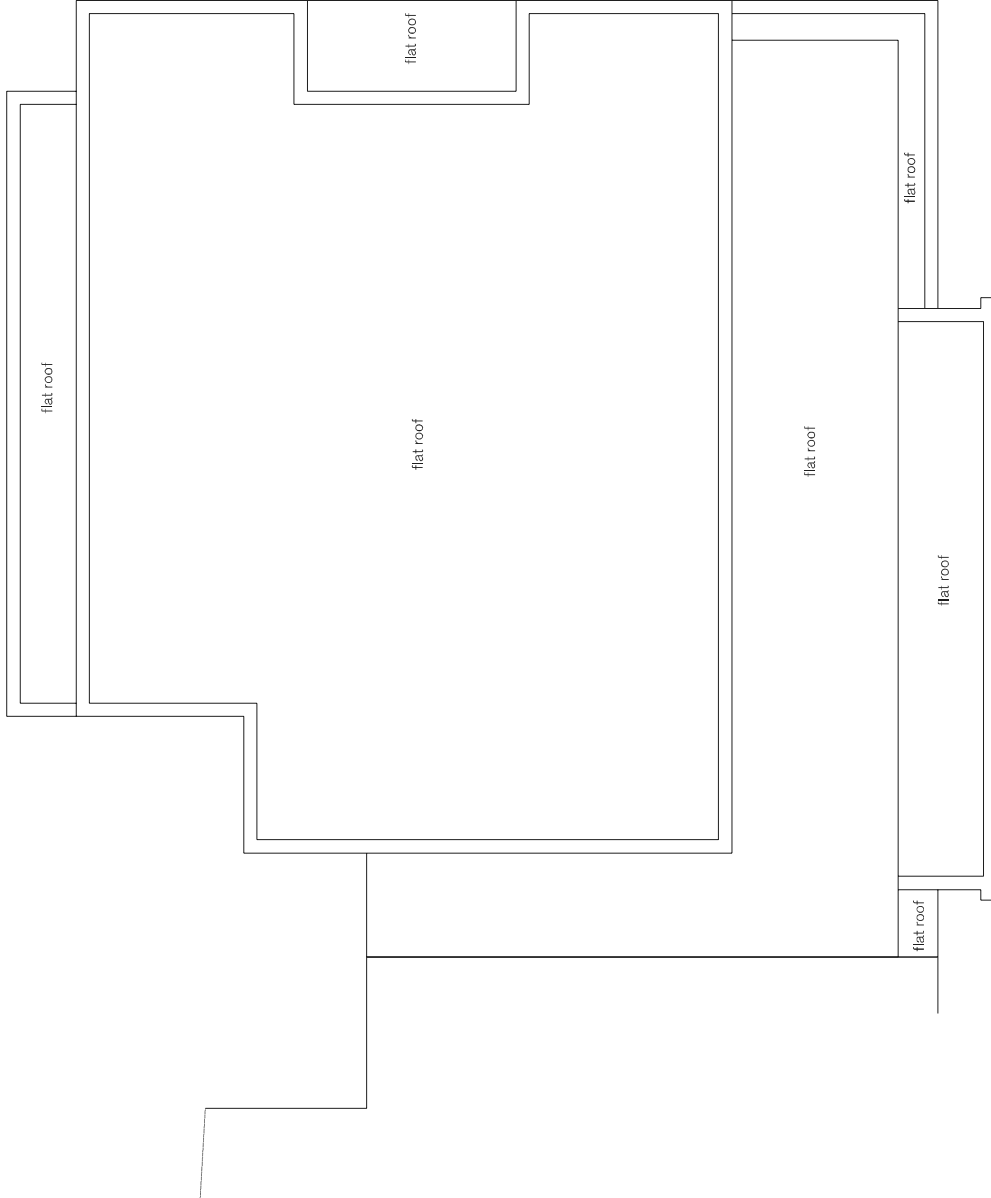
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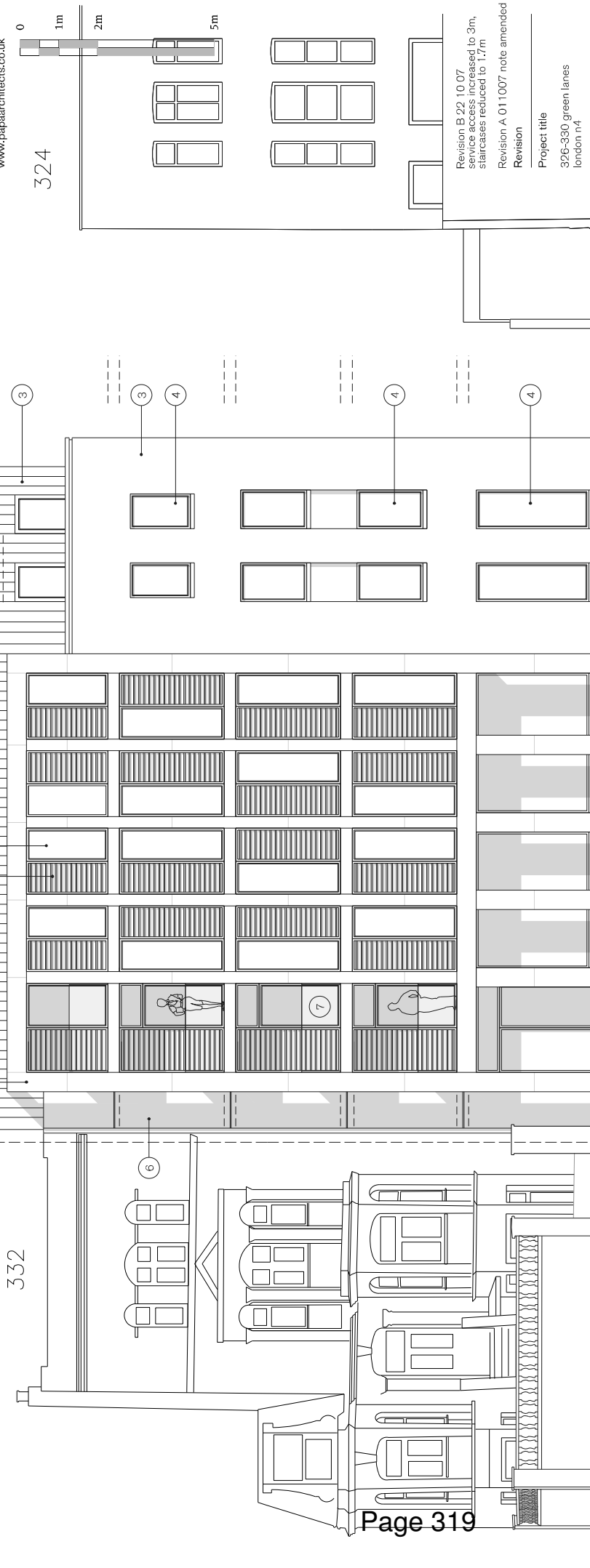


Revision B 22 10 07
service access increased to 3m,
staircases reduced to 1.7m

Revision	
Project title	326-330 green lanes london n4
Drawing title	proposed roof plan
Client	Lets Buy Ltd.
Scale	1:100@A3
Date	July 2007
Drwg.no.	0665-00-204 B
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Drawing: 0665-00-204 B.rvt

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324

332

Revision B 22 10 07
service access increased to 3m,
staircases reduced to 1.7m
Revision A 01 10 07 note amended
Revision
Project title
326-330 green lanes
london n4

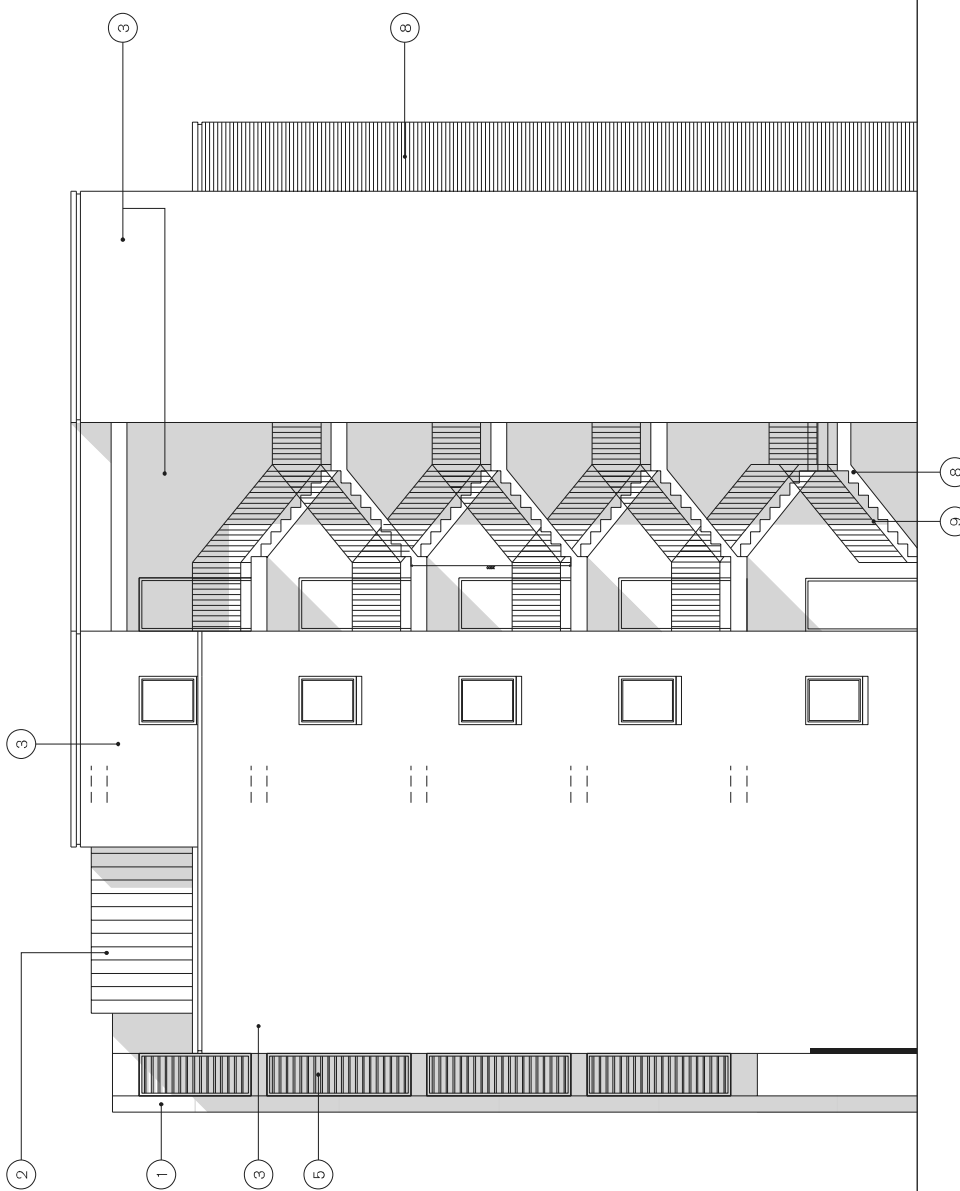
Drawing title
proposed front elevation
Client
Lets Buy Ltd.
Scale
1:100@A3
Date
July 2007
Drg.no.
0664-00-210 B

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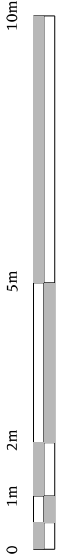
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- ① re-constituted stone cladding
- ② zinc cladding (colour: grey)
- ③ insulated self coloured render (colour: white)
- ④ powder coated double glazed metal doors & windows
- ⑤ powder coated metal fixed louvres
- ⑥ frameless glass curtain walling
- ⑦ glass balustrade
- ⑧ brickwork (to be agreed by Council)
- ⑨ p.c. concrete staircase
- ⑩ painted metal railings
- ⑪ stainless steel painted mesh

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- | | | | |
|---|---|----|-------------------------------------|
| 1 | re-constituted stone cladding | 6 | frameless glass curtain walling |
| 2 | zinc cladding (colour: grey) | 7 | glass balustrade |
| 3 | insulated self coloured render (colour : white) | 8 | brickwork (to be agreed by Council) |
| 4 | powder coated double glazed metal doors & windows | 9 | p.c. concrete staircase |
| 5 | powder coated metal fixed louvres | 10 | painted metal railings |
| | | 11 | stainless steel painted mesh |



Revision B 22 10 07
service access increased to 3m,
staircases reduced to 1,7m

Revision A 01 1007 note amended

Revision
Project title
326-330 green lanes
london n4

Drawing title
proposed side elevation

Client
Lets Buy Ltd.

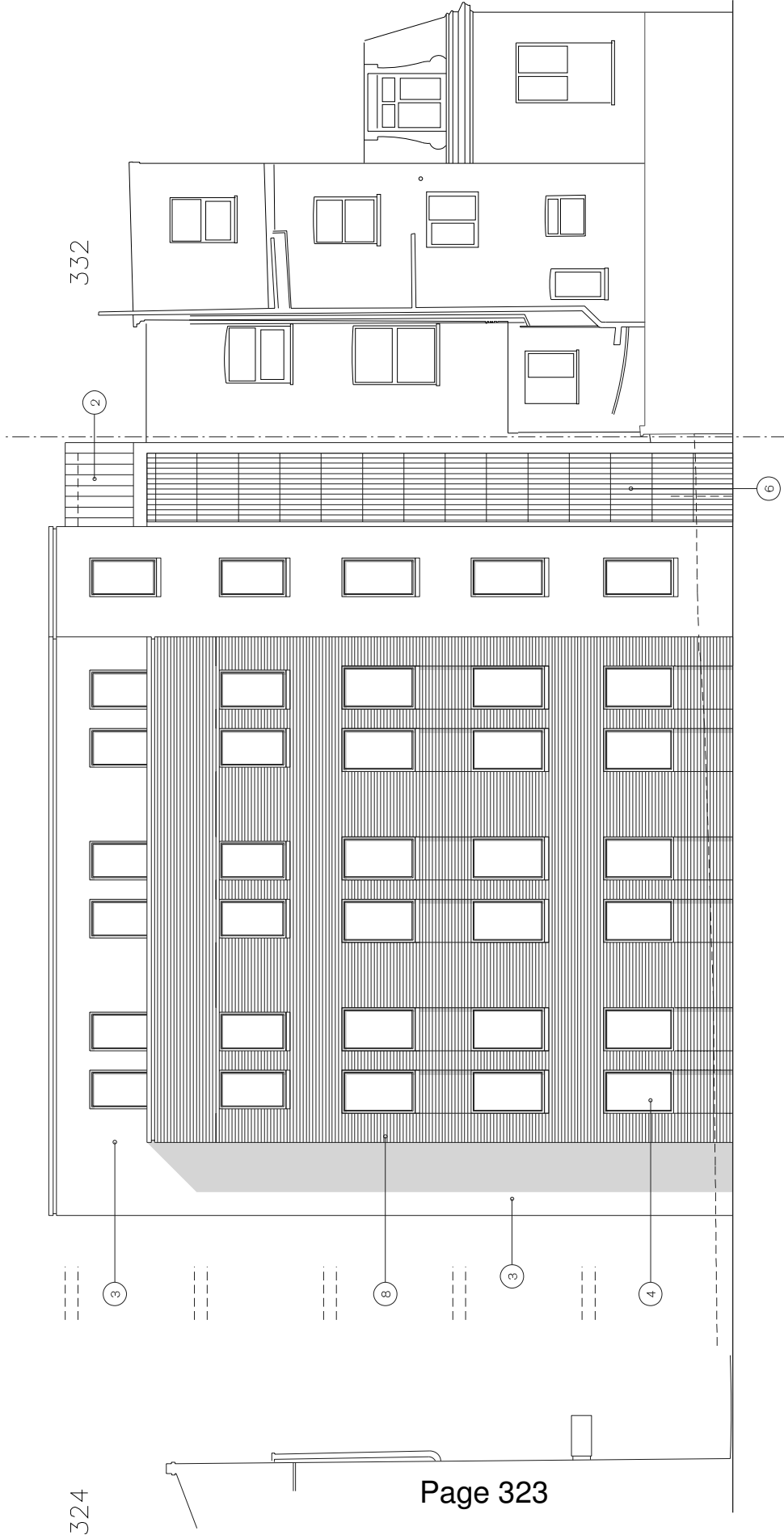
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Date
July 2007

Drwg.no.
0664-00-211 B

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Revision B.22 10.07
service access increased to 3m,
staircases reduced to 1.7m
Revision A.01 10.07 mesh instead
glass elevation to staircase

Revision
Project title
326-330 green lanes
london n4
Drawing title
proposed rear elevation

Client
Lets Buy Ltd.
Scale
1:100@A3
Date
July 2007
Drg.no.
0664-00-212 B

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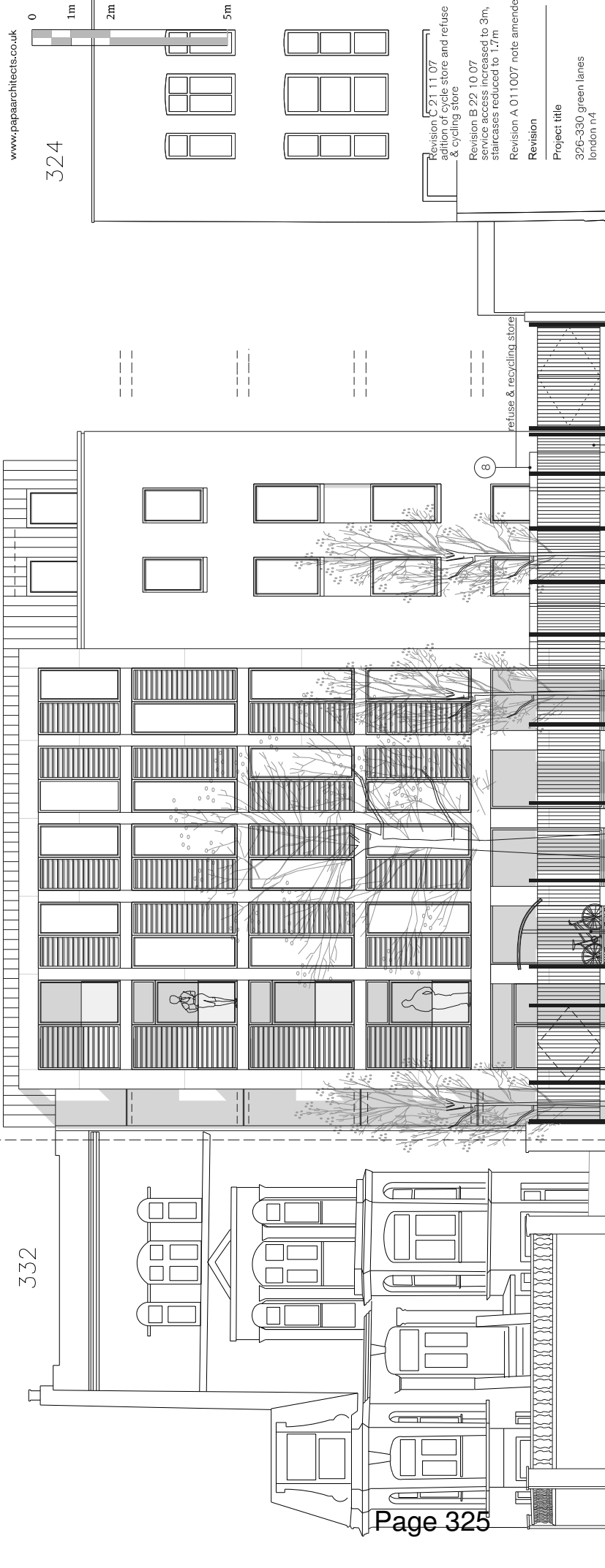
H:\Drawings\0664-00-212 new.dwg

- ① re-constituted stone cladding
- ② zinc cladding (colour: grey)
- ③ insulated self coloured render (colour : white)
- ④ powder coated double glazed metal doors & windows
- ⑤ powder coated metal fixed louvres
- ⑥ frameless glass curtain walling
- ⑦ glass balustrade
- ⑧ brickwork (to be agreed by Council)
- ⑨ p.c. concrete staircase
- ⑩ painted metal railings
- ⑪ stainless steel painted mesh

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324

0 1m 2m 5m



Revision C 21 11 07
 addition of cycle store and refuse
 & cycling store
 Revision B 22 10 07
 service access increased to 3m,
 staircases reduced to 1,7m
 Revision A 01 10 07 note amended

Project title
 326-330 green lanes
 london n4

Drawing title
 proposed front elevation & gate

Client
 Lets Buy Ltd.
 Scale
 1:100@A3
 Date
 July 2007
 Drg.no.
 0664-00-213 C

Notes
 All dimensions must be
 checked and Papa Architects
 are to be informed of any
 discrepancies, prior to
 construction. This drawing
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 therein remain the copyright
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13/07/07 0664-00-213 C

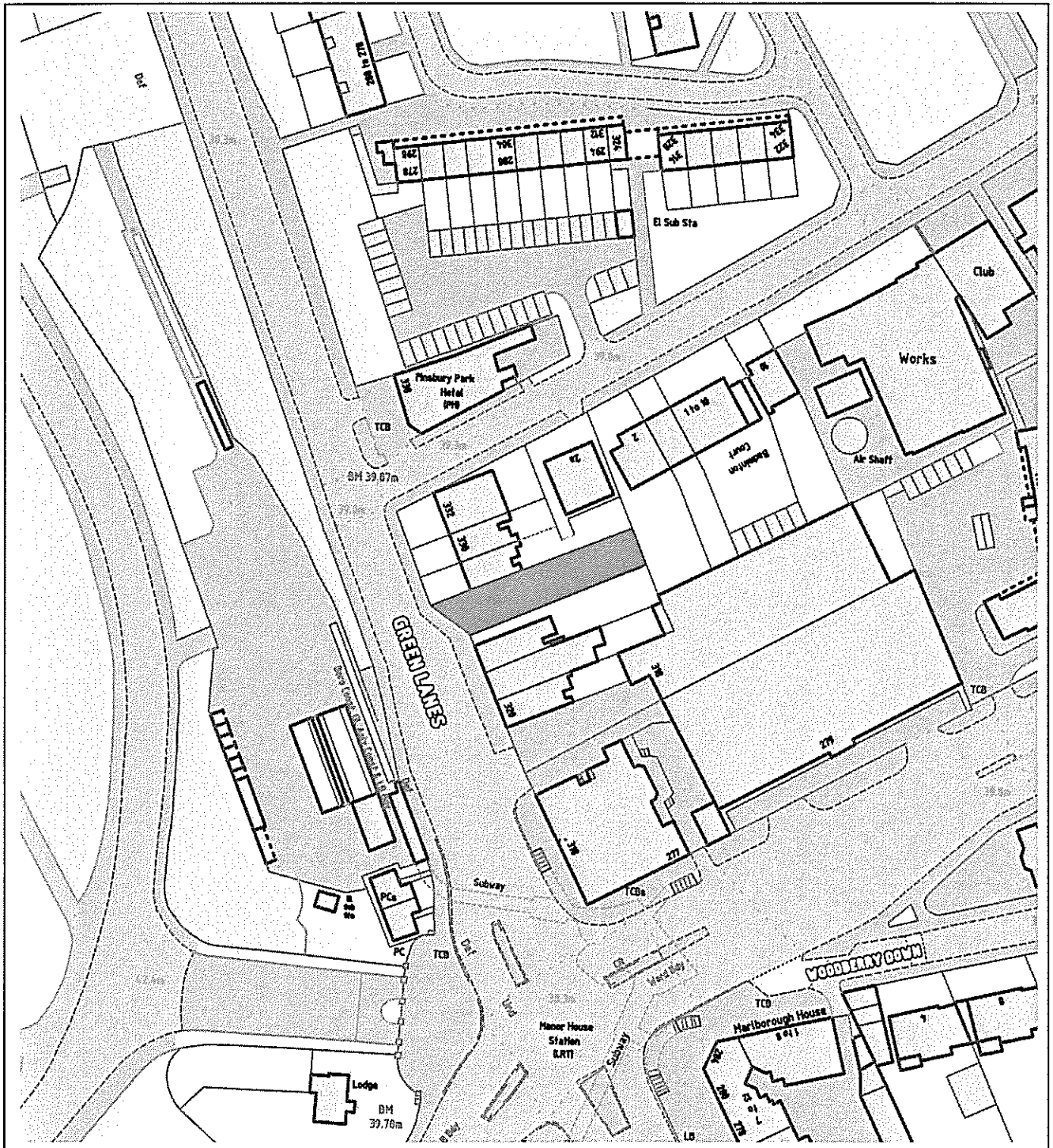
0 1m 2m 5m 10m

332

- ① re-constituted stone cladding
- ② zinc cladding (colour: grey)
- ③ insulated self coloured render (colour: white)
- ④ powder coated double glazed metal doors & windows
- ⑤ powder coated metal fixed louvres
- ⑥ frameless glass curtain walling
- ⑦ glass balustrade
- ⑧ brickwork (to be agreed by Council)
- ⑨ p.c. concrete staircase
- ⑩ painted metal railings
- ⑪ stainless steel painted mesh

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326 GREEN LANES LONDON



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Site Photos – 326-330 Green Lanes (ref. 2008/2019)



Front elevations of existing buildings at 326-330 Green Lanes



Front elevations of adjoining buildings, 320-324 Green Lanes



Front elevations of adjoining buildings, 332 and 336 Green Lanes



Corner of Green Lanes and Woodberry Grove



Rear of 326-332 Green Lanes; 2a Woodberry Grove on the left



Rear of 326-332 Green Lanes; 2a Woodberry Grove on the left



Rear of 326-330 Green Lanes



2a Woodberry Grove (on the left), 326a and 326b Green Lanes (right)



2a Woodberry Grove (on the left), 326a and 326b Green Lanes (right)

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ADDRESS: Hackney Customer Service Centre (u/c), Hillman Street, London E8 1DY	
WARD: Hackney Central	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2009/0829	VALID DATE: 14/04/2009
DRAWING NUMBERS: Submitted with this application: A_SFC_3001 to 3004, _3007, _3008, _3011, _4000, _4001, _4004 to 4007, _5002 to 5004 Approved drawings submitted under application ref. 2007/0238: A/SFC – 1010 and 1011, A/SFC 3000 rev. G, A/SFC 3005 rev. E, A/SFC 4002 rev. E, A/SFC 4500 to 4503 (all rev. D), A/SFC 5042 rev. D, CSC 3008 rev. C04, CSC 4501 rev. C02, CSC 4502 rev. C04, CSC 4503 rev. C05	ACCOMPANYING DOCUMENTS: N/A
APPLICANT: London Borough of Hackney Hackney Town Hall London E8 1EA	AGENT: Hopkins Architects 27 Broadley Terrace London NW1 6LG
PROPOSAL: Variation of condition 1 (development in accordance with submitted plans) of planning permission granted on 30 October 2007 under reference 2007/0238, to permit development in accordance with revised plans (incorporating changes to the electricity substation location, fourth-floor balustrades, roofing and cladding details, and additional photovoltaic panels).	
RECOMMENDATION SUMMARY: Approve variation of condition and grant planning permission under Section 73 of the Town and Country Planning Act 1990.	

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Approved	B1	Office	15850 sqm
Proposed	B1	Office	15850 sqm

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

1.1 The application site comprises the Customer Service Centre (formerly known as Service First Centre), approved in April 2007 and currently under construction on the plot of land bounded by Reading Lane and Hillman Street that was formerly occupied by Dorothy Hodgkin House. Upon completion, the new building will house several key Council services that are currently scattered across the borough, and together with the adjacent annexe and Town Hall, will form the centrepiece of a new 'civic campus'.

1.2 There are no pertinent UDP area designations applicable to this site.

2. CONSERVATION IMPLICATIONS

2.1 The site is not located in a conservation area, but it is located directly adjacent to the boundary of the Town Hall Square Conservation Area and close to the Graham Road and Mapledene Conservation Area. The Grade II-listed Town Hall (1934-7) is situated directly opposite the Customer Service Centre (CSC), and visible from the Grade II*-listed Hackney Empire. The development therefore affects the setting of two statutory listed buildings and two conservation areas.

3. HISTORY

3.1 24/04/2007: Permission granted for the demolition of existing buildings and erection of a five-storey building to accommodate offices for Hackney Council, including a One Stop Shop and call centre on the ground floor, associated plant on the fourth floor and a service yard to the west of the building (total floor area 15850 sqm) (2007/0238).

4. CONSULTATIONS

4.1 Urban Design and Conservation: Response received; no comment.

There were no external consultees and no other internal consultees for this application.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)

- EQ1 - Development Requirements
- EQ12 - Protection of Conservation Areas
- EQ18 - Setting of Listed Buildings

5.2 London Plan (Consolidated with Alterations since 2004)

- 4B.1 - Design principles for a compact city
- 4B.3 - Enhancing the quality of the public realm
- 4B.10 - Large-scale buildings – design and impact

6. COMMENT

Planning permission is sought to vary condition 1 attached to the approved scheme, which requires compliance with the approved drawings, in order to permit development in accordance with revised drawings that feature alterations to the approved scheme; in particular, the following changes:

- Integration of EDF-leased electricity substation into the south-eastern core of the building.
- Stair and lift shaft lids: metal top panels and solid roof at a five-degree rake in lieu of a flat glass roof.
- Roof-level duct runs located below the roof-level screen, as approved, shall have minimal step-overs that protrude above the screen line by between 1.3 and 1.5 metres.
- Atrium, west elevation: glazing modules changed from 3 metres wide and 3 metres high to 1.5 metres wide and 1.5 metres high. Two additional air extract ducts.
- Additional photo-voltaic (PV) panels located on the south-block roof level between the smoke extract fans above the roof duct runs.
- Change of material on the fourth-floor east-core setback balustrades from glass to rods (material: polyester powder-coated (painted) metal; colour: RAL9006 to match all external cladding, louvers and balustrades). The rods will be the same as those on the fourth-floor setbacks on the other elevations.
- Change in ground-floor-end cladding panels to plasterboard backing (inside).
- Change in core accommodation cladding panels (east and west façade): minimal central joint line to cladding panels.

The changes are needed to meet various building and fire regulations and health and safety requirements that have arisen during construction, as well as due to contractor's design and engineering input in response to construction issues, and in the interests of buildability.

7. CONCLUSION

- 7.1 The proposed changes have been assessed in conjunction with the approved drawings and are considered to be sufficiently minor to have no significant material impact on the design of the scheme, thereby preserving the appearance of the building as approved. Accordingly, the application to vary the condition is recommended for approval.

8. RECOMMENDATION

- 8.1 **That planning permission be granted under Section 73 of the Town and Country Planning Act 1990, subject to the following conditions:**

8.1.1 **SCB0 – Development in accordance with approved plans**

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

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

8.1.2 **SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

8.1.3 **SCI3 – No roof plant**

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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

8.1.4 **SCH8 – Parking for people with disabilities**

Before the use hereby permitted first commences, 28 car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

8.1.5 SCH10 – Secure bicycle parking

Space shall be made available for the secure parking of 212 bicycles in the form of Sheffield stands (or an alternative approved in writing by the local planning authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.

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 and improving highway conditions in general.

8.1.6 NSC1 – Non-standard condition

The building shall achieve and retain a minimum BREEAM rating of 'Very Good'.

REASON: In the interests of maximising the environmental performance of the building.

8.1.7 NSC2 – Non-standard condition

An implementation plan/statement with the following details shall be prepared in conjunction with the Council's Travel Plan Officer, submitted to the Local Planning Authority and approved in writing prior to occupation of the development hereby approved.

- a) Details of how the London Borough of Hackney Travel Plan will incorporate the Customer Service Centre
- b) Details of drop-off provision on Reading Lane outside the Town Hall Assembly Hall entrance and of measures to prevent queuing for drop-off.

REASON: To help ensure that the development hereby approved does not have an adverse effect on traffic circulation.

9. REASONS FOR APPROVAL

9.1 The following policy contained in the Hackney Unitary Development Plan (1995) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ12 - Protection of Conservation Areas; EQ18 - Setting of Listed Buildings.

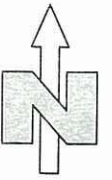
9.2 The following policy in the London Plan (Consolidated with Alterations since 2004) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: 4B.1 - Design principles for a compact city; 4B.3 - Enhancing the quality of the public realm; 4B.10 - Large-scale buildings – design and impact.



Signed..... Date: 22 June 2009

Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT



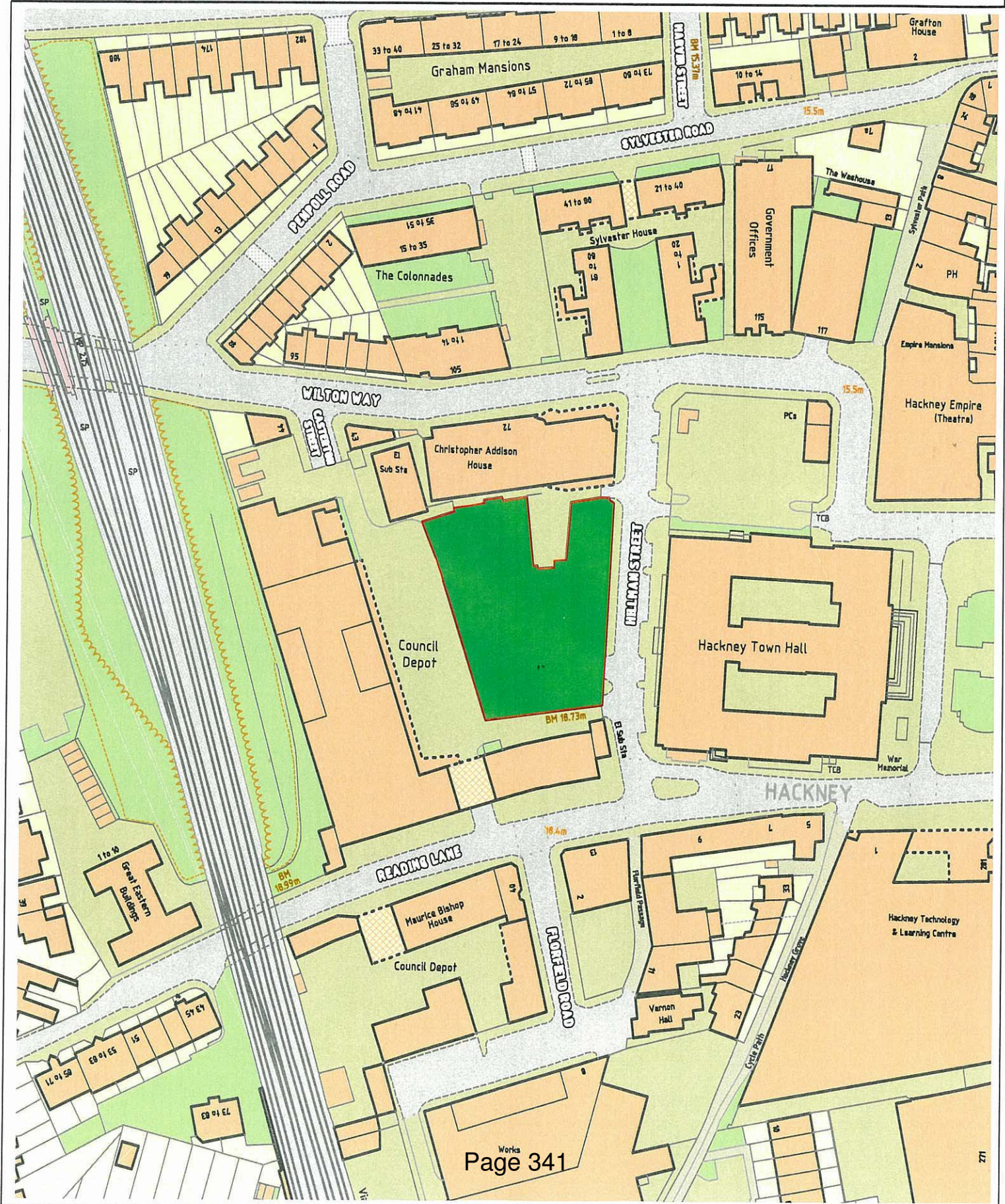
Date: 15/04/2009

Title: Cust. Ser. Cen. Hillman Street E8 1DY

Scale 1:1250

Prepared by: Technical Support Team

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ADDRESS: 10 Shacklewell Road, London, N16 7TA	
WARD: Stoke Newington Central	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2008/2628	VALID DATE: 04/11/2008
DRAWING NUMBERS: PL_000 to 002, 010, 020, 021, PL_290 rev. P1, PL_2B1 PL_200 to 204 (all rev. 2), 205 rev. P1, 206, 210 rev. P01, 220 rev. P1, 221 rev. P01, PL_222, 223	SUPPORTING DOCUMENTS: Design and Access Statement, Daylight and Sunlight Study, Planning Supporting Statement, Statement on Energy Efficiency and Renewable Energy, Structural Inspection of Premises, Environmental Desk Study, Code for Sustainable Homes Assessment, Transport Statement, [Report] Future Potential for Commercial Use.
APPLICANT: Almaren PLC c/o agent	AGENT: Indigo Planning Ltd Swan Court 11 Worple Road London SW19 4JS
PROPOSAL: Demolition of existing buildings and erection of a six-storey building and a part-two-, part-three-, part-four-, part-five-storey building, containing a total of twenty-seven residential units (nine one-bedroom units, eleven two-bedroom units, two three-bedroom units and five four-bedroom units), together with associated access and landscaping works.	
POST-SUBMISSION REVISIONS: Rear block set back further to the west to allow wider external corridor; revisions to room sizes; increase in carbon-dioxide-emissions reduction from ten per cent to twenty per cent.	
NOTE TO MEMBERS: This proposal was approved by Planning Sub-Committee at the 6 May 2009 meeting. However, although the report referred to the development as being car-free, a Section 106 head of terms to that effect was mistakenly omitted both from Recommendation B and from the addendum. This report is being brought back to members specifically so that the car-free clause can legally be included in the Section 106 agreement. Accordingly, the car-free head of terms is now listed with the others in this report, at paragraph 8.2.16. The proposed development is unchanged from that approved in May, and this report is in every other regard the same as previously.	
RECOMMENDATION SUMMARY: Grant conditional planning permission, subject to Section 106 agreement.	

ANALYSIS INFORMATION
ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Existing	B2	General Industrial	764 sqm
Proposed	C3	Residential	2028 sqm

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Existing	N/A	0	0	0	0	0
Proposed	Market flats	5	7	1	1	0
	Social Rented flats	3	3	1	3	0
	Intermediate flats	1	1	0	1	0
Totals	(Total = 27)					

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	32

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site is located in a largely residential area east of Dalston in the centre of the borough. The immediate vicinity consists mainly of two-storey Victorian and post-war terraces to the west and south, and blocks of post-war council flats ranging between three and five storeys in height to the north and east.
- 1.2 The site itself consists of a collection of vacant small-industrial buildings of various heights (up to three storeys but equivalent to four due to tall storey-heights), shape and appearance, historically used as a goldsmiths and silversmiths.
- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 3, which is classified as 'moderate'. Five bus routes are within five minutes walk of the application site. Rectory Road is the nearest train station, approximately 850

kilometres to the north. Hackney Downs train station is approximately one kilometre away on a different line, although this is outside the PTAL calculation catchment, as will be Dalston Junction station on the London Overground when it opens in 2010.

1.4 There are no pertinent UDP designations for the site.

2. CONSERVATION IMPLICATIONS

2.1 No statutorily listed or locally listed buildings are affected by the application. The site is not situated in a conservation area.

3. HISTORY

3.1 There are no previous planning applications for this site.

4. CONSULTATIONS

4.1 Date statutory consultation period started: 06/11/2009

4.2 Date statutory consultation period ended: 08/12/2009

4.3 Site notice: Yes

4.4 Press advert: Yes

4.5 Neighbours

137 surrounding occupiers have been consulted by personal letter. Seven letters of objection and one neutral letter have been received.

The objections are on the following basis:

- New building is 'massive, oppressive... ugly'
- Fails BRE daylight and sunlight tests
- 'High risks. Health and safety (dust, pollution etc.) Dangers and disturbance for my kids (school days). Wife and kids are asthmatic'.
- 'This may affect me... by losing my flat and no assurance of rehousing. That sucks'.
- Large and over-dominant 'eyesore'
- Area is already over-crowded
- 'Noise factor of yet more residents in the area would seriously compromise my children's sleep'; 'noise will wake up my kids' etc.
- Noise from building works
- Invasion on privacy
- Will exacerbate existing parking difficulties

- 'There will be dust'
- 'There will be road block' (*sic*)
- Devaluation of property.

4.6 Statutory Consultees

4.6.1 Thames Water: No objection.

4.7 Local Consultees

4.7.1 Metropolitan Police (Secured by Design Officer): No response received.

4.7.2 London Fire and Emergency Planning Authority: The Brigade is satisfied with the proposals, subject to compliance with the relevant provisions contained in the Approved Document B, 2006 edition.

4.7.3 Invest in Hackney: No response received.

4.8 Other Council Departments

4.8.1 Sustainability and Design: In principle, we agree with the arrangement of the massing and external layout. The street-facing six-storey building helps to reinstate the street frontage without introducing an over-dominant volume in the context of the adjacent buildings. The rear block, which is stepped down from five storeys to two storeys, successfully relates to the adjacent two-storey terraces in the back and provides a proper scale as a backland building.

The elevations successfully present simple brick façades with some projected balconies and corridors and some interesting and subtle brick variations. The prominent eastern solid flank wall on the street-facing building also creates a feature of a vertical glazed element at the double-folded corner in the middle of the elevation. It successfully avoids a blank expression on this key façade.

In terms of external layout, whilst the cramped 'courtyard' is regarded as unusable, the narrow, unpleasant outdoor 1.5-metre-wide passage serving the four maisonettes at the rear (with a boundary wall on the other side) has been improved, with an increased two-metre width during the application period. However, some further detailed design is needed to clarify the appearance of the bin-storage enclosure in the courtyard, and a more detailed landscape drawing is required to show the drainage strategy, since there is no level change to avoid rainwater flowing from the outdoor space into the covered area.

In addition, there are some security issues regarding the entrance gate, mailbox, and the unprotected cycle storage. The mailbox is placed inside the

entrance gate, and there will be a security issue if the gate cannot be kept closed.

The internal layout is generally satisfactory. All the units are double-aspect with decent sizes and proper arrangements, although there are some strange-shaped lounges due to the angled corners. Balcony/outdoor-amenity space and storage space are also provided for each unit.

In conclusion, we have no objection to this scheme; the design quality of the scheme is satisfactory in terms of massing, elevations and internal layout. As for some of the minor issues mentioned above, we suggest that they are addressed under the relevant conditions.

4.8.2 Highways: The estimated cost of highway works under Section 278 is £54,041.00.

4.8.3 Traffic and Transport: I have previously explained to the transport consultant that the required disabled parking provision should be provided on-site, and the reasons why. Firstly, parking on the public highway cannot be 'dedicated' for exclusive use by residents of the site. The availability of on-street disabled parking spaces for use by residents of the site therefore cannot be guaranteed. Once disabled spaces are provided on-street, they are available for use by any member of the public who is in possession of a blue badge – visitors and residents of adjoining properties alike. This could potentially result in frequent interruptions to residents' (of the development) use of these disabled spaces. If the disabled parking places were occupied when needed by a disabled resident of the development, where would he/she park?

Furthermore, the Council cannot guarantee the continuous availability of on-street disabled parking as there is the possibility (albeit slight) that from time to time on-street parking provision may be changed when the Council reviews CPZs; it isn't likely, but in theory the Council could remove on-street disabled parking if there is a good reason to do so.

However, I do not think there is a strong enough policy basis to refuse the planning application on these grounds. If you feel strongly that the site constraints justify the provision of on-street disabled parking instead, we simply need to put this across convincingly for the committee's consideration. However, approval of the on-street disabled parking spaces will not form part of the planning permission for this application.

Because the site is within a CPZ, the applicant will have to contact LBH Parking Services post-planning permission to gain their approval for the two on-street disabled parking spaces and will be expected to cover the cost of providing these spaces – modifying the existing traffic management order in the street, signage, etc.

4.8.4 Waste Management: Seven 1100-litre Euro bins are needed; five for residual waste and two for co-mingled recycling.

4.8.5 Pollution Control: Given the previous use, a contaminated land condition would need to be attached to the decision notice.

4.8.6 Policy: No response received.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)

- EQ1 - Development Requirements
- HO3 - Other Sites for Housing
- CS3 - Retention and Provision of Community Facilities
- TR19 - Planning Standards

5.2 Supplementary Planning Guidance (SPG)

- SPG1 - New Residential Development
- SPG11 - Access For People With Disabilities

5.3 Local Development Framework (LDF): Supplementary Planning Document

- SPD - Planning Contributions (2006)

5.4 London Plan (Consolidated with Alterations since 2004)

- 2A.1 - Sustainability criteria
- 3A.1 - Increasing London's supply of housing
- 3A.2 - Borough housing targets
- 3A.3 - Maximising the potential of sites
- 3A.5 - Housing choice
- 3A.6 - Quality of new housing provision
- 3A.9 - Affordable housing targets
- 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes
- 3A.11 - Affordable housing thresholds
- 3C.2 - Matching development to transport capacity
- 3C.17 - Tackling congestion and reducing traffic
- 3C.23 - Parking strategy
- 4A.1 - Tackling climate change
- 4A.3 - Sustainable design and construction
- 4A.4 - Energy assessment
- 4A.6 - Decentralised energy: heating, cooling and power
- 4A.7 - Renewable energy
- 4A.11 - Living roofs and walls
- 4A.14 - Sustainable drainage
- 4A.16 - Water supplies and resources
- 4B.1 - Design principles for a compact city
- 4B.2 - Promoting world-class architecture and design

4B.3 - Enhancing the quality of the public realm

5.5 National Planning Policies

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPG13 - Transport

6. COMMENT

Planning permission is sought for the erection of a six-storey building and a part-two, part-three-, part-four-, part-five-storey building, containing a total of twenty-seven residential units, together with associated access and landscaping works, to be constructed on the site of former small-industrial premises on Shacklewell Road. The units will comprise nine one-bedroom flats, eleven two-bedroom flats, two three-bedroom flats and five four-bedroom flats.

The proposal has evolved over a lengthy pre-application process. The original proposal for forty units in two blocks of seven and four storeys respectively was reduced at the behest of Planning officers to thirty-two units in two blocks of six and four storeys respectively. Two further series of revisions were subsequently made, incorporating changes to siting and massing and a further reduction in the number of units.

Considerations

The main considerations relevant to this application are:

- 6.1 The principle of the development
- 6.2 Design, appearance and sustainability of the proposed development
- 6.3 Potential impact on the amenity of nearby residents
- 6.4 Acceptability of the dwelling mix and affordable housing provision
- 6.5 Traffic and transport considerations and car parking provision
- 6.6 Consideration of objections

Each of these considerations is discussed in turn below.

6.1 The principle of the development

- 6.1.1 The proposal entails the loss of space that falls within an employment-generating use class (B2) and the erection of residential units (use class C3) in its place. The Council traditionally resists the loss of employment-generating floorspace (primarily within use classes B1, B2 and B8) and in Defined Employment Areas (DEAs) and Priority Employment Areas (PEAs) will normally seek the re-provision of employment-generating floorspace of an equivalent amount being redeveloped.
- 6.1.2 However, the application site is not situated in a DEA or a PEA. The applicant has argued that the site's location (remote from the borough's main employment areas and in a mostly residential area) makes it unsuitable for retained employment use, a case accepted by officers at the pre-application stage and supported by the viability report submitted with the planning application. The applicant's chartered surveyors have demonstrated to officers' satisfaction that neither a restoration of the existing buildings for employment use nor the replacement of the building with new employment-generating space would be economically viable. Local analysis of supply and demand indicates that demand is weak in this part of the borough and the condition, shape, configuration and physical accessibility of the application site all support its release from employment use.
- 6.1.3 Furthermore, although the existing buildings on site are not wholly without architectural and historic merit, they enjoy no statutory protection; therefore there is no objection in principle to their demolition.
- 6.1.4 The proposed building will be solely for residential use and in this regard will correspond with the prevailing use in the surrounding area, which is almost entirely residential.
- 6.1.5 Overall, therefore, it is considered that there is no policy basis sufficient to preclude the erection of the proposed development on this site in principle, and it is considered that the proposal is acceptable in this regard.

6.2 Design, appearance and sustainability of the proposed development

- 6.2.1 The six-storey building in the proposal faces onto Shacklewell Road, with the sixth storey set back from the main elevation, whilst the other building steps down from five to two storeys towards Perch Street to reflect the scale of that street's two-storey terraced houses. The two buildings are oriented at a ninety-degree angle, with the stepped building tapering westwards and the space between them comprising a courtyard. Both buildings have balconies on the street-facing elevations and balustraded deck access on the courtyard-facing elevations.
- 6.2.2 It is considered that the surrounding buildings provide a height range within which the proposed new buildings sit comfortably and that a height that exceeds that of the existing buildings does not constitute an unacceptable increase or an excessive height such as would have an overbearing impact on the street scene. The massing of the buildings are acceptable, the

precedent for the rectilinear form of the six-storey building established by the post-war blocks of flats adjacent to the site.

- 6.2.3 The buildings are contemporary in style, with a materials palette that comprises a 'rough and hearty' (according to the Design and Access Statement) London stock brick for the main body of the building, (with different bonding between the ground floor and the floors above) and a smooth white semi-glazed brick for areas of the building that are recessed from the façade (e.g. window reveals and the double-height entrance space). The sixth storey and projecting lift cores are clad in satin anodised aluminium panels (in medium blue/grey). The deck access balustrades and balconies are in dark-grey anodised aluminium, as are the windows. The staggered windows are concurrent with contemporary architectural style, whilst the buildings' restrained materials palette and relative simplicity give them a discreet appearance that fits in comfortably in their surroundings. The detailed design is therefore considered acceptable, given its context.
- 6.2.4 In terms of internal living accommodation, twenty-six out of the twenty-seven units comply with Lifetime Homes standards. All units have private outdoor amenity space in the form of balconies, or gardens for the ground-floor units, with a communal courtyard provided. All units comply with the Council's minimum floorspace standards, as set out in SPG1: New Residential Development (1998), with the exception of the two units labelled B_6 (second floor) and B_8 (third floor). These units have single bedrooms of widths that fall beneath the 2.13-metre minimum. This issue has been raised with the architects who have confirmed that the room sizes within these units can be readjusted so that the single rooms meet the minimum width, without compromising the other rooms' compliance with the minimum standards. It is recommended that a condition be attached to secure these changes.
- 6.2.5 The proposal's renewable energy measures consist of solar thermal heating systems and ground- or air-source heat pumps, which, in combination with passive energy efficiency measures, will result in a twenty per-cent reduction in carbon dioxide emissions, thereby meeting the London Plan's reduction target. It is intended that the proposed development attains Code for Sustainable Homes level 3. The proposed building includes green roofs and provision for rainwater harvesting.
- 6.2.6 Overall, it is considered that the proposed design is of sufficient quality to warrant support and comply with local, regional and national policies.

6.3 Potential impact on the amenity of nearby residents

- 6.3.1 The application site is surrounded by residential properties on all sides. However, the orientation of the proposed buildings and the arrangement of windows on their elevations help to avoid overlooking to neighbouring properties' habitable rooms.
- 6.3.2 The distance between 1-20 Shacklewell House and the south-east elevation of the stepped, rear building is thirty metres. A similar distance separates the front

elevation of the six-storey element of the proposal from the block of flats opposite (9-15 Wellington Mansions). 21-30 Shacklewell House faces the courtyard of the proposed development (and the flank wall of the six-storey building) rather than habitable rooms. The rears of 10-12 Perch Street face a blank wall and are not overlooked.

- 6.3.3 The closest distance between a directly facing elevation of the proposed development and that of a neighbouring building is between bedrooms B_4, B_6, B_8 and B_10 in the stepped building and 12-26 Shacklewell Road, which are separated by sixteen metres. This is a standard front-to-front distance in an urban setting and will not, in officers' view, unduly prejudice the privacy of occupants.
- 6.3.4 Furthermore, the daylight and sunlight report submitted as part of the application measures the impact of the proposed development on neighbouring windows using BRE (Building Research Establishment) guidelines. The report demonstrates that the proposed development will have a 'noticeable but not harmful impact' on the daylight and sunlight receivable by the windows at neighbouring properties, and that the proposed development will not have an unacceptable impact on the light available to adjoining properties.
- 6.3.5 Therefore, for the reasons set out above and having due regard to the siting, location and orientation of the proposed development, it is considered that the proposal will not result in any significant risk to the amenity of adjoining occupiers by way of loss of daylight, sunlight, overshadowing or an increased sense of enclosure. Overall, the proposed development is considered to be acceptable with regard to amenity and complies with the relevant policy in the Hackney UDP (1995).

6.4 Acceptability of dwelling mix and affordable housing provision

- 6.4.1 The proposal's twenty-seven residential units comprise nine one-bedroom flats, eleven two-bedroom flats, two three-bedroom flats and five four-bedroom flats.
- 6.4.2 Forty-eight per cent of the proposed units are allocated as affordable housing (fifty-three per cent on a habitable-rooms basis), which achieves the London Plan fifty-per-cent affordable housing target. The tenure split of seventy-five (social rent) to twenty-five (intermediate) is considered acceptable.
- 6.4.3 The London Plan SPG on Housing provides housing mix proportions based on an assessment of the London-wide net housing requirement, comprising thirty-two per cent one-bedroom households, thirty-eight per cent two- and three-bedroom households and thirty per cent four-bedroom (or more) households. The proposed development provides a corresponding level of one-bedroom households but also a surfeit of two- and three-bedroom households at the expense of four-bedroom households. Furthermore, the sum total of two- and three-bedroom units is mostly comprised of the former.

- 6.4.4 However, these proportions are not intended to be applied strictly to individual developments. Furthermore, although Hackney's 2003 Housing Needs study confirms the need for family-sized accommodation that had previously formed the basis for now-deleted policy HO9 in the Hackney UDP, the London Plan SPG states that 'local housing needs requirements should not be the single determinant of housing mix sought on individual developments'.
- 6.4.5 Having due regard to the above considerations, whilst it would be desirable for the proposed development's dwelling mix to include a greater number of three- and four-bedroom dwellings, there is no policy basis to refuse the application on these grounds alone. Furthermore, it is accepted that the site's awkward shape and limited size constitute constraints that make the site unsuitable for a larger proportion of family-sized dwellings, for which the space needed for outdoor amenity space isn't available. The proposed development is therefore considered to be acceptable in this regard.

6.5 Traffic and transport considerations and car parking provision

- 6.5.1 The proposed development is in a Controlled Parking Zone (CPZ) and is, accordingly, car-free. Having due regard to the area's moderate PTAL rating and the Council's aspirations for discouraging car use in favour of alternative means of transport, a car-free proposal in this location is considered to be acceptable.
- 6.5.2 The majority of 'car-free' developments approved by the Council make an exception for off-street parking spaces for disabled-badge-holders. Although the Council's Traffic and Transport officers have requested off-street disabled parking provision on this site and set out why they believe on-street disabled parking provision is not an acceptable substitute, due regard must be given to the constraints of the site owing to its size and shape. Due regard must also be given to Annex 4 (Parking Standards) of the London Plan, which states that: 'Boroughs should take a flexible approach, but developments should have at least one accessible on- or off-street car parking bay designated for use by disabled people, even if no general parking is provided.'
- 6.5.3 Therefore the lack of off-street disabled parking spaces is not considered sufficient to warrant the refusal of the application on that basis. However, a Section 106 clause should be included requiring that the developer contact the Council's Parking Services team to arrange (and pay for) the two on-street disabled parking spaces the developer has suggested in lieu of the off-street provision.
- 6.5.4 Thirty-two cycle-parking spaces are provided within the development's courtyard. On the basis that one cycle parking space per unit is required, this is considered to be a generous level of cycle parking provision.

6.5.5 Aside from the aforementioned matter, the Council's Traffic and Transport team have raised no objection to the proposed development, and have indicated that overall they do not consider that the proposed development will have a detrimental impact upon circulation and parking in the vicinity. Overall, therefore, there are no traffic and transport issues with the proposed development that constitute grounds for concern or refusal.

6.6 Consideration of objections

6.6.1 Large and over-dominant 'eyesore'

This issue is addressed in paragraph 6.2.2 of this report. It is considered that the proposed development is of an acceptable height and scale, and will not, as a result of its size and massing, negatively impact upon the appearance of the street scene or the amenity of adjoining occupiers.

6.6.2 New building is 'massive, oppressive... ugly'

This issue is addressed in paragraphs 6.2.2 and 6.2.3 of this report. The building is in a contemporary architectural language that accords with other recent approvals as well as with Council expectations of new buildings in general; furthermore, it is considered that its rectilinear appearance integrates satisfactorily with the neighbouring buildings.

6.6.3 Fails BRE daylight and sunlight tests; invasion of privacy

This issue is discussed at length in section 6.3 of this report. It is considered that the proposed development will not result in overlooking, loss of privacy or excessive loss of sunlight and daylight to adjoining buildings' habitable rooms.

6.6.4 Will exacerbate existing parking difficulties

This is addressed in section 6.5 of this report. The area has sufficiently good public transport accessibility for the proposed development to uphold the Council's objective of encouraging alternatives to car use.

6.6.5 'Noise factor of yet more residents in the area would seriously compromise my children's sleep'

The relevant objector has not elaborated upon – and the Planning Service does not concur that – a twenty-seven-unit residential development is an inherently noisy use such as would disturb children or anyone else.

6.6.6 The following are not considered to be material planning considerations, although some of the concerns below are covered by separate (non-Planning) regulations, of which applicants are routinely notified by informatives attached to decision notices:

- 'High risks. Health and safety (dust, pollution etc.) Dangers and disturbance for my kids (school days). Wife and kids are asthmatic'.
- 'This may affect me... by losing my flat and no assurance of rehousing. That sucks'.
- Area is already over-crowded
- Noise from building works
- 'There will be dust'
- 'There will be road block'
- Devaluation of property.

7. CONCLUSION

- 7.1 In summary, it is considered that the proposed development is of an appropriate use and of an acceptable standard of design, and will not have a materially adverse impact on the amenity of neighbouring occupiers by way of loss of light, privacy, outlook, increased traffic generation, nor on the character and appearance of the surrounding area.
- 7.2 Having regard to the above considerations, it is considered that the proposal complies with all pertinent policies in the Hackney UDP (1995) and the London Plan (Consolidated with Alterations since 2004), and on that basis the granting of planning permission is recommended.

8. RECOMMENDATION

RECOMMENDATION A:

- 8.1 **That permission be GRANTED, subject to the following conditions:**

8.1.1 **SCB0 – Development in accordance with plans**

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved, except units B_6 (drawing PL_202 rev. P2) and B_8 (drawing PL_203 rev. P2), 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.

8.1.2 **SCB1 – Commencement within three years**

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

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

8.1.3 **SCM6 – Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls, gates and ground surfaces

(including drainage arrangements) shall be submitted to and approved by the local planning authority, in writing, before work on the external surfaces, boundary walls, gates and ground surfaces commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.4 SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

8.1.5 SCI3 – No roof plant

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved.

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

8.1.6 SCH10 – Secure bicycle parking

Lockable space shall be made available within the site for the secure parking of thirty-two bicycles, before the first occupation of the development.

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 and improving highway conditions in general.

8.1.7 SCH14 – Closure of existing access

The existing access to the site shall be closed permanently when the use of the new access shown on the plans hereby approved is/are provided and in use.

REASON: To confine access to the permitted point(s) in order to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

8.1.8 CLS1 – Main contaminated land condition

With reference to paragraphs (1)-(5) below, work shall be completed and reporting produced by a competent person/company in line with CLR11 (published by the Environment Agency) and other current best practice

guidance. All reporting must be provided in both a paper and electronic format. Both the Pollution Section and local planning authority must receive verbal and written notification at least five days before investigation, remediation and development works commence.

(1) Before any remediation work, enabling works or development commences at the site a desk study report including full details of Site reconnaissance, and a report containing full details of site investigation and risk assessment work shall be produced to the satisfaction of and approved in writing by the Pollution Section.

(2) Before any remediation work, enabling works or development commences at the site a remediation-strategy report shall be produced to the satisfaction of and approved in writing by the Pollution Section. The remediation-strategy report shall incorporate an options appraisal, implementation and verification plans and include comprehensive details of groundworks and development works to be completed at the site. The remediation-strategy report shall clearly distinguish between remediation to be completed before development commences and remediation to be completed during and/or after development.

(3) Before any development commences a verification report for remedial works that shall take place pre-development shall be produced to the satisfaction of and approved in writing by the Pollution Section. The verification report must also include full details of a watching brief kept by the developer and their on-site agents including documented observations and photographs of the remediation.

(4) Before occupation/use commences a final verification report for remedial works that will take place during enabling works and development shall be produced to the satisfaction of and approved in writing by the Pollution Section. The verification report must also include full details of a watching brief kept by the developer and their on-site agents including documented observations and photographs of the remediation and groundworks phases of the enabling works and development.

(5) Any post-remedial monitoring reports shall be produced as specified within the remediation report, or as otherwise required by the Pollution Section.

Any additional, or unforeseen contamination encountered shall be immediately notified to the Pollution Section and local planning authority, and dealt with as agreed with the Pollution Section. Occupation/use of the development shall not commence until this condition has been discharged in writing by the local planning authority following the satisfactory supply of information in line with stages (1)-(5) and upon completion of any other works required by the Pollution Section and/or local planning authority. Subject to written approval by the Pollution Section and/or local planning authority, the condition may be varied, or discharged in agreed phases.

REASON: To protect the end users of the development, any adjacent land user(s) and the environment from contamination in line with Planning Policy Statement 23 (published by the Office of the Deputy Prime Minister).

8.1.9 NSC1 – Non-standard condition

A biodiverse, substrate-based extensive green roof (100mm minimum depth) is to be established on the roof of the proposal. Full details thereof shall be submitted and approved in writing by the local planning authority, prior to occupation. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.10 NSC2 – Non-standard condition

A rainwater harvesting system shall be installed and details thereof shall be submitted to the local planning authority and approved in writing before occupation of the development hereby approved first commences.

REASON: In the interests of maximising the environmental performance of the building.

8.1.11 NSC3 – Non-standard condition

Reasonable endeavours shall be undertaken to locate street lights to the highway immediately adjoining the site onto the face of the building hereby approved.

REASON: To safeguard visual amenity and assist with the provision of a less cluttered public realm.

8.1.12 NSC4 – Non-standard condition

Provision is to be made within the site for seven 1100-litre Euro bins (five for residual waste and two for co-mingled recycling), with details of the interior (configuration of receptacles) and exterior (detailed design and facing material) of the bin store to be submitted to the local planning authority and approved in writing prior to first occupation of the site.

REASON: In the interest of encouraging recycling provision and upholding the Council's sustainability objectives.

8.1.13 NSC5 – Non-standard condition

Details of the internal reconfiguration of units B_6 (drawing PL_202 rev. P2) and B_8 (drawing PL_203 rev. P2) showing single bedrooms of a minimum width of 2.13 metres, with all other habitable rooms remaining compliant with the minimum standards set out in SPG1: New Residential Development, shall be submitted to the local planning authority and approved in writing before construction of the development hereby approved commences.

REASON: In the interests of providing an acceptable standard of living accommodation within these units.

RECOMMENDATION B:

- 8.2 That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Head of Legal Services:**
- 8.2.1 Provision of forty-eight per cent affordable housing (on a per-unit basis), comprising one one-bedroom flat, one two-bedroom flat and one four-bedroom flat as intermediate units, and three one-bedroom flats, three two-bedroom flats, one three-bedroom flat and three four-bedroom flats for social rental.
- 8.2.2 Payment by the landowner/developer of £4288.20 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
- 8.2.3 Payment by the landowner/developer of £74,779.36 as a financial contribution towards education facilities in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006), with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006), using Wandsworth survey data as the best available proxy for inner London.)
- 8.2.4 Payment by the landowner/developer of £1,300.73 as a financial contribution towards open space in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
- 8.2.5 The developer is required to pay, under Section 278 of the Highways Act (1980), £54,041.00 to reinstate and improve the highway and footway adjacent to the boundary of the site.
- 8.2.6 Provision by the landowner/developer for the use of local labour on site during the construction phase.
- 8.2.7 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 Section 106 Agreement.
- 8.2.8 Twenty-six of the twenty-seven residential units to be built to Lifetime Homes standard and to achieve Code for Sustainable Homes level 3, with all reasonable endeavours to achieve level 4.

- 8.2.9 Achievement of a twenty per-cent reduction minimum in carbon emissions through the use of renewable energy sources and use of low-energy technology.
- 8.2.10 The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
- 8.2.11 Provision for all units to be adaptable for wheelchair-users.
- 8.2.12 For all contracts with a value in excess of £5 million, payment by the landowner/developer of £3750.00 towards the cost of NVQ training (to secure more skilled employment for the construction industry sector).
- 8.2.13 The developer is required to arrange with London Borough of Hackney Parking Service the provision of and payment for two on-street disabled parking spaces.
- 8.2.14 The developer is required to pay a contribution of an amount to be agreed with the Council's Traffic and Transport team towards sustainable transport initiatives in the area, to be put towards, but not restricted to, accessibility improvements schemes in the area (including footway improvements in Shacklewell Road), street-lighting, improving links to the walking and cycle network in the area, public realm improvements, etc.
- 8.2.15 Provision for the right of future residents of this development to store bicycles within their flats to be safeguarded, and prevention of any future management company from prohibiting bicycles being brought into the building.
- 8.2.16 No entitlement (unless the holder of a disabled person's badge) to a resident's parking permit.

9. REASONS FOR APPROVAL

- 9.1 The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; HO3 - Other Sites for Housing; CS3 - Retention and Provision of Community Facilities; TR19 - Planning Standards.
- 9.2 The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.2 - Borough housing targets; 3A.3 - Maximising the potential of sites; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3A.11 - Affordable housing thresholds; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling

congestion and reducing traffic; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

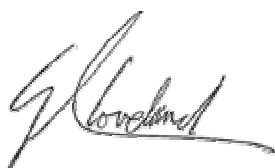
10. INFORMATIVES

The following Informatives should be added:

- 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.25 Disabled Person's Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.33 Landscaping

NSI.1 All materials submitted pursuant to the discharge of condition 3 of this approval should be supplied and delivered at the same time in a container clearly marked with the address of the application site, reference to the application number 2008/2628, and accompanied by coloured copies of relevant elevational drawings, to which each material sample should be clearly referenced and labelled accordingly. Full specifications detailing each material's manufacturer and colour (as per manufacturer's description/name thereof) should also be submitted at the same time.

NSI.2 This decision notice is accompanied by a Section 106 legal agreement. It shall be implemented in full accordance with the details of that agreement.



Signed..... Date: 22 June 2009

Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/EXTENSION OF OFFICER	LOCATION
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT

ADDRESS: The City Academy (u/c), Homerton Row, London, E9 6EB	
WARD: Chatham	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2009/0790	VALID DATE: 06/04/2009
DRAWING NUMBERS: Submitted with this application: LA/WS/L/90/01 rev. 1 Approved drawings submitted under application ref. 2007/2226: LA/WS/L/92/04, 1156 P01 rev. B, 1156 P 02 to 013 (all rev. A), 1156 PL 14 to 17	ACCOMPANYING DOCUMENTS: N/A
APPLICANT: The City Academy KPMG 1-2 Dorset Rise London EC4Y 8EN	AGENT: Studio E Architects Palace Wharf Rainville Road London W6 9HN
PROPOSAL: Variation of condition 9 (secure bicycle parking) of planning permission ref. 2007/2226 to reduce the number of cycle parking spaces from 220 to 130, of which 50 will be in place on opening, with the remaining 80 to be provided within three years.	
NOTE TO MEMBERS: The committee report for application ref. 2007/2226 and the relevant pages from the minutes of the 23 January 2008 Planning Sub-Committee are attached for members' information.	
RECOMMENDATION SUMMARY: Approve variation of condition and grant planning permission under Section 73 of the Town and Country Planning Act 1990.	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

	(Yes)	(No)
CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Approved	D1	Education	10,900 sqm
Proposed	D1	Education	10,900 sqm

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site comprises land that formerly contained the Homerton College of Technology, where construction work is currently taking place to implement the planning permission approved in 2008 (application ref: 2007/2226; see paragraph 3.1 of this report). The new Academy will accommodate 210 places and the Principal estimates that one third of students will live within 400m of the academy.

2. CONSERVATION IMPLICATIONS

- 2.1 The site is not located in a conservation area, but it is located adjacent to the Clapton Square Conservation Area. There are several statutory listed buildings in the area, including 23 Homerton High Street (adjacent to the application site) and Sutton House (opposite the application site), a National Trust property dating from 1535 and regarded as the oldest house in East London.

3. HISTORY

- 3.1 14/02/2008: Planning permission granted for the demolition of former Homerton College of Technology buildings and erection of a new four-storey building to accommodate a new academy, including sports hall, associated hard play areas, recreation areas and entrance plazas, and basement parking for 24 cars, with vehicle access from Furrow Lane (2007/2226).
- 3.2 17/04/2007: Planning permission granted (but not implemented) for temporary change of use of former main college building to office accommodation for 600 staff from Hackney Social Services, and of separate building ancillary to former college to transport fleet depot for 40 staff from Hackney Social Services (ref: 2006/3237).
- 3.3 23/07/2002: Planning permission refused for the removal of a public footpath through the school site and external alterations including new perimeter walls, repaving, formation of a new walled garden, new playground shelter, new lighting, reconfiguration of the service yard, landscaping, new gates, a vehicle crossover, binstores and the demolition of the caretakers house (ref: 2001/1729).

4. CONSULTATIONS

- 4.1 Date statutory consultation period started: 24/02/2008
- 4.2 Date statutory consultation period ended: 17/03/2009

4.3 Site notice: No

4.4 Press advert: No

4.5 Neighbours

No letters were sent out to adjoining occupiers.

4.6 Statutory Consultees

N/A

4.7 Local Consultees

Transport for London: No response received.

4.8 Other Council Departments

Traffic and Transport: The Council can only apply the TfL cycle parking standards – one cycle parking space per ten staff and students – or cycle provision to match demand. Traffic and Transport are unaware of the exact staffing number and the student population are but it is assumed that 129 cycle parking places comprises the ten per-cent cycle parking places required. The demand for cycle parking can be determined when the school undertakes the travel survey as part of the School Travel Plan (STP) within the first year of operation.

On average, the level of cycling to school across the borough is usually about two per cent of the student population. Current cycle targets in many of the current school travel plans submitted to the Council are about five per cent, which suggests that ten per-cent provision is presently an aspiration. However, it is sensible to cater for growth in future demand, so ten per-cent cycle parking provision is the minimum provision.

With regards to the provision of fifty cycle parking places in the year of opening and the remainder within three years, we have no objections. As there will not be a full intake of students within the first year of operation, this level of cycle parking should be adequate until demand increases in the later years. However, the requirement is that the physical space for the total cycle parking provision must be provided from the year of opening.

In summary, the cycle parking provision of ten per cent complies with the TfL cycle parking standards for this type of development and therefore there are no strong policy grounds to object to this level of provision. However, through the STP annual travel survey the demand for cycle parking will be determined and the level of cycle parking to match demand must be provided. We do not object to the provision of fifty cycle parking places in the year of opening and provision of the remainder in three years, as long as the physical space is provided to accommodate the total cycle parking provision.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)

EQ1 - Development Requirements

5.2 London Plan (Consolidated with Alterations since 2004)

3A.24 - Education facilities

3C.22 - Improving conditions for cycling

6. COMMENT

6.1 Planning permission is sought to vary condition 9 of the planning permission for the approved scheme (which required the provision of 220 cycle-parking spaces), in order to reduce the number of cycle-parking spaces to 130. Of these, 50 will be provided on opening, with the remaining 80 to be installed within three years.

6.2 The exact wording of the condition is as follows:

‘Secure, covered parking shall be provided for 220 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.’

6.3 Originally, the planning application for the City Academy (ref. 2007/2226) proposed only 30 cycle parking spaces. Transport for London (TfL) was among the consultees for that planning application and its response stated that a minimum of 129 spaces should be provided. The applicant offered 110 instead, and the proposal was recommended to committee on that basis. Committee members identified that the TfL minimum of 129 wasn't being met and applied an extra 91 spaces (to make a total of 220) as a condition for approving the application.

6.4 The City Academy now seeks to reduce the number of spaces by 90, as the requirement to provide 220 spaces “will place unnecessary demands on budget, space and operational systems when we open”.

6.5 The “vast majority” of pupils will walk to and from the school, it is argued. Furthermore, “the cost of installing bike racks which will not be used at any time in the foreseeable future is placing an unnecessary cost and burden on the project.”

6.6 The academy therefore proposes 50 racks on opening, which would “more than satisfy demand in the first years of operation.” The remaining 80 would

be installed within three years of the date on any decision notice granting approval, thereby bringing the total number of cycle parking spaces to 130: just over the minimum recommended by TfL, and a hundred spaces more than was originally proposed.

7. CONCLUSION

- 7.1 It is considered that variation of the condition to comply with the minimum number of spaces required by TfL is acceptable and will provide a sufficient number of cycle parking spaces such as would encourage the use of cycling as a means of transport, thereby upholding the Council's Sustainable Transport objectives. Accordingly, it is recommended that the application be approved.

8. RECOMMENDATION

- 8.1 **That planning permission be granted under Section 73 of the Town and Country Planning Act 1990, subject to the following conditions:**

8.1.1 **SCM9 – No extraneous pipework**

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

8.1.2 **SCI3 – No roof plant**

No plant (including all external enclosures, machinery and other installations; excluding solar water-heating and/or photovoltaic cells) shall be placed upon or attached to the roof or other external surfaces of the building, other than as shown on the drawings hereby approved, unless planning permission for such is sought and granted separately.

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

8.1.3 **SCH3 – Containment of parking**

No parking of vehicles arriving at or departing from the premises shall take place other than within the curtilage of the premises.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

8.1.4 **SCH5 – Provision of parking, turning and unloading space**

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

8.1.5 SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, four car-parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

8.1.6 SCH10 – Secure bicycle parking

Secure, covered parking shall be provided for fifty bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), before use of the development commences, with a further eighty spaces to be provided before the expiry of the school's third year of operation, details of the siting and appearance of all such bicycle-parking provision to be submitted to the local planning authority and approved in writing before use of the development commences.

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 and improving highway conditions in general.

8.1.7 SCH11 – Adequate visibility

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

8.1.8 NSC1 – Non-standard condition

The building shall achieve a minimum BREEAM rating of 'Very Good', and certification to that effect shall be submitted to the Local Planning Authority and acknowledged in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

8.1.9 NSC2 – Non-standard condition

The applicant shall enter into a s278 agreement with Transport for London (TfL) to pay a contribution (to be specified by TfL) towards the estimated cost of highway works (including an upgrade of the existing zebra crossing, as well as making good any damage to footpaths on Urswick Road and Homerton High Street resulting from construction).

REASON: In the interests of making good the highway following construction of the development hereby approved.

8.1.10 NSC3 – Non-standard condition

The applicant shall enter into a separate s278 agreement with the Council and pay £172,424.00 towards works to Homerton Row, Fenn Street, Furrow Lane and the pedestrian passageway connecting Homerton Row and Homerton High Street.

REASON: In the interests of making good the highway following construction of the development hereby approved.

8.1.11 NSC4 – Non-standard condition

A school travel plan (STP) based upon – and including – a travel survey must be produced and submitted to the local planning authority within the first year of operation.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

8.1.12 NSC5 – Non-standard condition

An updated school travel plan (STP) must be produced and submitted to the local planning authority before the expiry of the school's third year of operation, to include annual travel surveys taken since the first STP following the school's opening, and setting out where additional cycle-parking facilities will be provided.

REASON: In order to establish demand for cycling and form a basis for providing an appropriate level of cycle-parking.

9. REASONS FOR APPROVAL

9.1 The following policy contained in the Hackney Unitary Development Plan (1995) is relevant to the approved development/use and was considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements.

9.2 The following policy in the London Plan (Consolidated with Alterations since 2004) is relevant to the approved development/use and was considered by

this Council in reaching the decision to grant planning permission: 3A.24 - Education facilities and 3C.22 - Improving conditions for cycling.



Signed..... Date: 22 June 2009

Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT

ADDRESS: Former Homerton College of Technology site, Homerton Row, London E9 6EB	
WARD: Chatham	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2007/2226	VALID DATE: 30/08/2007
DRAWING NUMBERS: 1156 P01 B, 1156 P 02 to 013 (all rev. A), 1156 PL 14 to 17, LA/WS/L/90/01, LA/WS/L/92/04 + Design and Access Statement Planning Statement Supporting Statement Transport Assessment Archaeological Assessment Arboricultural Survey Energy Study Habitats Survey Daylight and Sunlight Report	
APPLICANT: City of London c/o Agent	AGENT: CgMs Consulting Morley House 26 Holborn Viaduct London EC1A 2AT
PROPOSAL: Demolition of former Homerton College of Technology buildings and erection of a new four-storey building to accommodate a new academy, including sports hall, associated hard play areas, recreation areas and entrance plazas, and basement parking for 24 cars, with vehicle access from Furrow Lane.	
RECOMMENDATION SUMMARY: Grant conditional planning permission.	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

ZONING DESIGNATION:	(Yes)	(No)
CPZ		X
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Previous	D1	Education	10,820 sqm
Proposed	D1	Education	10,900 sqm

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Previous	45	0	0
Proposed	20	4	110

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site consists of a vacant site formerly occupied by a seven-storey building on a two-storey podium, dating from the 1960s and used as a school, as well as a two-storey annexe building constructed at the same time and subsequently reclad, a multi-use games area (MUGA), and a disused former playground/hard play area to the north of the school buildings.
- 1.2 The surrounding area is largely residential in nature, containing a comprehensive mix of buildings of varying styles, scale and height, ranging from terraces of listed buildings that date from the late eighteenth century to more recent blocks of flats of up to six storeys.
- 1.3 There are no pertinent UDP designations for the site.
- 1.4 The site has a PTAL (Public Transport Accessibility Level) of 4, which rates as 'good'. It is served by nine bus routes from outside Homerton Hospital (140m away), and Homerton Terrace (455m away), serving destinations that include Highbury and Islington, Marble Arch, Finsbury Park, Camden, King's Cross, Euston and other parts of Hackney. Homerton rail station is located 600m away from the application site, served by the London Overground (formerly Silverlink Metro's North London Line). Furthermore, the site is approximately 250m away from the dedicated River Lea-Hackney Central cycle route, with onward cycle routes available from London Fields to Bethnal Green, Wapping, Shoreditch, the City, Angel and the West End.

2. CONSERVATION IMPLICATIONS

- 2.1 The site is not located in a conservation area, but it is located adjacent to the Clapton Square Conservation Area. There are several statutory listed buildings in the area, including 23 Homerton High Street (adjacent to the application site) and Sutton House (opposite the application site), a National Trust property dating from 1535 and regarded as the oldest house in East London.

3. HISTORY

- 3.1 17/04/2007: Planning permission granted (but not implemented) for temporary change of use of former main college building to office accommodation for 600 staff from Hackney Social Services, and of separate building ancillary to former college to transport fleet depot for 40 staff from Hackney Social Services (ref: 2006/3237).
- 3.2 23/07/2002: Planning permission refused for the removal of a public footpath through the school site and external alterations including new perimeter walls, repaving, formation of a new walled garden, new playground shelter, new lighting, reconfiguration of the service yard, landscaping, new gates, a vehicle crossover, binstores and the demolition of the caretakers house (ref: 2001/1729).

4. CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 11/09/2007
- 4.2 Date Statutory Consultation Period Ended: 14/12/2007
- 4.3 Site Notice: Yes
- 4.4 Press Advert: Yes

4.5 Neighbours

359 surrounding occupiers have been consulted by personal letter. 3 letters of objection, 3 letters of support and 5 neutral letters have been received.

The objections are lodged on the following grounds:

- Noise and dust during construction
- Exacerbation of traffic and parking problems on Furrow Lane, especially as a result of traffic turning into Furrow Lane from the direction of Morning Lane, which "inevitably blocks both lines of traffic since they are right at the front of traffic heading for Hackney Wick"
- Smoking and swearing from students at previous college, behaviour of pupils on their way to and from previous school caused problems; security concerns.

4.6 Statutory Consultees

- 4.6.1 London Fire and Emergency Planning Authority: "Premises appear to fit the 2000-8000 category on Table 20 of the Approved Document therefore as floor is estimated at about 12.5 metres (measured off of plan no. 10) it should have access to 50% of perimeter by a high reach appliance unless building is fitted

with fire mains. As no detail of this is shown, application appears not to comply." [Note: The applicant was notified of the LFEPA's comments and the mechanical and electrical consultant with whom the applicant is working has responded: "We will be installing dry risers, as it has not been possible to provide fire vehicle access to a sufficient percentage of the perimeter."]

- 4.6.2 Transport for London (TfL): The proposal as it stands would not result in a significant overall increase in daily traffic to the site, and would not result in any unacceptable impact to the public highway, provided the following concerns and conditions are addressed: the upgrade of the existing zebra crossing secured by way of a s278; the submission of a servicing management strategy; the submission of a scaled plan of all parking areas; an increase in the number of cycle-parking spaces from 30 to 129; clarification of any works affecting the public footway during the construction period, and the submission of a construction management plan. [Note: the number of cycle-parking spaces has increased to 110 since these comments were received.]
- 4.6.3 Thames Water: No objection to the planning application.
- 4.6.4 English Heritage (Greater London Archaeology Advisory Service (GLAAS)): Redevelopment of the site has the potential to damage or remove significant buried remains. Archaeological field evaluation is therefore required to determine the degree to which archaeological material will be affected by redevelopment, and a condition to that effect should be attached to any planning permission the Council may choose to grant.
- 4.6.5 The National Trust: It is pointed out that historically the Homerton College site was not linked to the development of Sutton House and comments are made solely in respect of the relationship between the two respective sites and not with regard to any shared development or historic integrity between the two. Requests that planning conditions are attached to deal with the boundary wall treatment (including landscaping) and careful selection of materials for the proposed curtain walling. While the four-storey bulk of the northern section of the Academy does not appear to directly harm the setting of Sutton House (subject to a very consideration of the curtain walling materials), careful consideration should be given to the possible 'swapping' of the sports hall location and northernmost teaching block, which would lessen the visual impact on the front elevation of Sutton House.

4.7 Local Consultees

- 4.7.1 Crime Prevention Design Adviser (Metropolitan Police): No response received.
- 4.7.2 Design Review Panel: The panel has considered the proposals and made the following comments: the ribbon building form is not legible and creates an ambivalent relationship to the roads. No explanatory diagrams on how the scheme developed supports the proposal. Concerns were raised over the dead side of the development on Homerton Row and more ambition is needed for Homerton High Street, which is an aggressive, noisy edge. The extensive blank

façade at ground level is considered a poor townscape solution that will not enhance passive surveillance or the pedestrian environment.

The entrance sequence is needlessly fractured and could be simpler and relate better to the street. How the community accesses and uses the 'extended school' spaces is unclear. There is scope to intensify uses on the plaza. Both spaces of the plaza could be consolidated. The public piazza is considered a non-event because of surrounding noise and pollution and lack of interface with the proposed building. The full potential of spaces and their functions in the masterplan proposal is unrealised. The landscape proposal is considered harsh and requires careful differentiation.

The appendages to the ribbon – the sports hall and assembly hall – are not yet convincing. These special buildings could be expressed more sculpturally or be sited in such a way as to facilitate 'extended school' use through the provision of meaningful public space and ease of access. The use of the school out of hours by the community is not clearly addressed functionally, nor very clearly expressed. [Note: subsequent revisions have taken significant account of the panel's comments, particularly with regard to the assembly hall and Homerton High Street frontage.]

4.7.3 Central and South Hackney Conservation Area Advisory Committee (CAAC): Although the proposal is not in the Central and South Hackney CAAC area, there are some reservations about the free flow of the public space. Sustainability and use of light should be considered.

4.7.4 The Hackney Society: No response received.

4.7.5 The Learning Trust: No response received.

4.8 Other Council Departments

4.8.1 Conservation & Design: Many of the initial concerns regarding the proposed development (e.g. how the proposed building addresses the street, blind façades and lack of active frontages, boundary treatment, having a separate visitors' entrance, the treatment of the sports and assembly halls as simple boxes, and the "repetitive and monotonous" architectural expression) have largely been overcome.

Both the assembly hall and the sports hall show better integration with the rest of the building. The assembly hall has evolved into a more distinct architectural shape and enables a better articulation with the street. The curved façade also more effectively articulates the massing. There is some general improvement to the public realm treatment. The intention to address the various edge conditions of the site has been noted, and despite a few issues with some of the proposed treatments, it is generally felt that the scheme's relationship to its surroundings has improved, although the ground level remains inactive for most of the boundary. The junction of the sports hall and the community entrance has been

significantly improved through the use of continuous elements from the cladding of the main building and the roof line extension.

The extension of the entrance plaza to the community entrance through consistent ground treatment and continuous edge sections improves the connection to St John's Churchyard and increases the quality and the continuity of the public realm. The blank façade of the western side of the Homerton Row passageway still needs a lighting scheme and significant exterior treatment to help make it a more active frontage. This is a key condition of the success of the plaza and should not be overlooked.

In principle, the boundary wall has been incorporated within an overall design and is generally acceptable, provided there is some adjustment to the detailing of different sections. The problematic areas are the community entrance and the relationship between the steps and the footpath, the cycle stand canopy and its relationship to the planting, and, as mentioned above, potentially the underpass area and the connection to Homerton Row. These areas should be clarified. For the rest of the boundary, the material, detailing and design will have to be assessed at condition stage.

In summary, several improvements to the integration of the different elements of the building and its appearance have been proposed. The boundary treatment – despite no improvement to ground level activity and no fundamental change in the layout – has brought some consistency to the relationship of the Academy with the public realm.

- 4.8.2 Highways: There is an estimated highway contribution for a required 106 agreement for the above development of £172,424.00. The estimate has been compiled using drawings from the planning application, in conjunction with a detailed visual inspection of the site.
- 4.8.3 Traffic & Transport: The proposal is generally supported, will not impact negatively on the borough's transport infrastructure, and is acceptable with conditions and mitigation measures by agreement. The Framework School Travel Plan (STP) meets all the criteria, but some issues remain to be addressed.
- 4.8.4 Trees and Landscape Officer: No response received.
- 4.8.5 Waste Management: Provision for refuse management and collection looks acceptable.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995)

- | | | |
|------|---|------------------------------|
| EQ1 | - | Development Requirements |
| EQ7 | - | External Works and Landscape |
| EQ40 | - | Noise Control |

- TR6 - Traffic, Access and Parking
- TR7 - Car Parking
- TR8 - Parking For People With Disabilities
- TR19 - Planning Standards
- CS6 - Provision of Education Facilities
- CS10 - Planning Standards

5.2 Supplementary Planning Guidance (SPG)

- SPG11 - Access For People With Disabilities

5.3 London Plan (2004)

- 2A.1 - Sustainability criteria
- 3A.15 - Protection and enhancement of social infrastructure and community facilities
- 3A.21 - Education facilities
- 3C.1 - Integrating transport and development
- 3C.16 - Tackling congestion and reducing traffic
- 4B.1 - Design principles for a compact city
- 4B.3 - Maximising the potential of sites

5.4 National Planning Policies

- PPS1 - Creating Sustainable Communities
- PPG13 - Transport

6. COMMENT

Planning permission is sought to construct a new four-storey building to accommodate a new academy that will provide education for 1140 11-18 year-old pupils, following the recent demolition of all buildings on the site of the former Hackney College of Technology.

The proposed building has a long, horizontal emphasis, with a footprint largely informed by the shape of the site and the need to safeguard existing mature trees on-site. The building extends from the north-west to the south-east of a butterfly-shaped site that pinches in the middle, where a pedestrian underpass is currently located (which needs to be retained), leading from Homerton High Street to Homerton Row. This pedestrian passage divides the school into two separate buildings at ground-floor level, joined by connecting upper storeys over the passage to make the building a single structure.

At ground-floor level, the western half of the building contains all of the school's sports facilities, including a Sports Hall, multi-gym, dance studio and multi-use games area (MUGA) which face onto a hard play area to the north of the building. These facilities can be accessed from a separate entrance on Homerton High Street, in order to enable after-hours use by the wider community.

The eastern half of the building, on the other side of the pedestrian passage, contains the entrance atrium, fronted by two 'plazas' – one exclusively for pupils' use, the other a public space adjoining the pedestrian passage. The atrium itself provides access not only to the teaching accommodation at upper level but also to the library, assembly hall, dining hall and drama studio that face onto another hard play area to the south of this wing, together with an outdoor dining space.

The proposal incorporates a car park into the building's basement with 24 parking spaces, of which four will be allocated for disabled users. The car park will be accessed from Furrow Lane. Provision is also made above ground for 110 bicycles.

It is intended that the Academy will open in September 2009 for the first intake of students. By 2013 the Academy will be operating at full capacity to offer 900 places for 11-16 year-olds and 240 Sixth Form places, with estimates of proposed staff numbers in the 120-160 range.

Considerations

The main considerations relevant to this application are:

- 6.1 The principle of the development
- 6.2 Design and appearance of the proposed development
- 6.3 Potential impact on the amenity of adjoining residents
- 6.4 Traffic and transport considerations
- 6.5 Consideration of objections

Each of these considerations is discussed in turn below.

6.1 The principle of the development

- 6.1.1 The development comprises the replacement of 10,820 sqm of floorspace by a new building of near-identical floorspace within the same use class (D1) as the buildings that formerly occupied the site. There are no UDP designations or any other pertinent policy reasons that preclude the acceptability of the proposed development in principle. The previous buildings did not enjoy any statutory protection and therefore the principle of their demolition was also acceptable.

6.2 Design and appearance of the proposed development

- 6.2.1 In terms of the proposed building's appearance, the main body of the proposal is characterised by horizontal colour banding designed to emphasise the 'ribbon' concept behind the building. This will be achieved with powder-coated aluminium curtain walling using coloured panels, set behind a glazed acoustic

screen. Although the use of colour was originally intended to be fairly muted (as can be seen on the submitted drawings), the architects are aware that materials and colour palette are routinely finalised by condition attached to a planning approval, and on that basis have continued to evolve colour ideas further even as the planning application is being assessed. Current thinking is for the use of colour to be more pronounced, with gradations of numerous different colours running horizontally along the length of the building.

- 6.2.2 This concept will also be used for the sports hall element of the building, although adapted slightly differently to take into account its blank facades. The assembly hall has been revised since the application was originally submitted and now adopts a more curvilinear form, with the detail to be determined by condition if the application is approved.
- 6.2.3 The design of the proposed building is intended to achieve a Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Very Good' by way of providing a 200 kW ground-source heat pump, which the accompanying energy report states will provide 20% of the academy's energy demand. Further to this, the energy strategy for the academy is aimed primarily at minimising energy use by way of providing ample daylight, natural ventilation and passive control of summer temperatures, maximisation of solar gain, and optimised glazing.
- 6.2.4 Furthermore, the design of the academy includes generous rooflights on the north elevation made of ETFE* to provide daylight via light wells to all three levels of classroom accommodation. A green roof is proposed on the south-western corner of the building.
- (*ETFE (Ethylene/Tetrafluoroethylene) is a translucent plastic, also used on the panels that make up the Eden Project domes in Cornwall and the Allianz Arena (football stadium) in Munich, and the Beijing National Aquatics Centre).
- 6.2.5 The proposed design is considered to be of a high standard that is appropriate to the proposed use and successfully addresses the numerous constraints of the site. The height, scale and massing lend sufficient presence to an important building while still respecting a context that includes an adjoining conservation area and a National Trust property.
- 6.2.6 The internal design rationale appears to be acceptable and the architects' attempts to incorporate environmental considerations into the design are noted. Furthermore, the proposal represents a significant improvement on the buildings that formerly occupied the application site, and it is considered that the design of the proposal is of a sufficiently high standard to help contribute to the much-needed regeneration of Homerton High Street.
- 6.2.7 Although the planning application contained aspects that gave some cause for concern when initially submitted, these have been overcome with a succession of revisions to the design and those that remain – such as the materials for the hall roofs, the need to enliven the windowless elevation on the changing

rooms/plant room on the western side of the public plaza – can be addressed by attaching the appropriate conditions to any approval.

- 6.2.8 Furthermore, construction of the proposed building would not involve the felling of any of the eight mature trees situated in different parts of the site, all of which are to be retained for their visual amenity value.
- 6.2.9 Overall, the design of the proposal is considered compliant with saved planning policies in the Hackney UDP (1995) and policies in the London Plan (2004), and is therefore considered acceptable.

6.3 Potential impact on the amenity of adjoining residents

- 6.3.1 The proposed use corresponds with the former use of the site and it is not anticipated that any noise arising from the proposed development would be significantly greater than previously existed on the site, nor is it foreseen that it would have a significantly adverse effect on neighbouring occupiers' amenity.
- 6.3.2 The height of the proposal is reduced from that of the former building, with its more vertical emphasis – which was seven storeys at its highest. As a result of this lower height, as well as of the specific siting and orientation of the proposed building, no significant privacy or overlooking issues can be identified.
- 6.3.3 More specifically, the front elevation of the building faces onto the gable walls of terraces on Isabella Road and Sutton Place, with the uninhabited National Trust property Sutton House in the middle.
- 6.3.4 The residential properties in closest proximity to the application site are the four-storey residential block 17 Homerton High Street; a modern terrace on the other side of Homerton Row to the proposed building (nos. 1-18); 19-33 Burnett Close and 25-33 Halidon Close, all of which (except 17 Homerton High Street) are part of the same estate.
- 6.3.5 The rear windows of 17 Homerton High Street look out onto the proposed academy's easternmost hard play area, with approximately 30m between these windows and the assembly hall, the nearest part of the academy, which in any case has a rounded, blank elevation with only high-level windows. The aforementioned properties on Burnett Close and Halidon Close look out onto the school's other hard play area and MUGA.
- 6.3.6 The closest residential properties to facing windows on the proposed building are 1-18 Homerton Row. 18.5m separates these homes from the north elevation of the building, which contains school admin offices and the dining hall on the ground floor, and classrooms above. There is over 10m between the building and the site boundary, in between which the planting of trees is indicated on the drawings (and can be secured by condition). It is therefore considered that the distance between facing windows in Homerton Row is acceptable and that residents of 1-18 Homerton Row will not have their privacy adversely affected by way of overlooking.

6.3.7 Overall, the proposal is not deemed likely to adversely affect the amenity of nearby residents.

6.4 Traffic and transport considerations

6.4.1 The proposal includes 24 off-street parking spaces and room for 110 bicycles. Although the level of bicycle provision falls below the 129 recommended by TfL, this shortfall is not considered sufficient grounds to warrant the refusal of the application. A sufficient number of disabled parking spaces has been provided and the proposal is compliant with the UDP's policy on parking for people with disabilities.

6.4.2 The Academy is being proposed to address the need for a secondary school in this area and on the basis that there are a sufficient number of potential pupils living within a 600m radius of the new academy to fill all its places. It is therefore envisaged that the majority of pupils (estimated at 70%) will travel to and from the school on foot, while an estimated 18% will use public transport, an estimated 10% will be driven and an estimated 2% will cycle.

6.4.3 It is not anticipated that the proposed academy will generate enough traffic to have a detrimental impact upon circulation and parking in the vicinity, and overall there are no traffic and transport issues with the proposed development that constitute grounds for concern or refusal.

6.5 Consideration of objections

6.5.1 Noise and dust during construction

Noise and dust arising from construction does not constitute a material planning consideration and cannot be incorporated into the assessment and determination of this planning application. However, informatives are routinely included in decision notices reminding applicants what building hours their contractors are legally obliged to observe.

6.5.2 Pupils' behaviour, security

Neither the behaviour of pupils (such as the smoking and swearing referred to by one objector) nor the threat that nearby residents feel that pupils pose to the security of their properties constitutes a material planning consideration, and neither objection can be incorporated into the assessment and determination of this planning application.

6.5.3 Traffic and parking problems on Furrow Lane

Neither new traffic and parking problems nor exacerbation of existing problems are foreseen as a result of this development. As discussed in part 6.4 of this report, it is not anticipated that the proposed development will generate excessive traffic, as the majority of pupils will not travel to and from the site by

car. Although Furrow Lane is narrow, the traffic flow has been identified as very low and it is not foreseen that the proposed development will substantially change that. Therefore, no traffic issues have been identified that would constitute grounds for refusal.

7. CONCLUSION

- 7.1 The proposed development is considered compliant with pertinent policies in the Hackney UDP (1995) and the London Plan (2004). Accordingly, the granting of planning permission is recommended.

8. RECOMMENDATION

RECOMMENDATION A:

- 8.1 **That permission be GRANTED, subject to the following conditions:**

8.1.1 **SCB0 – Development in accordance with plans**

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

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

8.1.2 **SCB1 – Commencement within three years**

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 Section 91(1) of the Town and Country Planning Act 1990 as amended.

8.1.3 **SCM6 – Materials to be approved**

Details, including samples, of all materials to be used on the external surfaces of the building, boundary walls and ground surfaces shall be submitted to and approved by the Local Planning Authority, in writing, before work on the external surfaces, boundary walls and ground surfaces commences on site. These should include all fences and railing, the roof material(s) for the assembly hall and sports hall, and full details of the colour facades intended to run along the western side of the Homerton Row passage. The development shall not be carried out otherwise than in accordance with the details thus approved.

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

8.1.4 SCM9 – No extraneous pipework

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the (street) elevations of the building other than as shown on the drawings hereby approved.

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

8.1.5 SCI3 – No roof plant

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof or other external surfaces of the building.

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

8.1.6 SCD2 – Provision of access and facilities

All provisions and facilities to be made for people with disabilities as shown on the plans and details hereby approved shall be implemented in full to the satisfaction of the Local Planning Authority before the use is first commenced.

REASON: In order to ensure that access and facilities for people with disabilities are provided in order to ensure that they may make full use of the development.

8.1.7 SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, four car-parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities close to the entrance to the building.

REASON: In order to ensure that a reasonable minimum of parking spaces are located conveniently for use by people with disabilities.

8.1.8 SCT1 – Submission of landscaping scheme

Further details of the landscaping scheme indicated on submitted drawing LA/WS/L/90/01, hereby approved, shall be submitted to and approved by the Local Planning Authority, in writing, before any landscaping work commences on site, including the planting of no fewer than 42 new trees (as shown on the aforementioned drawing). These details will show species, type of stock, level of maturity, and numbers of shrubs to be included, confirming which areas are to be grass seeded or turfed. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed, including any existing trees or plants that die or are damaged during, or as a result of, construction work

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

8.1.9 SCH10 – Secure bicycle parking

Secure, covered parking shall be provided for 110 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

8.1.10 SCH3 – Containment of parking

No parking of vehicles arriving at or departing from the premises shall take place other than within the curtilage of the premises.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

8.1.11 SCH5 – Provision of parking, turning and unloading space

No part of the development hereby approved shall be occupied until accommodation for car parking, turning and loading/unloading has been provided in accordance with the approved plans, and such accommodation shall be retained permanently for use by the occupiers and/or users of, and/or persons calling at, the premises only, and shall not be used for any other purposes.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s) and to ensure the permanent retention of the accommodation for parking/loading and unloading purposes.

8.1.12 SCH11 - Adequate visibility

Adequate visibility shall be provided to the highway within the application site above a height of one metre from footpath level for a distance of three metres on one/both side(s) of the permitted points of vehicular access, in accordance with details to be approved by the Local Planning Authority before any work on the site is commenced, and be so maintained.

REASON: To provide a suitable standard of visibility to and from the highway and to ensure that the use of the access does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

8.1.13 SCL10 – Archaeological investigation

No construction shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take

place in accordance with the detailed scheme approved pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

REASON: To safeguard the archaeological interest of the site, which is within an Area of Archaeological Priority.

8.1.14 NSC1 – Non-standard condition

The building shall achieve a minimum BREEAM rating of 'Very Good', and certification to that effect shall be submitted to the Local Planning Authority and acknowledged in writing prior to occupation of the building.

REASON: In the interests of maximising the environmental performance of the building.

8.1.15 NSC2 – Non-standard condition

The applicant shall enter into a s278 agreement with Transport for London (TfL) to pay a contribution (to be specified by TfL) towards the estimated cost of highway works (including an upgrade of the existing zebra crossing, as well as making good any damage to footpaths on Urswick Road and Homerton High Street resulting from construction), and shall submit directly to TfL details of any works affecting the public footway during the construction period, e.g. any alteration to the existing footway layout, erection of fencing etc. as well as a construction management plan to ensure minimum disruption to the movement of traffic (including bus operations, cyclists and pedestrians) during the construction phase of this development, and a scaled plan of all parking areas. Furthermore, the applicant shall comply with the following TfL requirements:

- The footways on Urswick Road and Homerton High Street must not be blocked during the construction period. Temporary obstruction shall be kept to a minimum and must not encroach on the clear space needed to provide safe passage for pedestrians.
- Delivery of construction materials and disposal of construction waste shall be carefully planned to avoid the peak traffic periods, so that it does not prejudice the free flow of traffic on Urswick Road and Homerton High Street. No vehicles or skips shall be parked or stopped on this carriageway for loading or unloading of equipment or waste.

REASON: In the interests of making good the highway following construction of the development hereby approved.

8.1.16 NSC3 – Non-standard condition

The applicant shall enter into a separate s278 agreement with the Council and pay £172,424.00 towards works to Homerton Row, Fenn Street, Furrow Lane and the pedestrian passageway connecting Homerton Row and Homerton High Street.

REASON: In the interests of making good the highway following construction of the development hereby approved.

8.1.17 SCM7 – Details to be approved

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

- Windows
- Balconies
- Doors
- Design and appearance of soffits
- All clear and obscure glazing
- Design and appearance of railings
- Ground floor elevations and signage of the building
- Ground floor lighting plan

REASON: To ensure that the external appearance of the building is satisfactory and satisfies design quality requirements, as well as safety of the public realm.

RECOMMENDATION B:

8.2 That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Council (which is, and will remain, the freeholder of the site and therefore has an interest in the site):

- 8.2.1 Payment by the landowner/developer of £172,424 as a highways contribution for works to the public highway through provisions under both Section 106 and Section 278 of the Highways Act.
- 8.2.2 Submission by the applicant of a School Travel Plan and a Safe Routes to School document.
- 8.2.3 Provision by the landowner/developer for the use of local labour for construction in the form of 25% on-site employment, including the facilitation of an apprentice for a defined period.
- 8.2.4 Provision to be made for public after-hours use of the Sports Hall and Assembly Hall, and for community access to these facilities to be safeguarded in perpetuity.
- 8.2.5 The owner shall use all reasonable endeavours to ensure that Studio E Architect continues to be employed as the project architect through the whole of the construction phase and until completion of the development.

9. REASONS FOR APPROVAL

The following policies saved in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ7 - External Works and Landscape; EQ40 - Noise Control; EQ48 - Designing Out Crime; TR6 -Traffic, Access and Parking; TR7 - Car Parking; TR8 - Parking For People With Disabilities; TR19 - Planning Standards; CS6 - Provision of Education Facilities; CS10 - Planning Standards.

10. INFORMATIVES

The following Informatives should be added:

- 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.25 Disabled Persons' Provisions
- SI.27 Regulatory Reform (Fire Safety) Order 2005
- SI.28 Refuse Storage and Disposal Arrangements
- SI.32 Consultation of Thames Water
- SI.33 Landscaping

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

Fiona Fletcher-Smith
CORPORATE DIRECTOR, NEIGHBOURHOODS & REGENERATION
DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney UDP and the London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT

**Minutes of the proceedings of the Planning Sub-Committee held
on Wednesday 23 January 2008**

Councillors present:

Councillors Vincent Stops (Chair), Michael Desmond (Vice Chair), Barry Buitekant, Katie Hanson, Linda Smith and Jessica Webb.

Substitutes – Councillors Shuja Shaikh and Joseph Stauber.

Mark Douglas – Hackney Society Representative.

Not Present:

Councillor Sally Mulready.

Officers in attendance:

Chris Berry, *Interim Head of Planning*
Femi Nwanze, *DC Planning Manager*
Sue Foster, *Assistant Director Regeneration and Planning*
John McRory, *Team Leader, Major Applications*
Ray Rogers, *Urban Design and Conservation Manager*
Rosemary Lansdowne, *Principal Solicitor*
David Rees – *Democratic Services Manager*
Emma Perry, *Democratic Services Officer*

1. APOLOGIES FOR ABSENCE

- 1.1. Apologies for absence were received from Councillors Ian Sharer and Simon Tesler.

2. ORDER OF BUSINESS

- 2.1. The Interim Head of Planning informed the Sub-Committee that Item 5 – Avigdor – Site 65-67 Lordship Road, had now been deferred to the next meeting. A legal challenge had been received which necessitated the preparation of a screening opinion for environmental assessment which needed to be resolved before the Sub-Committee could consider the item.

3. DECLARATIONS OF INTEREST AND DISPENSATION

- 3.1 There were no declarations of interest.

The applicant to introduce rain water harvesting to the development.

The applicant will use all endeavours to re-site the existing street lamps adjacent to the site, on the approved building.

The applicant will use best endeavours to participate in the Considerate Contractors Scheme.

INFORMATIVES agreed as per the agenda.

7. FORMER HOMERTON COLLEGE OF TECHNOLOGY SITE, HOMERTON ROW, LONDON, E9 6EB: 2007/2226

Demolition of former Homerton College of Technology buildings and erection of a new four-storey building to accommodate a new academy, including sports hall, associated hard play areas, recreation areas and entrance plazas, and basement parking for 24 cars, with vehicle access from Furrow Lane.

The Chair stated that, after seeking advice, he had reviewed his decision to declare a prejudicial interest on education items, due to his partner being a Cabinet Member for education. He would no longer be declaring an interest on educational items, unless required.

- 7.1 The Planning Officer introduced the report as set out in the agenda.
- 7.2 The Chair asked the applicant whether they had considered including rain water harvesting in the scheme. The applicant explained that they had incorporated a number of environmentally sustainable methods which they felt offered best value for money and that the limiting factor in implementing rain water harvesting would be funding. He estimated it would cost between £50-100,000 to implement. The Chair requested that the applicant investigate this proposal and that this be added as an additional condition.
- 7.3 Reference was made to paragraph 6.2.1 regarding the design and appearance of the proposed development. Councillor Desmond raised concern over the proposed use of pronounced colours for the exterior of the building and questioned why this had been chosen over more muted colours. The applicant explained that they had allocated these colours due to the nature of the building and felt that they needed to make a statement with this particular development. They believed in striking a modern balance.
- 7.4 The Chair made reference to the fact that the development was still work in progress and that some aspects of the design and appearance of the proposed development were still undecided.

- 7.5 He requested that the proposals for external materials, be brought back to Planning Sub-Committee for approval.
- 7.6 Councillor Webb expressed concern about the allocation of only 110 spaces for cycle storage, as she believed this was not an adequate number due to the nature of the development and also in the interest of encouraging healthy living.
- 7.7 In response to a question, a representative from the Council's Highways Team stated that TfL standards for cycle spaces would identify 129 spaces. The applicant also added that it would be difficult to provide space for any more cycle racks, although if the demand grew they could look at the possibility of accommodating more spaces. They believed it was better to test the development with the 110 spaces first to assess demand. They also stated that the catchment area for the school was quite tight, so it was expected that a large majority of the pupils would walk to school.
- 7.8 Councillor Webb proposed an amendment to the report which was seconded by Councillor Hanson, for 220 spaces to be provided. This was **AGREED**.

RESOLVED that planning permission be GRANTED, subject to S106 Legal Agreement and the conditions as set out in the agenda, with the additional conditions:-

All detailed matters identified in paragraph SCM7 – Details to be approved, should be brought back to Planning Sub-Committee for its consideration.

The applicant will use best endeavours to introduce rain water harvesting to the development.

SCH10 – Secure bicycle parking, be revised as follows:-

Secure, covered parking shall be provided for 220 bicycles in the form of Sheffield stands (or an alternative approved in writing by the Local Planning Authority), as shown on the plans hereby approved, before use of the development hereby permitted commences.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interests of discouraging car use, relieving congestion in surrounding streets and improving highway conditions in general.

INFORMATIVES agreed as per the agenda.

REV	DATE	DESCRIPTION
A	06/08/09	Issue for planning
B	01/11/09	Issue for planning
C	17/02/10	Issue for planning
D	04/02/10	Issue for planning
E	23/03/10	Issue for planning
F	26/03/10	Issue for planning
G	17/05/10	Issue for planning
H	21/05/10	Issue for planning
I	21/05/10	Issue for planning

- EXISTING VEGETATION TO BE RETAINED
- EXISTING VEGETATION TO BE REMOVED
- PROPOSED NATIVE TREE PLANTING
- PROPOSED AVENUE TREE PLANTING
- TIMBER HIT & MISS FENCING
- 1.8M HIGH COASTAL
- SHRUB / HEDGE PLANTING
- GRASS Q30/310
- SITE BOUNDARY LINE
- BITUMAC PAVING Q22/110
- EXISTING LEVELS
- INDICATIVE PROPOSED LEVELS

- EXPOSED AGGREGATE TO BE PAVING
- WATERING POINTS
- 5 No. INDICATIVE LOCATIONS
- SETT / BLOCK PAVING WITH SETT EDGE DETAIL Q25/600
- STEPS L37/110
- BENCHES / SEATS Q20/225
- CYCLE STANDS Q30/210
- BLUE LIMESTONE PAVING Q25/200
- PROPOSED SEATING AROUND HURRYWAY
- EXISTING TREE Q30/228
- LOW BOUNDARY WALL & FENCE Q30/115
- 2.1M HIGH ASPHALT GROUND LEVEL Q30/115
- DOOR PROTECTORS Q40/500
- TIMBER BOLLARDS Q30/150

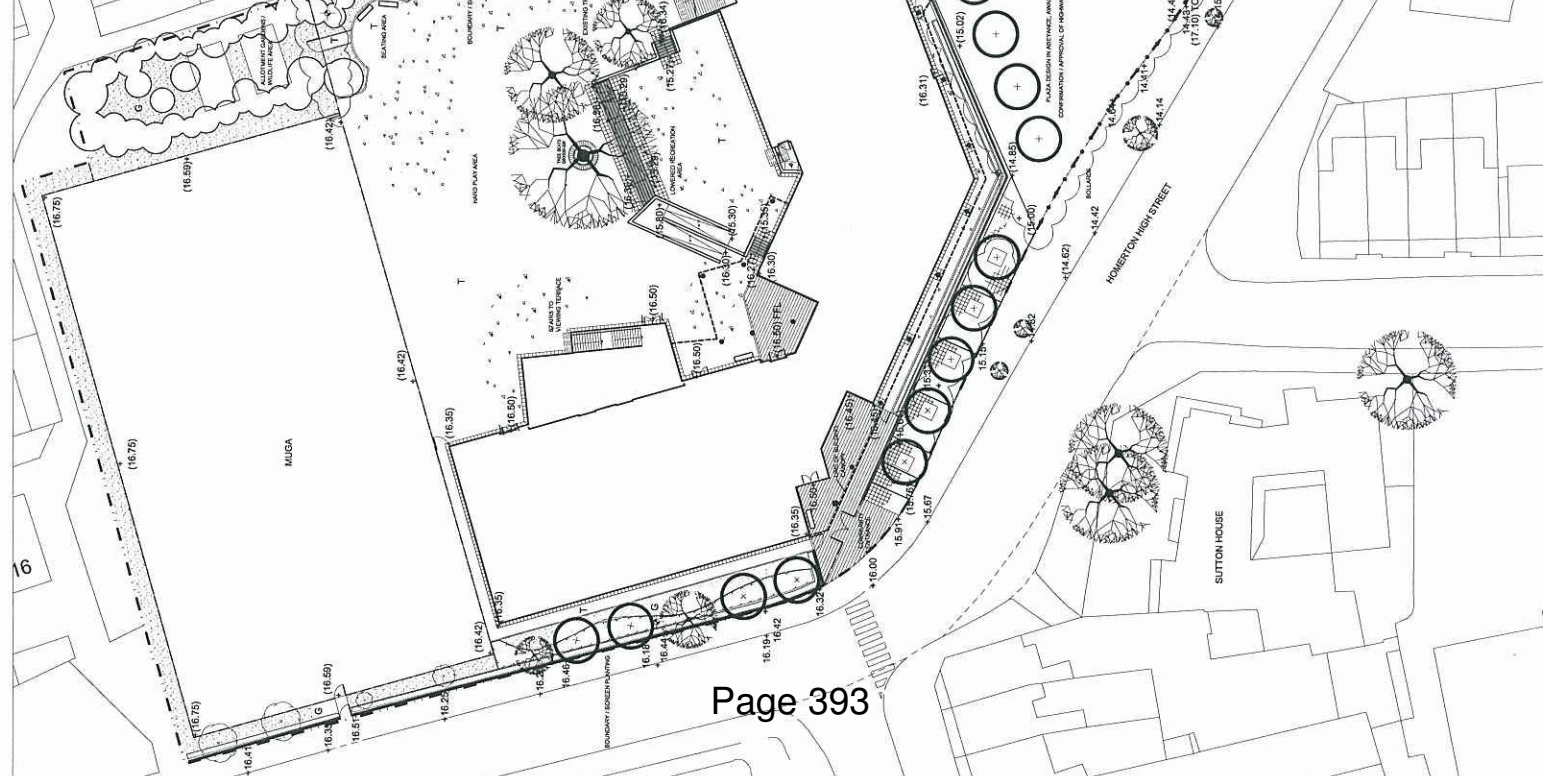
- PITCHED BOUNDARY WALL ABOVE FOOTPATH Q30/115
- WELDMESH FENCE 2.7M HIGH & GATES Q30/115
- WELDMESH FENCES 3.68M HIGH & GATES Q30/110
- POPPUS BEEN BASE TO STREET TREES IN PAVINGS

- NOTE: Refer to Dwg No's LAWS/LP/006 & LAWS/LP/007 for boundary wall elevations

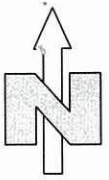
London Borough of Hackney
 Hackney Academy
 06 APR 2009
 Planning - Received

PLANNING
 HACKNEY ACADEMY
 LP1676
 LANDSCAPE MASTERPLAN
 LAWS/LP/006
 1:200 @ A3
 05.11.07
 01.06.07
 21.03.09

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 Landscape Architecture
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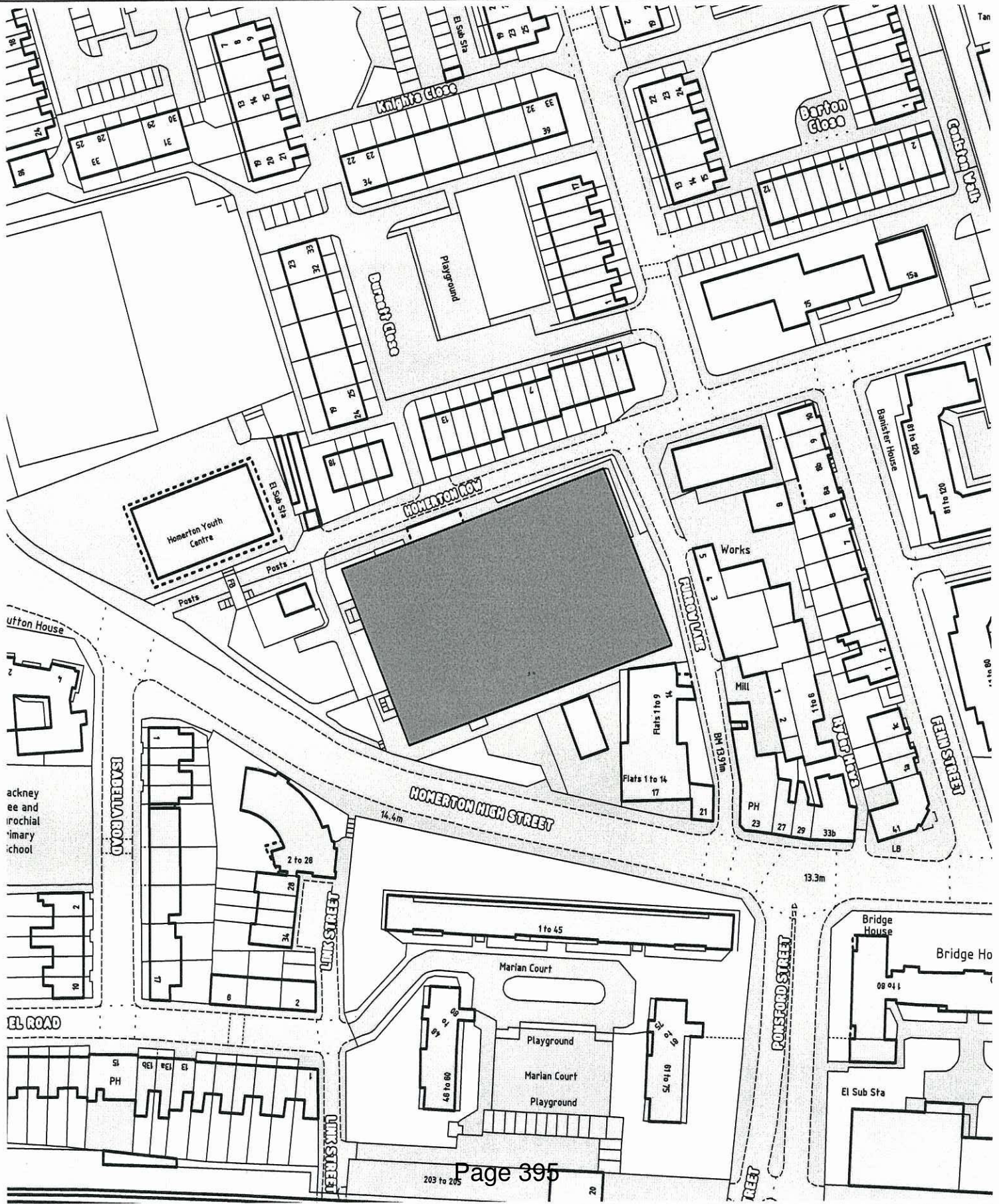
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Prepared by : Technical Support Team

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REPORT OF ASSISTANT DIRECTOR OF REGENERATION AND PLANNING		
PLANNING SUB-COMMITTEE 1 July 2009	Classification INFORMATION	Enclosures
	Ward(s) Affected ALL	APPEAL SUMMARY December 2008

1. SUMMARY

Attached for Members' information is a report summarising all Planning Inspectorate appeal decisions received for the month of December 2008.

2. RECOMMENDATION

That the attached schedule be received for Members' information.

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

STEVE DOUGLAS

INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS AND REGENERATION

Report Originating Officer: Franziska Lang (ph: 0208 356 8291)

Background Papers

The following documents have been relied upon in the preparation of this report:

Description of Document	Location	Date
MVM Panorama Planning System and PINS on-line case search	263 Mare Street, E8	May 2009

MONTHLY APPEAL DECISION INFORMATION BULLETIN

SUMMARY INFORMATION FOR THE MONTH OF DECEMBER 2008

Statistics for all Planning and Enforcement Appeals

Planning (Including Listed Building, Conservation Area Consents and Adverts)		Enforcement	
Number of appeals received:	10	Number of appeals received:	0
Number of appeals withdrawn:	0	Number of appeals withdrawn:	0
Number of appeals decided:	6	Number of appeals decided:	4
• Dismissed	2	• Dismissed	2
• Allowed	4	• Allowed	2
• Split	0	• Split	0
Number of cost applications made	0	Number of cost applications made	0

Best Value Performance Indicator (BVPI) 204 Statistics

Number of appeals forming BVPI statistic: (Refer to note below for explanation)

	BVPI 204 December 2008 (S.78 Determined)	BVPI target 2008/2009	BVPI since 1 st April 2008
Number of Appeals Dismissed	1/3	62.0%	28/47 (59.57%)
Number of Appeals Allowed	2/3	38.0%	19/47 (40.43%)
Number of Appeals with Split Decision		Forms part of the 'Allowed' statistic above	

Note:

Planning appeals for the purposes of the BVPI statistic includes appeals on planning applications where the Council has refused planning permission. It does not include planning appeals against conditions or non-determinations. The calculation also excludes all other application types of appeal, e.g. Advertisement Appeals, Enforcement Appeals and Lawful Development Certificate appeals. A partially allowed appeal must be counted as an allowed appeal (Extract from Best Value Performance Indicators by Audit Commission).

1. **Site Address: 77 Kynaston Road, London N16 0EB**
Application and Appeal Reference: APP/U5360/A/08/2079960 & 2008/0033

Inspectors Ruling: Allowed

Development Description: Loft extension

Type of Appeal: Written representations appeal against Council's refusal of planning permission

Key Policies/ Material Considerations: UDP Policy EQ1

Inspector Considerations and Key Issues: Effect of the development on the appearance of the surroundings.

Brief Assessment: The Inspector considered that the Council had allowed a wide range of roof extensions in the surrounding area and that the proposed extension closely followed the Council's design guidance. The Inspector was not persuaded by the Council's arguments that the proposal would be discordant or obtrusive.

Implications: No new implications.

2. **Site Address: 152 Clarence Road, London E5 8DY**
Application and Appeal Reference: APP/U5360/A/08/2081630 & 2007/2669

Inspectors Ruling: Allowed

Development Description: Retention of existing fire escape route and obscured panelling at first and second floor.

Type of Appeal: Written representations appeal against Council's refusal of planning permission

Key Policies/ Material Considerations: UDP Policies EQ1 and HO3

Inspector Considerations and Key Issues: The effect of the proposal on residential amenities.

Brief Assessment: The Inspector considered that the primary use of the balconies was now as a fire escape route rather than a sitting-out area. He was further satisfied that the measures proposed to screen the balconies would overcome and overlooking issues. Accordingly the appeal was allowed.

Implications: No new implications.

3. **Site Address: 98 Dalston Lane, London E8 1NG**
Application and Appeal Reference: APP/U5360/A/08/2080033 & 2008/1101

Inspectors Ruling: Dismissed

Development Description: Conversion of four bedsit apartments to four self-contained flats, replacement of rear two-storey extension, existing roof and front and rear windows (retrospective permission sought).

Type of Appeal: Written representations appeal against the Council's failure to determine within the prescribed time frame and application for planning permission

Key Policies/ Material Considerations: UDP Policies EQ1, EQ12 and EQ14; site is within Graham Road and Mapledene Conservation Area

Inspector Considerations and Key Issues: The effect of the proposal on the character and appearance of the surroundings.

Brief Assessment: The Inspector found the proposed rear extensions to be acceptable. However, he considered that the rear dormer window is prominent and at high level above the skyline of the block. The Inspector concluded that the roof extension would not preserve or enhance the appearance of the conservation area and would adversely affect the look of the building and its

surroundings contrary to the objectives of the relevant policies.

Implications: No new implications.

4. Site Address: 147 Goldsmith Row, London E2 8QR

Application and Appeal Reference: APP/U5360/A/08/2078238 & 2007/1065

Inspectors Ruling: Allowed

Development Description: The matters referred to in conditions 2 (dustbin enclosures), 3 (materials) and 6 (modifications to the façade facing Goldsmiths Row) of planning permission 2004/1276 (Erection of four-storey building to provide 3 x 2-bed and 1 x 3-bed flats, demolition of existing building).

Type of Appeal: Written representations appeal against the Council's failure to determine within the prescribed time frame and application for planning permission

Key Policies/ Material Considerations: None specified

Inspector Considerations and Key Issues: There were no issues issued between the parties.

Brief Assessment: In this appeal the Council accepted that Condition 6 of the original planning permission was vague as to what modifications were being sought to the front facade. The condition was therefore more or less unenforceable. The details submitted to discharge the relevant conditions were considered acceptable by the Council.

Implications: No new implications.

5. Site Address: 38 Jessam Avenue, London E5 9DU

Application and Appeal Reference: APP/U5360/A/08/2076401 & 2008/0096

Inspectors Ruling: Dismissed

Development Description: A front and rear side dormer extension

Type of Appeal: Hearing appeal against the Council's refusal to grant planning permission

Key Policies/ Material Considerations: UDP Policy EQ1, London Plan Policy 3A.4 and 3A.17

Inspector Considerations and Key Issues: The effect of the proposal on the character and appearance of the area in light of the needs of the particular local community.

Brief Assessment: The development proposed was submitted after a previous application (ref. 2006/1024) was refused by the Council, this refusal being upheld at a previous appeal (ref. APP/U5360/A/06/2019825). The Inspector considered that several large roof extensions have been constructed along Jessam Avenue and that these are now an established component of the character and appearance of the street scene and form part of the context of the appeal proposal. The Inspector considered that the revised roof extension proposal was more acceptable than that previously refused at appeal. However, he identified three errors within the submitted plans. Whilst he was satisfied that the first two errors could be dealt with via a condition, the third could not. Accordingly the appeal was dismissed as the front elevation drawings were not consistent with the side elevation drawings.

Implications: No new implications.

6. Site Address: Herder House Hotel, Gloucester Drive, London N4 2LE

Application and Appeal Reference: APP/U5360/C/08/2072674 & 2007/0087/ENF

Inspectors Ruling: Dismissed

Development Description: Without planning permission, the erection of a single storey side

extension fronting Adolphus Road and blocking up of 4 windows on the rear north-east facing elevation at first and second floor levels.

Type of Appeal: Written representations appeal against the Council's serving of an enforcement notice; the appeal was made under grounds (a) – that planning permission should be granted, ground (f) – that the steps set out in the notice are excessive, and ground (g) – that the period for compliance is too short.

Key Policies/ Material Considerations: UDP Policy EQ1

Inspector Considerations and Key Issues: The effect of the development on the character and appearance of the building and the surrounding area.

Brief Assessment: The Inspector considered that the unauthorised single storey side extension has little affinity with the main building and fails to respect its overall architectural composition, and that this would have a negative effect on the streetscene of Adolphus Road. He further considered that the blocked up windows detract from the architectural composition and detailing of the building; accentuated by the crude manner in which it has been carried out. The Inspector concluded that the development harms the character and appearance of the building and the surrounding area and the ground (a) appeal was therefore dismissed. The Inspector did not accept the ground (f) appeal, reasoning that all steps set out in the notice were required to address the breach. The Inspector accepted the ground (g) appeal and varied the notice to extend the period for compliance from three months to six months.

Implications: No new implications.

7, 8 & 9 Site Address: 28 Denver Road, London N16 5JH

Application and Appeal Reference: Appeal A: APP/U5360/C/07/2056801, Appeal B: APP/U5360/C/07/2057373, Appeal C: APP/U5360/X/08/2083464 & 2006/0068/ENF and 2008/1498

Inspectors Ruling: Allowed

Development Description: Appeal A: Material change of use of the premises from use as a single dwelling house to use as four self-contained flats; Appeal B: A roof conversion and erection of a dormer window at the front of the premises and the erection of a dustbin enclosure at the front of the premises; Appeal C: Alterations and additions to existing building including the insertion of dormer windows into roof and use as four self-contained flats (Use Class C3).

Type of Appeal: Public inquiry appeals against Council's serving of two enforcement notice (made under ground (d) – that the breach is immune from enforcement action; ground (f) – that the steps set out in the notice are excessive, and ground (g) – that the period for compliance is too short); and against the Council's refusal of an application for a Certificate of Lawful Use.

Key Policies/ Material Considerations: Not relevant to this appeal

Inspector Considerations and Key Issues: Whether the use has achieved immunity from enforcement action

Brief Assessment: The appellants were able to present sufficient written and oral evidence to persuade the Inspector that, on the balance of probabilities, the change of use had occurred five years prior to the serving of the enforcement notice. Given his decision to allow the ground (d) appeal, the Inspector did not consider it necessary to determine the ground (g) appeal.

Implications: No new implications.

10. Site Address: 5-9 Luke Street, London EC2A 4PX

Application and Appeal Reference: APP/U5360/C/08/2079611 & 2007/0209/ENF

Inspectors Ruling: Dismissed

Development Description: Without planning permission, the installation of air-conditioning units

on the south elevation at first floor level of the property and the retention of an air conditioning unit, wall bracket and piping at ground floor level on the elevation of the property fronting Christina Street.

Type of Appeal: Written representations appeal against the Council's serving of an enforcement notice; the appeal was made under grounds (a) – that planning permission should be granted, ground (e) – that the enforcement notice was not properly served.

Key Policies/ Material Considerations: UDP Policy EQ1, EQ12; London Plan Policies 4B.1, 4B.11

Inspector Considerations and Key Issues: The effect of the development on the street scene and whether it would serve to protect or enhance the character and appearance of the conservation area.

Brief Assessment: The Inspector considered the ground (e) appeal first and concluded that there was no evidence to indicate that the Council failed to serve copies of the notice on all those parties with an interest in the land. Accordingly the ground (e) appeal failed. In terms of the ground (a) appeal the Inspector found that by reason of their size, siting and appearance all of the air conditioning units would draw the eyes as unattractive features of the façade. Accordingly the appeal was dismissed.

Implications: No new implications.