

ADDRESS: Former Redruth Library site, Corner of Redruth Road and Victoria Park Road, London E9 7JS	
WARD: Victoria	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2008/2764	VALID DATE: 04/11/2008
DRAWING NUMBERS: E07-230 / D 01 to D 04, D 07 to D 09, D 13 (all rev. A); D 05 and D 06 (both rev. B); D 10 to D 12	ACCOMPANYING DOCUMENTS: Design and Access Statement, Sunlight and Daylight Report, Planning Statement, Renewable Energy Study, Transport Statement, Tree Condition Survey and Recommendations.
APPLICANT: Genesis Housing Group Capital House 25 Chapel Street London NW1 5DT	AGENT: Savills Bridewell Gate Bridewell Place London EC4V 6AW
PROPOSAL: Demolition of the existing building and the erection of a part-four-, part-five-storey building containing nineteen residential units and two parking spaces, together with associated outdoor amenity space, storage access and landscaping.	
POST-SUBMISSION REVISIONS: None.	
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	D1	Library (disused)	254 sqm
Proposed	C3	Residential	1364 sqm

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	2	15

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The site consists of a one-storey, disused library dating from the 1970s, with an expanse of tarmac to the rear and communal amenity space associated with a separate block of flats behind this. The surrounding area is residential in nature, comprising mainly good quality three-storey Victorian terraces and some post-war housing of between two and four storeys. The site is situated within close proximity to Victoria Park and lies approximately sixty metres from the Victoria Park conservation area boundary. No other UDP designations are applicable.
- 1.2 The site has a Public Transport Accessibility Level (PTAL) of 1b ('poor'), although this rises to 3 ('moderate') if London Fields rail station and Mare Street's bus services are taken into account (980 metres and 700 metres walking distance away, respectively). Two bus services operate within close proximity to the application site, the westbound 388 towards Blackfriars and the 277 from Lauriston Road to Canary Wharf or Highbury & Islington. Other locations in the City, the West End and elsewhere in the borough can be reached by buses from Wells Street (26) and Mare Street (48, 55, 106, 254, D6).

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, nor is it sufficiently close to the Victoria Park conservation area to impact upon its character or appearance.

3. HISTORY

- 3.1 20/05/2008: Planning permission refused for demolition of existing building and erection of a part four-, part five-storey building comprising twenty-one residential units (eight one-bedroom flats, eight two-bedroom flats, two three-bedroom flats and three four-bedroom flats), together with two disabled car-parking spaces, and associated outdoor amenity space, access and landscaping (2008/0342).
- 3.2 10/05/2007: Planning permission refused for demolition of existing building and erection of a new part four-/part five-storey building providing nineteen

affordable housing units, two car-parking spaces and associated outdoor and amenity space, storage areas, access and landscaping (2007/0044).

- 3.3 24/08/2006: Planning permission refused for demolition of existing building and erection of part four-, part five-storey building providing nineteen affordable housing units (four one-bedroom, eight two-bedroom, six three-bedroom, one four-bedroom) and two car-parking spaces, with new vehicle access from Redruth Road and associated amenity area, landscaping and boundary walls (2006/1252).
- 3.4 24/11/2004: Planning application withdrawn for the erection of part four- and part six-storey building to provide forty-three flats (comprising twenty-six one-bedroom, fourteen two-person studios and three one-person studios) together with demolition of existing disused library and associated outbuildings (2003/1033).

4. CONSULTATIONS

- 4.1 Date statutory consultation period started: 26/11/2008
- 4.2 Date statutory consultation period ended: 05/01/2009
- 4.3 Site notice: Yes
- 4.4 Press advert: Yes

4.5 Neighbours

Ninety-five surrounding occupiers have been consulted by personal letter. Seven letters of objection have been received, of which four share the same wording.

The objections are on the following basis:

- The area is already overcrowded and densely populated
- The proposed development will lead to more cars parking on Victoria Park Road and greater parking congestion in surrounding roads
- The proposed development will put more pressure on the local school to admit new pupils
- The proposed building 'will impact negatively on the sight lines of some of the flats at Regency Court' and will 'completely block my existing view' [from property directly opposite the proposal], and will 'block out more light' and 'affect the skyline'
- The proposed development will result in a loss of privacy and overlooking to the rear garden of 100a Victoria Park Road
- 'Taking a 1 storey building + trying to cram as many flats into it as possible is being greedy' (*sic*)
- Demolition and construction will result in noise and disruption.

4.6 Statutory Consultees

- 4.6.1 Thames Water: With regard to waste, there are public sewers crossing the site and no building works will be permitted within three metres of the sewers without Thames Water's approval. With regard to water infrastructure, no objection.
- 4.6.2 Crossrail Safeguarding: No comment.
- 4.6.3 Environment Agency: We have assessed this application as having a low environmental risk. We therefore have no further comments to make.
- 4.6.4 Network Rail: No response received.

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: No objection; the proposal is satisfactory with regard to fire precautionary arrangements for fire brigade access.
- 4.7.3 NHS Primary Care Trust: No response received.
- 4.7.4 The Learning Trust: No response received.
- 4.7.5 Transport for London: The proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN) or the Strategic Road Network (SRN).

4.8 Other Council Departments

- 4.8.1 Urban Design and Conservation: No response received to consultation regarding this application. However, the design remains identical to the previous application, about which the Urban Design and Conservation team commented as follows:

'Whilst the height and massing of the current scheme remains broadly the same as before, there have been a series of pre-application discussions in order to overcome concerns raised over poor design and insufficient articulation of the elevations, which led to the refusal of the previous scheme. The current scheme is considered to improve greatly on the refused scheme, with a much clearer rationale for the design and greater articulation to the principal facades. The corner site is considered to be able to accommodate the five-storey height on Victoria Park Road and there is a clearer division into ground floor plinth, middle section and top storey. Similarly, greater articulation is provided on the Redruth Road elevation through the two-storey plinth and two-storey upper section. The coloured panelling provides

additional visual interest at the upper levels. We do not wish to raise any formal objections to the proposals.'

- 4.8.2 Highways: The estimated cost of highway works is £32,841.09.
- 4.8.3 Traffic and Transport: No response to this application. However, the application remains the same as the previous application (other than a reduction in the number of units by two and a change in the dwelling mix), about which the Traffic and Transport team raised no objections: 'It is considered that the proposal will not impact unduly on the borough's transportation. The proposal is acceptable with conditions' (one of which is that the development should have one cycle-parking space per unit).
- 4.8.4 Waste Management: No response received.
- 4.8.5 Trees and Landscape Officer: No response received.
- 4.8.6 Policy: Residential without reprovision of community facility is acceptable in principle.
- 4.8.7 Pollution Control: Dust minimisation condition is recommended.

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

Permission is sought for the erection of a part four-, part five-storey block of affordable housing containing nineteen units, to be constructed on the corner of Redruth Road and Victoria Park Road where the former Redruth Library is located. The units will comprise four one-bedroom flats, eight two-bedroom flats, four three-bedroom flats and three four-bedroom flats. All the four-bedroom flats and one of the three-bedroom flats are maisonettes, with their own entrances off Redruth Road.

The application is a re-submission of a proposal that has been refused on three previous occasions, two of which were on the grounds of poor design (in May 2007 (ref. 2007/0044) and in August 2006 (ref. 2006/1252)). On both occasions, design issues had been resolved up to the point of agreeing height, bulk and massing, but it was felt that the detailed designs were not of sufficient quality to warrant support.

The most recent planning application (ref. 2008/0342) featured changes to the internal configuration and layout, a minor change to the dwelling mix and a design that had been revised partly in line with comments from planning officers following the previous refusal. However, the application was again refused – not for design reasons, but because an insufficient number of family-sized units was proposed and because the applicant had failed to provide, upon request, any legitimate reason why exemption from policy CS3 in the Hackney UDP (1995) – which requires the re-provision of community space – should apply.

With this issue now resolved (see sections 6.1 and 6.6 of this report), the resubmitted proposal is virtually identical to its predecessor, apart from a reduction in the number of units (from twenty-one to nineteen) and a revised dwelling mix that provides a greater number of family-sized units.

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 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 Reasons for refusal of previous application
- 6.7 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 a disused library facility and the erection of residential units in its place. Policy CS3 (Retention and Provision of Community Facilities) in the Hackney UDP (1995) states that the Council will only support the redevelopment of 'an education, health, or similar facility' if 'adequate replacement provision has been made'.
- 6.1.2 None of the three previous proposals to redevelop the site have included replacement community space (i.e. within use class D1), and this was not a reason for refusal two out of the last three times. The library was closed nearly eight years ago as part of the general rationalisation of library facilities in the borough, when the site was declared surplus to requirements and agreed for disposal. Unlike other library sites that have been sold, the Council made no stipulation for provision of a community facility on redevelopment.
- 6.1.3 It is considered that the Planning Service's non-pursuit of community space re-provision hitherto, and the lack of inclusion of this as a reason for refusal on two previous occasions, constitute a material consideration that outweighs the case for compelling the developer to re-provide community space at this stage.

- 6.1.4 Furthermore, the existing structure on site has no architectural or historic merit, and accordingly enjoys no statutory protection; therefore there is no objection in principle to its demolition.
- 6.1.5 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 wholly residential. 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 and appearance of the proposed development

- 6.2.1 The proposed building comprises a five-storey element facing onto Victoria Park Road, and a longer four-storey element facing onto Redruth Road, with a slim L-shaped footprint. The main entrance will be at the front of the building on Victoria Park Road, while the four maisonettes will each have their own entrance from the street, on the Redruth Road.
- 6.2.2 The building is contemporary in style, with a materials palette that comprises full-height glazing throughout, London stock brick for the most part, with glazing alternating with coloured metallic panels on the top two storeys facing Redruth Road and the top storey facing Victoria Park Road. The Victoria Park Road façade comprises a single-storey plinth with a three-storey framed element situated above. The window apertures are generously proportioned. The overall design is simple, coherent and unornamented. Provided that high quality materials are used, an acceptable standard of design can be attained.
- 6.2.3 All ground-floor units have private gardens of approximately thirty square metres in size, with a communal garden provided behind the private gardens. All upper-floor units will have a balcony. All units comply with the Council's minimum floorspace standards, as set out in SPG1: New Residential Development (1998).
- 6.2.4 Solar water-heating and photovoltaic panels are proposed for the roof, which, in combination with passive energy efficiency measures, will result in a 14.14 per cent reduction in carbon dioxide emissions. This falls short of the London Plan's twenty per cent reduction target, and it is recommended that a Section 106 obligation be included to secure the development's compliance with the London Plan's energy policies.
- 6.2.5 Overall, the design represents a significant improvement on the designs of the proposals that were previously refused. It is now 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. The main potential for overlooking from the proposed building is from a) the front of the Victoria Park Road element, b) the front of the Redruth Road element, and c) the rear of the Redruth Road element.
- 6.3.2 It is considered that the distance between facing windows from any of these elevations would not result in overlooking to any degree that would have a materially detrimental effect on the amenity of neighbouring occupiers by way of loss of privacy or light. The front elevation of the Victoria Park Road element is over thirty metres from the front elevation of the property opposite, Norris House, which is itself set back from the pavement of Victoria Park road by over ten metres and shielded by relatively dense foliage.
- 6.3.3 The east elevation (i.e. the front elevation of the Redruth Road element) faces the side wall of 98 Victoria Park Road and its rear garden, with a distance of thirteen metres between them. The garden of 98 Victoria Park Road is shielded from public view by a five-foot-high brick wall and an abundance of foliage; therefore it is considered that users of the garden of 98 Victoria Park Road will not suffer from a materially adverse impact on their privacy by way of overlooking.
- 6.3.4 The nearest residential property to the west elevation of the Redruth Road element, 117-140 Parkside Estate, is situated approximately thirty-five metres to the south-west, with no direct sightlines.
- 6.3.5 The main risk of overlooking is to the occupants of the maisonettes in the proposed development, who may be overlooked in their rear gardens by occupants of the flats above, on the third and fourth floors of the same (Redruth Road) part of the building. This is not deemed an unreasonable degree of overlooking to an outdoor space where there are properties of more than one-storey with rear gardens, and is fairly standard in an urban situation.
- 6.3.6 Furthermore, the top two storeys of this elevation, which contain the flats, are 'framed', with the bottom edge of the frame projecting outwards to partly obstruct sightlines to the gardens below. Therefore it is considered that the perceived or actual loss of privacy of prospective occupants of the ground-floor maisonettes is not sufficient to warrant refusal of the application solely on that basis.
- 6.3.7 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 nineteen residential units comprise four one-bedroom flats, eight two-bedroom flats, four three-bedroom flats and three four-bedroom flats.
- 6.4.2 In terms of affordable housing provision, all nineteen units consist of affordable housing, all of which are for social rent. This is considered acceptable.
- 6.4.3 Over a third of the nineteen residential units are family-sized (three bedrooms or more), and over a third of these have four bedrooms or more. The dwelling mix is therefore considered acceptable.

6.5 Traffic and transport considerations and car parking provision

- 6.5.1 The proposed development is car-free, apart from two disabled parking spaces. Although the area is not in a Controlled Parking Zone (CPZ) and has a low public transport accessibility rating, the proposed development's lack of off-street parking spaces corresponds with the prevailing parking provision offered by a majority of surrounding residential properties, and is not exceptional in this regard. Therefore, having due regard to the Council's aspirations for discouraging car use in favour of alternative means of transport, a car-free proposal is considered to be acceptable.
- 6.5.2 Fifteen cycle parking spaces are provided. On the basis that one cycle parking space per unit is required, a condition is recommended requiring the provision of nineteen cycle parking spaces.
- 6.5.3 Based upon the transport statement submitted with the previous application, 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 Reasons for refusal of previous application (ref: 2008/0342)

- 6.6.1 The first reason for the refusal of the previous application was:

The proposed dwelling mix is considered to be unacceptable and fails to comply with London Plan (Consolidated with Alterations since 2004) policy 3A.5 (Housing Choice) and the London Plan Housing SPG, by way of failure to provide a sufficient number of family-sized units in accordance with the Council's Housing Needs Survey 2003.

6.6.2 As discussed in section 6.4 of this report, the dwelling mix has been revised to provide an acceptable number of family-sized units. Therefore it is considered that this reason for refusal has satisfactorily been addressed.

6.6.3 The second reason for the refusal of the previous application was:

The proposed development fails to reprovide community space (use class D1) on the site of a former library facility, thereby contravening policy CS3 (Retention and Provision of Community Facilities) in the Hackney UDP (1995) and the applicant has failed to provide upon request any legitimate reason why exemption from policy CS3 should apply.

6.6.4 As discussed in paragraphs 6.1.2 and 6.1.3 of this report, a wholly residential proposal that excludes community space re-provision is considered to be acceptable in this instance. Therefore it is considered that this reason for refusal has satisfactorily been addressed.

6.7 Consideration of objections

6.7.1 Excessive height of proposed building; impact on sightlines and light

The proposed building is five storeys at its highest, facing Victoria Park Road, where the prevailing height limit currently stands at four storeys. The rest of the proposed building is four storeys tall. The Victoria Park Road element is approximately 2m higher than the proposed building's neighbours, 98 Victoria Park Road and 153-162 Parkside Estate. It is not considered that this height surplus constitutes excessive height in absolute terms, and no adverse effect on the amenity of neighbouring occupiers resulting from the proposed height has been identified.

6.7.2 Insufficient number of parking spaces; likelihood of increased congestion etc.

As discussed in section 6.5, it is not anticipated that the proposed development will impact unduly on the traffic circulation and parking in the area.

6.7.3 Loss of privacy and overlooking to 100a Victoria Park Road

100a Victoria Park Road is not situated adjacent to the application site but separated from it by 98 Victoria Park Road, the impact on which is addressed in paragraph 6.3.3 of this report. It is considered that there will be no materially significant impact on the privacy of occupiers of 100a Victoria Park Road as a result of this development.

6.7.4 Loss of view from property opposite

There is no legal right to a view under planning law, unless the view is statutorily protected. The current view from the property in question, of a

disused one-storey municipal building dating from the 1970s, is not statutorily protected.

6.7.5 The following objections are not deemed to be material planning considerations and therefore cannot, in this officer's view, constitute reasons for the refusal of the planning application:

- The area is already overcrowded and densely populated
- The proposed development will put more pressure on the local school to admit new pupils
- 'Taking a 1 storey building + trying to cram as many flats into it as possible is being greedy' (*sic*)
- Demolition and construction will result in noise and disruption.

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

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 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) 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 SCH8 – Parking for people with disabilities

Before the use hereby permitted first commences, at least two car parking spaces shall be marked and retained permanently for use by the vehicles of people with disabilities 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.

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 nineteen 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.

8.1.8 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 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.

8.1.9 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

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.

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 Planning and Regeneration and the Secretary and Solicitor to the Council:

8.2.1 Provision of one-hundred per cent affordable housing, comprising four one-bedroom flats, eight two-bedroom flats, four three-bedroom flats and three four-bedroom flats, all for social rental.

8.2.2 Payment by the landowner/developer of £3022.29 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 £51,145.14 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 £895.85 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 Payment by the landowner/developer of £6930.00 towards sustainable travel initiatives in the borough. (This sum was calculated by the Council's Traffic and Transport team for the previous planning application for this site (ref. 2008/0342).)
- 8.2.6 The developer is required to pay, under Section 278 of the Highways Act (1980), £28,500.00 to reinstate and improve the highway adjacent to the boundary of the site, to include access to the highway, measures for street furniture relocation, carriageway markings, access and visibility safety requirements.
- 8.2.7 Provision by the landowner/developer for the use of local labour for construction in the form of twenty-five per cent on-site employment, including the facilitation of an apprentice for a defined period.
- 8.2.8 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.
- 8.2.9 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.
- 8.2.10 Achievement of twenty per-cent reduction in carbon emissions through the use of renewable energy sources and use of low-energy technology.
- 8.2.11 The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
- 8.2.12 Provision for at least ten per cent of units to be wheelchair accessible.

RECOMMENDATION C

- 8.3 **That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 2 February 2009, the Head of Development Management 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 HO3 of the Hackney UDP (1995), policies 3A.7 and 3A.8 of the London Plan (Consolidated with Alterations since 2004), the LDF Planning Contributions SPD (2006), and advice contained in PPS1 and PPG3.

- 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 UDP (1995), the LDF Planning Contributions SPD (2006) and policy 3A.21 of the London Plan (Consolidated with Alterations since 2004).

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 ['materials to be approved', as per paragraph 8.1.3 of this report] 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 2008/2764, 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.

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	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT