

<b>ADDRESS:</b> 55 Pitfield Street, London N1 6BU	
<b>WARD:</b> Hoxton	<b>REPORT AUTHOR:</b> Rokos Frangos
<b>APPLICATION NUMBER:</b> 2009/0521	<b>VALID DATE:</b> 04/03/2009
<b>DRAWING NUMBERS:</b> 1-340.P.098 to 104, 1-340.P.200 to 203, 1-340.P.300 to 302	<b>SUPPORTING DOCUMENTS:</b> Design and Access Statement, Daylight and Sunlight Report, Planning Statement, Energy Strategy Report, Background Noise Survey, Transport Statement, Travel Plan.
<b>APPLICANT:</b> The Shoreditch Trust c/o agent	<b>AGENT:</b> CMA Planning 113 The Timber Yard Drysdale Street London N1 6ND
<b>PROPOSAL:</b> Part-demolition of existing building (with façade retention) and erection of a new part-two-, part-four-storey building (plus two basement levels) to provide a two-screen cinema and associated facilities, including café, event/presentation space, office accommodation and data-storage facility (modification of planning permission ref. 2005/2637).	
<b>POST-SUBMISSION REVISIONS:</b> None.	
<b>RECOMMENDATION SUMMARY:</b> 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
<b>Prior to demolition</b>	B8	Former cinema building used as storage facility etc.	1013 sqm
<b>Approved</b>	B1	Office space	815 sqm
	D2	Cinema	1545 sqm
<b>Proposed</b>	B1	Office space	1064 sqm
	D2	Cinema	1325 sqm

<b>PARKING DETAILS:</b>	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
<b>Existing</b>	0	0	0
<b>Proposed</b>	0	0	8

### **CASE OFFICER'S REPORT**

#### **1. SITE DESCRIPTION**

- 1.1 The application site comprises the frontage of a building formerly used as a cinema (originally dating from 1914) and a building site to the rear, consisting of works currently being undertaken to erect a new four-storey cinema by way of implementation of planning permission granted in 2006 under reference 2005/2637.
- 1.2 The original cinema closed in 1956 and was subsequently used variously as a storage facility, a bakery, an import/export business and artists' studios before being boarded up in 2006 and demolished in late 2008.
- 1.3 The application site is located on the western side of Pitfield Street in Hoxton in the middle of a small row of buildings comprising commercial uses on the ground floor with residential uses above. Adjoining the application site to the north and south are terraces of late-Victorian dwellings, with a prevailing building height of three storeys (rising to four and five on Pitfield Street itself). On the eastern side of Pitfield Street lie a series of six-storey early-post-war blocks of social housing set in open space.
- 1.4 The site has an excellent level of public transport accessibility, with nine bus routes, as well as Old Street Underground and national rail station, less than five minutes walk away. The site is also in a Controlled Parking Zone.
- 1.5 There are no pertinent UDP designations for the site.

#### **2. CONSERVATION IMPLICATIONS**

- 2.1 The application site is not situated in or adjacent to a conservation area. The Grade II-listed former London College of Furniture (dating from 1825; since 2001 known as 1-40 Hoffman Square, Chart Street; 50 Buttesland Street, and 55 Buttesland Street) is situated approximately forty metres to the south-west. It is considered that this building would, as a result of its siting and distance from the application site, be unaffected by development at 55 Pitfield Street. There are no other statutorily listed buildings adjacent to the application site. The cinema itself was a locally listed building, although only its frontage remains.

### **3. HISTORY**

- 3.1 06/02/2006: Planning permission granted for the part-demolition of existing building (facade retention) and erection of a new part-two-, part-four-storey (plus basement level) building to provide 1545 square metres of class D2 (cinema) and 315 square metres of class B1 (office) floorspace (ref. 2005/2637).
- 3.2 10/10/2005: Planning application for the part-demolition of existing building (facade retention) and erection of a new four-storey (plus basement level) building to provide 1545 square metres of class D2 (cinema) and 1127 square metres of class B1 (office) above withdrawn (ref. 2005/1435).
- 3.3 03/03/2004: Planning permission refused for redevelopment of the site comprising erection of five-storey mixed-use building consisting of a ground-floor cinema with ancillary retail and restaurant uses at ground floor, and fourteen units of residential accommodation on upper floors; and provision of bin stores and cycle storage, together with demolition of existing building and rear outbuilding (ref. 2003/2256).
- 3.4 22/08/2003: Planning permission refused for the erection of a five-storey building to provide ground-floor commercial use and fourteen flats above; appealed; dismissed (ref. 2003/0047).

### **4. CONSULTATIONS**

- 4.1 Date statutory consultation period started: 11/03/2009
- 4.2 Date statutory consultation period ended: 13/04/2009
- 4.3 Site Notice: Yes
- 4.4 Press Advert: Yes

#### **4.5 Neighbours**

217 surrounding occupiers have been consulted by personal letter. Eight letters of objection and five letters of support have been received.

The objections are on the following grounds:

- Site not suitable for a new cinema 'because of adverse effect on a residential area... where specific problems pertaining to traffic, access and crowd control have not been satisfactorily addressed'
- Proposed building higher than former cinema building

- Will diminish daylight and sunlight availability to adjoining buildings even more than its 1914 predecessor; will obscure the view of the sky and ‘plunge’ families ‘into shadow’ and houses ‘into darkness’
- Height of proposed new building unclear from drawings
- ‘Ugly, angular structure’ will ‘destroy the symmetry of the block and street’
- Excessive scale
- Noise from proposed data storage facility
- Risk of collapse/subsidence to the paved surface of the rear yard of Haberdasher Street properties arising from proposed three-metre excavation; no safeguards to the stability of the Buttesland, Pitfield and Haberdasher Street properties during and after the excavation’
- ‘Excessive’ capacity of cinema; concerns over viability of the cinema
- Noise, litter and anti-social behaviour from visitors to the cinema
- Noise and dust arising from demolition, excavation and construction
- Loss of outlook
- Loss of privacy
- Loss of sunlight will affect ‘plants and vegetables cultivated in the back yard of a nearby property
- Traffic concerns; limited parking availability in the area

#### **4.6 Statutory Consultees**

4.6.1 Thames Water: No objection.

#### **4.7 Local Consultees**

4.7.1 Invest in Hackney (I.I.H.): I.I.H. supports the proposed development. The site is currently unused and unoccupied. The owners have committed to bringing a cinema back on to the site, and received planning permission in 2006 to this effect. The new plans involve a small reduction in use-class B1 office space in the development, but now include more café space and a community event space, which will more than compensate for this reduction in terms of job creation. The revised plans also propose the creation of a 774 square-metre data centre in the basement, which will support and contribute to the growth of the creative/digital media cluster in the area.

This proposal fits well with the local economy. The inclusion of the data storage facility in the plans will complement the growing high-tech digital media cluster in the N1 area. The office space in the development is to be used to provide affordable workspace for local start-up businesses. Hackney’s economy relies heavily on these small or micro businesses, with ninety per cent of businesses in the borough having ten or fewer employees. The developers already run successful managed workspace centres in the borough so we are confident that the office space will be configured to a very high standard, providing office space in an attractive and accessible location.

The development will also include a café and community event space, and I.I.H. has identified that the hospitality and catering industry is more likely to provide entry-level jobs than many other sectors, so supporting the borough's worklessness agenda.

I.I.H believes this development will create significant employment opportunities in the borough. The reinstatement of the cinema at this site will also provide a boost for the businesses close to the site. The development will result in the optimum commercial development of what is currently an unoccupied and unused site and will also restore a landmark building for the area. As such I.I.H. fully supports this proposal.

4.7.2 London Fire and Emergency Planning Authority: The Brigade is satisfied with the proposals.

#### **4.8 Other Council Departments**

4.8.1 Sustainability and Design: No response received.

4.8.2 Highways: We have already received and banked a cheque for £40,000.00 under the previous application for this development; unless advised otherwise, there is no need to undertake a further Section 278 estimate for the new planning application.

4.8.3 Traffic and Transport: The above proposal is considered acceptable as it takes into consideration the current site context (PTAL – Public Transport Accessibility Level) and site constraints (CPZ). Due to the current CPZ coverage on neighbouring roads, the impact on residential parking need as a result of overspill parking is not expected to be detrimental, as most of this will occur outside of the hours of operation identified in the Council's parking enforcement plan. Any subsequent impact non-local parking demand has on residential parking need will be reviewed as part of the annual review of existing control parking zones.

4.8.4 Waste Management: No response received

4.8.5 Pollution Control: No response received.

### **5. POLICIES**

#### **5.1 Hackney Unitary Development Plan (UDP) (1995) (saved)**

EQ1	-	Development Requirements
ACE1	-	New Arts, Culture and Entertainment Development
ACE2	-	Promoting the Development of New Arts, Culture and Entertainment Facilities
ACE8	-	Planning Standards
TR19	-	Planning Standards

## **5.2 Supplementary Planning Guidance (SPG)**

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
- 3C.2 - Matching development to transport capacity
- 3C.17 - Tackling congestion and reducing traffic
- 3C.23 - Parking strategy
- 3D.4 - Development and promotion of arts and culture
- 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
- PPG13 - Transport

## **6. COMMENT**

Planning permission is sought for the erection of a part-two-, part-four-storey building (plus two basement levels) to provide a two-screen cinema and associated facilities, including café, event/presentation space, office accommodation and a data storage facility behind the retained façade of the former Hoxton Cinema on Pitfield Street.

A new part-two-, part-four-storey building containing a cinema on this site has already been approved in principle by the Planning Sub-Committee on 14 December 2005, under reference 2005/2637.

The officer's report for the 2005 application originally recommended that the Planning Sub-Committee refuse the application on the grounds that the height and scale of the proposal, and its proximity to surrounding properties, would be visually

intrusive and significantly restrict outlook from – and daylight to – surrounding properties.

However, prior to the committee meeting, revised plans were submitted with an amended roof form resulting in a significant reduction in the bulk of the proposal towards the rear, considerably improving the level of daylight and sunlight to surrounding residential properties. The revised plans were considered to have addressed the Planning Service's concerns and as a result the recommendation was changed to one of approval. The Planning Sub-Committee made an 'in principle' decision to approve the scheme, with the formal decision delegated to the then-Assistant Director of the Environment following a further consultation period on the revised plans. Planning permission was finally granted under delegated powers in February 2006.

The current planning application seeks permission to alter the distribution of uses within the building envelope that was previously approved, with only minor changes to the exterior (mainly comprising a reduction in the bulk of the building to the rear). In essence, the current planning application represents an amendment to the previously approved scheme to reflect the internal changes set out below.

Although this proposal is in most respects the same as its approved predecessor, there is a reduction in the amount of cinema space to make way for additional workspace, as well as new event/presentation accommodation, new external spaces, a new data storage centre and an automated DVD library. These differences were considered to be sufficient to warrant a fresh application, although in physical terms the height, scale and appearance of the proposed development are substantially unchanged from those of its approved predecessor. The principal physical differences are a reduction in the size of the third storey by tapering down the bulk of the south-western corner of the building envelope towards Buttesland Street, and the addition of a further basement level, to accommodate the data storage centre.

The other differences between the current proposal and the proposal approved in 2006 under reference 2005/2637 are as follows:

The approved basement (above the data centre) would continue to contain part of the main cinema auditorium, but would replace the B1 space at that level with an enlarged cinema plant room and would replace the editing suite with a void to the data centre below.

The ground floor would continue to contain the main bulk of the aforementioned cinema auditorium, as well as the foyer, box office and café. In the current application, however, a small bar is included.

The first floor would continue to contain a secondary cinema auditorium (together with another new, small bar) and terrace café, but would no longer contain third and fourth cinema auditoria; this space would instead be occupied by a large space to be divided between an event space, private cinema, the terrace café and flexible workspace (with the demarcation between these uses not shown on the submitted plans).

The second floor would continue to contain office space, although with an additional outdoor terrace at the front.

The third floor would differ from that approved previously; in application ref. 2005/2637, this floor contained office space. In the current application, this floor is now fully occupied by a room containing heat-rejection plant.

The developer has started to implement the previous planning permission by constructing those parts of the building that the two planning applications have in common, such as its frame.

## **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 Traffic and transport considerations and car parking provision
- 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 principle of a development that contains a mix of cinema (use class D2) and use-class B1 space on this site was considered and approved by the Planning Sub-Committee in 2006. There has been no change in local, regional and national policy since the previous approval to constitute a basis for a change in position and therefore it is considered that the principle remains acceptable.
- 6.1.2 The current proposal is characterised principally by a decrease in the proportion of cinema space, the introduction of a data storage centre and a corresponding decrease in the amount of office space to make way for it. (A data storage centre is effectively a digital archive. Physically, it consists of racks of data-storage modules (similar to hard drives, but larger) to which individuals and companies can store and back-up their data. The employment generated directly by this part of the scheme is fairly low (estimated at one or two people). However, the facility is designed to serve the local business community, so its role is as a support service rather than as a direct generator of employment.)

6.1.3 On a person-by-person basis, office space generally provides a higher density of employment-generation than cinema space, a data storage centre or any of the other associated uses proposed in the current planning application. However, it is considered that the support and contribution that the data storage centre will make to the growing high-tech digital media cluster in this part of the borough constitutes a benefit that outweighs any concerns regarding the slight reduction in office space. The changes to the internal distribution of uses within the building envelope are therefore considered acceptable.

## **6.2 Design, appearance and sustainability of the proposed development**

6.2.1 The height, scale, external design and appearance of the proposed building correspond with those of its approved predecessor, with the exception of minor changes to the window openings and a reduction in the bulk of the building to the rear.

6.2.2 The height, scale, external design and appearance of the proposed building were previously considered and approved by the Planning Sub Committee in 2006. There has been no change in local, regional and national policy since the previous approval to constitute a basis for a change in officers' position, and it is considered that the reduction in the bulk of the building's rear serves to further support the acceptability of the proposal in this regard.

6.2.3 In terms of the proposed development's sustainability offer, passive energy efficiency measures are proposed, in conjunction with Combined Cooling Heat and Power (CCHP) which is the energy-generation method most compatible with a data storage centre that will require continuous cooling. Largely as a result of the energy-hungry data storage centre, there is no indication that the proposed development would meet the London Plan's twenty per-cent carbon dioxide emissions reduction target. The applicant's consulting engineers have submitted evidence that demonstrates the impracticality of providing the level of alternative sustainability technology (e.g. solar PV panels, wind turbines, bio-mass CHP) needed to achieve the twenty-per-cent reduction.

6.2.4 In these specific circumstances, it is considered that the provision of a data storage centre necessitates a more flexible approach towards the sustainability offer of this particular proposal, and having due regard not only to the extant approval but the overall benefit to the community arising from the proposed development, it is considered that the failure of the proposal to comply with the aforementioned London Plan target does not in its own right warrant the refusal of this planning application.

6.2.5 Furthermore, it is recognised that the proposed development makes provision for a green roof that was not featured in the previous planning application, in an attempt to bolster its sustainability credentials. Although there is no specific provision for rainwater harvesting, this can be secured by way of condition.

### **6.3 Potential impact on the amenity of nearby residents**

6.3.1 The impact of the proposed building on the amenity of adjoining residents was assessed during consideration of the previous planning application. The height and scale of the proposed building correspond with those of the building that was approved in 2006, apart from a reduction in the size of the third storey. Since the development was considered by officers to be policy-compliant in amenity terms, there has been no subsequent change in local, regional and national policy to constitute a basis for a change in officers' position, and it is considered that the reduction in the bulk of the building's rear serves to further support the acceptability of the proposal in this regard.

### **6.4 Traffic and transport considerations and car parking provision**

6.4.1 The potential impact of the proposed building on circulation and parking was considered by officers, recommended to Planning Sub-Committee and approved in 2006. There have been no transport-related changes to the proposal since then, nor any change in local, regional and national policy since the previous approval to constitute a basis for a different officer position, and the proposed development remains policy-compliant. Therefore the proposal is acceptable in this regard.

### **6.5 Consideration of objections**

6.5.1 The majority of objections relate to matters that were settled during the assessment, consideration and approval of the previous planning application, with the following exceptions:

#### **6.5.2 Noise from proposed data storage facility**

The relevant objector has not elaborated upon – and the Planning Service cannot identify how – a data storage facility situated two floors underground will be sufficiently noisy to constitute a disturbance. This objection is therefore not considered material to the determination of this planning application.

#### **6.5.3 Risk of collapse/subsidence arising from proposed three-metre excavation**

This is a building-control matter that does not fall under the remit of the Planning Service. As such this matter cannot be considered in the determination of this application.

**7. CONCLUSION**

- 7.1 In summary, it is considered that the proposed development is materially sufficiently similar to its approved predecessor to remain compliant 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 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, railings 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.

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**

Internal lockable space shall be made available within the development for the secure parking of eight bicycles, before use of the development first 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 SCN1 – Soundproofing (details to be approved)**

Full particulars and details of provisions for soundproofing between all external walls and an assessment of the noise levels likely to be produced between the office accommodation and the cinema, and between the cinema and the neighbouring residential accommodation, 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 commenced.

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

**8.1.8 SCL6B – Original features to be retained (general)**

All existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrading shall remain undisturbed in their existing position and shall be fully protected during the course of works on site, unless specifically authorised otherwise on the drawings hereby approved.

REASON: To ensure that those features which contribute to the special architectural and historic interest of the building are retained.

**8.1.9 SCG10 – Soil contamination survey/treatment**

No development shall take place until details and results of a soil contamination survey of the site and details of remedial measures proposed to treat/eradicate any contamination found have been submitted by the applicant and approved by the local planning authority in writing. The survey shall be carried out by a suitably qualified person or body to be agreed by the

Council. The development shall not take place otherwise than in accordance with the details so approved.

REASON: To ensure that the condition of the site is suitable for the development proposed and to ensure a reasonable quality of natural environment, in order to safeguard future occupiers and users of the site.

**8.1.10 SCR8 – Obscured glazing**

The large rectangular window on the south elevation at second floor level shall be permanently glazed in obscured glass and kept fixed shut.

REASON: To safeguard against overlooking of adjoining sites and premises.

**8.1.11 SCM10 – Erection of boundary fence/wall**

Before the commencement of the use of the building hereby permitted, a gate shall be constructed and permanently retained at the Buttesland Street entrance to the site together with the installation of security lighting, and details of the said gate and lighting shall be submitted to approved by the local planning authority, in writing, before its construction.

REASON: To ensure that the site is secured.

**8.1.12 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.

**8.1.13 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.

**8.1.14 NSC3 – Non-standard condition**

Full details of dustbin enclosures showing the design, location, waste separation, recycling facilities and external appearance, shall be submitted to and approved by the local planning authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interest of sustainable waste disposal.

**8.1.15 NSC4 – Non-standard condition**

Details of an environmental plan, shall be submitted to and approved by the local planning authority prior to development, which demonstrates how dust emissions from the site, traffic and plant during the construction phase will be controlled.

REASON: The site lies within the borough's air-quality management area, and in the interests of maintaining a reasonable natural environment.

**8.1.16 NSC5 – Non-standard condition**

Doors and windows to the cinema must be kept closed whilst films are being shown and amplified music is being played, and there shall be no noise audible from amplified audio recordings at the boundary of the premises at any time.

REASON: In the interests of residential amenity.

**8.1.17 NSC6 – Non-standard condition**

Full details of mechanical ventilation equipment and air conditioning units, shall be submitted to and approved by the local planning authority, showing how these units are positioned, designed and acoustically insulated so as not to cause noise disturbance or affect the amenity of neighbouring residents.

REASON: In the interests of residential amenity.

**8.1.18 NSC7 – Non-standard condition**

Details of how the first-floor space is to be demarcated between the four uses indicated on the proposed first-floor plan (drawing no. 1-340.P.101), comprising event space, a private cinema, terrace café and flexible workspace, shall be submitted to the local planning authority and approved in writing before use of the development hereby approved first commences. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In order to establish the distribution of uses on the first floor.

**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 Payment by the landowner/developer of £1494.00 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).)

- 8.2.2 Payment by the landowner/developer of £442.80 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).)
- 8.2.3 Provision by the landowner/developer for the use of local labour on site during the construction phase.
- 8.2.4 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.
- 8.2.5 The applicant is to carry out all works in accordance with the National Considerate Constructors Scheme.
- 8.2.6 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).

## **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; ACE1 - New Arts, Culture and Entertainment Development; ACE2 - Promoting the Development of New Arts, Culture and Entertainment Facilities; ACE8 - Planning Standards; 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; 3C.2 - Matching development to transport capacity; 3C.17 - Tackling congestion and reducing traffic; 3C.23 - Parking strategy; 3D.4 - Development and promotion of arts and culture; 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.34 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 2009/0521, 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: 27 April 2009

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

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