

ADDRESS: 3-8 and Jack Dunning Community Hall, Furrow Lane, London	
WARD: Chatham	REPORT AUTHOR: Adam Flynn
APPLICATION NUMBER: 2008/1905 DRAWING NUMBERS: 0276 D0 100P4, 101P4, 102P3, 103P4, 104P4, 105P5, 106P2, 200P3, 201P3, 202P4, 203P3, 300, 301P1, 400P1, 401P1, 0276 F0 002P1, 100, L90-200, L90-201 Design & Access Statement, Planning Statement, Sustainability Statement, Energy Report, Play Strategy, Transport Statement, Air Quality Assessment, Noise Assessment, Daylight/Sunlight Assessment, Consultation Statement, Ground Condition Report	VALID DATE: 24/06/2008
APPLICANT: Urban Associates Suite 26, 19-21 Crawford Street London W1H 1PJ	AGENT: Planning Potential Magdalen House 136 Tooley Street London, SE1 2TU
PROPOSAL: 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 265m ² community hall (Class D1) on ground floor, with car parking, refuse provision and landscaping.	
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to S106 legal agreement.	

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Homerton	
Conservation Area		X
Listed Building (Statutory)		23 Homerton High Street (<i>adjacent</i>)
Listed Building (Local)		X
DEA		X

LAND USE DETAILS:	Use Class	Use Description	Floorspace			
Existing	B1	Light Industrial	518.6m ²			
	B8	Storage	359m ²			
	D1	Community Hall	249m ²			
Proposed	D1	Community Hall	265m ²			
	C3	Residential				
RESIDENTIAL USE DETAILS:						
	Residential Type	No. of Bedrooms per Unit				
Type		1	2	3	4	5
Existing		0	0	0	0	0
Proposed:						
Private		0	0	0	0	0
Affordable	Flats	8	19	7	7	0
Total		8	19	7	7	0

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	4	44

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The development site relates to three plots of land on the eastern side of Furrow Lane which is bounded by Homerton Row to the north. The combined site area is 0.19 hectares.
- 1.2 The southern site comprises 3-5 Furrow Lane which contains a two storey derelict warehouse building with associated outbuildings to the rear. The adjoining site to the north comprises a goods disposals storage yard with a two storey building at the rear at 6-8 Furrow Lane. The site has been cleared and all of the goods have been taken off the site. The third part of the site includes a pre-fabricated single storey temporary building owned by Hackney Council which is known as the Jack Dunning Community Hall. The community hall is used occasionally for community events.
- 1.3 The site is located in Homerton which is to the east of Hackney Town Centre. The area is mixed in character with the predominant land uses being the hospital to the east, the commercial High Street to the south and the residential former Council housing blocks immediately to the east and north. Homerton London Over ground station is located within a 5 minute walk away to the east and the site has a public transport accessibility level (PTAL) rating of 5.

- 1.4 There is a varying range of building heights on Homerton Row which includes two-storey dwellings, five-storey Council blocks and a nine-storey school building to the west of the site. The site backs onto a row of two-storey terraced housing (which probably dates from the 1980s) on Fenn Street.

2. CONSERVATION IMPLICATIONS

- 2.1 The site is not located in any Conservation Area. A Grade II locally listed building, 23 Homerton High Street, is adjacent to the proposal site.

3. HISTORY

- 3.1 24/01/2005 – Planning permission REFUSED for: Redevelopment of site involving the demolition of existing building and the erection of a five-storey building with terraces to provide 44 residential units (19 x 1-bedroom, 16 x 2-bedroom, 5 x 3-bedroom, 4 x 4-bedroom) and 258.7sqm of D1 floorspace (community hall) together with parking for six cars (two disabled), thirty-three bicycles and six motorcycles.

4. CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 26/09/2008

- 4.2 Date Statutory Consultation Period Ended: 17/10/2008

- 4.3 Site Notice: Yes

- 4.4 Press Advert: Yes

- 4.5 313 individual letters were sent to adjacent occupiers. Four letters of objection were received.

The grounds of objection were as follows:

- Size of building
- Increase in traffic
- Parking
- Noise, disturbance and pollution
- Impact on property values
- Demolition of flats in Marian Court

4.6 Local Groups

- 4.6.1 Invest in Hackney:
No comments received.

- 4.6.2 Private Sector Housing:
No comments received.

4.7 **Statutory consultees**

4.7.1 Crossrail:

No comments received.

4.7.2 English Heritage:

Application should be determined in accordance with policy Guidance. Recommend a condition regarding archaeological works.

4.7.3 The Learning Trust

No comments received.

4.8 **Other Council Departments**

4.8.1 Building Control:

No comments received.

4.8.2 Sustainability and Design:

Massing and layout

The proposal re-provides the existing Jack Dunning Hall on its current location with the long frontage along Homerton Row – this is the primary frontage and is thus suitable location for the community element of the scheme. The residential block sits along Furrow Lane and on top of the community hall, with entrances along Furrow Lane – this is the secondary frontage and suitable for residences. The proposal is essentially an ‘L’ shaped block enclosing a courtyard which accommodates the disabled car park, bike store, refuse bins and amenity spaces including protected trees. The layout and organisation of uses is consistent with and appropriate to the site context.

Elevation treatment

The overall approach of the elevation is to create a continuous ground floor podium, over which the ‘main body’ of the elevation sits, which is ‘broken down’ into individual street bays, ‘linked’ by bank of balconies or circulation cores; generating a discernable street elevation. The individual bay elements are finished in dark brick where as the ‘links’ are finished in white render, this further highlights the ‘street elements’ and overall creates a successful street elevation. The top floor set back is finished primarily in glazing giving a ‘light’ appearance, which is an appropriate approach.

The ‘tower’ is curved at the corner which negotiates the corner effectively. A two storey tall projecting box containing balconies has been applied on the top two floors of the ‘tower’ along Furrow Lane. The box marks the corner and would generate an element of surprise and visual delight, if well executed it could become a recognisable feature of the scheme and the immediate area.

At the ground floor the community centre façade is finished in a composition of coloured glass panels, this would generate visual delight and interest to the street environment along Homerton Row. The ground floor along Furrow Lane is set back from the pavement line to create a threshold and protect the privacy of the rooms facing the street, this is an appropriate response to the interface

between habitable rooms and the street.

Conclusion

The immediate neighbourhood of the site is well located in terms of transport links and access to amenity, however there has been a lack of investment in the recent past. As such the area has the scope and potential for and would hugely benefit from sensitive high quality infill developments, and the application site provides one such opportunity. The site currently makes a poor contribution to the local townscape and is underutilized.

The proposal's layout and organisation of uses, with community use along the major frontage (Homerton Row) and residential use along the minor frontage (Furrow Lane) enclosing a usable courtyard is consistent with and appropriate to the site context. The overall massing strategy is a contextual response to the individual boundary conditions, street hierarchy and urban node, generating a coherent street frontage, better sense of street enclosure, and a much more substantial urban block. The internal layout, proportion and distribution and aspect of the dwelling units is acceptable. The scheme is provided with a range of private and communal amenity space.

We support the scheme, subject to a condition regarding details of materials and elevational treatments.

4.8.3 Community and Leisure Services:

No comments received.

4.8.4 Highways:

No objections. Provide details of works required under S278 Highways agreement.

4.8.5 Housing:

Support the application for 100% affordable housing with substantial family provision and reprovision of the community centre.

4.8.6 Landscape Officer:

No comments received.

4.8.7 Pollution:

Recommend conditions regarding plant noise from the site.

4.8.8 Transport:

The site has good sustainable transport characteristics. Car parking provision is acceptable, but concerns are raised with the layout of the parking area. A condition is recommended to for details of turning areas to be submitted. Sustainable Transport S106 contribution required.

4.8.9 Waste management:

Proposed waste provision is acceptable.

4.8.10 Crime Prevention Design Advisor:
No comments received.

5. POLICIES

5.1 Hackney Unitary Development Plan (UDP) (1995) (saved policies)

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

5.2 Supplementary Planning Guidance /Document

SPG1 – New Residential Developments

5.3 Local Development Framework (LDF)

SPD – Planning Contributions Supplementary Planning Document (2006)

SPD – Affordable Housing (2005)

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.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

5.5 National Planning Policies

PPS1 – Creating Sustainable Communities

PPS3 – Housing

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

Planning permission is sought for the demolition of the existing buildings and the 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.

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 development

- 6.1.1 The principle of a mixed use residential and community hall development is considered appropriate to this location. The existing Jack Dunning Community Hall is being reprovided in the proposed scheme. The new building and community hall will create a more active frontage on this stretch of road, leading to an improvement in the streetscene.

Residential

- 6.1.2 The scheme provides 8 x 1-bed flats, 19 x 2-bed flats, 7 x 3-bed flats, and 7 x 4-bed flats. It is considered that this provides a good mix of units, and therefore accords with UDP and London Plan Policies and SPD on Housing. The scheme provides 100% affordable housing with a split of 54%:46% in favour of social rented accommodation (22 units social rented, 19 units intermediate).

This is considered acceptable in terms of mix and tenure, and is supported by the Council's Housing Team. The site is located in a predominantly residential area, with a mix of surrounding uses, and as such the development is considered to be compatible with surrounding uses.

Community Hall Provision

- 6.1.3 The Jack Dunning Hall currently comprises a temporary demountable/portacabin structure which the applicant has stated is out-dated and fails to meet the basic requirements for modern community floorspace. The current building contains approximately 249m² of internal floorspace which contains toilets, store rooms, a kitchen and a meeting room. The building is set back from the street frontage behind railings and the windows are boarded up. The applicant states that the current floorspace is sub-standard and fails to provide an acceptable facility for local residents.
- 6.1.4 The proposal is for 265m² of new community floorspace which contains a reception area, toilet facilities, a kitchen, store room and multi-purpose space. The applicant has consulted with the Neighbourhood Office who run the community hall and Hackney's Housing Section with regards to the re-provision of the Jack Dunning Hall. The new hall is approximately 16m² larger than the existing facility, with the new multi-use space of 145m² being 14m² larger than the existing main hall space.
- 6.1.5 It is considered that the re-provision of a purpose built community hall is a benefit of this proposal, and acceptable in this location, and a clause is recommended for inclusion in the S106 legal agreement, should consent be granted, ensuring the hall is maintained as such in perpetuity.

6.2 Design and appearance of the proposed development

- 6.2.1 The massing along Furrow Lane steps from 3 to 6 storeys moving south to north. The 3 storey block at the south end of Furrow Lane, is in response to the adjacent group of 1- 4 storey high buildings. The block progressively rises to 5 storeys with the fifth storey setback, which is an appropriate scale along Furrow Lane. A 6-storey 'tower' element is located at the corner of Furrow Lane and Homerton Row, this marks and highlights the corner, which is an effective townscape response. Along Homerton Row, the massing is stepped in response to the 'right of light' and amenity issues of the two storey high terraces along Fenn Street. Massing steps from single storey at the east end adjacent to the two storey terrace, to six storey 'tower' element to highlight the corner of Furrow Lane and Homerton Row. Overall, the massing strategy is a contextual response to the individual boundary conditions, street hierarchy and urban node. It generates a coherent street frontage, better sense of street enclosure, and a much more substantial urban block than existing buildings. The bulk and massing of the building is considered acceptable in its context.
- 6.2.2 The building will be clad predominantly in a grey engineering brick, interspersed with areas of white render and glazing. The brick façade will sit on a rendered podium, and will be broken up with recessed balconies and windows. Flush

curtain wall glazing, incorporating coloured and printed glass will be used for the façade of the new community hall along Homerton Row. The projecting box element to the top storeys of the corner portion of the building will be clad in aluminium and provide a sleek feature giving the building identity.

- 6.2.3 The internal layout and circulation spaces of the proposal are considered satisfactory. Three of the four ground floor units will have private garden space, and all but five of the new flats will have outdoor amenity space in the form of a balcony. One of the 4-bed ground floor units does not have private amenity space, but has almost direct access to the large area of communal amenity space on the ground floor. Four of the 2-bed flats will have Juliet balconies only. As well as the large communal garden space on the ground floor, a large communal roof terrace, with children's play space, is located on the fourth floor. Although most dwelling units are single aspect, all habitable rooms have an aspect to the street or the internal courtyard, and units with north-only aspect are minimal.
- 6.2.4 The design, form, massing and materials of the proposal is considered to be acceptable. The Sustainability and Design Team have recommended several conditions regarding materials, surface treatments, boundary and façade treatments and landscaping. These are all recommended as conditions of consent to be submitted prior to building works commencing, should the application be granted.

Sustainability

- 6.2.5 A number of options have been considered for meeting the renewables requirements for the scheme. Ground source heat pumps to serve the community centre and lower level units and a solar thermal hot water system which will reduce carbon emissions over the entire site by at least 20%. This accords with The London Plan requirement of a 20% reduction in carbon emissions for new developments. It is recommended that a clause requiring this be included in the S106 legal agreement should consent be granted.
- 6.2.6 The scheme will meet level 3 of the Code for Sustainable Homes, and will use all reasonable endeavours to reach level 4. The London Borough of Hackney endeavours that all new developments target level 4. Therefore, this matter will be addressed via a Section 106 agreement and subject to this the matter of sustainability is considered to be acceptable.

Refuse provision

- 6.2.7 The proposed refuse provision is considered to be acceptable. A condition is recommended to be imposed on any grant of planning permission requiring the refuse storage be implemented as shown on the approved plans.

6.3 Potential impact on the amenity of residents

- 6.3.1 The only residential properties to be potentially affected by the proposed development are those immediately to the west of the site along Fenn Street,

and to a lesser extent those to the south-west of the site in a block of flats on the corner of Furrow Lane and Homerton High Street.

Sunlight/Daylight

- 6.3.2 The site is well separated from all the adjoining properties. A daylight and sunlight assessment carried out in accordance with BRE Guidelines has been submitted.
- 6.3.3 In terms of daylight, 'vertical sky component' (VSC) tests were carried out for three reference points (6, 9 Fenn Street, 1 Burnett Close). Two of these points received VSC results below recommended BRE levels. These were then further assessed under average daylight factor (ADF) tests. This test indicates that the internal light conditions at these reference points will remain above recommended BRE targets.
- 6.3.4 With regard to sunlight, the report concludes that the reference points will continue to receive sunlight above recommended BRE levels, both annually and in winter.
- 6.3.5 There are temporary canopy-type structures in the rear gardens of the properties in Fenn Street that will limit the amount of daylight and sunlight these properties receive. This will limit any perceived impact from the development. The report states that these temporary structures have been omitted from the assessments.

Overbearing/Enclosure

- 6.3.6 The building has been set back at various points to limit the enclosure (and light impacts) on the neighbouring properties. The building has been moved further from the boundary than the previous scheme. At ground floor level, the building extends to within 1 metre of the boundary wall. This is closer than the existing hall, but is maintained at a single storey height. At this point the building is less than 0.2 metres higher than the wall, which will not impact on the properties in Fenn Street. From here, the second and third storeys step back to be 10.6 metres from the rear of the properties in Fenn Street. The fourth and fifth storeys are set back a further 4.1 metres, and the top floor set back a further 7.8 metres. This building layout is considered to mitigate the impact of the bulk of the building on the neighbouring properties, and still allows ample light to them. While it is acknowledged that the proposal would result in an increased sense of enclosure to the properties along Fenn Street, it is considered, on balance, to be of sufficient distance, within the context of a built up urban environment, to not cause significant harm to the resident's amenity.

Loss of Privacy

- 6.3.7 The separation between the proposed building and those existing buildings to the west is at least 14 metres. In the northern part of the building, angled 'Oriel' windows have been used to avoid direct overlooking. There is a distance of only 9 metres to the rear of the gardens to the west, however a high wall will

limit overlooking into these gardens. However, in a built up and urban environment, these distances are considered to be acceptable. While it is possible that some small degree of overlooking may occur, on balance, the development is considered acceptable with no material effect on privacy.

Noise

6.3.8 As the proposal is for a predominantly residential use, there is not likely to be any significant increase in noise over and above that already experienced in a residential area. The community hall is an existing use on the site, so a replacement of this use will be in keeping with this. Construction noise should be controlled by the applicant complying with the National Considerate Constructors Scheme.

6.4 Traffic and transport considerations

6.4.1 The site has a PTAL rating of 5. The site is therefore considered to have good sustainable transport characteristics, being highly accessible by public transport. The site is located within the maximum recommended walking distance (800m) to Homerton Station to the south-west and Hackney Central Station to the South-East and therefore has good accessibility to Highbury & Islington Station to the west and Stratford Station to the east. The site is also well served by several bus routes in Homerton High Street and Lower Clapton Road, which offers connectivity to the London Underground & Rail Network and the City.

6.4.2 The Council's Highways officer has been consulted on the proposal and has raised no objections, outlining the highway works required, and the amount of contribution requested. These requirements have been secured under the Heads of Terms in the S106 legal agreement.

6.4.3 The Council's Transport department have been consulted on the proposal and state that a reduced level of onsite car parking provision in high PTAL areas is recommended by the London Plan and therefore forms the basis of the support for the proposed parking provision. The level of parking is therefore considered satisfactory for the proposed development, providing that the parking places are allocated to the larger family units. They state that the proposal is acceptable, subject to a condition imposed on any grant of permission requiring details of the parking layout to be submitted to ensure adequate manoeuvring and turning can be carried out on site.

6.5 Response to objectors

6.5.1 Size of building: This issue has been dealt with in Section 6.2 of this report.

6.5.2 Increase in traffic: This issue has been dealt with in Section 6.4 of this report.

6.5.3 Parking: The development is car free, apart from four accessible car parking spaces on the site. There will be a requirement of the S106 agreement to ensure residents of the new development will not be able to apply for parking

permits for the CPZ within the street and it is considered there will be a negligible affect on on-street parking and traffic on the surrounding road environment.

- 6.5.4 Noise, disturbance and pollution: This issue has been dealt with in Section 6.3 of this report. Additionally, the S106 agreement requires the applicant to comply with the Considerate Contractors Scheme, which will minimise any disruption due to construction.
- 6.5.5 Impact on property values: This is not a material planning consideration.
- 6.5.6 Demolition of flats in Marian Court: This is not relevant to this application.

6.6 Planning Contributions

6.6.1 The following matters are being sought as part of the Section 106 legal agreement to offset the impact of the development proposal:

- To secure the provision of 100% of units as affordable housing, with a split of 54%:46% socially rented/intermediate.
- That the provision of 100% (41 units) affordable housing be secured by Metropolitan Housing Partnership providing 22 social rented units and 19 intermediate units.
- 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.
- 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.
- Payment by the landowner/developer of a sustainable transport contribution of £13,500.00 towards works to the public highway.
- 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.
- The community hall shall be built to shell and core level prior to occupation of the residential units.
- 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.
- All residential units to be built to Lifetime Home standards.
- Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 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.
- 20% reduction in carbon emissions over 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.
- Best endeavours to provide a car club parking space.
- Provision to allow the placement of street lighting on the proposed buildings where appropriate.
- The community hall shall be maintained as such in perpetuity.
- 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.

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. 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 planning permission is recommended.

8. RECOMMENDATIONS

Recommendation A

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

8.1.1 Development in accordance with plans

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

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

8.1.2 Commencement within three years

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

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

8.1.3 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.

8.1.4 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.

8.1.5 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.

8.1.6 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.

8.1.7 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.

8.1.8 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.

8.1.9 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.

8.1.10 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.

8.1.11 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.

8.1.12 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.

8.1.13 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.

8.1.14 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.

8.1.15 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.

8.1.16 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.

8.1.17 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.

8.1.18 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.

8.1.19 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.

8.1.20 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.

Recommendation B

8.2 That 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 Assistant Director of Regeneration and Planning and the secretary and solicitor to the Council:

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

8.2.2 That the provision of 100% (41 units) affordable housing be secured by Metropolitan Housing Partnership providing 22 social rented units and 19 intermediate units.

- 8.2.3 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.
- 8.2.4 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.
- 8.2.5 Payment by the landowner/developer of a sustainable transport contribution of £13,500.00 towards works to the public highway.
- 8.2.6 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.
- 8.2.7 The community hall shall be built to shell and core level prior to occupation of the residential units.
- 8.2.8 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.
- 8.2.9 All residential units to be built to Lifetime Home standards.
- 8.2.10 Commitment to the Council's local labour and construction initiatives (25% on site employment).
- 8.2.11 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.
- 8.2.12 20% reduction in carbon emissions over the whole site through the use of renewable energy sources and use of low energy technology.
- 8.2.13 Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
- 8.2.14 At least 10% of units provided shall be wheelchair accessible.
- 8.2.15 Best endeavours to provide a car club parking space.
- 8.2.16 Provision to allow the placement of street lighting on the proposed buildings where appropriate.
- 8.2.17 The community hall shall be maintained as such in perpetuity.

- 8.2.18 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.

Recommendation C

- 8.3 That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 24th December 2008, the Assistant Director of Regeneration and 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 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.
- 8.3.2 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 Unitary Development Plan, Planning Contributions SPD (2006), and Policy 3A.24 of the London Plan.

9. 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.

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.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.

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

**Fiona Fletcher Smith
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	Adam Flynn (020 8356 8442)	263 Mare Street, London E8 3HT